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**CONSISTENCY OF THE EU'S DECISIONS ON CHINA: AN ANALYSIS OF
COOPERATION AND SANCTIONS**

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January 2025

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Abstract

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Consistency of the EU's Decisions on China: An Analysis of Cooperation and Sanctions

by

Ahmet Bilal Tuzgen

This thesis analyses the EU's foreign policy on China and aims to explain why the EU, which repeatedly underlines foreign policy coherence in its main treaties, made very different decisions in a short time, including ones that seem to undermine each other. It examines the logic behind the decisions, the key actors involved in the process, and how these actors influenced the shaping of the EU's decisions. To analyse this data, it makes an innovative synthesis by combining the concept of consistency with Europeanisation theory.

Since its foundation, enhancing foreign policy coherence has always been an objective for the EU, and it has made several structural adjustments to harmonise the foreign policy of its member states. However, the extent to which the EU has achieved this goal remains a contested issue, as can be seen in its decisions regarding China, which was conceptualised as a strategic partner in the early 2000s, but, began to be also defined as a competitor and rival in the late 2010s. This thesis particularly focuses on the cases of the conclusion of the CAI and sanctions imposed due to human rights violations in Xinjiang. It questions the reasons the EU, having just concluded its largest investment deal to date with China, made a decision that jeopardised the deal, resulting in the freezing of the agreement. To answer this, the thesis compares the long-term stances, discourses, and initiatives of a sample of key EU actors influencing foreign policy in terms of vertical and horizontal consistency. It argues that, in dealing with a rising challenge like China, EU member states and institutions were involved in different phases of cooperation and criticism, which impacted the influence they exerted in EU decision-making, and that the simultaneous success of two different logics in influencing the EU causes the seeming inconsistency.

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Research Thesis: Declaration of Authorship

Print name: Ahmet Bilal Tuzgen

Title of thesis: Consistency of the EU's Decisions on China: An Analysis of Cooperation and Sanctions

I declare that this thesis and the work presented in it are my own and has been generated by me as the result of my own original research.

I confirm that:

1. This work was done wholly or mainly while in candidature for a research degree at this University;
2. Where any part of this thesis has previously been submitted for a degree or any other qualification at this University or any other institution, this has been clearly stated;
3. Where I have consulted the published work of others, this is always clearly attributed;
4. Where I have quoted from the work of others, the source is always given. With the exception of such quotations, this thesis is entirely my own work;
5. I have acknowledged all main sources of help;
6. Where the thesis is based on work done by myself jointly with others, I have made clear exactly what was done by others and what I have contributed myself;
7. None of this work has been published before submission.

Signature: Date: 18/09/2024

Acknowledgements

I have been interested in the functioning of the EU and its foreign policy since I first became a student of International Relations. For this reason, I would like to express my gratitude,

To Dr Kamil Zwolski and Dr John Glenn, who supervised the research for four years, gave me new perspectives in this field, and helped me complete this dissertation,

To all the officials from EU institutions and member states who, despite their busy agendas, took the time to make invaluable contributions to my research with their knowledge and expertise;

To Professor Russell Bentley and Dr Ming-chin Monique Chu, who participated in my progression and confirmation reviews and contributed addressing the shortcomings of the research with their kind feedback;

To the two examiners who agreed to be part of my viva voce;

To my financial sponsor, Turkish Ministry of National Education, and to the European Consortium for Political Research for supporting my final fieldwork to Brussels,

To all my family and friends, who made my life more enjoyable,

and most importantly, to my wife Dr Nilay Tüzgen, who always managed to make me laugh and helped me stay sane through all the challenges I faced, not only due to the stress of writing a PhD thesis but also writing a second PhD thesis in a new country and educational culture. I know it would have been impossible to finish this without your support and love.

The distortions in academia caused me years of legal battles, but I don't see the need to mention them. All's well that ends well.

Abbreviations

ASEM	Asia-Europe Meeting
CAI	Comprehensive Agreement on Investment
CCP	Chinese Communist Party
CFSP	Common Foreign and Security Policy
CSDP	Common Security and Defence Policy
DG	Directorate-General
EC	European Communities
ECJ	European Court of Justice
ECSC	European Coal and Steel Community
EEAS	European External Action Service
EEC.....	European Economic Community
EPC.....	European Political Cooperation
EPP	European People’s Party
ESS.....	European Security Strategy
EU.....	European Union
FDI.....	Foreign Direct Investment
GDP	Gross Domestic Product
GHRSR.....	Global Human Rights Sanctions Regime
GNI	Gross National Income
HR	High Representative for Common Foreign and Security Policy
HR/VP	High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission
IR.....	International Relations
LI	Liberal Intergovernmentalism
MEP	Member of the European Parliament
MLG	Multilevel Governance
NSL.....	National Security Law

Abbreviations

PLA	People's Liberation Army
PLAN.....	People's Liberation Army Navy
PRC	People's Republic of China
QMV.....	Qualified Majority Voting
RQMV.....	Reinforced Qualified Majority Voting
S&D	Socialists & Democrats
SEA.....	Single European Act
SOTEU	State of the Union
UK	United Kingdom
UN	United Nations
UNHRC	United Nations Human Rights Council
US	United States of America
USSR.....	Union of Soviet Socialist Republics
WTO.....	World Trade Organization
WWII	World War II
XPCC PSB.....	Xinjiang Production and Construction Corps Public Security Bureau
XPCC	Xinjiang Production and Construction Corps
XPSB	Xinjiang Public Security Bureau
XUAR	Xinjiang Uyghur Autonomous Region

INTRODUCTION

This PhD dissertation begins with the observation that the European Union's (EU) decisions regarding China in the 2020s have varied significantly in nature, ranging from cooperative to confrontational. It aims to explain why the EU made such diverse decisions within a relatively short period. To address this, the study investigates the underlying logic behind these decisions, the key actors involved in the process, and how these actors influenced the shaping of the EU's decisions. It questions whether the consecutive adoption of decisions with such differing characteristics represents an inconsistency in the EU's foreign policy, and develops an original explanation about the reasons for the decisions by applying an innovative framework combining Europeanisation and the study of consistency.

The EU's foreign policy and its decision-making processes contain very diverse and complex components. Although foreign policy is an intergovernmental domain, left to the competence of member states within the Maastricht Treaty's three-pillar and Lisbon Treaty's dual-pillar structure, various factors can influence the process and play a role in shaping specific decisions. Therefore, the EU has consistently aimed for the harmonisation of member states' foreign policies and the enhancement of the EU's foreign policy coherence, as outlined in numerous foundational treaties (see, CTEU, 1997 Title I Art.3; SEA, 1987 Title III Art.30; TEU, 1992 Title I Art.C; TFEU, 2007 Title III Art.9). However, the extent to which the EU has achieved these goals remains a contested issue, as can be seen in the decisions regarding China. Particularly after the 2010s, the future of EU-China relations has faced increased scrutiny, partly due to the EU's own crises and partly due to increasingly ambitious Chinese policies. As China's economic, military, cyber challenges as well as its challenges to the international order have grown (Christensen, 2015; Drent et al., 2015; Holslag, 2019; Maher, 2016; Mearsheimer & Walt, 2016), the question of how to approach China has become more pressing. However, there were differences in approach among EU actors. Some highlighted these challenges earlier, while others were less urgent in addressing them. This divergence led to a situation where the EU's foreign policy decision-making process drew from two different sources simultaneously.

The tensions between the more cooperative logic and the more confrontational logic in shaping the EU's decisions towards China became evident in two major decisions taken by the EU as it entered the 2020s. On 30 December 2020, following a meeting with Chinese President Xi Jinping, the EU announced the conclusion of the Comprehensive Agreement on Investment (CAI), which had been under negotiation for seven years. The CAI aimed to facilitate European companies' investments in China and establish a level playing field similar to that enjoyed by Chinese

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companies in Europe. Although the agreement included commitments to implement International Labour Organization (ILO) conventions and improve labour rights, it was fundamentally a cooperation agreement. However, the conclusion of the CAI came at a time of growing criticism over China's repressive policies and severe human rights violations against Turkic minorities in the Xinjiang Autonomous Region, leading to significant criticism (Bütikofer, 2021; Le Corre, 2021; Šimalčík, 2021; Vela et al., 2021).

Less than three months later, on 22 March 2021, the EU imposed sanctions on a Chinese institution and four Chinese officials, holding them responsible for human rights abuses in Xinjiang. On the same day, China retaliated by announcing counter-sanctions against ten individuals, including Members of the European Parliament (MEPs), and four entities. In response, the European Parliament, a co-responsible body along with the Council of the EU for ratifying the CAI, passed a resolution stating that it would not ratify the agreement due to Chinese counter-sanctions. Consequently, the sanctions and counter-sanctions appeared to have undone the seven years of effort put into the CAI.

Therefore, this dissertation examines why the EU, having just concluded an agreement it had long sought, took a decision that jeopardised the deal, leading to the freezing of the process. What motivated the EU to make these two seemingly contradictory decisions? Which actors were influential in the decision-making process? Why does the EU, which repeatedly underlines foreign policy consistency, appear to act inconsistently in its decisions regarding China? This research argues that in dealing with a rising actor/challenge like China, EU member states and institutions are involved in different phases of cooperation and criticism, or at the same phase but with varying intensities, and this variation influences the policies they advocate within the EU's decision-making mechanism. In other words, the differences in the nature of the policies that EU actors try to set as the EU's external policy, and the attempt to 'upload' policies of different character simultaneously, can lead to the adoption of decisions that seem contradictory in a short period of time. In this context, the research focuses on an analysis of the large member states, which are widely recognised as having a greater capacity to influence the EU, and on institutions that play a prominent role in EU-China engagement. By utilising the consistency concept and Europeanisation theory, it examines how these actors impacted the EU in the two cases, CAI and human rights sanctions.

The analysis of these decisions is highly significant for contributing to the understanding of the EU's decision-making mechanism and its increasingly prominent relationship with China. Despite the growing interest in research on the EU's China policy due to China's rise in international politics, there is a gap in studies approaching the topic from the perspective of EU foreign policy consistency. Therefore, by analysing decisions regarding China, the research aims

to make an original contribution to the literature on both the EU's decision-making processes and its policy towards China, as well as the Union's external policy consistency.

Background of the Research

Since the establishment of diplomatic relations in the 1970s, Sino-EU (then EC) relations have largely progressed along an economic axis, with both parties prioritising areas where they could deepen their partnership while setting aside their structural differences. Although there were developments contrary to this trend, such as the implementation of an arms embargo in 1989, these were exceptions than the general pattern of the relationship. In fact, it did not take long for relations to return to normal after the embargo decision. The situation of human rights in China, during the two decades before and after the embargo, was not a central or significantly impactful issue in the relations. Instead, they announced the Human Rights Dialogue and held summits on this topic, but these remained weak and relatively low-profile and “have often not produced the desired results” because the dialogue “has turned into a talking shop without much effect” (Mattlin, 2012, p. 190). The political elites on both sides were aware of the benefits of developing partnership and economic relations and focused on these aspects. The declaration of strategic partnership in the early 2000s (Commission, 2003) further deepened relations and rapidly increased mutual dependence.

This did not pose a significant issue during the years when the EU enjoyed relative technological and economic superiority. However, the severe impact of the 2008 Global Financial Crisis and the Eurozone Crisis on European economies, the continued rapid growth of China, its rise as a global economic superpower, and perhaps most importantly, its more ambitious external policies compared to previous decades, raised questions about the challenges posed by China (Christiansen & Maher, 2017; Holslag, 2011; Mearsheimer, 2006; Mearsheimer & Walt, 2016; Pavličević, 2022). Additionally, growing fears about increased pressure on ethnic, religious, and linguistic minorities led to rising apprehension among the European public (EEAS, 2018, 2019; Godement & Wacker, 2020; Guillot, 2020; Parliament Resolution, 2018a). Furthermore, China's failure to adhere to World Trade Organization (WTO) standards and its reluctance to open its markets to foreign investors resulted in European companies having fewer opportunities in China compared to the advantages enjoyed by Chinese companies in Europe. To address this issue of investment cooperation, the EU and China began negotiations for a comprehensive investment agreement in 2013 (Commission, 2013b).

During this period, change in the Chinese Communist Party (CCP) leadership also impacted China's relations with the EU, as it did with the rest of the world. With the arrival of President Xi Jinping, China abandoned its previous “keep a low profile” policy (韬光养晦-*tāo guāng yǎng huì*)

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and adopted a more ambitious stance, “the great rejuvenation of the Chinese nation” (中华民族伟大复兴- *Zhōnghuá mínzú wěidà fùxīng*) (Hart et al., 2017, pp. 2–5). It modernised its military, established a formidable navy, and became more aggressive in disputes in the East and South China Seas. Malicious cyber activities originating from Chinese territories targeted Europe, raising cybersecurity problems for the EU (Borrell, 2021; Cottey, 2019; Kaska et al., 2019). Moreover, China challenged international norms, questioned democracy and other related values, and promoted an authoritarian alternative model (Ambrosio, 2012), inducing conceptualisation such as the “norm-shaper” or “norm-antipreneur” (Bloomfield, 2016, p. 328; Marcoux & Sylvestre-Fleury, 2022; Tüzgen & Oğuz Gök, 2024, p. 1859). All of these factors intensified scepticism towards China in Europe and appeared to deviate from the strategic partnership conceptualisation of the early 2000s. Consequently, in the 2019 Strategic Outlook, the EU characterised China as both a partner and an economic competitor, as well as a systemic rival, meaning that it was a partner on global issues such as climate change, a competitor in economy and “the pursuit of technological leadership”, and a rival in terms of the governance model it promote (Commission & High Representative, 2019, p. 1).

Amid these developments, China’s passing of the National Security Law (NSL) in Hong Kong, along with subsequent restrictions on rights and freedoms, and its repressive policies towards Uyghurs and other ethnic groups in Xinjiang, heightened concerns in Europe. The conclusion of the CAI with a video call on the final day of the German Council presidency led to various criticisms. Among these criticisms were claims that concluding the agreement was a victory for the Chinese government, which was in a difficult position due to human rights violations (Fallon, 2021; Szczudlik, 2021), suggesting that the EU was throwing a lifejacket to Beijing, and some member states believed that with the rapid conclusion, the substance of the deal was pushed into the background while timing was given greater importance (Interview #4 An Official from the Polish Representative to the EU, 05.01.2022).

Before the conclusion of the CAI, some member states, such as the Netherlands and Lithuania, were lobbying for the EU to have a sanctions mechanism for countries committing human rights violations (Eckes, 2023, p. 59; MFA Lithuania, 2021b; Parliament, 2020, p. 5). As a result, on 7 December 2020, the EU Global Human Rights Sanctions Regime (GHRSR) was adopted. Key EU actors, such as the European Parliament, passed resolutions to impose sanctions on China under the GHRSR due to serious human rights violations (Parliament Resolution, 2019c Art.12, 2020a Art.20). On 22 March 2021, the Council announced the imposition of asset freezes, travel bans to the EU, and a prohibition on making funds available to four Chinese officials and the Xinjiang Production and Construction Corps Public Security Bureau (XPCC PSB), due to their responsibility for human rights violations in Xinjiang (CFSP, 2021b). In response, China immediately imposed counter-sanctions, targeting five MEPs, the Parliament’s Subcommittee

for Human Rights, the Council's Political and Security Committee, and several other European individuals and institutions, leading to the worst state of relations since 1989.

The European Parliament, which is a co-decision maker alongside the Council in accepting decisions on trade and investment, announced that it would not ratify the CAI as long as sanctions against MEPs remained in place (Parliament Resolution, 2021a Art.10). Thus, the agreement, concluded after seven years of negotiations, seemed to be nullified within just three months. Examining the motivations behind such a significant and newly concluded agreement and the sanctions that froze its ratification is both intriguing and crucial for understanding the EU's foreign policy decision-making mechanism.

Consequently, this research provides an in-depth analysis of the processes involved in the EU's sequential decisions and aims to offer an explanation for why these decisions were made. By conducting a comprehensive analysis focused on both member state and EU institutional levels, the research seeks to uncover the reasons behind these decisions. To achieve this, the research employs process tracing to examine the policies of key EU institutions and member states during the decision-making process and compares their effects on the decisions. This approach enables to develop an explanation for the causes of EU decisions and to address an important gap by questioning whether seemingly inconsistent decisions regarding China represent a foreign policy inconsistency for the EU. Identifying potential issues related to the consistency, which is one of the principal objectives of the EU treaties, represents the first step towards finding solutions to these problems. Therefore, the research has the potential to contribute to the literature and provide valuable insights for policymakers. Considering that the importance of EU-China relations is expected to continue growing in the coming decades, the detailed examination of this issue becomes even more significant.

Conceptual Framework

The research examines the EU's decisions on China from the perspective of the concept of consistency and utilises the theoretical framework of Europeanisation to explain the reasons behind the adoption of seemingly contradictory decisions in this area. In terms of the EU's external activities, consistency is described as "co-ordinated, coherent behaviour based on agreement among the Union and its member states, where comparable and compatible methods are used in pursuit of a single objective and result in an uncontradictory policy" (Krenzler & Schneider, 1997, p. 134). Although it is examined from various angles, the literature on consistency generally focuses on vertical consistency, which pertains to coherence between policies at the member state and EU levels; horizontal consistency, which refers to the coherence among different types of policies; and inter-institutional consistency, which is considered a

subcategory of horizontal consistency and linked to coherence among institutions (Koenig, 2011; Nilsson et al., 2012).

Similar to the other key treaties of the EU, consistency was a key concern of the Lisbon Treaty. The Treaty established the European External Action Service (EEAS) and introduced several innovations, including appointing the High Representative for the Union for Foreign Affairs and Security Policy simultaneously as the Vice-President of the Commission, aimed at bringing member states and the EU closer together. Nevertheless, the extent to which EU actors' external relations are aligned remains a contentious issue (Dijkstra, 2009; Gebhard, 2017; Koenig, 2011, 2016; Zwolski, 2011). Therefore, this research finds it worthwhile to examine an area of such importance to the EU, drawing inferences about vertical consistency by comparing approaches between member states and EU institutions, and horizontal consistency by comparing policies across different policy areas and institutions. The analysis of China-related foreign policy decisions also provides insights into how closely the EU has approached its goal of a unified stance as outlined in its foundational treaties.

When considering that the decisions on China taken by the EU were not part of a unilateral policy-making process within the EU but rather involved a complex interplay of numerous components where actors influence each other, it is necessary to focus on both bottom-up and top-down policy processes to explain the reasons behind these decisions. In other words, rather than attributing a decision to the influence of only member states or only EU institutions, recognising it as a process where both continuously influence and mutually construct each other provides a more comprehensive narrative. For this narrative, the theory of Europeanisation offers a pertinent perspective. Europeanisation, which is explained in more detail in Chapter 2 where the theoretical framework of the thesis is examined, can be defined as the process by which policies and preferences produced at the EU level influence member states, and policies and preferences produced at the member state level affect the EU. Hence, most studies on Europeanisation focus on the "mismatch" between these policies (Börzel, 1999; Börzel & Risse, 2003; Héritier et al., 1996) and on "horizontal and vertical policy transfer" between member states and institutions (Howell, 2004, p. 49).

In tracking this transfer, the processes of downloading for top-down, uploading for bottom-up, and crossloading for ideational interaction constitute the general framework of Europeanisation, and all these interactions affect the EU's decisions on China to some extent, as with other policy areas. However, there are not many studies address the relationship in both dimensions, top-down and bottom-up. To provide a more comprehensive approach, this research analyses the reasons behind the decisions by focusing on both the member state level and the EU institutions level, examining two of these processes, downloading and uploading, in depth. This allows for a

comparison of the impacts of EU-level and member state-level preferences on the decisions, thereby painting a more holistic picture. Undoubtedly, the importance of crossloading cannot be denied, but due to its more abstract nature and difficulty in tracking, and because it essentially involves conceptual exchange between actors in this process, the research does not include it in its scope to remain viable. By conducting a retrospective process analysis, the research identifies the actors influencing these two decisions and reveals their priorities and the directions in which they attempted to influence the EU's decisions on China. This is expected to enhance our understanding of the EU decision-making process and to present a model explaining why decisions related to China appear inconsistent with each other.

The research develops an approach that combines the influence of big member states, which have greater power to affect the EU compared to other member states, and the institutional cultures of EU institutions and their impact on decisions. In other words, the research argues that both material capacity and institutional culture are among the most effective components in influencing EU decisions. According to the model suggested by the research, when dealing with a challenging country like China, decisions made by the EU would become more consistent as alignment between these two component increases. However, an increase in differences among key EU actors in conceptualising China or determining the nature of engagement with it would lead to these actors pushing for decisions based on different logics, which might cause the characteristics of the decisions to diverge. This becomes more evident when assessed within the framework of investment cooperation and human rights sanctions cases.

Methodology and the Mapping of Actors

The actors and components influencing EU decisions are undoubtedly multiple. To ensure the viability of this research, the thesis begins by mapping the actors it identifies as most prominent in the cases of the CAI and the sanctions. In this regard, the key institutions of the research are the Commission, which conducts the EU negotiations and drafts legislation; the Council¹, responsible for external policy; the Parliament, which co-decides with the Council in many areas; and the EEAS, which is responsible for executing diplomatic relations. Examining these institutions' policies, preferences, and discourses towards China provides the primary major data for explaining the reasons behind the decisions.

¹ As can be seen in the examples of the Council of the EU, the European Council, and the Council of Europe, the term 'Council' is frequently used when naming institutions in Europe, which can sometimes lead to confusion. In this research, unless otherwise specified, it will be used to refer to the Council of the EU, which is the intergovernmental institution of the EU, also known as the Council of Ministers.

In addition to the institutional perspective, the research aims to analyse the impact of member states on EU decisions. It focuses on Germany and France, two of the largest member states considered to have the greatest potential to influence the EU and serve as the driving force or “the engine” behind EU integration (Hendriks & Morgan, 2001, p. 11). By evaluating the influence of these big member states on the decision-making process, it presents a more comprehensive and explanatory analysis of the reasons for the decisions.

The research concentrates on the long-term stances, discourses, and initiatives of the actors in the two cases, investment cooperation and human rights sanctions. This approach aims to obtain a broad dataset that provides both a historical background of the actors’ approaches and the issues emphasised by political elites, as well as the initiatives they have led. It will also allow for an understanding of the point at which the actors stand in terms of the cooperative phase, or Phase 1 as addressed in this research, and the critical phase, or Phase 2. To obtain this data, the research employs a triangulation of sources. First, it uses primary sources such as communications, reports, press releases, and other documents published by the EU and member states. Secondary sources, including books, journal articles, and working papers on this topic form another data source. Finally, semi-structured elite interviews help gather data not available from the first two sources. For these interviews, the research involves three rounds of fieldwork in Brussels. Based on the views of EU senior officials, permanent representatives of member states, and officials from research centres, the research develops its original dataset and thereby completes the picture regarding the EU decisions.

Significance and Original Contribution

Since its establishment, the decision-making process of the *sui generis* actor that is the EU has attracted significant academic interest. These studies have made substantial contributions to our understanding of the EU’s functioning and decision-making mechanisms (see, for instance, Hoffmann, 1966; Leuffen et al., 2014; Rosén, 2017; Sandholtz & Stone Sweet, 2012; Stetter, 2004). However, most of these studies have focused on the structure of the EU, the functioning of its institutions, or the precedence of intergovernmental bodies over the supranational ones, or vice-versa. In this regard, there are relatively few studies that examine the decision-making process by considering both institutions and member states together and by investigating the motivations of the decisions. This research aims to advance the literature in this respect by analysing the impact of key actors in two contentious decisions made by the EU and identifying the main reasons behind these decisions. By doing so, it sheds light on the complexity of the EU’s external decision-making process and makes an original contribution to the literature on EU external policy and decision-making. Additionally, its methodology and model provide a framework for understanding the EU’s decisions towards other countries with differing

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characteristics. For instance, the concerns about partnership opportunities and challenges in the EU's engagement with Russia over many years have progressed in a similar process with China, albeit with more intense debates. In this context, the framework of the research will offer a useful approach when examining cases involving other major powers and the partner/challenge dynamic.

Moreover, the thesis develops the International Relations (IR) literature both theoretically and empirically. The concept of consistency and the goal of ensuring it in the EU's foreign policy has been a matter of importance since the foundation of the EU, and to achieve this, the EU has undertaken a series of initiatives. Although successive treaties introduced innovations aimed at helping the EU achieve this goal, as inquired in this thesis on the EU's China policy, how far the EU has managed to attain consistency in its foreign policy remains questionable. On the other hand, studies on Europeanisation developed rapidly in the late 1990s and early 2000s, reaching a certain level of theoretical maturity. However, in practice, although Europeanisation offers a useful framework for examining how member states and institutions influence each other and the EU, how they project their preferences onto the EU level, and how they shape EU decisions, it remained an underexplored approach. In this respect, by combining the concept of consistency and the theory of Europeanisation in the context of the EU's decision on China, this thesis provides both a theoretical and empirical contribution to the field.

The question of what kind of power the EU is has attracted attention for the past two decades and has been the subject of various analyses. Some of these studies have addressed the EU's economic, security, and global roles (Howorth, 2010; Kaunert & Zwolski, 2013; Moravcsik, 2010), while significant literature has analysed its engagement with values and its impact on change in third parties (Aggestam, 2008; Manners, 2002; Whitman, 2011). However, there is a limited number of comparative studies critically assessing the positions of EU institutions and member states on controversial issues, such as human rights violations in China and the appropriate response by the EU to these violations. One of the cases examined in depth by this research, human rights sanctions and the stances, discourses, and initiatives of key EU institutions and member states in this area, deepens discussions on the EU's normative power on an actor-by-actor basis. Furthermore, by conducting an analysis that addresses both sides of the values and interests equation, such as investment cooperation and human rights sanctions, the research contributes to advancing the literature on what kind of external policy actor the EU is.

The other contributions of the research to the IR literature can be listed as follows: improving the literature on EU foreign policy and European security, exploring political solutions to economic and other challenges arising from China, and presenting a framework that can be employed to analyse how member states and institutions perceive partners and challenges, which can be

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applied to other intergovernmental organisations such as ASEAN or the African Union, which define their own regional norms and values. Additionally, it is desired and anticipated that the research findings and the resulting publications will provide insights that assist policymakers and diplomats in their respective fields, thus contributing not only theoretically but also practically.

Chapter 1 Literature Review: The EU Foreign Policy Making and Decisions on China

This research examines the consistency of the EU's decisions in its relationship with China at the beginning of the 2020s and aims to understand why the EU makes seemingly different and inconsistent decisions. For this purpose, this chapter presents the literature on the EU foreign policy-making and the EU's relationship with China, before drawing the theoretical framework and the methodology of the research and analysing the subject with empirical chapters.

Although the EU's relationship with China developed rapidly after the Cold War, China's growing weight in global politics in the 21st century and the deep discord it had with the EU on some issues complicated the relationship between the two. Parallel to this, the literature in this field has also expanded (Benner et al., 2018; Christiansen & Maher, 2017; Economides, 2017; Holslag, 2011, 2019; Howorth, 2010; Maher, 2016; Mansfield, 2014; Markovic Khaze & Wang, 2021; Mearsheimer, 2006; Meunier, 2019; Paul, 2021; Walt, 2021). Summing up the historical relationship between the two and examining the academic debates about the transformations of this relationship is crucial for understanding the background on the subject and identifying the gaps in the literature.

In this respect, the chapter first begins with the main debates in the literature on the EU's actorness and its foreign policy-making mechanism. Here, the chapter briefly summarises the historical process of the formation of EU foreign policy and includes discussions about what kind of foreign policy power the EU is. Next, the chapter examines the EU's decisions regarding its China policy and debates surrounding their consistency. While acknowledging the contribution of these debates to the literature, the chapter argues that there are several gaps in explaining the recent decisions that appear incoherent with each other. Finally, the chapter concludes with what this research can offer to fill these gaps.

1.1. EU's Foreign Policy and International Actorness

The EU's foreign policy and its international actorness constitute a much-debated area in IR discipline. Particularly after the Cold War, these debates intensified considerably as the EU bureaucracy became more complex. Therefore, before moving on to the EU's foreign policy towards China, and the consistency of its decisions, it might be useful to explore the discussions in the literature on the EU's external policy mechanism and what kind of international actor it is.

1.1.1. EU Foreign Policy: What Was It Before, What Is It Now?

The EU's foreign policy role has been controversial since it was first established. In the years when the European Coal and Steel Community (ECSC) was founded, whether the cooperation or integration should solely be on the field of economy or include some aspects of foreign policy was among the discussions, as can be seen in the initiatives like the European Defence Community (EDC) and the European Political Community (see, Glockner & Rittberger, 2012, p. 17; Lee, 2004, pp. 113–116). The neofunctionalists such as Ernst Haas (1958) hoped that a convergence in the economy would lead to a convergence in other areas as well; however, these expectations of 'spillover' did not materialise in the early years of integration as the European countries failed to ratify the EDC. As a result, the Treaty of Rome, which established the European Economic Community (EEC) in 1957, did not extensively address foreign policy cooperation; instead, collaboration in economic issues constituted the main objective of the EEC (Treaty of Rome, 1957). Neither the Treaty of Rome, nor the Merger Treaty, which established the European Communities (EC), provided a clear roadmap for foreign policy during the initial period of integration. However, they aimed for a certain degree of foreign policy alignment, such as establishing a common external trade tariff, launching of the European Fund for Development, and coordinating trade policy in relation with third parties (Bindi, 2010, p. 15).

In this period, while it was aimed to increase the coordination among the member states, particularly in commercial foreign policy, cooperation in external relations remained primarily intergovernmental due to the reluctance of member states, especially that of France, to transfer their competence to a supranational institution. Consequently, for a long time, scholars like Stanley Hoffman (1966) turned to intergovernmentalism rather than neofunctionalism to explain European integration, arguing that nation-states were the main decision-makers in the EC and that the powers of supranational institutions were limited in comparison to those of the member states. However, the increasing exchange of information and coordination in foreign policy among member states persisted on the agenda of EC member states, albeit at a low level. We can evaluate the establishment of the European Political Cooperation (EPC) in 1970 within this context.

The EPC was an attempt to harmonise not only the economic policies but also the foreign policies of the EC and its member states. As the report on political cooperation stated, it would offer an original way of ensuring "concerted action" in Europe (Fitzgerald, 1976, p. 19). The EPC was an informal mechanism, meaning that it neither had a formal or permanent institution nor was it binding, nevertheless, it provided a "helpful stimulus towards a reassessment of traditional conceptions of European integration" (Wessels, 1982, p. 18).

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Following the EPC, foreign policy became part of the agenda and this contributed to making the EC “less than supranational, more than intergovernmental” (Øhrgaard, 1997). Consistency, on the other hand, was an important topic on this agenda, especially with the developments after the 1990s. Therefore, the establishment of the EPC is considered a significant development in the EU foreign policy-making process, because although the EPC was an advisory council among member states, it was the pioneer of the establishment of the Common Foreign and Security Policy (CFSP) in the 1990s. It was even discussed that it could be “another important pillar” of the future EU (Regelsberger, 1988, p. 4).

The European Council was established with similar goals in the same period. Heads of states, who had previously gathered at informal summits, came together for regular summits with the establishment of the European Council in 1974, aiming to adopt a similar approach to both the Communities’ issues and global problems. The EPC and the European Council were codified with the Single European Act (SEA) in 1986. SEA was basically an initiative to complete the process of establishing the European common market. However, besides the economy, the fields of ‘rules common to political cooperation’ and ‘European cooperation in the field of foreign policy’ were also among the main titles of the Act (SEA, 1987).

The supranational EC constituted the first pillar in the three-pillar EU structure established with the Maastricht Treaty in 1992, Justice and Home Affairs were included as another pillar and foreign policy was added to the EU structure with the CFSP pillar. With this, the EU aimed to protect its common values, interests, and independence, strengthen its security, and promote international cooperation (TEU, 1992 Title V Art.J.1). Therefore, the newly introduced CFSP indicated the Union’s desire to be not only an economic actor but also a foreign policy actor. With the accomplishment of the common market, new foreign policy initiatives, and expansion with new member states, the EU was considered an emerging “international actor” with increasing importance (Holland, 1995, p. 556).

The disintegration of Yugoslavia and the conflicts in the Balkans became the EU’s first critical foreign policy test. Jacques Delors (1992), the Commission President at that time, characterised the EU as a community that would contribute to the new world order, while Luxembourgish Foreign Minister Jacques Poos stated, “The hour of Europe has come” (quoted in Lehne, 2004, p. 111). However, EU member states were unsuccessful in resolving the crisis and could not prevent the atrocities in Bosnia or elsewhere. The resolution of the crisis through US and NATO intervention raised questions about the EU’s capacity, seemingly justifying Belgian Foreign Minister Mark Eykens’s remark that while the EU was an economic giant, it was “a political dwarf, and a military worm” (quoted in Leonard, 2018). As a matter of fact, it would be NATO again, not the EU, that intervened in Kosovo four years later. This sparked discussions about the EU’s

actorness, foreign policy coherence, and capabilities in international relations (Missiroli, 2001; Peterson, 1998; Toje, 2008).

To address these challenges and ensure consistency in foreign policy, the EU introduced the High Representative for the CFSP (HR) in 1999 with the Amsterdam Treaty (CTEU, 1997). The HR's main responsibilities include setting the overall direction of the CFSP, overseeing the implementation of decisions by the European Council and the Council of the EU, executing EU missions and operations under the Common Security and Defence Policy (CSDP), and ensuring coherence in the EU's external actions. Thus, with the HR, the foreign policy of the EU for the first time had a name and face (Bindi, 2010, p. 34). The HR was intended to bridge the gap between supranational institutions and intergovernmental CFSP, enhancing political coordination. The first HR, Javier Solana, argued that viewing EU foreign policy as purely intergovernmental was wrong and that the main function of the HR was to provide the EU with greater flexibility, innovation, and practice in foreign policy (quoted in Helwig, 2015, p. 87). However, the failure to achieve the desired coordination in foreign policy led to a revision of the HR's role and external relations in the Lisbon Treaty.

Foreign policy was at the heart of the changes introduced by the Lisbon Treaty, adopted in 2007. In the Lisbon Treaty, at least 25 of the 62 amendments to previous treaties were related to the CFSP/CSDP (Howorth, 2013, p. 12). Increasing foreign policy harmony was again among the main objectives. To this end, the EEAS was established, and the role of HR was significantly expanded to include the positions of head of the EEAS and Vice-President of the European Commission (VP) (CTFEU, 2012). Yet, consistency and policy coordination remained the most criticised areas in EU foreign policy. These amendments and initiatives, according to Geoffrey Edwards (2013, p. 75), on the one hand, led to many officials and institutions, such as HR, the EEAS, the European Council President, and the Commission, having competence in foreign policy and caused the EU "to have many faces, names, and phone numbers," which reminds five decades old joke attributed to Henry Kissinger about not knowing who to call when he wanted to call Europe.

Discussions on the formulation and functioning of foreign policy, the distribution of authority and responsibility, ensuring coordination, and balancing intergovernmental and supranational institutions in managing external relations are in general, structural discussions about the EU. On the other hand, how the EU is defined in international politics, what is the EU's self-perception regarding its international role, what is its foreign policy capacity, and what kind of power and international actorness it possesses constitute another significant debate in EU foreign policy literature.

1.1.2. The EU and Its External Actorness

As the institutional developments in foreign policy went through various transformations, the foreign policy power of the EU and what kind of actor it is have attracted a lot of attention. François Duchêne's (1972) classification of the EC as a civilian power, might be the starting point of this discussion. Although Duchêne did not define the scope of civilian power with certain boundaries², he made a significant contribution to the subsequent discussions referring to the role of Europe's development of relations with Eastern Europe in reducing the Cold War tensions and its power to promote stability through economic and political means. In contrast to his conceptualisation, Hedley Bull (1982) described this approach as neo-idealist and argued that there is no place for civilian power in world politics. The return to power politics, according to him, reveals how weak institutions actually are. He claimed that Europe had to establish its own army to be effective and that the EC had no civilian or other power without ensuring its own security. In this respect, while civilian power reflects the period in which Europe was developing, approaching its first enlargement, experiencing a time of relative peace and stability after the great wars, and witnessing a decade of easing tensions between the two blocs known as *détente*, Bull's article was written during a time when the Soviet Union marched into Afghanistan, the pro-Western government in Iran was overthrown and replaced by the Islamic Republic, and the Reagan Doctrine was declared, stating that every necessary measure would be taken against communist countries. Therefore, when Bull's Realist/English School perspective is excluded from the equation, it can be said that both articles reflect the *zeitgeist* of their decade.

After the Cold War, despite the optimistic belief that the liberal world order and its values had triumphed in the ideological competition of history (Fukuyama, 1989), challenges such as the changing nature of security risks, ethnic conflicts, the failures of liberal interventions, and the rise of populism and resurgence of authoritarianism prevented the liberal world order from becoming as dominant and stable as anticipated. The ineffectiveness of Europe in responding to conflicts in neighbouring regions and its inability to resolve them before NATO intervention led to the questioning of the EU's power (Hill, 1993, 1998). On the other hand, it was seen that the support provided by the EU in the transition to democracy and market economy to the countries of Central and Eastern Europe had significantly contributed to such countries. It was argued that due to the *sui generis* structure of the Union, no theory alone could frame the complexity, internal dynamics, richness of its network, and external relations, thus it is necessary to combine different theories (Landau, 1997, p. 7). As the Cold War was over, it was also advocated that focusing on superpowers in the traditional sense was no longer useful (Whitman, 1998, p. 3).

² Kenneth Twitchett (1976, p. 8) defined the characteristics of civilian power as the potential to influence other actors through economic, diplomatic, and legal instruments.

While various visions such as ethical power (Aggestam, 2008), superpower (Moravcsik, 2010), global power (Howorth, 2010), and small power (Toje, 2010) were added to the civil vs. military debate in the 2000s, a brand new and much-debated contribution to the field was presented by Ian Manners with his framework of 'normative power'. To him, both Duchêne and Bull have a state-centred and physical power perspective because of their attributions to economic and military power. However, Manners (2002, p. 236) moves away from these two discussions, putting forward that the ideational effect of the EU represents a normative power, and that this is related to the power of the EU in the world to define what is normal in world politics where the Union was highly skilled in this. Thus, it was claimed that the EU's foreign policy cannot be explained solely by military or economic means, without reference to normative power (Whitman, 2011, pp. 2–3).

After Manners' article, it is possible to find a wide literature on either supporting or criticising seeing the EU as a normative international actor. For example, evaluating the issue from a neorealist perspective, Adrian Hyde-Price (2006, p. 217) argues that structural-realist theory can shed light on the emergence and nature of the foreign and security policy of the EU, not the liberal idealist concepts such as normative or civilian power, and that the EU's soft and hard powers are used by member states as a collective tool to shape its external environment (Hyde-Price, 2006, p. 227). Hiski Haukkala (2008, p. 1601) presents a similar critique from a different perspective and claims that the EU aims to establish a 'normative hegemony' around its milieu with its normative power. While Gergana Noutcheva (2009), Ana Juncos (2011), and Rafaella Del Sarto (2016) made similar criticisms, Richard Youngs (2004), Thomas Diez (2005), and Michael E. Smith (2011) are more in favour of the normative aspect of the EU's foreign policy. What becomes clearer in the debates after 1990 compared to the Cold War period is the growing acceptance of the EU as a foreign policy actor. In other words, whether normative or not, with the CFSP and subsequent structural reforms and initiatives like European Security and Defence Policy (ESDP) and CSDP, the EU emerged as a foreign policy actor with more external roles than before.

The increasing foreign policy actorness of the EU after the 2000s brought greater focus on its relationship with China, whose significance in international politics also grew during these years. The thriving trade and political dialogue between them has attracted significant academic attention (Algieri, 2002; Casarini, 2006; Crossick & Reuter, 2007; Fox & Godement, 2009; Kavalski, 2007; Kreutz, 2004; Men, 2014; Shambaugh, 2004; M. Smith, 2014). Reviewing this literature is essential to understand the background of this research, as it sheds light on the EU's foreign policy approach to China and highlights gaps in the existing literature.

1.2. The Background of the EU Foreign Policy Towards China

Because the relationship between the two proceeds in a multiplex course with ups and downs rather than a linear one, it is a difficult task to outline the EU's relations with China. For this reason, examining specific periods of convergence or divergence in the literature on the EU's China foreign policy reveals two different stories: some are hopeful and optimistic, emphasising the potential for increased bilateral cooperation, while others acknowledge that ideological differences between Europe and China will likely remain a significant obstacle to deepening the relationship. Considering the transformations experienced by the EU and China in this process, a rather complex picture emerges.

1.2.1. From Bipolarity to Multipolarity

Many different components have influenced the shaping of the China policy of European countries over the years. Undoubtedly, systemic transformations and power shifts in international society during and after the Cold War had a significant impact on this. From the end of the 15th century to the beginning of the 20th century, the great power concept was used primarily for European countries (Kennedy, 1989). However, with the destruction brought about by World War II (WWII), Europe lost this feature, and in international politics that evolved into a bipolar structure, European countries became regional powers or middle powers rather than great powers with global influence. This was one of the factors that shaped the nature of the relationship between the EC member countries and the great powers. Western European states took part in the US-led Western bloc, and EC member states, except West Germany until 1955, aimed to ensure their security with the defence umbrella of the Western alliance, as founding members of NATO, the military wing of the Western bloc (see, Noble, 1974; Thies, 2009).

This relationship between European countries with the US was significantly shaping the relationship with the opposite bloc leader, the Union of Soviet Socialist Republics (USSR). Similarly, regarding China, transatlantic approaches appear closer to each other after WWII. Following the Chinese Communist Revolution, European states did not establish diplomatic relations with the People's Republic of China (PRC or China hereafter) for a while. Although China gestured its willingness to normalise relations, the European countries were in no hurry. For instance, following the Soviet Union's recognition of West Germany, China wanted to re-establish relations with Bonn in 1956, however, West Germany preferred not to reciprocate until the Sino-American opening (Fardella et al., 2015, p. iii). On the other hand, European countries, particularly France, were also eager to pursue an independent policy with a certain autonomy and a view of 'Gaullism' (Bozo, 2001, p. 49; Mahan, 2002, p. 12) or 'Europeanism' (Darnis, 2003). The reflections of this desire can be observed in the relationships developed with the Eastern bloc

since the 1960s and with China since the 1970s. European countries viewed it as profitable for Europe to cultivate relations with the opposing bloc (see, Wolfe, 1971).

The EC's attitude was similar. Diplomatic ties between EC and PRC were established in May 1975. From this date on, their relationship has developed, particularly in the field of trade, and due to the geographical distance and the lack of will to gain a strategic benefit from the mutual relations, there were no significant tensions in the first years (Möller, 2002, p. 10). They signed a trade agreement in 1978 and improved it with a more comprehensive one in 1985. The agreement also established an EC-China Joint Committee to manage the relationship, a body that remains important in the evolution of EU-China relations (M. Smith & Xie, 2010, p. 436). Three years later, the European Commission opened its permanent representation in Beijing. Thus, the overall Sino-European relations between 1975 and 1989 were strategically overlapping in terms of surrounding the USSR but not allowing unipolarity. However, a closer examination reveals that despite a significant increase in contact, the relationship was high in rhetoric and low in substance, and that it was a "time of innocence" in which both sides courted each other without a clear vision for the future (Möller, 2002, p. 14). The tragic events of the summer of 1989 in China challenged the trajectory of relations.

In the 1980s, a transformation that Samuel Huntington (1991) described as "third-wave democratization" began, with many communist regimes undertaking transitional reforms towards democracy³. This move also influenced China, triggering student-led demonstrations started across the country. However, the Chinese government chose to violently suppress the protests. While official Chinese statistics report a total of 241 deaths, the Red Cross estimates the toll at 2,700 (Fisher, 2014), and British diplomatic sources suggest an even higher number (Lusher, 2017). Two days after the regime's harsh response to the demonstrations in Beijing's Tiananmen Square on 4 June, the EC condemned the brutality and decided to freeze its political relations with China until 1992 (Stepan & Ostermann, 2011, p. 20).

EC heads of state and government gathered at the Madrid European Council Summit on 26-27 June decided to impose an arms embargo on China due to the brutal repression of the protests (European Council, 1989, p. 25). For the Chinese, it was humiliating to be grouped with countries such as Sudan, Myanmar, and Zimbabwe (Deng, 2007, p. 890). Consequently, China repeatedly requested that the EU lift the arms embargo. France and Germany formally offered to begin discussions on lifting the embargo (Kreutz, 2004, p. 51; Portela & Vennesson, 2013, p. 207; Tang, 2005, p. 319).

³ The first two waves were considered the development of democratic systems in Western Europe and North America after the expansion suffrage in the US in 1828, and the revival of the democracy after the WWII in Western Europe, Japan, and many formerly colonised Asian and African countries.

However, in June 2005, the European Council decided to postpone these discussions. The reasons for this were listed as the strong US opposition, growing unrest in many national parliaments and the European Parliament, China's failure to provide clear and specific evidence to improve its human rights record, the justification of the use of force against Taiwan by the enactment of the anti-secession law, the inauguration of Angela Merkel in Germany and the admission of 10 new members, mostly Atlanticist, to the EU (Casarini, 2008, pp. 72–73). After that, the movement to lift the embargo stalled. These talks revealed the strengths and weaknesses of the Sino-EU relationship (Deng, 2007, p. 891) and represented the first instance of discussing continuing cooperation amidst deteriorating human rights conditions, an issue that would reemerge frequently in the following decades. On the other hand, the fact that France, the United Kingdom (UK), and Italy sold military equipment despite the embargo (Cabestan, 2006, p. 24) raises questions about the power and bindingness of EU decisions.

The EU did not remove the arms embargo, however, in October 1990, after it became clear internationally that the Chinese government would not be replaced (Griese, 2006, p. 547) the Council and the Parliament decided to re-establish gradually bilateral high-level contacts and by 1992, EU-China relations were largely back to normal. With the restoration of diplomatic relations, areas such as trade, human rights, security, and scientific and technological cooperation were included in the EU-China agenda, and the trade volume increased rapidly. On 1-2 March 1996, the first Asia-Europe Meeting (ASEM) was held and China and EU members came together at the summit. On 2 April 1998, the first of the yearly EU-China Summit was held in London and on 7 December 2023, the 24th summit took place in Beijing (Council, 2023).

Although the transition to a unipolar structure was briefly celebrated after the Cold War, the concept of multipolarity instead of unipolarity gained prominence in international relations debates with the beginning of the new millennium (Cooper & Flermes, 2013; Kupchan, 2000; Posen, 2009; S. Smith, 2002; Wade, 2011). This was driven not only by various economic, political, and security challenges faced by Western countries but also by China's growing global influence as a rising actor. This resulted in the increasing weight of China in EU foreign policy. Like the EU's relations with other great powers during the Cold War (see, Ludlow, 2013, p. 3; H. Smith, 2002, p. 59), China's emergence as a great power brought various opportunities and challenges to the EU, leading to a process that resulted in decisions that seemed complex and at times incoherent.

1.2.2. New Opportunities and New Threats in the New Millennium

The EU aimed to improve its ties with China in the new millennium. It supported the accession of China to the WTO to expand the middle class in China and believed that this would automatically

push for democratisation (Bermann, 2021, p. 5). In 2003, the EU launched a comprehensive strategic partnership with China, demonstrating its willingness to develop cooperation not only as business partners but also in the political and security fields (Maher, 2016, p. 959). As an official in Commission ECFIN.D (Interview #5, 05.10.2022) put it, this was “a marriage of convenience, an arrangement that suited everybody.” The partnership coincided with one of the worst times for transatlantic relations, mainly due to the Iraq War and the foreign policy stance of President George W. Bush. However, the growing criticism of China’s human rights violations in Tibet also shadowed the EU’s relations with China, and many European leaders of major countries such as Germany, the UK, and Italy did not attend the 2008 Beijing Olympic Games opening ceremony (Casarini, 2013, p. 2). China postponed the 11th EU-China Summit due to the meeting of French President Nicolas Sarkozy with the Dalai Lama.

In these years, China purchased large amounts of Eurozone bonds from countries such as Greece, Ireland, Italy, and Spain, which were affected by the Eurozone and the 2008 World Financial Crisis. Huge amounts of direct investment in EU was seen as China’s attempts to attract European countries to its side, or to “buying influence in Europe” (Karásková et al., 2018; Karindi, 2020). Jan Surotchak (2019, p. 138), for instance, claims that China is intentionally cultivating its influence over EU member and candidate states in order to expand its pan-regional influence. This introduced further complexity into EU-China relations. While some argue that the liberal international system is in a governance crisis due to the rise of China (Ikenberry, 2011, 2018), others conceptualise this as a “peaceful rise” (Bijan, 2005), suggesting that “it has neither revisionist nor imperial aims” (Kang, 2003, p. 68) and poses “no serious threat to the existing liberal world order” (Nuruzzaman, 2020, p. 52).

On the contrary, there are those who assert that China is one of the “external challengers” of the liberal international order (Lake et al., 2021, p. 241) and its increasing power represents an “unpeaceful rise” (Mearsheimer, 2006), meaning that as China gets stronger, its potential threat to US or Europe will increase as they “can never be certain about” China’s intentions (Mearsheimer, 2010a, p. 383). Thus, what needs to be done is to help “local powers to contain” Chinese influence, or in other words, practice “offshore balancing” (Mearsheimer & Walt, 2016). Especially after Xi Jinping became president, China’s emergence as a more ambitious foreign policy actor heightened concerns about China from the mid-2010s onwards. China’s increased military power and expansionism in the South China Sea, cyber-attacks originating from its territory, economic threats posed by dumping and overcapacity production, as well as activities undermining human rights and the liberal order in general, have all strengthened the perception of Chinese threats (Christensen, 2015; Drent et al., 2015; Kaska et al., 2019; Pavličević, 2022). It

was also discussed that the West, primarily the US, and China were in a “Thucydides Trap”⁴ where the chances of this ending in war are 75% (12 out of 16 cases), according to previous examples (Allison, 2015).

Consequently, the US’s strategies such as President Obama’s ‘Pivot to Asia’ (Shambaugh, 2013) and ‘Trans-Pacific Partnership-TPP’ (Chow, 2017), or President Trump’s ‘Trade War’ (Steinbock, 2018) and ‘Free and Open Indo-Pacific-FOIP’ (Ford, 2020) generally show that the American political-elites started to take the challenges posed by China seriously and tried to balance them. On the other coast of the Atlantic, the EU seemed more reluctant to identify China as such until the late 2010s; it focused on increasing trade (Cox, 2017, p. 12) and “did not perceive China as an existential threat or a key security challenge to the Union” (Chen & Gao, 2022, p. 200).

In the second decade of the 2000s, the EU and China became economically and commercially more interdependent and cooperation spread to different fields and topics. However, the restrictions in Chinese market led to an unbalanced relations, particularly in the investment field. Both the European and Chinese leaders expressed their intention to discuss an extensive investment deal at the 14th EU-China summit on 14 February 2012, and on 18 October 2012 the Council authorised the Commission to begin the negotiations on the CAI, which aims to increase the access to market and ensuring a level-playing field between the EU and China (Commission, 2013c). Therefore with CAI, it is predicted that EU investments in China will increase (Commission, 2013b).

On the other hand, due to Beijing’s increasing investments in high-tech companies, the EU governments began to be concerned about losing expertise superiority and became more cautious about Chinese investment in sensitive areas (Christiansen & Maher, 2017, pp. 124–125). While issuing some communications and strategies that mention the increasing unbalances and strains in the relationship (Commission & High Representative, 2016; EUGS, 2016), the EU did not make a significant regulation that changed the course of its engagement during these years. Rather, it disapproved of the Trump administration’s trade war and further tariffs on China and called for the “de-escalation between Beijing and Washington” (Goulard, 2020, p. 59), indicating its unwillingness to make a major change that might disrupt commercial ties.

The EU aimed to carry its cooperation with China to the field of security as well. In 2004, China held joint exercises with France in the South China Sea, having naval manoeuvres for the first time

⁴ The Thucydides Trap that Graham Allison mentions here describes how the status quo cannot be maintained with the rise of a power in the international system. In ‘The History of the Peloponnesian War’, ancient historian Thucydides explains the reasons for the war between Athens and Sparta as the rise of Athenian power upsetting the balance of power between the city-states. This narrative had a major influence on IR thinking, especially realism.

with a Western country, and following France, the UK and China held a joint search and rescue exercise (Casarini, 2008, pp. 68–69). In 2018, this time the EU Naval Force and the Chinese Navy conducted a joint exercise for the first time. After the exercise held at China's base in Djibouti, the parties gave the message that military cooperation and exercises would continue (Stanley-Lockman, 2018). For the EU, holding joint military exercises with a country under an arms embargo was problematic, if not paradoxical.

With China's growing economic and military capacity, the EU's perceived threat to China has increased. In 2019, the Commission and HR jointly published the China Strategic Outlook. Until this period, as a Commission official noted, the EU had not fully conceptualised the nature of its relationship with China in all its dimensions and objectives; Outlook served this purpose:

“For many years, we have been having economic, trade, and political relations with China without really conceptualising our relationship. The different strands of our relationship were not formalised in a single document where we could say, ‘This is where we want to go with China, this is the nature of our relationship.’ In 2019, this changed with the Strategic Outlook, which is our China foreign policy. This brought some novelty because we put things on the table in a very transparent manner, and we put things on the table for the Chinese as well. They didn't like it at the beginning, but they understand it.”
(Interview #1 A Policy Official in the Commission Secretariat General's Strategic External Policy Issues – China and Indo-Pacific, 02.12.2021)

In the Strategic Outlook, the EU defined China as both a partner, a competitor, and a systemic rival. It discussed the threat posed by China on EU economies and values as well as its activities in the South China Sea to the international legal order and EU interests (Commission & High Representative, 2019, pp. 3–4). Naturally, China was uncomfortable with this tripartite conceptualisation. President Xi Jinping complained to his European counterparts and asked “Are we now systemic rivals? I thought we were good friends” (Lau, 2022). Despite this tension and a European aim to balance the trade relations, in 2020 China overtook the US to become the EU's top trading partner (Leali, 2021).

While the end of the 2010s brought challenges related to the Covid-19 pandemic and health governance, it also led to further tension in relations between the EU and China. At the start of the pandemic, EU leaders accused China of not being transparent and hiding the emergence of the virus (Sánchez Nicolás, 2020). The EU proposed jointly with Australia to conduct an independent investigation into the outbreak of the pandemic (Dziedzic, 2020), China denied the accusations. Although the EU's stance softened somewhat with the procurement of medical supplies from China, cyberattacks originating from Chinese soil, particularly those targeting the health sector, along with misinformation during the pandemic, or ‘infodemic’ (Commission, 2020a), added

another challenge to the EU-China agenda. The Commission (2019a) released several recommendation to the Council in the field of cybersecurity and 5G and following the European Council's request, it drafted a toolbox that envisages "a coordinated European-level assessment" on this area (Brattberg & Le Corre, 2020, p. 2). In this regard, EU actors seem to be moving from the cooperative first phase to a more critical second phase in their relationship with China, as will be detailed in the following chapters. Amidst all these debates, concluding the largest investment cooperation to date after seven years of negotiations added further complexity to the relations.

1.2.3. The CAI and Sanctions (again)

A remarkable development in EU-China relations in 2020, and one of the cases this research focuses on, was the conclusion of the CAI. Negotiations for the agreement between the EU and China were initiated to construct a more supportive structure for investments between them. It was envisaged that the conclusion of the agreement would make a significant contribution to transforming the relationship between the two from "towards maturity" to "complete maturity" (L. Zeng, 2021, p. 599). Following the meeting between Commission President Ursula von der Leyen, European Council President Charles Michel, German Chancellor and term President of the Council of the EU Angela Merkel, French President Emmanuel Macron, and Chinese President Xi Jinping on 30 December 2020, it was announced that the agreement was reached in principle for the CAI (Commission, 2020b).

The Commission (2020e) stated that the agreement provides EU companies with a better level playing field in China and removes many obstacles such as Chinese restrictions, equity caps, and forced technology transfer. In addition, it announced the CAI as the most ambitious agreement China has made with a third party, as Beijing has made commitments to comply with ILO standards on forced labour and sustainability. Commission President von der Leyen described the agreement as a turning point in the value-based trade agenda with China and the Commissioner for Trade Valdis Dombrovskis stated that CAI "anchors our values-based trade agenda with one of our largest trading partners" (Commission, 2020b).

However, the conclusion of the negotiations during controversial practices by China, such as its handling of the Covid-19 pandemic, curbing freedoms in Hong Kong, and restrictive policies towards the Muslim minority in the Xinjiang region in the North West of the country, led to criticism within the EU. There were complains about reaching an agreement one day before the end of the term presidency of Germany was detrimental to the unity within the EU, legitimising China's human rights violation policies, damaging transatlantic relations and that the Franco-German alliance was ignoring other members. For instance, some argue that the biggest beneficiaries of

the deal were German auto manufacturers and German and French healthcare investors (de Weck & Freymann, 2021; Godement, 2021). As a result, the significance of the agreement for European manufacturers motivated European leaders to push for the conclusion of the CAI, which represents a diplomatic victory for China, whose image has been eroded by the pandemic, repressions in Hong Kong, and mass detention of Uyghurs in Xinjiang (Ewing & Myers, 2020; Szczudlik, 2021). Others implied that the conclusion of CAI was not very surprising, arguing that the agreement was the product of the same logic that the EU pursues the construction of Nord Stream 2 while imposing sanctions on Russia due to the Ukrainian crisis (Rohac, 2021).

Similarly, Germany's hasty conclusion of the deal was considered contrasted with Berlin's criticism of the CEE countries' 17+1 summits with China for damaging EU integrity and proposing 27+1 summits (Šimalčík, 2021). Maria Demertzis (2021) argued that it was wrong to consider the CAI as a zero-sum game whereby defending German interests necessarily negates benefits to the EU and that it is a mistake to ignore the opportunities that China has for global cooperation. However, Andrew Cottey (2021, p. 226) asserted that the interaction between the two cannot be separated from broader dimensions of international affairs, therefore, as the global context continues to evolve, maintaining the partnership aspect of the relationship will become increasingly difficult.

Officials from some member states, such as Italy, Spain, Poland, and Belgium reported that they were ignored and "felt steamrolled" by the Chancellor and the German engine within the Commission, and Italian Undersecretary for Foreign Affairs, Ivan Scalfarotto, stated that the deal gave "a positive signal to China at a time of significant human-rights concerns," labelling the participation of only France out of 26 member states unjustified (Vela et al., 2021). Those who evaluate the impact of the CAI on transatlantic relations argued that the agreement will give President Xi a strategic victory on the eve of Joe Biden's inauguration and an opportunity to widen the gap between the EU and the US (Fallon, 2021). The Minister of Foreign Affairs of Poland, Zbigniew Rau, tweeted "We need more consultations and transparency bringing our transatlantic allies on board. A good, balanced deal is better than a premature one" (quoted in Vela et al., 2021). However, Jörg Wuttke, President of the EU Chamber of Commerce in China, opposed this and expressed that the US had not consulted the EU when signing the Phase One trade deal with China as well as Australia, Japan, and Korea had signed the RCEP without labour provisions, thus the Europeans "have to get real about how much can we shape China" (Mitchell, 2020). In this regard, "although Berlin undeniably drove the final push to conclude CAI," it was argued that, when considering the US-China rivalry and its agreement with China, "the motivation extended beyond bilateral trade relations" (Novotna, 2024, p. 713).

On the other hand, there were serious objections to the agreement within the EU. Particularly, the European Parliament was highly critical. For instance, Reinhard Bütikofer, an MEP from the Group of the Greens and the chair of the Delegation for relations with the PRC (D-CN), deplored the exceedingly weak language of the CAI, arguing that it does not promise anything. He expressed that the Parliament might block the agreement if China does not make a stronger commitment to implementing labour rights (Bütikofer, 2021, 2022; Le Corre, 2021).

By March 2021, the Council announced its decision to sanction additional individuals and institutions from North Korea, Eritrea, Libya, Russia, South Sudan, and Myanmar under the EU's new sanctions regime. Additionally, it imposed an asset freeze, travel bans to the EU, and a prohibition on making funds available for four Chinese officials and the XPCC PSB due to arbitrary arrest and human rights violations against Uyghurs (CFSP, 2021b). In response, China retaliated by imposing sanctions on ten Europeans, including five MEPs, the Parliament's Subcommittee on Human Rights and the Council's Political and Security Committee (Parry, 2021).

The EU sanctioned Zhu Hailun, former Deputy Head of the 13th People's Congress of the Xinjiang Uyghur Autonomous Region (XUAR), who was seen as the architect of the arrest of Uyghurs program; Wang Junzheng, Party Secretary of the XPCC, which is an economic and paramilitary organisation of the state; Wang Mingshan, Secretary of the Political and Legal Affairs Committee of the XUAR, who was stated to have a key position in the arrests; Chen Mingguo, Director of the Xinjiang Public Security Bureau (XPSB) (Bütikofer, 2021). They were considered;

“responsible for serious human rights violations in China, in particular, large-scale arbitrary detentions and degrading treatment inflicted upon Uyghurs and people from other Muslim ethnic minorities, as well as systematic violations of their freedom of religion or belief, XPCC's systematic use of Uyghurs and people from other Muslim ethnic minorities as a forced workforce, in particular in cotton fields” (CFSP, 2021b).

The absence of a high-level CCP official among those sanctioned by the EU can be seen as a less confrontational stance compared to that of the US (Lau, 2021). In contrast, China's reaction was much tougher. The fact that Brussels does not impose sanctions on a decision-maker in bilateral relations may not signal a sharp policy change. However, Beijing's counter-sanctions targeted two EU decision-making bodies and five MEPs from four major political groups in the Parliament, significantly affecting the future of bilateral relations and rendering nearly impossible to ratify the agreement. Therefore, this relatively harsher response was described as a misunderstanding of “the functioning of democratic institutions” (Brînza, 2021).

After the sanctions, S&D, Renew Europe, and the Greens, who held 45% of the seats in the European Parliament, announced that the ratification would not even be open to debate as long

as the measures were in force. However, German MEP Maximilian Krah from the far-right Identity and Democracy group criticised the EU's measures and suggested that the focus should be on trade rather than fundamental rights in relations with China (Liboreiro & Pitchers, 2021). Hungary was also sceptical of the EU's sanctions. Although Hungarian Minister of Foreign Affairs and Trade Péter Szijjártó did not veto the decision, he denounced it as "pointless, self-aggrandising and harmful" (Makszimov, 2021).

Despite being largely symbolic, the sanctions can be interpreted as an indicator of the hardening of the EU's policy on China, which it has "long regarded as a benign trading partner" (Emmott, 2021). However, it is also foreseeable that a major, sweeping change across all policy areas, particularly those affecting commercial relations, is unlikely and probably undesired by both parties. Even though bilateral relations continue to deteriorate, years of growing interdependence make a significant shift difficult to achieve.

The history and literature on the EU's relationship with China mentioned thus far offers an overall idea of the EU's behaviour and attitude toward the country. However, as indicated in the chapter, there is a gap in studies that adopt a theoretical perspective to explain why the EU makes decisions that seem contradictory within a short timeframe.

1.3. Gaps in the EU Foreign Policy Making and Relations with China

As noted in the previous subsections, the EU's foreign policy mechanism has undergone various structural transformations, implementing many institutional revisions to boost its capacity and efficiency. This has prompted scholars to discuss the EU's role as an international actor and the type of its power international politics. During this period, China has also become a significant player, bolstered by its rapid growth, development, and increased willingness to take global initiative. The growing interaction, trade volume, and political dialogues between the two have made the EU-China relationship an area worth examining. Consequently, in accordance with the nature of their relationship, the literature on partnerships and then challenges has developed (see, Keukeleire & Hooijmaaijers, 2013; Men, 2012; Michalski & Pan, 2017b; Nicolas, 2014; M. Smith, 2014). The cooperative dimension in the relationship has long been prominent in the research; however, as Beijing's foreign policy has become more assertive, studies have increasingly focused on the challenges China poses to the EU, the West, and the liberal order (Christensen, 2015; Holslag, 2019; Maher, 2016; Mearsheimer & Walt, 2016; Pavličević, 2022). Although the field is visibly growing, research on the EU's decisions and the reasons behind their apparent differences remains limited, despite its importance for understanding the EU's foreign policy towards China.

While the consistency of the EU's China decisions can be examined in a wide variety of areas, a number of events draw attention, especially when considering the process since the second half of the 2010s. During this period, the Beijing government placed greater emphasis on enhancing its military capacity, and although the ratio of Chinese military expenditure to Gross Domestic Product (GDP) has not significantly changed, the growth in GDP has allowed China to "increase its strategic reach by improving its land, air, sea, and space capabilities" (Glenn, 2016, p. 206). It both modernised its army and forged a considerable naval power. As a result, its activities in the East and South China Seas were viewed by the West as an expansionist threat (Kaplan, 2011). The EU considered this a challenge to its own interests because of its trade with the countries in the region and advocated for freedom of navigation in many documents (for instance, Commission & High Representative, 2016, p. 11; Council, 2018, 2021; EUGS, 2016). On the other hand, as a result of its growing economic interdependence, China became the first partner of the EU in terms of trade volume, and initiatives that aim to develop trade and investment continued. However, China's forced labour practices and human rights violations, especially in the Xinjiang, led EU to increase its criticism of CCP (EEAS, 2018, 2019; Parliament Resolution, 2018a, 2020c). All this has complicated the EU's relationship with China and made it difficult to explain the reasons for the EU's behaviour.

A close evaluation of this process would significantly contribute to the literature on making sense of the EU's foreign policy. To do this, this research approaches the subject from perspectives at both the level of EU member states and institutions. It aims to reveal the process behind seemingly inconsistent decisions, identify the key actors involved, and explore their main motivations by focusing on the cases of trade and investment cooperation, primarily through the CAI, and sanctions due to human rights violations in Xinjiang. Analysing the reasons for making decisions like deepening cooperation with a country that threatens the EU's interests while simultaneously imposing sanctions on its officials for human rights violations shortly after signing an extensive investment agreement could enhance the literature on the EU's actorness and the kind of power it has in global politics, filling a gap in the studies on the consistency of the EU foreign policy.

To address this gap, this research aims to provide a holistic approach to the factors influencing the EU's foreign policy behaviour, within the time limits of a PhD project. The research acknowledges that, while there is a gap between the capabilities and expectations for the EU (Hill, 1993) and that its commercial partnership with China forms the main pillar of the relationship, its identity and common values, as constructivism suggests, also shaped some of the external policy decisions, such as the sanctions imposed on Chinese officials under GHRSR. In this context, it can be argued that both commercial interests and institutional identity influenced the EU's decisions to a certain extent.

Therefore, when examining the apparent inconsistency of imposing sanctions on a country immediately after concluding a major investment deal, it is important to include the contribution of the agreement to the interests of the EU member states into the equation since trade and investment agreements are more related to the economic gains of EU member states, alongside the human rights aspect on which the sanctions are based. In other words, incorporating EU identity and values, together with the preferences and interests of EU member states, into the analysis of decisions regarding China provides a more comprehensive understanding of the reasons behind the inconsistencies in the EU foreign policy.

In the IR literature, many studies examine the EU's China policy, contributing significantly to the understanding of EU-China partnership and competition. However, there are very few studies that investigate the reasons for the EU's kaleidoscopic China behaviour focusing on the decision-making processes of the EU or providing new lenses to the field. Some recent studies try to fill this gap. For instance, Gustaaf Geeraerts (2019), suggests that the relationship between the EU and China is driven by two distinct underlying logics, one based on power, which can be associated more with realism, and the other is transformational logic, closely linked to liberalism and constructivism. Thus, according to him, the partnership between the EU and China is bound to be a balancing act between diverging and converging trends. Francesco Saverio Montesano (2019), on the other hand, argues that the gap between discourse and practice in EU-China security cooperation has two fundamental reasons, namely the practical factors arising from current policies and normative factors related to their international roles, adding that the lack of normative and practical alignment among key member states deepens this discourse-practice gap. With an emphasis on to the process and social elements in the EU-China diplomatic relations, Lucie Qian Xia (2024) claims that the existing literature fell short in explaining the complexities of cooperation and conflict between the EU and China; instead, most analyses take them as "homogenous unitary actors" and pay attention to the either interests or values aspect of the relationship. For this reason, she proposes a theoretical model that includes relational and social elements as well. Again with a focus on a social phenomenon, Tereza Novotna (2024) discusses the emotion-action gap in the escalation of EU-China tensions and argues that both the Chinese counter-sanctions and the EU's decision to freeze the CAI process were highly affected by emotions.

These studies and some others mentioned in the chapter provide substantial insights. Still, it is a relatively new and promising field waiting to be further explored. In particular, the fact that the EU argues that various Chinese activities, such as expansionism and cyber-attacks, are a threat to its interests and security, and then makes a decision to increase investments, and then, makes a decision to sanction Chinese officials even though it would spoil the investment agreement, seems to illustrate a duality in the EU decision-making. There is a gap in the literature on the

causes of this. It is also intriguing why the EU, which repeatedly emphasises the importance of coherence in external relations in its key treaties and document (SEA, 1987 Title III Art.30.5; TEU, 1992 Title I Art.C; CTEU, 1997, Title I Art.3; TFEU, 2007 Title III Art.9) has not act that way towards China, or if it has, why its decisions in the aforementioned cases do not reflect it. Addressing these questions with a comprehensive perspective, by focusing on the interests and preferences of key EU actors, would help fill gaps in the literature on the Sino-EU relations and enhance our understanding of how the EU functions.

Conclusion

Before moving on to the theoretical, methodological, and analytical chapters of the research, this chapter presented the background of the research topic. It covered the main debates in the literature and discussed how the existing literature could be further improved. The research is based on the observation that the EU has made some seemingly inconsistent decisions in its China policy. It aims to uncover why there are inconsistencies in the EU's China policy, despite the EU's emphasis on consistency in many of its key treaties. For this reason, the chapter briefly put forth the transformations the EU went through in the institutionalisation process of foreign policy, examined the civilian and normative power debates on the EU's role in international politics, and revealed that the EU is an international foreign policy actor, whether it is normative or not. Following this, the chapter presented the EU's relationship with China and indicated that there are growing disagreements between the EU and China, particularly on security, economy, and human rights, yet the trade and investment cooperation has deepened in the same period.

This looked like a somewhat interesting policy; an area worth exploring, however, has not been adequately studied. In other words, there are some gaps in the literature on inconsistencies of the EU's foreign policy behaviour, and our understanding of why the EU takes very different decisions in such a short time needs further exploration. The chapter concluded by arguing that a detailed examination of the cases of trade and investment cooperation and human rights sanctions and a theoretical perspective that combines both the interests of EU member states and the identity and institutional values of the EU into the analysis would help us to fill this gap. This theoretical perspective will be discussed in detail in the next chapter.

Chapter 2 Theoretical Framework: Shaping the Decision-Making Process of the EU and Europeanisation

This chapter focuses on the theoretical approaches to the actors and processes influencing the EU's decisions towards China and presents the research's theoretical framework. It explores various EU theories to identify a suitable perspective and argues that combining the theory of Europeanisation with the concept of consistency may offer a useful lens for explaining the reasons behind the decisions.

Since the EU is “the most complex polity ever created by human artifice” (Schmitter, 2004, p. 69), understanding its decision-making may require special effort. According to some authors (Caporaso, 1996; Linklater, 1998), the voluntary transfer of some of their sovereignty of nation-states to supranational institutions points to a post-Westphalian or post-modern era and has brought along an important research area for IR. The EU's decision-making structure appears as a complicated bureaucratic process involving many actors and procedures. The literature on this emphasises the role of different actors and structures in decision-making according to its theoretical lens, which often naturally causes the influence of some to be ignored. In general, it can be said that nation-states, as highlighted by intergovernmentalism and liberal intergovernmentalism (Hoffmann, 1966; Moravcsik, 1993), and EU's supranational institutions, which are the focus of supranationalism (Sandholtz & Stone Sweet, 2012; Stone Sweet & Sandholtz, 1997), are effective in shaping the EU's foreign policy. In addition to these, it is argued that the subnational level which includes business and interest groups (Dür, 2008; Mazey & Richardson, 2006), subnational authorities (Bomberg & Peterson, 1998), and individuals and other societal actors (Eigmüller, 2013; Kaiser & Meyer, 2013) are influential alongside the other two levels. Besides, considering the presumption of the constructivist perspective which accepts that international organisations have a separate identity and autonomy and they are more than the sum of their members (Barnett & Finnemore, 2005), it can be claimed that the EU's own identity has also an impact on the policy-making processes.

In this context, the chapter firstly deals with consistency/inconsistency literature and the theories explaining EU integration, then outlines the Europeanisation approach and justifies why it offers a suitable perspective in examining the cases of the thesis. Following this, the chapter deals with the prominent structures in shaping the EU's decisions and examines in which situations the actors have the opportunity to influence the EU level and other member nations. It underlines the importance of the capacities of the member states and the identity and common

values of the Union. Furthermore, it conceptualises when EU actors transitioned from viewing China merely as a trade partner to adopting a more critical and multi-faceted approach, which became clearer by 2020. It frames the former as cooperative ‘first phase’ and the latter as critical ‘second phase’. Finally, it demonstrates how Europeanisation will be applied in the research cases, or in other words, it operationalises Europeanisation. The chapter concludes by introducing a model that helps to understand the contexts of inconsistent decisions are taken and suggests that Europeanisation offers a valuable framework for assessing both the role of the interests of member states and culture and values of the institutions.

2.1 The Consistency of the EU Foreign Policy

Consistency is defined as “the state or condition of always happening or behaving in the same way” (Cambridge Dictionary, n.d.) or “agreement or harmony of parts or features to one another or a whole” (Merriam-Webster, n.d.). In terms of the EU’s external activities, it is described as “co-ordinated, coherent behaviour based on agreement among the Union and its member states, where comparable and compatible methods are used in pursuit of a single objective and result in an uncontradictory (foreign) policy” (Krenzler & Schneider, 1997, p. 134) or as “an attribute of policy that systematically reduces conflict and promotes synergies between and within different policy areas to achieve the outcomes associated with jointly agreed policy objectives” (Nilsson et al., 2012, p. 396). The prevailing opinion in this field is that consistency is a “desirable” phenomenon in foreign policy (Nuttall, 2005, p. 94) as it increases the credibility and thus the ability of an actor to pursue its own interests and values on the international stage. However, perfect consistency or coherency is seen as impossible in a pluralistic political system due to divergent interests that need to be compromised or arbitrated with. Therefore, a certain degree of inconsistency is inevitable but should be deemed acceptable as long as it emerges from “an open decision-making process” (Gauttier, 2004, p. 24).

While concepts with similar meanings, such as cohesion or united act, were used previously, consistency was first included in an EC official document in Communiqué of the Paris Summit in December 1974 (Carbone, 2008, p. 340; Nuttall, 2005, p. 95). Since then, many EU key texts and treaties have emphasised that the Union shall act “consistently” or “coherently”⁵ (CTEU, 1997 Title I Art.3; SEA, 1987 Title III Art.30; TEU, 1992a Title I Art.C; TFEU, 2007 Title III Art.9).

⁵ There is a legal nuance between consistency and coherency; the former is characterised as the absence of contradictions, while the latter is described as a positive concept invoking more harmony (Tietje, 1997a, p. 212). However, from a political and functional point of view, the difference between them is less significant (Missiroli, 2001, p. 182). In the EU’s official texts, the two concepts are used interchangeably. It is referred to as consistency in the English version, while in French, German, and Italian it is referred to as

Chapter 2

Due to its focus more on developing trade and commercial relations among its member states in the early decades after its establishment, the EU long neglected the area of taking a common stance and ensuring consistency in its foreign actions. This changed with the establishment of the EPC by the Luxemburg Report on 27 October 1970 and with the formalisation of it by the SEA on 28 February 1986. These initiatives aimed to increase the Communities' cooperation and its single voice in external affairs. The SEA (1987 Preamble) noted the responsibility to speak "ever increasingly with one voice and to act with consistency and solidarity in order more effectively to protect its common interests and independence." There was also a provision for EC and EPC policies: "The external policies of the European Community and the policies agreed in European Political Co-operation must be consistent" (SEA, 1987 Title III Art.30.5). However, in this field, the main milestone was the pillarisation and the establishment of the CFSP with the Maastricht Treaty. The Treaty stipulated "The Union shall in particular ensure the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies" and delegated the responsibility for ensuring consistency to the Council and the Commission (TEU, 1992 Title I Art.C). Following this, consistency started to occupy both the agenda of the Union and the academic debates.

The main reasons for this are the increasing significance of the external and security dimension in the post-Cold War period, the existence of overlapping competencies between pillars, and the artificial division between pillars and cross-pillar activities (Duke, 1999, p. 5). In particular, the rising financial and economic diplomacy of the EU and the increasing foreign aid with programs and instruments such as PHARE, TACIS, IfS, and ENP brought about more complexity in inter-pillar relations. In addition, with the Treaty of Amsterdam and "supranationalisation process" of external relations (Kaunert, 2009, p. 42), the roles of the Commission and the Council Secretariat become more obscure or 'uncertain' (Dijkstra, 2009, p. 14). This, on the one hand, increased the need for consistency in the relations between the members and the EU and between EU institutions, on the other hand, fostered the need for delineation/delimitation of overlapping competencies (Christiansen, 2001, p. 749; Wessel, 2000, p. 1146). In this research, these two situations were frequently encountered in the decisions taken regarding China that seemed inconsistent. This brings us to the dimensions of consistency.

When examining the consistency of the EU policies, there are various classifications such as internal, external, intra-institutional, and multilateral consistency (Koenig, 2011; Nilsson et al., 2012). However, the most commonly considered ones are horizontal, vertical, and institutional dimensions. Horizontal consistency is the harmony between different types of EU policy. Vertical

cohérence, *Kohärenz*, and *coerenza*, respectively (Wessel, 2000, p. 1050). This research also uses them to mean the same.

consistency, on the other hand, can be defined as the consistency between the policies of the member states and the EU. Institutional or inter-institutional consistency, which is the consistency between two bureaucratic apparatuses, can be considered a sub-category of horizontal consistency. However, some also argue that distinguishing this as a separate category is plausible, as it has its own characteristics and most of the reforms are made in this field (Krenzler & Schneider, 1997; Nuttall, 2005, pp. 97–98).

In this regard, when examining the impact of both member states and institutions on the EU's decisions regarding China and investigating their consistency, the main focus of this research is vertical consistency and horizontal/inter-institutional consistency. That is to say, there is a discrepancy among the initiatives and policies of major member states, the Commission, Council, Parliament, and the EEAS, which had significant influence on decisions about trade and investment cooperation and human rights. Consequently, if cooperation on investment with a country and the decision to impose sanctions shortly thereafter do not seem consistent at first glance for the EU, there may be a lack of both vertical consistency between the member states and the EU level, as well as institutional consistency among key institutions, since all these actors involved to varying degrees in the processes.

Although research on the consistency of foreign policy provides important explanations for the absence of consistency, comprehensive and theoretical explanations about the reasons for this are very few. Simon Duke (1999, p. 13) claims that inconsistent behaviour is likely to be observed in cases close to 'home' such as Bosnia and Kosovo, which are likely to have a direct impact on the member states, or in regions where there are asymmetric economic relations such as the Persian Gulf. That is, the proximity of the threat to the home or economic interdependence increases the likelihood of consistency being sacrificed to national concerns. This explanation provides a helpful approach to identifying cases where inconsistent decisions are made. Since China is a country with an economic asymmetric relationship with the EU, it fits into Duke's classification. However, it should be further developed from a theoretical point of view as to what components cause this inconsistency in the decision-making mechanism. Tanja A. Börzel and Vera van Hüllen (2014, p. 1040) suggest in some cases the EU has one voice and one message, arguing the problem may not be internal coherence, rather it may be the conflicting objectives of the EU. It is worth considering when dealing with the inconsistencies in EU decisions, however, it is also possible to frame conflicting objectives and the pursuit of policies that do not appear compatible with each other as an inconsistency in foreign policy.

Ramses A. Wessel (2000, p. 1167), on the other hand, asserts that the EU should be viewed as a legal unity and that consistency cannot be ensured because there is no hierarchy among norms in the EU's external relations. Even though the dominance of one over the other for the EU's

communitarian and intergovernmental norms does not reflect the political complexity of the EU and regulation in this area is not expected anytime soon, this constitutes the basis of the EU's historical debate of federalism versus intergovernmentalism. Much research on inconsistency, therefore, focuses on this debate (Gauttier, 2004; Nuttall, 2005) and provides a theoretical perspective on the consistency problem. For instance, Kamil Zwolski (2011a, p. 326) argues that the competence duality of the Commission and Council Secretariat in foreign policy hinders consistency, which causes the competition of the two institutions over limited resources and undermines the performance and profile of the EU as an actor. In this respect, he points out an important factor that hinders consistency by including “institutional culture” in the equation.

In a similar vein, Carmen Gebhard (2017, p. 123) claims that “path dependencies” are influential in determining the way the EU functions and that even if institutional cooperation mechanisms develop, coherence can remain “an unattainable state” due to institutional structure and practices. Nicole Koenig (2016, p. 8), on the other hand, suggests that vertical coherence should be looked at to understand the underlying factors of horizontal and inter-institutional coherence. According to her, the big member states in the EU are of key importance for coherence, and by linking inconsistency with the interests of large states, she highlights another aspect of consistency that this research also finds significant.

In summary, as the EU emphasises consistency in its key treaties, studies on the extent to which it has achieved this in foreign policy, and what the potential problems are, have increased. These studies have contributed to our understanding of EU coherence and decision-making mechanisms. Consistency also provides a suitable conceptual framework for examining the policies and decisions the EU has recently pursued in its relations with China. In this context, there is a need for a comprehensive approach to consistency that identifies the different components and actors involved in the vertical and horizontal/inter-institutional consistency processes in order to make sense of the policies and decisions taken by the EU in its relations with China. Combining the cultures and identities of institutions with intergovernmental mechanisms and member states' preferences may provide this comprehensive approach and enhance the explanatory power of this analysis. Before that, exploring the key theories might be useful for finding a scope for this research.

2.2 Theoretical Approaches to the European Integration and Decision-Making: Neo-functionalism, Intergovernmentalism, and Multilevel Governance

The interstate cooperation experienced in Western Europe after WWII and the incentive for both the unification of various sectors and the establishment of supranational structures triggered a

major transformation. While the partnership between the countries contributed to the recovery of Europe and peace in the continent, understanding the reasons and nature of the delegation of powers to supranational institutions has led many researchers to direct their attention to this field. Developing a comprehensive theory to explain this interesting and complex phenomenon was one of the greatest challenges of IR academia in the 1950s. By examining the theoretical debates in this field, it may be possible to develop an approach to which framework would be more appropriate for understanding the decisions regarding China.

While theorists could not reach a consensus on the actors that were effective in the EU integration, they mainly studied what its driving force was. Built on the roots of David Mitrany's (1943) functionalism, Ernst Haas's (1958) neo-functional theory is considered the first grand integration theory after the establishment of ECSC and EEC. In brief, Haas assigns the first task to states in initiating integration, however, in the process after this first step, he emphasises the importance of areas of cooperation rather than the role of states. He uses the term 'spillover', which became almost synonymous with neo-functionalism, to explain how an integration initiated in one area will spread over time and lead to convergence in other areas. In other words, integration begins with a bottom-up mechanism from nation-states to the European level, and then, a top-down process, in which institutions and cooperation affect member states, promotes further integration. Indeed, the cooperation between the ECSC member states, which started with the coal-steel cooperation, soon spread to many other different fields and seemed to confirm neo-functionalism. Neo-functionalism offers significant insight into how cooperation and integration are initiated and deepened, however, it focuses on this process more. Since foreign policy decision-making is not its main area of interest, Neo-functionalism's perspective was not chosen in this research to investigate the reasons for the inconsistencies.

The setbacks experienced by the EC in the 1960s and 1970s, including the notorious crises such as President De Gaulle's empty chair⁶ and Euro-sclerosis, strengthened the view that states remain the key actors in integration, leading a decrease in attention to Haas's theory. This brought to the fore the theory that is framed as intergovernmentalism, which recognises states as the driving force of integration. Pioneer scholars of intergovernmentalism, such as Stanley Hoffman (1966), developed the theory primarily on the realist premises, arguing that because national governments are the main determinant in decisions on integration, the focus should be on the role of governments and national interests rather than on the areas and processes of

⁶ 'Empty chair' is the term used to describe the incident where France, due to its disagreement with the other five member states and the European Commission regarding supranationalism and powers to be given to the European Community. French officials boycotted meetings from July 1965 to the 'Luxembourg Compromise' in January 1966, leaving its seat empty in the Community. This is considered "the most serious crisis" faced by the Community since its establishment (Ludlow, 1999, pp. 231–232).

cooperation, as neo-functionalism does. While this makes a strong case, it might be an overstatement to say that the complex bureaucracy and institutional identity the EU has developed over the years have no effect on its decisions. Therefore, this research recognises the importance of the member state dimension but finds it alone insufficient to explain the EU's recent decisions on China.

Although rationalist intergovernmental approach was widely accepted until the 1990s, the perspective of transnational relations of Joseph S. Nye and Robert O. Keohane (1971) that includes non-state actors alongside the state, can be portrayed as a breaking point (Hodson & John, 2017). The regime theory of Stephan D. Krasner (1983) can be evaluated in this context as well. In terms of Europe, developments such as the adoption of the SEA and the transformations experienced in the 1990s led to the revival of the debates on integration. The impact of the EU on member states was a key topic in these discussions. Proponents of the intergovernmental school, such as Alan S. Milward (1992), claim that the EU increases the capacity of states and strengthens governments against domestic actors. Revising this approach with the framework of liberal intergovernmentalism (LI), Andrew Moravcsik (1993) deals with material reasons in the formation of integration. He argues that, rather than a geopolitical or broad conceptualisation of interests, narrower economic interests drive governments to cooperate. What is important in this cooperation is intergovernmental negotiations; supranational actors may only have a limited or secondary role (Moravcsik, 1998, p. 485). Therefore, according to LI, similar to intergovernmentalism, what really matters in EU decisions is the member states' interests.

While LI provides insights into the interests of the member states in the EU's decisions regarding China, it only deals with one dimension of the issue, much like intergovernmentalism. In response to this view of LI, Wayne Sandholtz and Alec Stone Sweet (2012) argue that supranational institutions, such as the Commission and the European Court of Justice (ECJ), can take decisions that even the governments of the most powerful member states do not want to be taken. According to them supranational institutions do not have a limited or secondary influence and the institutions cannot simply be characterised as 'agents' that serve the interests of the key actors, the 'principals' (see, principal-agent theory; Hooghe & Marks, 2001; Kassim & Menon, 2003; Pollack, 1997, 2003; Schmidt, 2006). In other words, EU institutions have the authority to govern themselves and their decision-making mechanisms are insulated to some degree from member state control (Sandholtz & Stone Sweet, 2012). This research, too, takes into account situations where it is not easy to directly identify member states' interests and considers that the perspective of LI theory should be broadened when examining the EU's seemingly inconsistent foreign policy decisions.

Thus, neo-functionalists and supranationalists, became the strongest opponents of LI in the EU theory debates of the 1990s and 2000s. These scholars argue that, in addition to the role of the institutions, the integration process strengthens societal and subnational actors as it gives them the chance to bypass their national governments (Sandholtz, 1996). According to this perspective, subnational groups of member states are able to persuade the Commission and ECJ to make decisions that their own governments do not want by directly contacting these institutions. Moreover, supranationalist scholars underline that EU institutions, rather than governments, are becoming increasingly authoritative in policy-making and associate the growing power of institutional actors with the concept of 'path dependency', which can be defined as the potential of previous decisions to shape future ones. Due to the path dependency of the institutions, the influence of government actors on political decision-making can be delimited and be shaped by existing arrangements within the institutions (Holzinger & Knill, 2002; Pierson, 1996).

Further, some scholars claim that with its institutions and identity, the EU can no longer be seen as just an international organisation or an intergovernmental institution; it has gone beyond that and has now evolved into a 'supranational federation' (von Bogdandy, 2012, p. 761). While the perspective of supranationalism offers a useful framework for understanding how supranational institutions influence EU decisions, the impact of large member states in shaping those decisions is undeniable, particularly given their voting power in the Council. Therefore, adopting an approach regarding the influence of both member states and supranational institutions on EU decisions will help more to explain the decisions regarding China.

In addition to the competition of LI and supranationalism, there is also a third perspective that argues that the political power of the EU is shared between actors at supranational, international, and subnational levels. According to this view, which is defined as multilevel governance (MLG), the actors that are effective in decision-making processes in the EU are diverse and are at different levels. For this reason, one-sided perspectives of intergovernmentalism or supranationalism are not enough to understand the complex structure of the EU. While the MLG model, which is first conceptualised by Gary Marks (1993), recognises states as the most important actors in European policy-making (Hooghe & Marks, 2001, p. 3), it is also positioned closer to supranationalism and neo-functionalism in the theory spectrum due to its emphasise on the independent nature of supranational institutions such as the Commission and the Court (Pagoulatos & Tsoukalis, 2012). However, MLG theorists do not share the arguments of LI or supranationalism on which actor or group EU integration strengthens. According to them, integration has the effect of increasing interdependence rather than strengthening certain actors (Kohler-Koch, 1996).

MLG is considered as a framework for identifying the actors involved in the EU system rather than a theory about explaining the driving force of change. In other words, MLG is not treated as a grand theory explaining why integration occurs. Instead, it is seen as a meso-level/ middle-range theoretical approach that gives insight into integration and daily functioning of the EU (Howell, 2004; Pagoulatos & Tsoukalis, 2012; Sedelmeier, 2012, p. 825). On the other hand, its approach to the actors and levels that are influential in the EU's decisions provides a useful framework for inconsistent decisions. In the case of China, there are various examples where both member states and supranational institutions are effective in making decisions. Therefore, this research, too, acknowledges that a multi-level approach rather than a single-level perspective offers a more comprehensive explanation.

As a result of the new agreements and enlargement of the EU with its new members, significant attention has shifted from this revitalised debate about the driving forces of integration to the impact of the EU on its member states and potential members. The effect of member states on EU integration and the formation of its institutions, is referred as the first generation of integration studies (Wong, 2017, p. 146). Studies on the effects of these institutions on the member states is defined as the second generation and offers an important outlook on the EU's decision-making mechanism. In this context, the framework of Europeanisation has gained importance.

2.3 What is Europeanisation and What Can It Offer Us Regarding Consistency?

Europeanisation became a widely discussed concept with the radical changes experienced in Europe in the 1990s. Studies within the scope of Europeanisation on the functioning of the EU and the effect of member states and institutions on each other brought a new perspective to the functioning and decision-making process of the EU. Its perspective may help explain the EU's seemingly inconsistent decisions.

2.3.1 Theorising Europeanisation

Scholars draw different frameworks about what Europeanisation is, how it affects members, and how states respond to it. Robert Ladrech (1994, p. 69) sees Europeanisation as a process and characterises it as “an incremental process reorienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organisational logic of national politics and policy-making.” This definition emphasises the reorientation of member states' policies and the organisational logic of policy-making, focusing primarily on the homogenisation and harmonisation of national level policies. He employs a concept of

organisational and institutional change drawn from Haas's (1990) rational adaptation theory to examine the EU's influence on member states and their responses (Ladrech, 1994, p. 86). Some authors criticise Ladrech's definition of Europeanisation and express that he did not use this definition in his later works (Olsen, 2002, p. 922), however, it is also widely accepted by many subsequent studies that treating Europeanisation as a process is an accurate starting point (Radaelli, 2003, p. 30).

Tanja A. Börzel (1999, p. 574), who also considers Europeanisation as a process like Ladrech, defines the concept as a process "by which domestic policy areas become increasingly subject to European policy-making" which is also known by other authors as "Europefication" (Andersen & Eliassen, 1993). According to her, research in this field assumes that Europeanisation often leads to some kind of convergence, which strengthens, weakens, or transforms states, however, this view is inadequate. When examining Europeanisation, the 'misfit' between European rules and regulations with the domestic rules and regulations should be evaluated due to this incompatibility plays a major role in determining the level of adaptational pressure in countries. In brief, the more misfit there is, the greater adaptational pressure the members face. If there is a strong misfit between European and domestic institutions, and domestic actors respond with a strategy that prohibits institutional adaptation rather than facilitating it, change is expected to be more radical. On the other hand, changes become more flexible if the cost of transformation is shared between actors with the cooperative strategy (Börzel, 1999, pp. 591–592). From this point of view, in cases where a decision taken by the EU will require a radical transformation in a member state's policy, the member state may have an incentive to prevent or change the decision.

There is a rich Europeanisation literature on the similarities and differences of domestic institutions and cultures with the EU, which is effective in determining the degree of adaptational pressure, which is mentioned as a misfit by Börzel or conceptualised as "goodness of fit" by Thomas Risse et al., (2001, p. 6). For instance, Börzel and Risse (2000, p. 1, 2003, p. 58) claim that one of the two conditions required for Europeanisation to cause a change in either domestic policy, politics, or polity, is a certain level of incompatibility or inconvenience between processes, policies, and institutions at the European level and those at the domestic level, and the other is the facilitating factors that will alleviate the pressure caused by this "mismatch" (Héritier et al., 1996). Claudio M. Radaelli (2000, p. 15) argues that the pressure from EU institutions as a result of misfit may cause a paradoxical effect and result in a negative Europeanisation, that is, domestic regulations may move further away from EU regulations. On the other hand, Christoph Knill and Dirk Lehmkuhl (2002, p. 256) point to a different logic of change, claiming that, unlike previous authors, European policies can trigger national reforms by changing local opportunity

structures or beliefs, although there is complete harmony between European and domestic policies.

The studies mentioned so far have examined the impact of Europeanisation from the EU level to the national level, i.e. focused on the top-down process. The effect of the EU level on the member states can constitute an important dimension in the explanation of inconsistent foreign policy decisions. However, including the member state level, this perspective allows for a more comprehensive approach. By doing so, a more eclectic approach is reached in terms of the effect of member states on the EU, and supranational institutions on the members, which can be considered as the main debate between the EU theories. Institutional culture and EU identity and values may also be included in this bilateral interaction. Therefore, alongside the top-down process from the EU to member states, it is also important to consider the bottom-up and crossloading dimensions.

2.3.2 Downloading vs. Uploading, and Crossloading

In addition to the impact of Europeanisation on triggering a change in member states, discussed in the previous subsection, it is suggested that the member states also have incentives to initiate and shape the process and to set their own preferences as the policy of the EU. These studies reckon that the process is not one-sided but rather more complex, encompassing dimensions of downloading (from the EU to the member states), uploading (from the member states to the EU level), and crossloading (the exchange of norms and ideas). The behaviour of actors in making and being influenced by EU policy is shaped around these components. Therefore, the EU cannot be regarded as a mysterious “*deus ex machina*” that has been situated up there independently of its member states (Radaelli, 2003, p. 34). Instead, policy-making, negotiation, shaping, and reshaping can be viewed as a process involving different actors and levels.

While Europeanisation studies address the concept in multiple ways and meanings (Olsen, 2002), most of these studies focus on the bottom-up, top-down, and ideational processes. Put differently, “horizontal and vertical policy transfer” between members and institutions is the subject of most research (Howell, 2004, p. 49). In the bottom-up dimension of this process, member states try to influence EU policy by projecting their preferences and policies to the EU level. There may be various motivations for doing this, such as avoiding the cost of change that different policies impose on them, making the EU’s interests more aligned to theirs, increasing their political influence at the regional and global level, or benefiting from “politics of scale” (see, Ginsberg, 1989; Gross, 2007, p. 507). It is thought that the countries with greater material power within the EU, previously referred to as the Big Three before Brexit, have more capacity to influence the EU’s direction (Börzel, 2002; Gross, 2009, p. 6; Lehne, 2012).

Yet it is widely accepted that no single member state, regardless of its development or power, can control the entire policy-making process. Hence, even if a member state takes a policy initiative that will be accepted at the EU level and gains advantage with the support of a Directorate-General (DG), this advantage may be lost once the draft is discussed in the Council, Commission, and Parliament. Instead of determining the policy of this ‘first-mover’ country as EU policy, it is envisaged that these initiatives are shaped by negotiating with other actors, and as a result, the EU’s policy becomes a ‘patchwork’ in which the ideas and policies of various actors are articulated rather than the preferences and interests of a single country (Héritier, 1996, pp. 33–34). In other words, rather than a single upload, a sum of uploads can be mentioned for the formation of EU policy.

This provides us with an appropriate approach for decision-making and why the EU can take seemingly inconsistent decisions in its foreign policy. Akin to this, Börzel (2002, p. 194) argues that although studies often examine only one aspect of Europeanisation, the concept is two-sided; top-down and bottom-up. According to her, while there is a competition on uploading among the member states, the states that actively push their policies at the EU level, which she defines as “pace-setters”, are mostly developed ones (Börzel, 2002, p. 207). Therefore, even though there are various examples where member states with lower material power shaped the EU policy (Björkdahl, 2008, p. 150; Müller & de Flers, 2009, p. 11), it can be said that bigger members are more advantageous in determining EU policies. For this reason, ignoring the large member states when examining the EU foreign policy decisions and the inconsistencies regarding China, might reduce the explanatory power of the research.

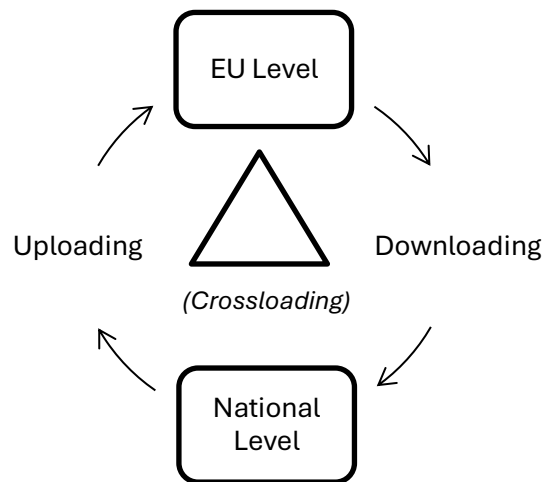
While Börzel’s approach provides a useful model for the behaviour patterns of member states, it can be critiqued for being too interest-based and rational institutionalist, potentially overlooking the roles of normative persuasion and socialisation processes. Besides keeping in mind the big developed member states have more capacity to upload, if one accepts that the identity, norms, and values of the EU are also a part of the process and may shape its foreign policy, another issue to consider in the analysis of foreign policy inconsistencies on China emerges as the values and norms embedded in the EU’s identity. This may be associated with the third dimension of Europeanisation, crossloading.

Crossloading is characterised as the exchange of norms, ideas, “ways of doing” things between countries and other entities (Major & Pomorska, 2005) or the socialisation of interests and identities or the reconstruction of identity (Wong, 2008, p. 325). According to Claudia Major (2005), crossloading goes beyond the idea that the EU only offers the arena for change. It is also interested in the cross-country, cross-institutions, and cross-policy dimensions. Domestic change may not only be produced at the EU level, but may also come from European neighbours,

domestic entities, and policy areas. To put it more simply, “it is not only change due to Europe but also within Europe” (Major & Pomorska, 2005; Tonra, 2015, p. 186). It is stated that this dimension of Europeanisation is reminiscent of Karl Deutsch’s (1957) security community and national identity due to its relationship with the norm, socialisation of ideas, and collective identity (Gross, 2007, p. 506). Since internalised norms and values are a part of EU identity, it could be expected to have a certain level of influence in shaping foreign policy.

Therefore, we can talk about a multi-Europeanisation mechanism where all these top-down, bottom-up, and cross relations affect the EU member states and the member states affect the EU, while cultural and ideational interaction occurs and identity construction takes place simultaneously.

Figure 1 Europeanisation as a mutually constitutive process



Source: (Major, 2005, p. 182) Europeanisation and Foreign and Security Policy – Undermining or Rescuing the Nation State? *Politics*, 25(3), 175-190.

This figure presents a general perspective on how actors and ideas influence each other in policy and decision-making in the EU. The directives and acquis of supranational institutions are received by member states leading to adoption and “policy coordination” (Kassim et al., 2000); the projection of members’ preferences influences the shaping of decisions and behaviours at the EU level, and ideational exchange between nations contributes the policy-making and collective identity reconstruction.

Therefore, when it is acknowledged that the EU’s decision-making mechanism is affected by actors and procedures at different levels, making an analysis at the institutional level alone may not be sufficient to infer thoroughly from the EU’s decisions, just as a state-level only research may not be sufficient. For this reason, the foreign policy decisions and inconsistencies will be better understood from a perspective that brings processes closer and considers them together.

2.4 Combining Consistency with Europeanisation and Finding the Right Scope

So far, this chapter outlined the concept of consistency, theories of European integration, and Europeanisation. Previous sections described the various analytical and empirical studies in the literature on the motivations of the member states and the dynamics of integration in the establishment and development of the EU. It also discussed the impact of the EU on the member states and the mechanisms by which the members shape the EU in this process. However, to understand the structures that are effective in the policy and decision-making processes of the EU, we can benefit from expanding the perspective as much as possible and converging different approaches. One way to do this can be seen as to go beyond the stereotypes and assumptions of paradigms what Rudra Sil and Peter J. Katzenstein (2010, p. 2) call “analytical eclecticism.” This research aims to do this by looking at decision-making mechanisms and seeming inconsistent decisions both from the perspective of the member states, similar to LI, and from the perspective of supranational institutions, like supranationalism. Combining diversified methods and perspectives on consistency and Europeanisation, and converging approaches on decision-making by addressing Europeanisation with bottom-up and top-down dimensions may allow for a more comprehensive inference. In other words, an approach that incorporates both member states and institutions by integrating different generations of Europeanisation studies, along with the concept of consistency, can serve as an appropriate starting point for the holistic perspective this research aims to achieve.

Parallel to this view, many scholars express the need to provide a holistic approach, while many others point to the difficulty of doing so. Kevin Featherstone (2003) points out the ambiguity of the priority of top-down and bottom-up mechanisms influencing each other and states that this raises a chicken-egg question. He argues that focusing solely on these two leads to ignoring the dimension of cross-national interaction within the Union (Featherstone, 2003, p. 18). Similarly, Rueben Wong (2017, p. 148) claims that European foreign policy studies were divided into two camps for a long time: either ignored by realists or idealised as an inevitable result of European integration and completely disconnected from the realities of national foreign policy. As a result of this, one camp sees member states as the sole actors, while the other overemphasises the role of supranational institutions. However, both sides fell short in developing theories with convincing causality regarding EU foreign policy decisions. Europeanisation, on the other hand, will be able to build a bridge between these two camps, as it acknowledges that member states adapt to EU decision-making structures and norms, while at the same time, the same member states are actively involved in forming and shaping these structures and norms (Wong, 2017, p. 157). Therefore, in order not to be detached from reality and to understand what is actually

happening, it is important to examine both supranational and intergovernmental institutions and individual states together while assessing the EU policy and decision-making.

This is a point that Theofanis Exadaktylos and Claudio M. Radaelli (2015) also draw attention to. They suggest that future studies on this concept should both ‘close the cycle’ by combining theories of integration with Europeanisation and concentrate more on the normative dimension of Europeanisation, such as whether it increases the democratic deficit within the Union. Besides, they argue that narrow thinking patterns can be overcome by using multiple methods, by being eclectic, and by recombining the components of different research traditions (Exadaktylos & Radaelli, 2015, pp. 214–216). The narrow patterns mentioned by them can be thought of as one-dimensional and unidirectional approaches to Europeanisation. To overcome this and make sense of Europeanisation, it is of significance to go beyond the upload-download dichotomy and to converge the Europeanisation perspectives (Bandov & Herceg Kolman, 2018). Otherwise, whether it is supranationalist or intergovernmental, a one-sided perspective might be incomplete since considering only the institutions as the main focal point neglects the preference projection of the member states, while thinking that the policies and decisions of the Union are shaped only by the states leads to ignoring the autonomy of the institutions. Whereas, trying to benefit from both schools with an inclusive approach as much as possible contributes to the analytical eclecticism and explanatory power of the research. As Vivien Schmidt (2009, p. 211) notes:

“Most importantly, now no scholar of any individual country can do it justice without considering the EU’s impact [on a member state], while no study of the EU can do without considering the impact of member states on the EU .. since one cannot fully understand the top-down impact of the EU’s policies on member state policies without also tracing the member states’ bottom-up policy-making influence.”

In addition to this, she claims that it is not enough to examine only these two since there are no longer only two levels, namely regional EU level and national level. As the EU sees itself as a global strategic actor and seeks to act accordingly, it engages in a three-level game that includes the global level, too. Moreover, the subnational level can be added to this calculation, expanding the levels to four (Schmidt, 2009).

Schmidt’s stance is somewhat more converged with the MLG approach than LI and supranationalism and points to a more comprehensive Europeanisation framework than much of the studies of the previous era. From this point of view, it can be said that research that inquires the foreign policy inconsistencies of the EU should consider top-down and bottom-up effects together and should not ignore their interaction with the global and subnational levels. While this view may not invite much criticism, there is a risk that the research could be over-scoped by

considering all of the different levels of interaction together, meaning the researcher may need to make a choice between feasibility and comprehensiveness. Put differently, the researcher may have to choose between two options within this network of multiple components and relations: either he or she will take one dimension of the Europeanisation process and analyse with a clearer but relatively less inclusive framework, or choose a model in which different dimensions and processes are involved but where it is difficult to specify the analysis framework due to its complexity. Finding a balance between these two and setting the optimum research framework for a robust causality is a vital step for this research.

In this context, establishing causality by combining the consistency and Europeanisation is a challenging, yet fruitful task. Regarding the causality of Europeanisation, one needs to separate the impact of the EU on the change at the domestic level from the impact of other parallel processes (Exadaktylos & Radaelli, 2015, p. 207) and in a similar vein, to separate the influence of nations on the EU from the influence of other processes. For instance, the reason for a change in members may be another factor other than EU institutions and policies, such as globalisation or relations with another international institution such as NATO, therefore, considering Europeanisation as an 'all explaining factor' would be overestimating its impact (Major & Pomorska, 2005, p. 2; Pomorska, 2007, p. 28). Therefore, besides determining the research range, not confusing the effect of other factors with the effect of Europeanisation can be considered as the most serious methodological challenge of the theory.

Including horizontal and vertical interactions in the analysis, or horizontal and vertical consistency in this case, can help mitigate the risk of overlooking key variables and lead to a more promising outcome by integrating both top-down and bottom-up relations (Bandov & Herceg Kolman, 2018, pp. 142–143). Moreover, taking into account multi-level relations and evaluating different dimensions of EU interaction contributes to establishing the right causality and assessing of the influence of Europeanisation. This research aims to include these horizontal and vertical interactions in the analysis by examining the seemingly inconsistent decisions of the EU on China at the levels of states and institutions. This allows to focus presumably on two of the most crucial levels and two of the most crucial types of consistency, thereby, providing a broad overview within the constraints of research time and word limits. When considering decisions regarding China, material capacity and institutional culture are among the most prominent components in this process in which actors influence each other.

2.5 Assessing Mutually Constitutive Relation: An Approach on Material Capacity and Institutional Culture

As outlined in the previous subsection, different actors and elements have an impact on decision-making and both member state interests and preferences, as LI asserts, and the supranational institutions and identity of the EU, as supranationalism envisages, are involved in the decision-making. In other words, there is a multi-level interaction, as suggested by MLG. This research argues that two components take precedence over the others in making inconsistent decisions about China: the 'material capacities' of the member states, and the 'institutional cultures' of EU bodies.

2.5.1 Significance of Material Capacity in Decision-Making

While the concept of Europeanisation emphasises the importance of top-down, bottom-up, and cross-relations in shaping policies of the EU and its member states, it draws attention to the fact that this relationship is not unidirectional but mutually constitutive. Almost all of the decisions taken by the EU have an aspect in which the members are involved at a certain stage and shape the decisions. Therefore, bottom-up uploading and preference projection of member states form a crucial dimension of this process. Since one of the most influential characteristics of the member states in shaping EU decisions is material power (Börzel, 2002, p. 208), it should not be ignored when examining the bottom-up effects of member states within the scope of Europeanisation. Indeed, it is observed that the major member states are quite influential in the decisions taken by the EU regarding China. Germany and France, in particular, have been key actors in the relations developed with China, and their opportunities to influence the process with their material capacities have been more than other member states. Consequently, one of the dimensions that this research takes into account in explaining the reasons for inconsistent decisions about China is material capacity.

The weight of materially powerful member states in the EU is the subject of various research (Lehne, 2012; Leuffen et al., 2014) and four main reasons can be distinguished that these countries have a higher chance of influencing EU decisions than small member states: more contribution to the EU budget and funds; the capacity to send more staff to EU bodies; more seats in the Parliament; more self-sufficiency and more freedom to pursue self-interest.

A) More contribution to the EU budget and funds: The EU budget is a fund proposed annually by the Commission to the Council and the Parliament, which is collected in order to carry out the functioning of the Union, such as paying the salaries and training of staff and bureaucrats working in the EU organs, and to put into effect its policies in areas such as finance, agriculture, development, education, and culture. In addition to revenues from member states such as VAT and customs duties, EU member states contribute to the budget according to their gross national income (GNI), and these funds originating from the GNI constitute approximately 70% of the EU's

budget (European Union, n.d.). Hence, Germany and France, which have relatively more national income than other member states, admittedly are at the top of EU funding. The areas to which EU funds will be allocated are determined by the impartial Commission bureaucrats and it is suggested that “those who pay the piper do not call the tune” in the EU’s decisions (Schelke, 2012, p. 289). Nevertheless, the weight of the countries providing large amounts of funds in the EU has also been the subject of various studies (Carrubba, 1997, p. 489) and member states that contribute more to EU funds often regarded as having a greater role in the Union’s functioning and decision-making processes. Contributing to the EU budget provides leverage over member states that rely more heavily on EU funds for areas such as development, infrastructure, education, and culture, allowing net contributor member states the chance to follow their own agenda in the EU decision-making (Mattila, 2004, p. 39).

B) The capacity to send more staff to EU bodies: This second reason, which is partly related to the process of determining the EU funds and budget, is based on the fact that the materially strong member states can send more employees to the organs of the EU. Supranational EU staff is ideally conceptualised as officials to whom citizens of any member state can apply and who put the interest of the EU before the interest of his or her country. However, the participation rates of each member state in these positions are not equal. Citizens of member states with a small population and limited human resources and countries with less capacity to provide staff at EU standards are less involved in EU institutions. On the other hand, citizens of member states that are more developed in terms of qualified human resources have more chances to participate in EU bodies. Although it cannot be said that this has a direct impact on EU decision-making, the possibility of its impact cannot be ignored. For instance, considering the inconsistent decisions regarding China, which is one of the cases of this research, Germany wanted to conclude the agreement quickly and many high-level EU officials related to this agreement, such as the head of the Commission, the Directorate-General for Trade, and the President of EU Chamber of Commerce in China were German citizens. Although it is not to say that they implement policies favouring Germany, it can be considered as a sensitive area. In short, it is not unreasonable to think that powerful member states with more personnel in EU institutions are more advantageous in pursuing their own agendas within the EU.

C) More seats in the European Parliament: In many decisions taken by the EU, the Parliament is the co-decision maker with the Council. The Parliament, which is an institution whose members are directly elected by EU citizens, has a distribution of seats in proportion to the population of the member states. In the post-Brexit period, approximately 25% of the 705-member Parliament is composed of German and French MEPs with 96 and 79 members respectively. This rate can be considered quite high for a decision-making mechanism of the EU. Nevertheless, it is equally misleading to think of a member state’s MEPs as a single voice. Various groups with different

goals and priorities are present in the Parliament. However, it is also claimed that the MEPs may act in parallel with the country of their citizenship and that “national party policies are the strongest predictors of voting behaviour” in the Parliament (Hix, 2002, p. 688). For this reason, the possible impact of the member states with a large population in the Parliament should be kept in mind as a variable in the EU’s decisions.

D) More self-sufficiency and freedom to pursue self-interest: Lastly, when the material capacity is considered in terms of self-sufficiency, particularly as a military power and ensuring security, it can be argued that the stronger countries follow a more independent policy than the other member states in pursuing their own interests. Some small states may need to bandwagon to a stronger actor to ensure their security. This leads to a decrease in their ability to act independently. However, big member states can follow their own interests more in the EU, as they are more self-sufficient in providing their own security. This constitutes another element that increases the weight of member states with high material capacity within the Union.

For these reasons and many more, the influence of member states cannot be ignored when examining the EU’s decision-making mechanism and investigating the reasons for the inconsistent decisions. Although it is not considered as the only component affecting the process and there are many decisions taken with the initiatives of small states, material capacity should be included in the equation in the assessing of incoherent decisions in the foreign policy of the EU and in investigating the downloading and uploading dimensions of Europeanisation, as it is a factor that greatly increases the chance of member states impacting on the decision-making. In other words, a liberal intergovernmentalist approach accompanies the interpretation of one of the dimensions of the process. Therefore, examining the behaviour of the big member states and how they affect the EU decisions makes a critical contribution to revealing the reasons for the inconsistency in the decisions taken recently on China.

2.5.2 Significance of Institutional Culture and Values in Decision-Making

Although it is accepted that strong member states have more opportunities in decision-making processes, material power and a bottom-up perspective in decision-making address only one aspect of the issue. For this reason, when investigating the apparently inconsistent decisions of the EU, besides the preferences and goals of the members, the institutional culture of the EU organs should also be included in the analysis. Because, no matter how strong a member state is, it cannot shape all stages of the decision-making mechanism of the Union, and as Héritier (1996) suggests, even if it starts an initiative in line with its own preferences and interests, this initiative may be interrupted in the later stages of the process. The common values of the EU can be an important reason for this. Common values are frequently emphasised in the agenda and

official papers of the EU, and it is often referred to in institutional discourses and decisions. In some cases, values also serve as an anchor and pull the policy towards itself. Sometimes, the identity of the EU and its previous decisions are effective in determining the decisions to be taken later, as historical institutionalists call path dependency. The frequent reference to values in these decisions also affects the shaping of the next ones in a similar direction. Due to this reason, it is seen that values are a significant part of the process as well as the material capacities of the member states in the decision-making of the EU. The EU refers to the common values of the Union in almost every aspect of its relations with China, but particularly the fact that it imposes sanctions within the framework of EU values and human rights makes common values crucial in understanding the seemingly inconsistent decisions on China and makes these values an essential component for this research as well.

In terms of Europeanisation, values are related to all three processes of downloading, uploading, and crossloading. The EU exerts top-down adaptational pressure to shape its members' policies and it is observed that the Union's directives which members must act in accordance with them, often contain values. For instance, the EU's environmental policy, which member states must abide by, refers to the common values of equality in access to and consumption of natural resources. EU institutions may sometimes make decisions that the member states do not fully want but have to comply with, and these decisions of the institutions are expected to be compatible with the identity and values of the Union. The fact that EU institutions move away from the principal-agent model and act in a more independent way, points to a mechanism advocated by supranationalists. In addition to policies towards the member states, the Copenhagen Criteria, which determine the requirements that candidate states must meet for membership, also include political standards in areas such as democracy, human rights, and the rule of law, and candidates can become a member only by fulfilling the requirements in these areas.

Thus, the EU's decisions and criteria that include values lead to a top-down downloading of EU standards and adaptational pressure on members as well as candidates and potential candidates. Even in policies considered an intergovernmental area, such as the common foreign and security policy, the EU underlines the significance of values, and the objectives of the common foreign and security policy include promoting and consolidating democracy, the rule of law, and respect for human rights and fundamental freedoms (European Union, n.d.-a) and, at least in principle, it is predicted that policies will be formed within the framework of common values.

Besides the top-down effect of EU institutions, member states can also mobilise values in the negotiation processes and include common values in their bottom-up projections. The motivations of the member states to do this may be to follow an idealistic policy that truly

includes values, or it may also be a desire to pursue their own interests more successfully by stressing the values in their discourse. Due to it is one of the elements that constitute the identity of the EU, the member states who refer to the values have a stronger hand in the negotiations within the EU. Members may propose to follow a different policy, for reasons such as security or cost. Yet, even in these cases, they may prefer to say that the ideal is to pursue values and that they cannot be included in politics due to the conjuncture, instead of using the discourse that values should be completely ignored. Additionally, member states influence each other and exchange norms and values outside the EU institutions, and in this way, value and identity reconstruction takes place.

Why EU values are important in explaining seemingly inconsistent decisions about China becomes even clearer when the relationship with China and the content and principles of EU decisions are taken into account. In the fields of trade and investment cooperation and sanctions due to human rights abuses, which are the case studies of the thesis, the EU has referred to its core values in almost every statement and decision. Even in a field that can be considered more interest-based such as investment, targets for improvements in areas such as forced labour and human rights were included in agreements with China. In addition, despite knowing that it would negatively affect trade and investment relations, the EU decided to sanction Chinese officials in Xinjiang for human rights violations. All these reasons make common values a phenomenon that should not be ignored for this research. Additionally, considering that the European Parliament, which frequently criticises China's human rights violations and presses for sanctions, has developed an institutional culture over the years that incorporates human rights more prominently into its agenda compared to other EU institutions, including this aspect in the analysis will enhance the explanatory power of the research.

In conclusion, given the difficulty in determining the limits of Europeanisation mentioned in the previous section and which variables to include in the analysis, a broad perspective should be preferred rather than a one-sided one as much as possible when examining the incoherent decisions of the EU. However, the researcher should also pay attention to keeping the perspective in dimensions that will enable the research to be carried out in a proper time frame. In this respect, downloading and uploading dimensions of Europeanisation provide a useful framework when it is desired to analyse the inconsistencies in the EU's decisions. In understanding the dynamics of the relationship between the EU and its member states, evaluating together both the members' power to shape the process materially, namely material capacity, and the institutional culture and often emphasised principles on which the identity of the Union is built, allows us to go beyond a one-sided perspective of the decision-making mechanism. I did not include crossloading in the research as it is more abstract and therefore more difficult to track compared to the first two, and by excluding it I aimed to make the research

scope more viable. Further, by focusing on two of the most prominent components (material capacity and institutional culture/values) and two of the most prominent levels (state and supranational) in understanding inconsistent decisions, it ensures that the research is multidimensional and multi-component on the one hand, and its boundaries are defined, on the other.

2.6 Operationalisation of the Theory in the Context of the Consistency of Decisions

When examining the decision-making behaviours of the EU, it should be taken into account that it is not a monolithic, uniform, and homogenous Union and that besides its member states, its institutions also have different agendas and policies. In Europeanisation terms, member states upload their preferences to EU institutions and EU institutions influence member states in line with their own cultures, agendas, and characteristics, shaping the pursuit of various policies within the EU. Therefore, this study accepts that a one-sided approach is not enough and thus examines the reason for the inconsistent decisions by looking at the EU's decisions on China from both the members' and the EU institutions' perspectives. In this context, selecting key actors involved in the decision-making process can help determine the scope of the research.

2.6.1 Key Actors in Decisions on China

No matter how large or small, all institutions and member states can directly or indirectly impact making a decision. Therefore, it is crucial to identify the actors with greater influence in the cases the research focuses on. This choice causes a limitation by narrowing its scope, however, it allows for a more detailed analysis of some of the key actors involved. Since Germany and France, among the member states, and the Commission, Council, Parliament, and the EEAS, among the institutions, have been relatively more involved and influential than other actors in decisions regarding cooperation with and sanction against China, it seems reasonable to include these actors in the research sample.

The Commission, which is more technocratic than the Council and the Parliament, is open to all member states and operates within the framework of a different institutional culture than the Council, as it is assumed that the EU's executive staff will act for the benefit of the EU, not the interest of the member states. Nevertheless, the bottom-up preference projection of the member states does not occur in a vacuum, this happens most of the time by influencing the institutions. For instance, a member state that follows the policy of developing cooperation with a third country may aim to achieve this goal by influencing the EU institutions. In other words, when a member state aims for the EU to take a new decision, in addition to convincing other member

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states, it can achieve its purpose only by having the Commission draft a proposal, since the Commission is the institution that proposes the EU decisions. This, on the one hand, brings about a contestation between the actors trying to upload their policies to the EU, and on the other hand, a Europeanisation that will affect the whole Union with the formation of policies and decisions.

Since the Council directly represents the member states and is an instrument for member states to pursue their interests at the EU level, it is not surprising that the Council's approach to developments regarding China differs from that of, for instance, the Parliament. The Council is an important institution in the interaction between the member states, as it is a platform where the representatives of the member states come together regularly, exchange norms and ideas, and influence each other. In addition, voting that requires Qualified Majority Voting (QMV) and Reinforced Qualified Majority Voting (RQMV) is a crucial issue in terms of Europeanisation and examining the impact of member states on EU decisions. Because in these two systems, the vote weight of the big member states is extremely decisive in the Council. For a decision to be adopted with QMV or RQMV, member states representing the minimum 65% of the EU population must approve the decision. Since the ratio of the total population of all other member states to the EU population is approximately 66%, except for Germany and France, it becomes almost impossible to adopt a decision that these two countries object to or abstain from together; and this leads to an increase in the weight of Germany and France in the Council, one of the most important decision-making mechanisms of the EU.

As will be explained in the following chapters, the European Parliament appeared to be one of the most questioning actors of the EU's China policy and the Parliament's motivation to do so seemed more closely linked to human rights or EU values in general. In other words, in the resolutions adopted by the Parliament, MEPs' intention to emphasise human rights and the common values of the EU and to include them more in foreign policy is often more visible than the other key EU actors. In the China case, the Parliament has highlighted repeatedly the violations in the fields of the rule of law, human rights, and fundamental freedoms and has adopted a stance to protect these values and not to leave them behind because of commercial interests. This attitude of the Parliament is of great significance as it is one of the most important institutions in EU decision-making. Being a co-decision-maker in many areas with the Council leads to the need for the approval of the Parliament in the decision-making mechanism and increases its power and clout. Thus, there is a process of Europeanisation in which member states, large or small, are influenced by this policy of the Parliament.

The EEAS is a relatively newer institution, however, it has an important role as it is responsible for maintaining the EU's external relations as well as its head, the High Representative for Foreign Affairs, is simultaneously the Vice President of the Commission. Similar to the Commission, the

EEAS is a supranational and technocratic institution, therefore, in theory, it works for the overall EU interest instead of some of the member states. The Lisbon Treaty, which introduced institutional arrangements such as the HR participating in Council meetings and serving as Vice-President of the Commission, aimed to enhance coordination between institutions and ultimately increase the EU's consistency. Therefore, despite being a relatively young institution, examining the relationship maintained by the EEAS and HR/VP with China provides important data for understanding the EU's decisions.

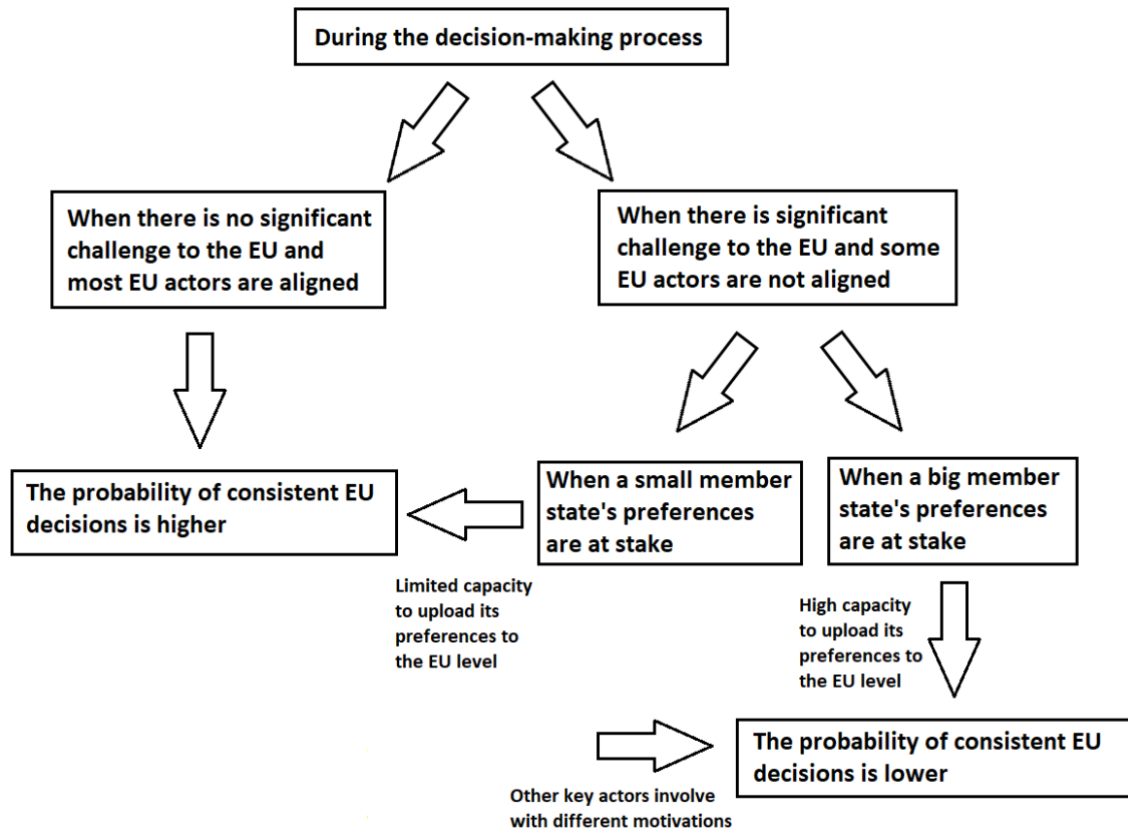
Described as the engine of European integration (Leuffen et al., 2012), Germany and France have been the two most prominent members of the community since the EC/EU was founded. The deepening or stagnation of integration has largely occurred with the initiatives or obstructions of these two countries. Due to their weight in the EU, the initiatives opposed by both of them seldom became successful. Conversely, cooperation between Germany and France had a much higher chance of affecting other member states and thus the EU. Germany and France are the most favourable countries in uploading their preferences to the EU level, as their material capacity multiplies their ability to influence EU institutions and other members. When the EU's recent policy towards China is examined, it is seen that many initiatives were launched by these two countries. Increasing trade and investment cooperation with China have been a priority area for them in foreign policy for the last several decades. However, due to the challenges like economic protectionism, deterioration in human rights, expansionist policies, and conflicts with neighbours China started to pose more threats to European security and identity than in the past decade. Germany and France occasionally express their concerns about these challenges, however, at the same time, it is fair to say that they followed relatively a collaborationist policy until the 2020s. Since this policy causes a dilemma for the EU because of other actors such as the Parliament became more vocal about the issues like human rights abuses, focusing on the bottom-up process and analysing the effects of the two on EU policies and decisions will indubitably make a significant contribution to the understanding of the decisions of the Union.

2.6.2 A Europeanisation Model for the Inconsistent Decisions

This research foresees that an inclusive approach that evaluates together the impact of both member states and the EU institutions on decision-making would be beneficial in order to understand why there are some seemingly inconsistencies in the EU's decisions on China. In this respect, the research suggests that key member states uploading their preferences to the EU level is a significant factor in the decisions made by the EU, especially in the field of cooperation. However, it argues that merely considering the preferences of these member states is not sufficient to fully understand the decision-making process. In addition to member states uploading their preferences, a campaign conducted concerning a country that seriously

challenges the EU’s discourse on fundamental values can intervene in the process and significantly disrupt the previous cooperation agreements. This can be observed in the CAI and the subsequent sanction decisions. By examining this dual impact on the decision-making process, the research not only provides an empirical analysis of EU decision-making but also contributes to addressing the gap in Europeanisation research by considering different mechanisms together. The main argument of this study can be modelled as in Figure 2:

Figure 2 Mapping the Consistent and Inconsistent EU Decisions



Source: Author’s own elaboration

As summarised in Figure 2, in the EU decision-making process, when there is no significant challenge to the EU or its values and most EU actors are aligned, it is more likely for the EU to make consistent decisions. In contrast, when there is a significant challenge to the EU or its values and some EU actors are not aligned, there are two possible scenarios. The first scenario involves situations where the preferences of smaller member states are at stake. In this case, since these member states typically lack the capacity and influence needed to shape the decisions, their impact at the EU level may be more limited. Therefore, they rarely fully affect the decisions made by the EU, and the EU can continue to make consistent decisions. However, if the preferences of a bigger member state are at stake, this member state has a higher capacity to upload its preferences to the EU level, increasing its chances of influencing the EU’s decision. In such a scenario, other member states or institutions may intervene in the process and lead to a

decision against the country challenging the EU or its values. This may appear as an inconsistency with a previous decision.

Of course, this is somewhat a simplified explanation for such a complex organisation like the EU. It is possible to find counterexamples to the inference summarised in this model in the history of EU decisions, that is to say, seemingly inconsistent decisions can be made even when all EU member states and institutions are aligned, or the EU can continue to make consistent decisions even when member states and institutions are not aligned. However, the figure can be useful for providing a general idea about decisions that appear quite different in nature. As explained throughout the chapter, members upload national preferences to the EU level, while EU institutions may exert pressure on member states through top-down policy downloading. Also, it is difficult to speak of a unity among institutions or member states, as the EU is not a monolithic organisation. Different initiatives of member states and institutions increases the possibility that the EU will make decisions that are distinct in nature. This does not necessarily mean that conflicting decisions will be made as a result of different initiatives. EU member states can compromise with each other and with institutions. The EU often works that way. However, the opposite is also possible, as illustrated by the cases examined in this research.

If this model is briefly examined in the cases of the research, it becomes evident that the national policies, interests, and preferences of the EU's two most powerful member states, Germany and France, initially prioritised a commercial logic, aiming to establish a level playing field in investment cooperation and enhance market access for European companies in China. These two member states have been more successful in projecting their preferences to the EU and became the leading member states in the conclusion of the CAI. However, during this period, China's military build-up and expansionism, its oppressive policies in Xinjiang and Hong Kong, increasing concerns about severe human rights abuses, cyber-attacks originating from Chinese territories, economic competition, and the exportation of its authoritarian model were perceived as significant threats to the EU's security, identity, and values. For this reason, when a perception of threat to the EU arose, a campaign was conducted, led by the Parliament and some other member states, to bring human rights violations in China to the forefront and this initiative contributed to the adoption of sanction decisions against Chinese officials regarding human rights violations. In other words, to refer to the theories at the beginning of the chapter, it is seen that LI and supranationalism both offer a partial explanation. Combining the two perspectives and using a Europeanisation approach that considers the effects of institutions on member states and member states on institutions and other member states seems to have a lot to offer regarding conflicting decisions.

2.6.3 Operationalisation of the Theory

There are roughly four steps in the operationalisation of the theory. The first two steps are related to data collection and classification, with a focus on powerful member states and institutions on trade and investment cooperation (step one) and sanctions due to human rights (step two). The third step examines the vertical and horizontal consistency in the EU's decisions regarding China, based on data from the previous steps. Finally, the fourth step uses the Europeanisation approach to make sense of the reason for the inconsistency.

The research aims to analyse the consistency of the EU's decisions regarding China and to develop an explanation for the reasons for the seemingly inconsistent decisions. For this, in the first place, the research examines the policies of the selected member states and the policies of the institutions in case studies, examining their 'stances', 'discourses', and 'initiatives'. Regarding stances, the research focus on the long-term approach of the selected EU actors, whether member state or institution, to the investigated case. In this way, it reveals the behaviour of the member states and EU institutions in the specified policy area, not only for the last years but also for a wider period of time. The research also examines the official statements of the member states and institutions about the cooperation and sanction cases as well as the initiatives of key actors vis-à-vis China. Therefore, the steps that examine the long-term attitudes, discourses, and initiatives of key member states and institutions regarding cooperation and sanctions help to understand when key EU actors transitioned from a phase of cooperation (first phase) to a phase of criticism (second phase), and the intensity with which they conducted this criticism.

After the first two steps, the research analyses the vertical and horizontal/institutional consistency of the EU. Since vertical consistency is concerned with how well the preferences of the member states and the preferences of the EU institutions overlap and are consistent with each other, this research firstly deals with the compatibility between the preferences and policies of the member states and the policy of the EU in the cases. The compatibility of the attitudes of the member states and the EU institutions on investment cooperation and human rights sanctions indicates vertical consistency, while the absence indicates the lack of consistency. In order to assess vertical consistency, the thesis traces the consistency of the policies of EU's institutions and the larger member states discussed in the previous steps. This third step also questions the horizontal/institutional consistency between EU institutions and policies. Finding the extent to which EU institutions and policies regarding the decisions taken on China are compatible with each other allows us to make inferences about horizontal consistency.

Following the identifying vertical and horizontal inconsistencies in the EU's China policy, the research finally focuses on the causes of these inconsistencies. For this, it calls upon the

uploading and downloading concepts of Europeanisation and questions the impact of member states and the impact of institutions on decisions. In other words, by examining the processes of uploading and downloading, it identifies which actors emerged in the two cases and how they influenced the direction of the EU.

The research believes that a reasonable explanation for the seemingly inconsistent decisions regarding China can be reached after examining long-term stances, discourses, and initiatives, as well as analysing the uploading and downloading processes that cause horizontal and vertical inconsistency. This can be summarised as the situation where inconsistent decisions are made when the preferences of institutions and major member states do not align with each other, especially when dealing with a country that explicitly threatens the EU's interests, identity, and core values. In other words, when the preferences of powerful member states differ from those of other member states or institutions, and the country in question is gradually perceived as a serious threat to the EU interest or direct high level challenge to its values, inconsistent decisions can be expected. In examining this sample, the lens of Europeanisation offers an appropriate approach, as it has the potential to reveal how member states influence the EU and how EU institutions influence member states.

Conclusion

This chapter, in which the theoretical framework of the thesis is explained, firstly, scrutinised the debate on the EU's policy consistency, arguing that although the EU has made many institutional developments to ensure consistency, the issue remains controversial. Next, it revealed how the concept of Europeanisation can be used to analyse the inconsistent decisions of the EU after the second decade of the 21st century, and in this context, it first presented the theories of European integration, namely the perspectives of LI, neo-functionalism, and supranationalism. Evaluating the main views of these approaches on the EU decision-making mechanism, it assessed the shortcomings of these theories in explaining the subject of the research as overemphasising one dimension of the process and ignoring the others. The chapter then outlined the concept of Europeanisation and accepted that the top-down and bottom-up framework it presented offered a suitable model.

When the conflicting decisions from the point of view of the chapter are evaluated, the two components that stand out in these decisions are seen as the material capacities of the member states and the identity and culture of its institutions. With their capacities, the major member states find more opportunities to upload their policies to the EU level than other members, however, the big member states are not the only shaper of the decisions. EU institutions and other member states can influence the EU to make another decision that differ from the previous one.

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This dynamic is evident in the EU's decisions regarding China. The process can be described as mutually constructive, where member states have the opportunity to influence the EU in line with their own policies, while also being influenced by it.

Chapter 3 The Methodology

The first two chapters explained the background of the research, examined the debates in the literature, and elucidated the theoretical perspective around which the research was shaped. Before combining the theory with the cases, this chapter is on how to do this task. It presents the research methods design in detail, drawing primarily from the methodology books of Christopher Lamont (2015), Sandra Halperin and Oliver Heath (2012), Patrick Dunleavy (2003), Alexander L. George and Andrew Bennett (2005), and Vivien Lowndes et al., (2018), as well as several theses written in this field (Exartier, 2010; Major, 2008; Sweeney, 2015; Zwolski, 2010).

The chapter begins with its research design, which can basically be characterised as a case study research design. It explains the reasons for choosing the cases to be investigated in the thesis and their importance. Then, it continues with the method to be used in this thesis briefly, which is the qualitative method based on triangulated sources. This triangle includes primary sources, secondary sources, and semi-structured elite interviews. Therefore, this chapter describes the methods of its data collection, particularly interviews, and ethical considerations about it. Finally, the chapter concludes with the expected findings as a result of the method used, the limitations encountered in data collection, and how it overcame these limitations. Expected findings, as in most of the research, can be summarised as reaching data that will allow answering the research question. In other words, the expected finding is to obtain accurate and meaningful data regarding the impact of member states and institutions on the EU, when the EU's seemingly inconsistent decisions in its China foreign policy are examined from the perspective of Europeanisation. On the other hand, various difficulties, especially collecting data and establishing causality, can be obstacles in reaching these results.

3.1 Research Design

Research design characterises the framework for conducting research and is closely related to the formulation of the research question and the way its method is built. Each research question leads to a different research design, and depending on the question being investigated, a choice must be made between various research designs such as the cause-and-effect puzzle, the ontological puzzle, the large-n, or the case study (Lamont, 2015, pp. 53–56). Since this study wishes to provide an explanation for the reason for the seeming inconsistencies in the EU's foreign policy towards China, it designs the research within the framework of a question-based empirical puzzle. Because it is not viable for a doctoral thesis to investigate all relations with China, the research uses the case study research design. Alexander L. George and Andrew Bennet (2005, pp. 17–18) define a case as “an instance of a class of events .. that the investigator

chooses to study with the aim of developing theory (or “generic knowledge”) regarding the causes of similarities or differences among instances (cases) of that of class of events.” Therefore, a case study could be characterised as the investigation and analysis of a class of event’s instances to develop a theory, produce knowledge, present causality, or deconstruct and interpret the very meanings of taken for granted concepts.

Robert K. Yin (2018, p. 4) suggests that case studies are relevant if you have research that aims to explain contemporary circumstances, that is, if your research asks ‘how’ and ‘why’, and also if the research question requires an extensive and in-depth description of a social phenomenon. This research considers that the EU’s policies such as concluding comprehensive investment agreements after expressing concern over security threats from China in a relatively short period of time and subsequently sanctioning Chinese officials and institutions for human rights reasons led to an apparent inconsistency. It, therefore, examines the EU’s approach in these two areas (trade & investment cooperation and sanctions due to human rights violations) in-depth and tries to answer ‘why’ this inconsistency occurs. For this reason, case study research provides an appropriate framework for this thesis. Among these two areas, the thesis focuses as a sub-field on the CAI agreement and the sanctions targeted to Chinese officials in Xinjiang.

3.1.1 Case Selection

The reasons for choosing these cases in the study can be summarised as follows:

- **Trade & investment cooperation:** The EU’s trade relations with China have grown considerably over the past 5 decades and in 2020, China overtook the US and become the EU’s largest trading partner (BBC, 2021). Although the gradually increasing partnership of the EU, which defines itself as a community of liberal values, with a regime that it defines as totalitarian and a ‘systemic rival’ (Commission & High Representative, 2019) is defined as “the EU’s multifaceted foreign policy rather than a contradiction” (Interview #2 A Policy Officer in EEAS at ASIAPAC.4 Division, 06.12.2021), it constitutes an interesting area, especially in light of the increasing concerns about security and competition. Therefore, this research examines the investment relationship between the two and chooses the CAI, which was concluded in an accelerated and controversial (Liboreiro & Pitchers, 2021) manner during the German Council Presidency and which is expected to further deepen the relations with China. CAI is of significant importance as it is the largest and most comprehensive agreement between China and the EU to date (Commission, 2020e). For this reason, it was chosen as one of the cases of this research.

- **Sanctions due to human rights violations:** EU values are a field that has been studied and discussed extensively (Aggestam, 2008; Diez, 2005; Manners, 2002). Stating that it is a community of values in its founding agreements (CTEU, 1997; TEU, 1992; TFEU, 2007), the EU sees itself as the defender of liberal values. The approach towards these values is also among the

objectives of the EU's CFSP, and one of the CFSP's aims is to defend and promote EU values. The assurance of individual rights and freedoms is at the forefront of the values promoted by the EU globally. Recently, the EU has announced its GHRSR with the aim of making it more systematic and increasing its initiatives in this field (CFSP, 2020e). In this context, the EU decided to activate various coercive mechanisms to prevent human rights violations. The EU, which interacts and monitors the development of human rights with many regions and countries, adopted the sanction decision for eleven countries within the scope of the GHRSR on 22 March 2021. Due to their involvement in human rights abuses in Xinjiang, four Chinese officials and one institution were among those sanctioned (CFSP, 2021b). The fact that the sanction decision was adopted less than 3 months after the conclusion of the CAI and had a disruptive impact on the ratification of the deal, can be considered as an inconsistency in foreign policy. Therefore, the thesis examines the decision to imposing sanction on a Chinese institution and officials as another case in relations with China.

To examine the reasons for this seemingly two different decisions, the research utilises the theory of Europeanisation, which was discussed in detail in the previous chapter. It inquires both the impact of member states and the impact of EU institutions. For this, it follows a four-step model. In the first two steps, it explores the long-term 'stances', 'discourses', and 'initiatives' of member states and institutions towards cases. In the third step, the research analyses the data obtained in the first two steps vertically and horizontally and points out the seeming inconsistencies. The last step examines the bottom-up and top-down processes of Europeanisation theory in order to understand the reasons for the inconsistencies identified regarding the cases, and questions whether the reason for the discrepancy is a mismatch between the uploading of the member states and the downloading of the institutions.

3.1.2 Timeframe and Process-tracing

In terms of timeframe, the thesis mainly focuses on years between 2019-2022. It chooses the EU-China Strategic Outlook, released on 12 March 2019, as its starting date. With the Strategic Outlook, the EU composed a comprehensive strategy for China and conceptualised the relationship between the two for the first time. Therefore, the research focuses mainly on the period after this date. However, it also uses the process-tracing technique to trace the plot that reveals the research cases and to establish causality more accurately. Process-tracing is an attempt to identify an intervening causal process between a variable and an outcome while investigating a social phenomenon (George & Bennett, 2005, p. 206). It is seen as a method that helps to demonstrate causality, especially in qualitative case studies (Lamont, 2015, p. 156). By addressing the emergence process of the investigated case, the list of potential causes that may

result in a specific incident can be narrowed down. Therefore, according to George and Bennett (2005, p. 207), process-tracing is indispensable for theory testing and theory development.

In addition to the period chosen as the timeframe when analysing cases related to trade & investment cooperation and sanctions due to human rights abuses, this research also examines, with a retrospective perspective, the process that led cases to this state by the 2020s. For this purpose, besides the changing threat and security perceptions for the EU, particularly after the Cold War, it investigates the origins of the Chinese challenges. In terms of trade and investment relations, the 1978 EEC-China trade agreement is a significant milestone, since then the bilateral trade volume has expanded steadily. Negotiations of the other case study, CAI, began in 2013. Examining a 7-year period before its conclusion in 2020 allows for a comprehensive understanding of the course of EU-China investment relations. Lastly, the EU launched various initiatives in China to promote the values it sees as part of its identity. Although it is not a linear process and the motivation or incoherencies of the EU in this area are widely discussed, human rights have been a field that has come into question in relations. The EU has previously imposed sanctions on China for violating human rights. Examining this process in revealing the causality in the Uyghur issue and sanctions in this area provides important insights. Therefore, the research design of the thesis is a case study supported by process-tracing. Within the framework of this research design, from which sources and how the data will be obtained are explained in the method section.

3.2 The Method

While methodology refers to how to conduct the inquiry and which data collection techniques will be used in the research (Bryman, 2012, p. 12; Halperin & Heath, 2012, p. 9), the type of technique to be chosen is shaped by understandings related to what the research aims to achieve, what kind of information is important for the research, how to collect this information and the perspectives on the objectivity and subjectivity of the information. There are primarily two methodological frameworks in social sciences: positivist explanatory ‘empiricism’, which aims to reveal the reasons for the relationship between two or more variables, and post-positivist understanding/*verstehen* ‘interpretivism’, which seeks to understand the ideas, norms, symbols, and cultures. Social constructivist ontology, which suggests that the social world is constructed intersubjectively, but that research in this field can also be explanatory, lies somewhere between these two. In terms of data collection, there are mainly two techniques in social sciences: qualitative methods based primarily on the collection and interpretation of textual data, and quantitative methods based on the collection and interpretation of numerical data (Bryman, 2012, pp. 160 & 380). Mixed methods and simulations can also be added to these.

This research employs an explanatory empiricist framework and uses qualitative methods as its principal data collection technique. The most common qualitative methods in the social sciences are interviews, focus groups, observation, and text analysis, and it is often recommended to diversify the method in order to reduce the mistakes in the obtained data and cross-reference the findings (Lamont, 2015, p. 96). In this thesis, diversification is achieved by the triangulation of data sources. In other words, the qualitative method used in the thesis consists of three main components: primary sources, secondary sources, and elite interviews.

3.2.1 Primary Sources

Primary sources describe direct data in a field. To put it differently, the data that do not include another researcher's own interpretation and are directly quoted by the source are primary sources (Vromen, 2018, p. 249). These resources are generally official documents, policy outcomes, summit declarations, archival material, speeches, letters, diaries, and memoirs. Statements and posts made by institutions, organisations, and individuals on their social media accounts can also be considered as a newer primary data source. This thesis examines EU reports, documents, declarations, and official speeches as its primary sources. More specifically, this research focuses on the Commission communications, Parliamentary resolutions, Council decisions and regulations, HR/VP and the EEAS press releases, as well as speeches of member state and EU officials. The thesis seeks an answer to its research question by examining how China is addressed in these documents, reports, and discourses, how the issues related to sanctions and cooperation are approached, which actors and factors are effective in the emergence of these decisions.

3.2.2 Secondary Sources

Secondary sources are processed materials that contain comments or analyses by the narrator and are usually produced "sometime after an event" (Halperin & Heath, 2012, p. 329). Journal and newspaper articles, textbooks, theses and dissertations, encyclopaedias, reviews, comments, and criticisms are considered among such sources. This thesis examines EU foreign policy, consistency literature, Europeanisation and its top-down and bottom-up dimensions, as well as books and articles on EU values, EU security and CFSP, and the EU's China perception. It also monitors news sources. Some of the works on which this research builds include: Christopher Hill (1993), Michael E. Smith (2000), Tanja A. Börzel (2002), Ian Manners (2002), Karen E. Smith (2003), Richard G. Whitman (2011), Kamil Zwolski (2011), John Glenn (2016), and Nathalie Tocci (2017). It also draws on the main journals as secondary sources such as the *Journal of Common Market Studies*, *European Journal of Political Research*, *European Security*, *European Journal of Public Policy*, and *International Affairs*. From the press, it deals with the part

that is reflected in the English press and media; uses BBC, CNN, Reuters, The Guardian, The Times, Financial Times, EUobserver, and Politico as main press and media sources.

3.2.3 Elite Interviews

Interviews are the generation of new data through human research subjects (Vromen, 2018, p. 246) and interviews with government officials, policy-makers, and experts are called elite interviews. There are three types of interviews: structured, semi-structured, and unstructured. In a structured interview, the researcher adheres strictly to the interview text, while unstructured is more flexible and characterises interviews that do not follow a specific interview framework. Semi-structured interviews fall between these two techniques. It follows a specific text and question framework, but at the same time the researcher can ask the participant new questions according to the progress of the interview and consult his or her opinion in different fields. This is the method adopted by this research in the interviews.

Since the research investigates the EU's seemingly inconsistent decisions regarding China, interviews were primarily conducted with senior EU staff and representatives from member states. Additionally, a broader sample was gained by interviewing a select number of experts from think-tanks. Three topics are generally inquired in the interviews: How does the participant define the seeming inconsistency in relations with China? What does s/he see as the reason for this? And which actors and components are more effective in making these decisions? In the research, it is thought that the semi-structured interview technique provides an advantageous framework for finding comprehensive answers to these questions and understanding the reasons behind the inconsistency. That is, while the researcher can ask interviewees the questions prepared before the interview, this technique also gives the opportunity to deepen the subject in light of the information obtained during the interview.

To conduct elite interviews, three fieldwork trips were carried out in Brussels, supported by the University of Southampton Research Training Support Grant and European Consortium for Political Research SGEU FUTURE Grant. The first fieldwork was from 25 November to 17 December 2021, the second was from 4 to 20 October 2022, and the last one was from 1 to 14 October 2023. There was also several rounds of online meetings, mostly in May-June 2022 and November 2023. Senior officials and EU experts, or representatives from relevant institutions involved in the EU policy and decision-making, were identified in advance through targeted sampling and contacted via e-mail. In addition, snowball sampling was used based on suggestions of the participants. The email sent to the participants explained the purpose and scope of the research, and the 'Participation Information Sheet' and 'Consent Form' were attached to these emails. Approximately 300 people were reached for an interview and about 10%

of them responded positively. It was aimed that the affiliations of the interview participants were balanced. To have a balanced sample, a similar number of high-level officials and experts were selected from the Commission, Council, Parliament, EEAS, and member states representatives. In total, 31 people were met face-to-face or online.

The interviewees can be broadly divided into four groups: 1) EU bureaucrats (mainly the Commission and the EEAS senior officials) 2) Representatives of member states 3) MEPs and other Parliamentary officials 4) Think-tanks and researchers. In this respect, officials at the Commission’s Strategic External Policy Issues Unit under Secretariat General as well as the EEAS’s Asia and Pacific-4 Division (China, Hong Kong, Macao, Taiwan, and Mongolia) and Security and Defence Policy Division were the primary participants falling into the first category and provided invaluable insight into the research. Five member state officials contributed to include a governmental perspective and deepen the analysis. MEPs from several political parties and Parliamentary advisers, analysts, and officials were among the most outspoken and frank in mentioning the issues about the EU’s external policy and touched on important points in this regard. Lastly, China experts from various research centres and think-tanks provided an eye from outside of the EU and made a complementary contribution to the research. In order to use time efficiently during the interview, the previous statements and interviews of these people, if any, were also examined. There was no need for a translator as all of the interview participants were fluent in English. Most of the interviews lasted around 45 minutes and were audio-recorded with the participant’s permission. Most of the EU officials and member state representatives wished not to be quoted directly in the research, therefore, they were anonymised. All participants provided important insights, improved knowledge in the field, and helped to fill in issues not found in the literature. Table 1 summarises the distribution of participants by institutions and affiliations.

Table 1 Distribution of research participants

Commission (x5)	SG – Strategic External Policy Issues x3 DG – ECFIN – International Economic and Financial Relations x1 DG – Trade – China x1
Member States (x5)	Polish Permanent Representation to the EU x1 German Permanent Representation to the EU x1 Austrian Permanent Representation to the EU x1 Italian Permanent Representation to the EU x1 An MS representative who wished the state’s name remain anonymous x1

Parliament (x11)	MEPs x7 (Targeted by Chinese counter-measures x1, Greens/EFA x2, S&D x1, EPP x1, Left x1, Renew x1) Advisor to an MEP (EPP) x1 European Parliamentary Research Service x1 DG – External Policies x1 A Parliamentary body administrator x1 China and Southeast Asian Countries Unit x1
EEAS (x7)	SG – Political Affairs – Asia and Pacific – China, Hong Kong, Macao, Taiwan and Mongolia (ASIAPAC.4) x4 SG – Peace, Security and Defence – Security and Defence Policy (SECDEFPOL.1) x3
Think-Tanks (x3)	Wilfried Martens Centre for European Studies x1 Bruegel x1 A China expert who wished the affiliation remain anonymous x1

The interviews were stored on password-secured computers and mobile devices, and the notes were transferred to Word and again stored on a password-secured computer. Many research institutions mandate ethical considerations in studies when the research relies on human-subjects for data collection. Since elite interviews constitute one of the most vital data sources of this research, ethical issues constitute an important area to be considered and utmost attention was paid to this during and after the interviews. The researcher's application for authorisation to conduct interviews ethically, following the training he received on research involving human subjects and secure data storage, was approved by the University of Southampton Social Science Faculty's Ethics Committee under ERGO II application number 67771.

As a result of the research, it can be expected that the desire to include human rights in the political agenda by actors such as the Parliament may be the reason why the sanction decisions are taken and this caused an inconsistency when some actors such as the big member states pursued a trade and investment logic. However, it would be reductive to say that the only reason for the inconsistency is the different approach between the big member states and EU institutions. Although the research will make process-tracing to purify the effect of other factors and variables as much as possible, it is difficult to talk about a completely isolated member state effect or institution effect. This takes us to the limitations of the thesis and how to address these limitations.

3.3 Limitations and probable solutions

One of the biggest challenges in an empirical study is establishing causality, that is, identifying whether the variables studied cause the relevant impact. It is often important that the researcher is not scientifically deterministic and does not see the causative theory that he or she established in the study as an 'all explaining factor'. In this research, the inconsistencies are inquired in terms of whether they arise from the different perspectives between the preferences of the member states and the preferences of the EU institutions. Thus, it makes a two-level examination with investigating both the state level and the EU level. However, in addition to these levels, the subnational level and global level also possibly have an influence on the EU decisions. In order to be viable and to complete the study in the expected time for a PhD research, this thesis left these two levels out and did not include subnational or global factors that could have an impact on inconsistencies in the EU's China policy.

While this limitation is kept in mind in the research, incorporating the member state perspective on the one hand and the institutional perspective on the other means examining two levels (probably the most important) in the formation of EU foreign policy, offering significant inclusivity. In addition, during the research, global developments were tried to be followed and incidents that were considered to be important in the EU's relationship with China, especially about Russia and the US were included as much as possible. To limit the effects of other factors, research makes process-tracing for its cases and improves understanding of the factors that have a potential impact in each case.

A similar complication may be mentioned in the selection of cases. Addressing the inconsistencies in the EU-China relationship under two fields as trade & investment cooperation and sanctions due to human rights violations leads to the exclusion of many others such as climate, energy, development, gender, culture, and health. The research had to choose between detail and scope, trying to strike a balance between them by delving into two key cases. Also, the model, which deals with member states and institutions together, provides a suitable framework for other cases.

Finally, although it is not related to the theoretical or conceptual dimension of the research, a limitation affecting the research conditions is the Covid-19 pandemic, which had substantial impact on the first two years of the research. Due to the pandemic, there were disruptions in national and international transportation in Europe. Many governments have introduced travel restrictions and require additional permits for international travel. Restrictions and quarantine requirements during the first 10 days after international travel caused delays in the data collection phase. Furthermore, during the initial field research in Brussels, when the research

was just beginning, the government mandated remote work, resulting in the cancellation or postponement of some interviews. Potential candidates who choose not to meet in the first place due to health-related concerns may also be included in this unfavourable conditions list. All of these factors caused difficulties in forming the sample of participants. Wearing masks made research conditions more unsuitable as it was more difficult to communicate with a mask in the interviews, where there were usually two non-native English speakers. Getting PCR/antigen tests while entering and leaving countries and staying in quarantine caused research costs to increase. Last but not least, psychological strains caused by working from home and health concerns made it arduous to continue the research.

In this regard, as Russell Bentley, one of our professors at the University of Southampton and my examiner for the first and second-year progression reviews, noted, surviving those years was already an achievement in itself. Although these limitations reduced the efficiency of the research, they were mitigated by arranging an additional round of fieldwork. Precautions such as vaccination, wearing a mask, minding the distance and hygiene, and working from home as much as possible were taken. As a matter of fact, that was pretty much all that could be done during those years.

To keep track of developments and review new findings, meetings with the supervisors were held every month, either online or in person. Thus, it was possible to discuss different views on the findings and approaches to overcoming the limitations of the research. Moreover, research chapters were presented in respective conferences such as the EISA-PEC Pan-European Conference on International Relations and the UACES Graduate Forum, and feedback was received from distinguished scholars and colleagues. This helped address the deficiencies in the research.

In summary, the research seeks answers to the research question from triangular sources, with qualitative empirical method and case study research design. When it examines trade and investment and human rights cases with the theoretical framework of Europeanisation, it expects to find, at a certain level, the influence of big member states and institutions on the EU's China foreign policy. It tries to show a balanced approach between scope and depth and to establish causality accurately by examining the process before the cases. With this chapter, the methodology of the thesis is constituted after the background and theoretical framework, and therefore, it is possible to move on to the case analysis chapters.

Conclusion

This research finds it appropriate to collect data on its cases from primary and secondary sources and elite interviews. With the qualitative data from these triangular sources, the researcher aims

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to develop a causative theory and uses empirical epistemology to explain the reason for the EU's foreign policies that seem inconsistent. The case study research design offers a suitable research framework for answering the research question of the thesis. While the concern about trade & investment relations with China, and human rights sanctions, which all had a significant place in the EU's agenda, show that the EU's China policy has multiple dimensions, the research conducts a comprehensive study of these two cases. It examines both the process and influential actors in the decisions taken in these fields and offers a fresh look at the literature on Europeanisation and the causes of inconsistencies in foreign policy.

Chapter 4 Examining China Policies of the EU Actors on Trade and Investment: Stances, Discourses, and Initiatives

The first three chapters so far discussed the relevant literature and focused on gaps in order to analyse why some of the EU's decisions on China in the early 2020s do not seem consistent with each other. They also explained the theoretical framework and methodology of this research. In other words, before the empirical discussion, those chapters revealed the background of the research, the methods to be used in obtaining data, and the theoretical lens that the research will use in explaining these data. This and the next chapters of the research analyse the subject empirically and aim to develop an explanatory approach to the EU's China decisions.

Over many years, trade has stood out in the EU's relationship with China. Despite deep structural and ideological differences between them, both saw each other as lucrative markets and focused their cooperation and relations on trade. Although this process sometimes faltered, particularly following the events of 1989, both the EU and China were satisfied with the increasing trade relations and the benefits occurring from this. However, the 2008 Global Financial Crisis and the Eurozone crisis, China's increasing debt and dependency, growing tension between the US and China, and perhaps most importantly, Beijing's increasingly repressive practices towards minorities within the country and its ambitious foreign policy post-2010s, led to more debates within the EU about collaboration with China (Chang & Pieke, 2018; Holslag, 2011; Maher, 2016; Michalski & Pan, 2017).

As a result, some EU actors advocated for stricter measures in this area, while others focused more on continuing cooperation despite differences. Thus, a difference emerged among the key EU actors on whether to maintain the ongoing relations and stay in the more collaborative first phase or to reframe the relations and move to the more critical second phase. This difference becomes more evident through examining the policies of EU institutions and member states on trade and investment cooperation with China. Given that in the areas of foreign trade and investment, EU institutions such as the Commission, Council, Parliament, and the EEAS are considered more significant compared to other institutions, and that among EU member states, Germany and France have more capacity and influence in shaping these policies than other member states, the research finds it useful to examine the background of these actors' policies.

To this end, this chapter focuses on the process of the CAI, examines the approaches of EU institutions and member states, and collects and categorises data for analysis in the following

chapters. In other words, this chapter is the first step of the four-step operationalisation outlined in the theoretical framework and methodology chapters, consisting of data collection and classification. In this step, transitions from what is characterised as the first phase, where EU actors viewed China mostly as a cooperation partner, to the second phase, which emphasises adopting a more multi-faceted and questioning policy towards the challenges linked to China, will be compared within the framework of trade and investment policies. This will provide a framework for identifying differences in key EU actors' approaches towards China.

In this context, the chapter examines the long-term stances, discourses, and initiatives of EU institutions, namely the European Commission, Council, Parliament, and the EEAS, and the big member states, Germany and France, in the trade and investment field. Revealing their approach to China-related trade and investment allows us to draw inferences about the policies of the EU institutions and member states concerning the CAI deal, before moving on to the sanctions against Chinese officials in Xinjiang. Therefore, one-half of the data to be analysed in the last two chapters of the research will be reached. Additionally, the data presented in this chapter help us understand when and how key EU actors transitioned from the cooperation phase to the criticism phase in their China policies. The chapter concludes by suggesting that the behaviours of some of the important EU institutions and member states have varied over time and the differences in approach towards deepening trade and investment cooperation and addressing the challenges posed by China led the EU to move away from monophony in foreign policy.

4.1 The European Commission

Since the first diplomatic relations that bloomed in the 1970s with the PRC, the Commission has been at the centre of external relations and especially trade policy with China. In November 1974, the Commission sent a memorandum to China, including a draft of a possible trade agreement (Algieri, 2002), laying the foundations for the first bilateral agreement in 1975. Afterwards, bilateral relations developed rapidly, and in this process, the Commission became one of the most prominent actors in deepening relations. With the exception of the Tiananmen events and its recommendations to the Council regarding the sectors dumped by China, the Commission focused, in general, on the benefits to the member states of the relations to be developed with China for the first three decades after the establishment of relations. It produced new policies to improve the relationship and became one of the actors that pushed the development of relations with China the most. Although in June 1989 the EC expressed regret at the brutal repression of protesters by the Chinese government and stated that its relationship with China could be permanently damaged by this (European Council, 1989, p. 25), the Commission's attitude in the following years appeared to prioritise the benefit of both parties while being aware of the differences and emphasising areas where the partnership could be improved.

In order to develop bilateral relations with China, the Commission opened its representative offices in Beijing in 1988 and in Hong Kong in 1993 (Algieri, 2002; Griese, 2006). Diplomatic visits increased and became regular with the start of the EU-China Summits. Regarding the developing relationship, the Commission published four communiqués⁷ between 1995 and 2003. According to Olaf Griese (2006, p. 547), the four common goals of the communiqués are: to increase engagement with China; support China's transition to a society based on the rule of law and respect for human rights; integrate China into the world trade system; and raise the EU's profile in China. In other words, after the 1990s, the Commission's priority in its relations with China was to develop its trade relations with China and to encourage China to be a respectful member of the liberal capitalist world order's norms and values.

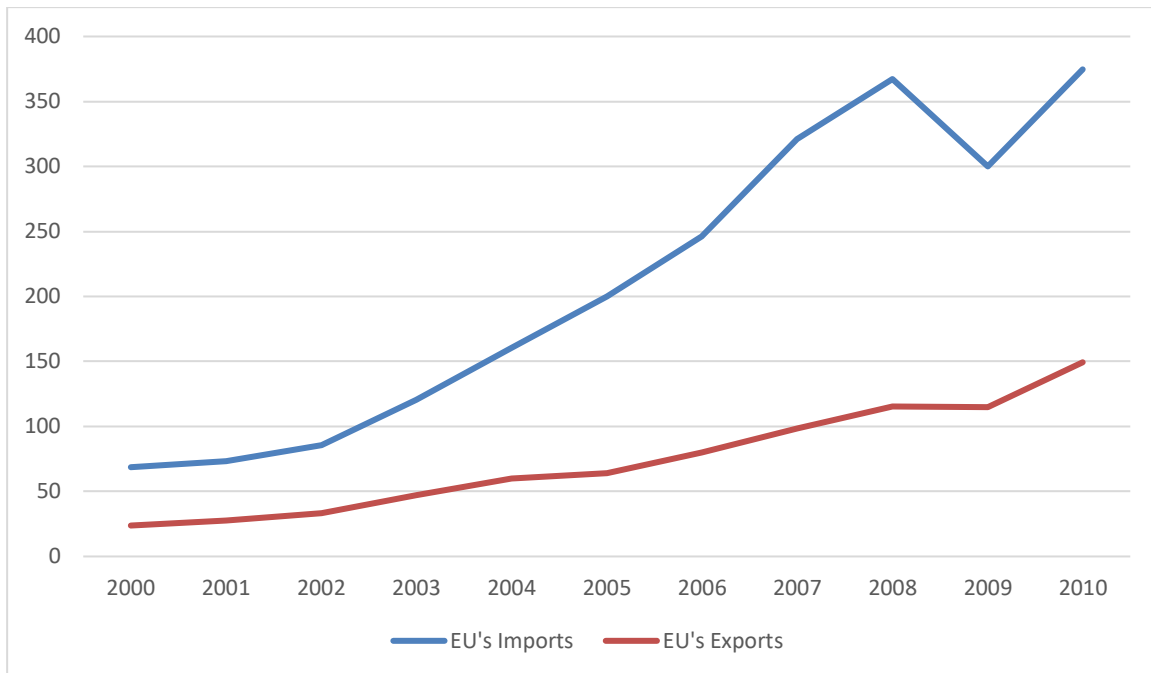
During this period, the bilateral trade volume also increased considerably. However, this development was to the detriment of the EU's foreign trade balance. On 24 October 2006, the Commission (2006c) published the communication of 'EU – China: Closer partners, growing responsibilities'. This communication highlighted the increasing ruptures and expected China to take greater responsibility for global issues such as climate, economic development in other regions, migration, and international security (Cabestan, 2006, p. 15). On the same day, the Commission (2006a) published a working document entitled 'A policy paper on EU-China trade and investment: Competition and Partnership'. The communication and paper differed from previous texts in terms of the EU's expectations from China. For instance, among other issues such as bilateral trade and partnership, the working paper addressed intellectual property rights and competitiveness (M. Smith & Xie, 2010, p. 439). Jean-Pierre Cabestan (2006, p. 16) emphasised the difference in the tone of these texts from the previous ones and evaluated them as the end of the EU-China honeymoon period. But on the other hand, the fact that trade and investment relations continued to grow stronger than ever shows that the Commission or EU policy-makers had not yet given much thought to pursuing a different policy in relations with China.

The trade volume of all products between the EU and China was more than five times higher in 2010 compared to 2000 as shown in Graph 1. However, the economic and political challenges faced by Europe made it necessary to reconsider its relationship with its partners.

Graph 1 EU-China Trade Volume Between 2000-2010 (Billion US Dollars)

⁷ Commission (1995a) A Long Term Policy for China-Europe Relations; (1998b) Building a Comprehensive Partnership with China; (2001) EU Strategy towards China: Implementation of the 1998 Communication and Future Steps for a more Effective EU Policy; (2003) A maturing partnership - shared interests and challenges in EU-China relations.

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Source: Authors own work compiled from World Bank (n.d.-c), Trade Summary for European Union 2000-2010, <https://wits.worldbank.org/CountryProfile/en/Country/EUN/Year/2000/Summarytext> and World Bank (n.d.-b) European Union Product Exports by country and region in US\$ Thousand 2000, <https://wits.worldbank.org/CountryProfile/en/Country/EUN/Year/2000/TradeFlow/Export/Partner/All/Product/Total>, Access: 30/06/2024)

2008 World Financial Crisis and Eurozone debt crisis, Arab Upheavals, migration crisis, and Russia's wars with Georgia and Ukraine signalled that the 2010s would be different for the EU compared to the previous two decades. Many EU member states turned to China to improve their deteriorating economies. With its rapid growth and increasing capacity, China was the most attractive country for selling both trade and junk bonds and thereby bringing hot money into EU member states. When this situation coincided with President Xi Jinping's more ambitious foreign policy, the choice between short-term financial gains and long-term concerns became more apparent. In this process, the Commission frequently emphasised the partnership dimension of the relationship. For instance, after the 16th EU-China Summit in Beijing on 21 November 2013, Commission President José Manuel Barroso remarked, "This year we celebrate the 10th anniversary of our strategic partnership with China .. We are and we will remain important to each other's prosperity" and stated that he was looking forward to new projects with the new Chinese leadership (Commission, 2013d). The idea of making the biggest investment agreement between the EU and China to date was born in this environment.

With the expanding trade relations, a desire emerged for a more comprehensive regulation of the investment procedures between the EU and China. At the same time, reducing protectionism and increasing liberalisation, and providing a level-playing field between the two sides in investments were among the priorities of the EU leaders. It was from these conditions that the idea of starting the negotiations of the CAI arose. In the Joint Press Communiqué, published following the 14th EU-China Summit in February 2012, the leaders agreed that a rich EU-China investment deal

would encourage and facilitate investment in both directions and decided to work towards the start of the negotiations promptly (Council, 2012b, p. 2). At the 15th Summit in September 2012, they reconfirmed their commitment to the start of negotiations (Council, 2012a, p. 2). In October 2013, the Council accepted the Commission's mandate to negotiate on behalf of the EU an investment deal with China aimed at "increasing bilateral investment flows" (Council, 2013, p. 8). The Commission started the first round of investment talks with China on 21 January 2014 (Commission, 2014) and held 25 negotiation rounds with its Chinese counterparts over the following 5 years (Commission, 2019b).

In this process, besides the issues that directly raise security concerns such as China's military investments and the modernisation of the People's Liberation Army (PLA) and Navy (PLAN), activities in the South China Sea, and cyber-attacks targeting Europe from Chinese territory, the increasing commercial dependence and economic challenges posed by China became a greater concern for EU member states than in the previous decade. The Commission's joint communication with HR/VP on 22 June 2016, entitled 'Elements for a new EU strategy on China', and the new Global Strategy (EUGS, 2016b), published the same month and replacing the 2003 European Security Strategy, was more aware of the deteriorating global environment, but did not bring much innovation to the EU's approach to China. Perhaps, as a major change, the mentioning of reciprocity, "which was not until that time in the vocabulary" of EU-China relations (Interview #17 Mr. Schweisgut-Former Austrian Permanent Representative to EU and Head of the European Union Delegation to China and Mongolia, 14.11.2022) can be considered an exception. Other than that, while the EU's handling of new challenges was appreciated and the new approach of the EU was characterised as "principled pragmatism" (Tocci, 2017, p. 64), the texts only had a superficial reference to a few China-related challenges, such as free navigation, economic espionage, and promotion of international security.

In other words, while acknowledging new challenges, the Commission's position was still not far removed from the first phase where cooperation remained central. A Parliament Official in DG-External Policies (Interview #19, 03.10.2023) criticised this behaviour of some institutions and member states by stating, "The house is on fire but you stay in the kitchen like it's fine .. We're not very good at seeing the role of greed. Economic progress at what price? This is the question." However, a Commission official in the Secretariat General's Strategic External Policy Issues (Interview #12, 19.10.2022) stated that this was more related to perception, as the EU's cooperative logic was dominant in its external relations, nevertheless, with China's more ambitious foreign policy, the EU realised that maintaining this was not realistic:

"The EU has always had this tendency of because of what we are, [we] look into more cooperative approaches with third countries. And we just came to realise also with the Belt and Road Initiative et cetera, the idea of focusing only on

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cooperation with China was perhaps illusory, a bit naïve. I still remember the times when I was in DG-Trade and that's not that long ago, 7-8 years ago, there were still people who thought that a free trade agreement with China was a realistic prospect.”

In this context, a new text, issued three years later, responded to this criticism better and reflected the EU's intention to take China more seriously. On 12 March 2019, the Commission and HR/VP (2019) published “EU-China – A strategic outlook”. Here, they announced that China is the EU's largest trade partner with the US and both the EU and China are committed to a comprehensive strategic partnership as expressed in the EU-China 2020 Strategic Agenda for Cooperation. On the other hand, Strategic Outlook mentioned that the idea that the balance of challenges and opportunities presented by China has shifted is gaining strength in Europe. The major novelty of the text is that it defined China as a systemic rival alongside a cooperation and negotiation partner and an economic competitor. This conceptualisation differed from many previous ones that did not mention the rivalry aspect of the relationship. In this regard, the 2019 Strategic Outlook was one of the most concrete documents indicating the Commission's shift from the cooperation phase towards the questioning phase. It also made recommendations to the Council about cybersecurity and 5G (Commission, 2019a), which further supported its questioning stance on China.

On the other hand, in the months that followed, the Commission also stepped up its actions to strengthen cooperation with China, especially with the CAI. Ursula von der Leyen, who took office as Commission President at the end of 2019 and introduced the ‘geopolitical Commission’ which envisaged a stronger Europe in the world (Commission, n.d.), contributed to accelerating negotiations with China (Kuang et al., 2023, p. 5). By the end of 2020, the Commission was able to make CAI an agreement that the parties could agree on. As a result, the agreement was reached in principle on 30 December 2020, between Commission President Ursula von der Leyen, European Council President Charles Michel, German Chancellor Angela Merkel, who was holding her last couple of days as the Council President, French President Emmanuel Macron, and Chinese President Xi Jinping (Commission, 2020f).

While the rapid conclusion of CAI sparked many debates, the Commission sought to draw attention to the aspects of the agreement that promote EU interest and made statements emphasising its contribution to workers' rights in China (Commission, 2020g). However, the way the deal was concluded and the state of relations with China, in general, led to various criticisms. An official from the Polish representation to the EU (Interview #4, 05.01.2022) stated that all member states supported the Commission's efforts during the negotiations of the investment deal, however, the final discussions before the conclusion were “unrealistic”, then it was concluded “very rapidly” which was “quite a big surprise for some member states” because they

were “practically saying that, the substance is more important than the timing of this negotiation.”

The Commission, on the other hand, claimed that the agreement did not come out of the blue, as negotiations had been ongoing for seven years and China had committed to ensuring a level playing field and ratifying the ILO convention. Nonetheless, there were three main criticisms: firstly, the timing was “unfortunate”; secondly, the deal was “imperfect”, especially in terms of market access; and thirdly, some institutions and member states asserted that “it neglects the issue of forced labour and human rights” due to the non-legally binding commitment made by the Chinese (Interview #17 Mr. Schweisgut-Former Austrian Permanent Representative to EU and Head of the European Union Delegation to China and Mongolia, 14.11.2022). The active role of some of the large member states in the concluding process and the Commission’s determination to finalise negotiations in this direction raised questions about the Commission. It was argued that the larger member states would benefit the most from the agreement and that they were the ones who most encouraged the Commission to conclude the deal as soon as possible (Interview #4 An Official from the Polish Representative to the EU, 05.01.2022; Interview #7 A Policy Advisor to a MEP/EPP, 10.10.2022; Interview #14 An MEP from Greens/European Free Alliance, 19.10.2022; Interview #21 An MEP from European People’s Party, 05.10.2023). Therefore, although it was noticeable that as we approached the 2020s, the Commission showed a willingness to address the challenges posed by China in a more comprehensive manner, its role in finalising the largest investment agreement to date, especially amidst widespread criticism of human rights violations in China, led to debates about the Commission’s stance (Raine, 2021).

As a result, when the Commission’s relations with China are examined retrospectively, it is evident that, to a large extent, the Commission has an attitude that aimed at developing relations and deepening cooperation with China. The bureaucratic structure and institutional culture of the Commission, which prioritises the EU interest as a whole, seem inclined to improve its relationship with a large partner and market like China. Throughout this process, the Commission has emphasised the partnership dimension of the relationship for many years and has been one of the institutions that most encourage the development of EU-China relations. Improving trade relations in general and concluding the deal through CAI’s negotiation rounds in particular has been one of the Commission’s major goals. In the negotiation processes, the willingness of the big member states to finalise the agreement is also noticeable. In this respect, one can notice that there is a similarity between the Commission and the big member states in terms of trade and investment relations with China. There is also a similarity between the Commission and large member states in terms of their durations of remaining in the first phase. Although the Strategic Outlook simultaneously defined China as a partner, a competitor, and a rival, when the trade and

investment relations with China are examined, the partnership dimension of the relationship stood out more than the other two dimensions until the 2020s.

4.2 The Council of the European Union

After establishing diplomatic relations with China in the 1970s, the Council approved the 1978 EC-China cooperation agreement prepared by the Commission and its successor agreement in 1985 (European Communities, 1985). While European-China relations continued at a relatively low level during this period, cooperation and trade relations were at the forefront of China policy. Because the foreign policy pillar had not yet been integrated into the EC and relations with China were overall limited during this period, there is less to say about the Council's stance during these years compared to the following decades. After the Tiananmen Square protests in 1989, the European Council⁸, consisting of heads of state and government, strongly condemned the brutal suppression occurred in China on 6 June 1989. At the Madrid Summit on 26-27 June 1989, the European Council (1989, p. 25) announced the necessity of taking a series of measures, including the interruption of military cooperation and "an embargo on trade in arms with China", "suspension of bilateral ministerial and high level contacts", and postponement of "new cooperation projects."

The Madrid Summit conclusions were significant as they marked the first sanctions imposed by the EC on China due to human rights concerns. When the sanctions failed to change the Beijing's stance, some member states, including Italy, France, and Germany, argued for a shift in focus towards commercial relations (Algieri, 2002, p. 76; Griese, 2006, p. 547). Despite the continuation of the arms embargo, the Council expressed its intention to establish political dialogue with China, and on 22 October 1990, foreign ministers approved the "gradual resumption of cooperation programmes by the Community and its Member States", along with an "agreement on funding for development projects by international financial institutions" (EPC Documentation Bulletin, 1990, p. 454). As relations swiftly normalised, bilateral trade volume in the 1990s exceeded pre-1989 levels, prompting the Council to authorise the Commission to lead negotiations across numerous cooperation areas with China.

With the adoption of the Maastricht Treaty, foreign policy was added to the EU structure, and the CFSP was introduced as an area within the competence of the Council, increasing the

⁸ During these years, as the CFSP had not yet been integrated into the structure of the European Communities, the European Council composed of heads of state and government was referenced in the context of the relations between China and the Council of the EU, which is composed of ministers. While these two are separate institutions within the EU structure, it might be useful to include the sanctions decisions here, as both are intergovernmental institutions.

importance of the Council in external relations. In the China-EU relationship, the Council was, to a large extent, one of the supporters of the development of the relationship during these years and emphasised its vital importance for the EU's interests. This attitude of the Council is also reflected in other key institutions of the EU. For instance, the policy paper "A Maturing Partnership - Shared Interests and Challenges in EU-China Relations", in which the Commission declared a strategic partnership with China in 2003, begins by stating that the paper is based on the Council's conclusions that "strengthening relations with China is of fundamental interest to the EU" (Commission, 2003, p. 5). Therefore, it can be said that in the 2000s, the Council generally prioritised EU interests and aimed to develop relationships. When Council resolutions are examined, it is also seen that China occupied the Council's agenda to a considerable extent.

One of the most prominent issues in Council resolutions regarding China between 2000 and 2015 was anti-dumping. The Council's top priorities included preventing Chinese textile and steel products from undercutting prices and impacting the European market, and the protection of EU interests in these areas was repeatedly emphasised in the Council resolutions (Council Regulation, 2013; Council Resolution, 2009, 2019). In other words, trade logic dominated the Council resolutions during this period, and solving the issue of China's dumping in these fields, which causes economic loss, is one of the Council's priorities in its China policy. In addition to this, during first decade of the 2000s, resolutions focused on establishing common standards and ensuring a level playing field in investment. These resolutions laid the groundwork for the CAI negotiations, and on 18 October 2012, the Council adopted a decision authorising the Commission on behalf of the EU to negotiate a comprehensive investment agreement with China (Council, 2013, p. 8).

On the other hand, with the Lisbon Treaty, the EEAS was established and the High Representative of the Union for Foreign Affairs and Security Policy was appointed simultaneously as the Vice-President of the Commission. While this regulation aimed to increase coherence in foreign policy, it can be said that there was a decrease in the formal role of the Council (Andor, 2020, p. 1; Cianciara, 2012, p. 28). Before the Lisbon Treaty, the presidencies of the Council of the EU and the European Council were held by the same person, however, with the appointment of a permanent President for the European Council, the Council of the EU lost this formal role. Nevertheless, as a key player in the EU decision-making mechanism, the Council continued to play a central role. As international politics evolved, different fields gained weight in Council resolutions. Areas such as EU-China-Africa trilateral cooperation, Horn of Africa mandate, and arms control cooperation were increasingly discussed in the Council, and as China emerged as a stronger player on the international stage, new topics began to be included in Council discussions. All of these developments signalled that relations with China would differ from those

of previous decades. The Council conclusions adopted on 18 July 2016, 'EU Strategy on China', can be considered a reflection of this differentiation.

Following the joint communication by the HR and Commission, the Council (2016, pp. 2–3) outlined in its conclusions on EU Strategy on China that it identified major opportunities for cooperation with China. These opportunities included supporting China's reforms towards openness, ensuring a level-playing field, and fostering job creation and growth in the EU (Art. 2). The Council's text, similar to the Commission and HR's communication, mentioned some disagreements with China, such as over-capacity production (Art. 9), the UNCLOS Arbitral Tribunal's Award on the South China Sea, and the need for a peaceful resolution and the preservation of freedoms of navigation (Art. 16). In this respect, the Strategy differed slightly from the attitudes of the 1990s, which almost solely emphasised the increase of trade and market access with China, and of the 2000s, which were framed by a strategic partnership. On the other hand, there was still optimism that the liberalisation of the Chinese economy and progress in the CAI negotiations would pave the way to a more ambitious policy, such as discussing a free trade agreement with China (Art. 7). Therefore, the Council appeared to start questioning the nature of the relationship in these years, yet the optimism about Chinese liberalisation remained. Or to put it differently, there was a shift in the Council's approach, however, this was not a huge leap from the cooperative first phase towards the critical second phase.

A similar approach can be seen in Council decisions and conclusions in the following years. The Council adopted the cyber diplomacy toolbox to coordinate "responses to malicious cyber activities" (Interview #15 A Cyber Security Policy Officer in the EEAS's Security and Defence Policy Division, 25.10.2022) and with this framework, it imposed sanctions on some Chinese individuals and institutions due to cyberattacks (CFSP, 2020d; Council Regulation, 2020). However, the EU had fundamental interests in the partnership relations established with China, and therefore, instead of confrontation, the Council made usually implicit criticisms, as it did in the UNCLOS decision. Cyber diplomacy decisions, in this context, targeted individuals and institutions rather than a regime, so the Council did "not sanctioned officially China" with CFSP decisions (Interview #15 A Cyber Security Policy Officer in the EEAS's Security and Defence Policy Division, 25.10.2022). On the other hand, on 7 December 2020, with the leadership of some small and medium-sized member states (MFA Lithuania, 2021b; Parliament, 2020, p. 5), the Council adopted decision 2020/1999 and regulation 2020/1998, which aim to set the framework for measures to address serious human rights violations and abuses. Decisions taken under this new sanctions regime, which originates in the Parliament's resolution on the Annual Report on Human Rights in the World 2009 (Eckes, 2023, p. 59), would lead to greater tensions in the relations in the following months.

At the end of the same month and the last days of Germany's rotating presidency of the Council, negotiations for the CAI were concluded. Less than three months after the conclusion of the CAI, on 22 March 2021, under pressure from the Parliament (Interview #17 Mr. Schweisgut-Former Austrian Permanent Representative to EU and Head of the European Union Delegation to China and Mongolia, 14.11.2022), some small and medium member states, and particularly Lithuania, the Council amended the CFSP Decision 2020/1999 with CFSP Decision 2021/481, however, "due to the internal secretive procedure of the Council, it is not clear who led the effort" (Interview #14 A MEP from Greens/European Free Alliance, 19.10.2022).

The decision referred to CFSP Decision 2021/372, which targeted four Russian individuals involved in serious human rights violations in Russia, and expressed the EU's deep concern about serious human rights violations committed in various parts of the world, particularly in China, North Korea, Russia, Libya, Eritrea, and South Sudan (CFSP, 2021b). Consequently, the Council decided to impose further restrictive measures on eleven individuals and four entities. Of these four individuals and one institution were a Chinese institution and officials for serious human rights violations in Xinjiang. The relationship between China and EU likely reached its worst level in three decades due to China's imposition of counter-sanctions, including one of the committees of the Council. This also led to the temporarily suspension of the CAI ratification in the Parliament. In other words, while the focus of the Council in the 1990s and early 2000s was more on strategic partnership, by the end of the 2010s, as China became more ambitious, the Council began to question its dependence on China, and although the sanctions did not target any senior Chinese policymakers, the decisions to impose them can be interpreted as reflecting the Council's highest level of dissatisfaction with the Chinese government. At the same time, it posed the greatest risk to the CAI process.

An overall analysis of the Council's historical position in EU-China relations indicates that it is difficult to identify a single stance. This is not surprising, considering that the Council typically adopts a policy parallel to the government policies of its member states, which have varying goals and interests. As an intergovernmental institution unlike the Commission, its anti-dumping, investment, and cooperation decisions over the years indicate a general approach that prioritises the EU's and its member states' interests. Nevertheless, particularly after the adoption of the GHRSR, making decisions with values in mind and applying sanctions on Chinese institutions and officials for serious human rights violations demonstrate that, regardless of the motivation behind these decisions, values also have some impact on the Council's stance. Therefore, within the two-phase framework of the research, it became apparent that the Council's approach shifted from supporting cooperation in the first phase during the 1990s and early 2000s to moving towards the second phase starting from the mid-2010s, as emphasis increased on cyber-security, human rights, and the EU's endangered interests in relation to China.

4.3 The European Parliament

Following the first direct MEP elections in 1979, the delegates of the European Parliament organised the first inter-parliamentary meeting with Chinese national congress representatives on 16-19 June 1980 in Strasbourg (Parliament.uk, 2010), and during the 1980s the interaction between the Parliament and the Chinese delegation increased. Although describing the events of 1989 as a massacre (Parliament, 1992, p. 6), the Parliament, together with the Council, agreed to establish step-by-step bilateral relations with China in October 1990. By the 2000s, while the EU's trade with China rapidly increased, Parliament became one of the institutions that stressed EU values the most in the EU's external policies regarding China. An MEP from S&D (Interview #16, 07.11.2022) believes the reason for this is that the "European Parliament has no major formal role to play in external affairs," which is why, "in order to be noticed it always has to have a tougher stance." This tougher stance of the Parliament is also observed in the EU's trade and investment relationship with China. The decisions made since the early 2000s reflect the Parliament's behaviour of balancing EU values and interests in its relationship with China more than other EU actors. During these years, the most pressing issues in bilateral relations were concerns about human rights violations, including arbitrary detentions, inhumane treatment, restrictions on freedom of expression, and lack of fair trials in Tibet and Xinjiang, as well as demands for the protection of democracy, the release of democracy supporters, and the guarantee of the rule of law in Hong Kong and Macao (Parliament Resolution, 2009b, 2011b, 2011c, 2012c, 2016c). Additionally, Parliament had other reservations about China, such as not meeting WTO standards despite being a member and not ratifying the ILO Convention and the International Covenant on Civil and Political Rights (ICCPR).

'The EU strategy towards China' published by the Parliament in 2002 (Parliament Resolution, 2002a) welcomed China's support for the international fight against terrorism after 2001, while emphasising that this cannot be an excuse for oppression against ethnic and religious communities (Art. 4). In the resolution on the Commission's 'Europe and Asia: A Strategic Framework for Enhanced Partnership', also adopted in 2002, the Parliament drew attention to the rapid increase in China's share in foreign direct investments (FDI) and warned that this development could lead to significant changes and tensions in the economic balance in the long run (Parliament Resolution, 2002b Art.26). This can be considered an early warning as it was still about two decades before a comprehensive investment agreement was finalised. In other words, the Parliament signalled a transition from the first phase to the Second phase before other significant EU actors began questioning China.

The Parliament also frequently saw human rights as a prerequisite for cooperation with China. In the resolution on CFSP in 2003, the Parliament noted that China was mentioned as an important

strategic partner in the draft Security Strategy document of the EU, but highlighted that partnership cannot be developed without concrete progress in the field of human rights (Parliament Resolution, 2003a Art.76). Similarly, the Parliament linked the consideration of lifting the arms ban to China demonstrating significant progress in human rights and not threatening Taiwan (Parliament Resolution, 2003b Art.1-2). In the CFSP resolution in 2005, MEPs expressed regret that progress has only been made with China in the areas of trade and economy (Parliament Resolution, 2005a Art.32). This encapsulates the Parliament's approach that trade and economic cooperation with China must go hand in hand with its progress in human rights.

Another topic that found a place in the Parliament's agenda regarding China during these years is WTO's criteria for open markets and labour standards. In the 'Prospects for EU-China Trade Relations' document in 2005, Parliament expressed concern about Intellectual Property Rights (IPRs), especially their adverse impact on the EU industry (Parliament Resolution, 2005b Art.1). In a similar way to the Council and the Commission, MEPs argued that a policy should be adopted against China's dumping in the footwear, textile, and clothing sectors (Parliament Resolution, 2006 Art.14-23). In the 2007/0622 resolution, the Parliament emphasised that piracy and counterfeiting by Chinese manufacturers violate IPRs and once again linked progress of EU-China trade to "human rights reform" (Parliament Resolution, 2007 Art.4-5). In this regard, the text referred to the 'change through trade' policy identified with Germany, stating that this policy could be a transformation tool, yet the intensification of economic and trade relations has not gone hand in hand with significant progress in human rights dialogue (Parliament Resolution, 2009c Art.61). Therefore, MEPs called for a renewed focus on not solely trade and investment in relations with China, something that we do not frequently see in the Commission and the Council's trade and investment regulations at that time.

In the 2010s, the Parliament issued many condemnations citing violations of fundamental human rights and freedoms in Tibet, Xinjiang, and other parts of China (Parliament Resolution, 2010b, 2010a, 2011a, 2011e, 2011b, 2012a, 2012c, 2013c). Ensuring reciprocity and a level playing field in terms of trade and investment was among the Parliament's priorities, and MEPs repeatedly called on the Commission to consider these issues in negotiations with China (Parliament Resolution, 2011d Art.17; Parliament & Union, 2012 Art.1). The Parliament also urged EU institutions and member states to pursue a more consistent policy towards China, including human rights (Parliament Resolution, 2012b Art.93). In other words, according to the Parliament, the EU's China policy should have been well-balanced, encompassing both reciprocity to serve EU interests as well as the values that the EU considers universal, and to achieve this, EU institutions and member states should have been consistent and spoken with one voice with China.

To achieve the mentioned well-balanced partnership and level playing field, the Parliament demanded China's liberalisation and opening of its markets in accordance with WTO procedures while also seeking to establish reciprocity through an investment agreement. During the negotiations of the agreement, the Parliament underlined that it should not conflict with the fundamental values that the EU promotes in its foreign policy, and called on the Commission to consider the agreement's impact on human rights (Parliament Resolution, 2013b Art.23&36). Additionally, during this period, MEPs issued decisions against China's policies in various areas, including the Syrian crisis, disputes in the Taiwan Strait and the South China Sea, the UNCLOS decision, China's violations of international law, cyber-attacks, and human rights violations in China's autonomous regions (Parliament Resolution, 2013a, 2016b, 2017d, 2017b, 2017c, 2017a, 2018c, 2018d, 2018b, 2018a, 2019b, 2019a). MEPs even called for targeted sanctions and asset freezes by the Council due to serious human rights violations (Parliament Resolution, 2019c Art.12). In terms of trade and investment, the Parliament also had a more cautious and questioning stance than in previous decades. For example, MEPs who criticised China's increasing weight in the EU's external trade called for diversification and prevention of excessive dependence, and accused China of not complying with WTO and IPRs, pointing out that more than 80% of counterfeit and pirated goods were imported from China, and called for measures to prevent China's steel overcapacity production from harming the European industry (Parliament Resolution, 2020a Art.4,24&62).

In the 2020 EU Trade Policy Review, the Parliament called for an urgent need for reciprocity in trade and investment relations with China, and for progress in comprehensive agreement negotiations on investment (Parliament Resolution, 2020b Art.14). However, while encouraging the Commission for the conclusion of the agreement, the MEPs expressed that "the substance of the agreement should be prioritised over the speed of its conclusion" (Parliament Resolution, 2020a Art.25). This means that the CAI must include human rights, forced labour and basic worker standards, and provide reciprocity and a level playing field. Due to increasing evidence of inhumane treatment of ethnic and religious minorities, especially Uyghurs in Xinjiang, the Parliament toughened its stance and called for sanctions against officials and state-led entities, such as the XPCC, for human rights violations under the GHRSR adopted on 7 December 2020 (Parliament Resolution, 2020c Art.20).

Following the imposition of sanctions against four Chinese officials and the XPCC PSB on 22 March 2021, and the subsequent retaliatory sanctions against MEPs and the Parliament's Sub-Committee on Human Rights, the Parliament condemned the counter-sanctions, urged their lifting, and announced the suspension of the ratification of the CAI due to the counter-sanctions (Parliament Resolution, 2021a Art.10). Additionally, it requested the Council, HR/VP, and member states to take further sanctions against China due to the situation in Hong Kong and

Xinjiang (Parliament Resolution, 2022a Art.11, 2022b Art.64, 2022c Art.13). Therefore, it is possible to talk about a progressively tougher stance of the Parliament in defending EU interests and values in relations with China.

As a result, when the Parliament's relations with China are examined, it is observed that the Parliament, while valuing cooperation and the development of relations, was more vocal than other institutions examined in situations where there is serious concern about human rights violations. In its trade and investment relations with China, the Parliament has called for transparency aligned with WTO standards, respect for IPRs, and reciprocity in market access. In the CAI negotiations, it pushed for the inclusion of ILO provisions on workers' rights and basic human rights in the agreement. MEPs frequently voiced concerns over the Chinese government's restrictions on freedom of expression in Tibet, Xinjiang, Hong Kong, Inner Mongolia, and other regions, as well as practices like arbitrary detention. The Parliament became one of the strongest supporters of sanctions against Chinese officials regarding human rights violations. Chinese counter-sanctions against MEPs and the Parliament's Subcommittee on Human Rights further strained relations and rendered the ratification of CAI "unthinkable" as long as sanctions are in place (Parliament Resolution, 2021b Art.62). In this regard, the Parliament's long-term stance on trade and investment cooperation with China can be summarised as balancing EU interests with universal values, collaborating whenever possible, but advocating for values and confronting when collaboration is difficult due to violations of international law and human rights.

4.4 The European External Action Service

Javier Solana, the first person appointed as HR, was mainly occupied with EU neighbours and issues in the Middle East since "China then seemed very far away" (Bermann, 2021, p. 5). While the first HR led the development of the European Security Strategy (ESS), the strategy only briefly mentioned China in relation to the country's acceptance into the WTO, and advised the EU to develop strategic partnerships with China and "all those who share our goals and values, and are prepared to act in their support" (ESS, 2003, pp. 11 & 15). Therefore, it is difficult to argue that China was among the HR's security concerns in the early 2000s by looking at the ESS. In fact, during his tenure, he was mainly busy with counterterrorism and crises in the Balkans and the Middle East.

When Catherine Ashton, who was the first holder of the HR/VP title and also the first head of the EEAS, took office after Javier Solana, she identified three priority areas: getting the service up and running, the neighbourhood, and strategic partners (Ashton, 2010). Relations with China became an important aspect of the relationship with strategic partners. She organised visits to China with the aim of developing bilateral relations (Commission, 2010b, 2011b, 2012a, 2013a), emphasised

the value of China as a strategic partner on many occasions (Commission, 2010a, 2011a), and spearheaded the start of the EU-China High-Level Strategic Dialogue to develop relations with China. The first meeting of this dialogue aimed at jointly addressing regional and international issues in addition to improving trade was held on 1 September 2010, in Guizhou, and followed by a second meeting on 12 May 2011, in Budapest. Regarding the dialogue, HR/VP Ashton said, “It reflects the great importance that the EU and I personally attach to our strategic partnership with China” (Ashton, 2011). Following the Third Strategic Dialogue, in a joint press release with the Chinese State Councillor Dai Bingguo, she stated that they share broad common interests and are increasingly interdependent and that they are determined to be a good example of international cooperation in the 21st century (Commission, 2012b). HR/VP Ashton also called for the protection of human rights in Tibet (Ashton, 2012a, 2012c) and Hong Kong (Ashton, 2014b), and for the release of those detained due to restrictions on freedom of expression. However, the impact of these calls on trade and investment cooperation during this period was limited, if not none. Besides, issues such as the refugee crisis, Russia’s intervention in Ukraine, and the Iran nuclear deal gained more prominence on the agenda of HR/VP and the EEAS. This began to change after the mid-2010s as tensions with China increased.

After HR/VP Ashton, Federica Mogherini became the chair of the EEAS. This coincided with a period when the EU was reconsidering its foreign policy. As an EEAS official in the Security and Defence Policy Division (Interview #20, 05.10.2023), stated:

“Up until 2014-15, the world seemed a little bit different; more peaceful, more secure. There was still this Fukuyama moment that the world has changed for the better and now we are going to be one happy village. Then life hits. Big power shifts and competitions came back. This showed that globalisation or trade liberalisation and free trade is important, however, it cannot be uncontrolled.”

The ESS was updated under the initiative of the new HR/VP and ‘Shared Vision, Common Action: A Stronger Europe A Global Strategy for the European Union’s Foreign and Security Policy’, or simply the EU Global Strategy /EUGS, was published. HR/VP Mogherini stressed that the purpose of the new security strategy was to meet the needs of citizens in an increasingly insecure and unstable world and to ensure together and united act, which she viewed as the only way to carry out partnerships, and she claimed that the CFSP “has to cope with superpowers” (EUGS, 2016b, pp. 3–4). The Global Strategy stated that the EU aims deepen trade and investment with China under fair conditions, ensure adequate protection of IPRs, engage in dialogue on human rights and climate issues; support freedom of navigation in East and Southeast Asia; uphold international law, including maritime law and arbitration procedures; and promote the peaceful resolution of maritime disputes (EUGS, 2016b, p. 38). These goals of the EUGS indicate the EU’s willingness to safeguard its interests and principles in its trade and investment relationship with

China, as well as in the South China Sea. Additionally, the HR/VP believes that working together with China for the global economic system would yield more benefits than engaging in a trade dispute with it:

“The choice ahead of us is straight-forward. We could choose a conflictual approach, going for trade wars that would hurt everyone. Or we can work together with China to make the global economic system more just and fair .. We want our trade with China to be based on reciprocity, to be free and fair. This is the only way to achieve a solution that benefits both Europe and China: for the win-win solutions and avoiding any scenario of a lose-lose confrontation”
(Mogherini, 2018a)

Therefore, during these years, HR/VP and the EEAS believed that the EU needed to develop itself to be able to respond to the changing international circumstances by preparing a new security strategy, on one hand, and promoting a non-hawkish policy in the EU foreign affairs that takes into account both values and interests and believed in the need to improve cooperation with partners and China, on the other. In this regard, the new security strategy can be interpreted as the first steps of moving towards questioning the relationship, although the cooperation phase still appeared to be more dominant within the EEAS.

In the subsequent years, the balance in the trifold conceptualisation of the Strategic Outlook, which is based on the cooperation partnership, economic competition, and systemic rivalry, shifted slightly in favour of the systemic rivalry and the second phase. Joseph Borrell, who took the office as HR/VP in December 2019, did not begin his tenure during the peak of EU-China relations. Although he mentioned the goals of developing a strategic partnership with his Chinese counterpart in their bilateral meeting (Borrell, 2019), China’s handling of the Covid-19 pandemic, disinformation, and the increasing concerns over human rights violations in Hong Kong and Xinjiang were factors that made it difficult for the HR/VP to maintain cooperation as usual. By May 2020, the HR/VP Borrell stated that the EU was becoming more realistic, but had been naïve about China in the past (Guillot, 2020), which was also stated in many interviews (Interview #10 Peter Hefele, Policy Director of the Wilfried Martens Centre for European Studies, 12.10.2022; Interview #11 A Policy Analyst at the European Parliamentary Research Service, 18/10/2022; Interview #13 A Commission Official in the Secretariat General’s Strategic External Policy Issues 19.10.2022; Interview #20 An Official in the EEAS’s Security and Defence Policy Division, 05.10.2023; Interview #25 A Member State Official, 10.10.2023)

While HR/VP Borrell became increasingly vocal about human rights violations and other challenges, these statements had limited impact on the EEAS’s trade and investment relationship with China. For instance, despite HR/VP Borrell stating that China’s practices in

Hong Kong are of grave concern and do not comply with international commitments, he argued that this does not jeopardise the EU-China investment agreement (Barigazzi, 2020). In his statement after the 10th EU-China Strategic Dialogue, he also expressed his belief that the Beijing government does not harbour military ambitions and does seek to use force, consequently, he thought that China did not pose a threat to world peace; however, he pointed out that contemporary warriors use keyboards instead of swords, and some countries, namely Russia and China, support these malign activities (Borrell, 2020b). He further emphasised that disinformation, or infodemic, particularly during the Coronavirus pandemic could be deadly, and advocated for increased EEAS resources to combat disinformation originating from China and elsewhere (Commission, 2020a). From a commercial perspective, the EEAS and HR/VP also recognised that the EU's relationship with China was deteriorating and argued for EU action on this front. For instance, HR/VP Borrell suggested that the EU must rectify its economic relationship with China "before it's too late" (Lau, 2020), and China's counter-sanctions against Parliament Subcommittee on Human Rights and MEPs on 22 March 2022 further sharpened the stance of HR/VP and the EEAS, characterising the counter-sanctions "regrettable and unacceptable" (DW, 2021).

In the following period, as in many documents published by the EU in these years, the importance of increasing cooperation with like-minded partners was emphasised by the EEAS as well (Commission, 2021). However, there was not much indication of explicitly targeting China or taking a stance that could jeopardise trade and investment relations within the EEAS. One EEAS policy officer at ASIAPAC.4 Division (Interview #9, 11/10/2022), with a somewhat political response, characterised increasing cooperation with like-minded countries within the context of Indo-Pacific strategy as, "It's an inclusive strategy .. We don't exclude anyone, we don't say that [it is] exclude only to democracies" and explained that there are also states such as Vietnam which "is not a democracy" therefore the EU's engagement "is not against China" whereas it was also noted that while the strategy "didn't mention China at all .. everybody knows that is the big elephant in the room .. You understand the [strategy] only if you take China into the equation" (Interview #10, Peter Hefele, Policy Director of the Wilfried Martens Centre for European Studies, 12.10.2022). On the other hand, another policy officer from the EEAS-ASIPAC.4 Division (Interview #8, 11.10.2022) believes that after the Russo-Ukrainian War, the EU's concerns about China increased which made the EU more united: "The level of EU unity is higher .. It's an example of when confronted with vital interest, we are ready to pay the price."

Therefore, when examining the overall stances, discourses, and initiatives of the EEAS on trade and investment with China, it can be observed that there has been an evolution in its relationship with China parallel to its establishment and institutional development process. During this period, as China became more repressive in domestic politics and more ambitious in foreign

policy, the EU's China policy underwent a certain change, and the EEAS included some references to the challenges posed by China in the Global Strategy, albeit to a lesser extent compared to other security threats, and HR/VPs occasionally highlighted concerns about some malign Chinese activities such as disinformation and cyber-warfare. However, until the 2020s, the partnership aspect of the relationship remained prominent in proportion to the other two dimensions mentioned in the Strategic Outlook. The relationship visibly deteriorated compared to the previous decade with the pandemic that began in 2020, increased pressure in Hong Kong and Xinjiang, and finally, counter-sanctions imposed by China on the EU institutions and citizens.

Nevertheless, when considering the policies and statements of the HR/VPs, the institution's documents, and the views of other EEAS officials, the EEAS refrained from adopting too hawkish stance followed a more moderate policy until recent years. This can be considered to some extent compatible with the "principled pragmatism" in the 2016 Global Strategy and multi-faceted characterisation in the Strategic Outlook. As seen in HR/VP Borrell admitting that the old EU perspective was naïve, there was a transition within the EEAS from the cooperative first phase to the questioning second phase in the late 2010s and early 2020s. In terms of timing, this transition is similar to the Commission but represents a relatively later response compared to the Parliament.

4.5 Germany

Official relations between Germany and China were first established in the mid-19th century, and apart from a few exceptions, relations were generally tense until the final years of the Cold War. Germany's colonial activities in China, obtaining concessions in cities like Tianjin and Hankou (Quigley, 1928, p. 151) and significant ports like Jiaozhou (Coco, 2019), as well as its alliance with Japan before and during World War II, were major reasons for this tension. Following WWII, West Germany did not establish official relations with the PRC for more than two decades. However, unofficial contacts began in the mid-1960s. Some German politicians, like Franz-Josef Strauss, advocated for the establishing official relations with China to capitalise on the division between China and the Soviet Union and unsettle the Soviets. However, Chancellor Willy Brandt and his pursuit of *Ostpolitik*, aimed at normalising relations with Eastern Europe and the Soviet Union, made official contact with China challenging until the 1970s (Schaefer, n.d.).

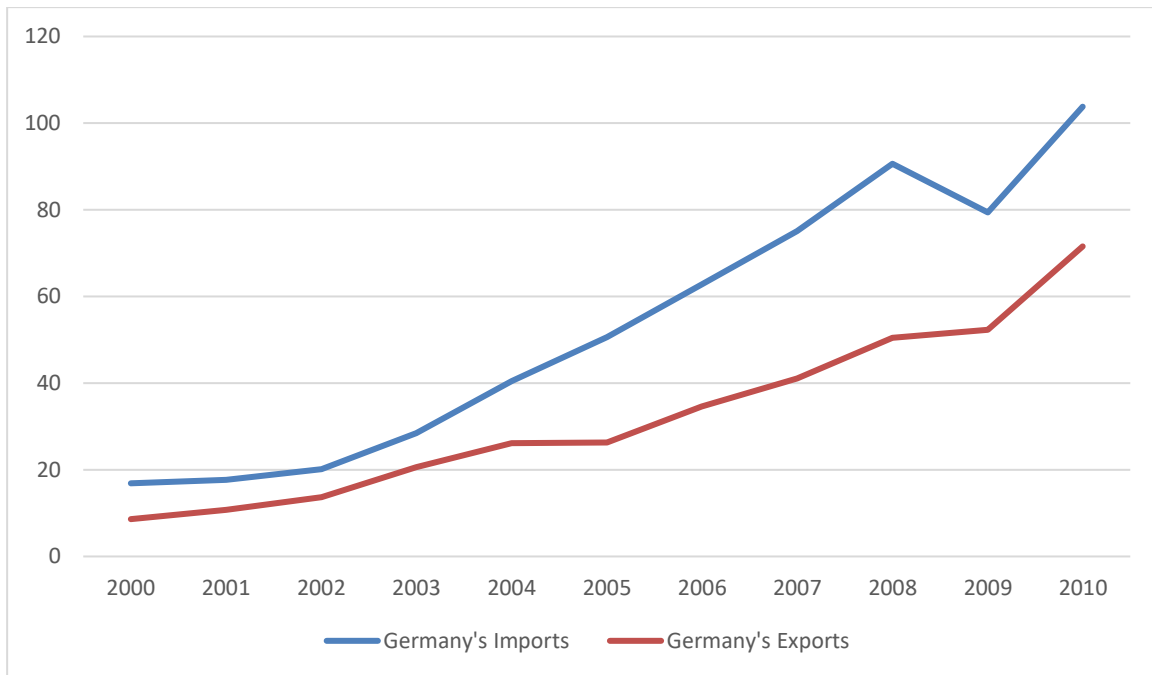
Starting in May 1972, German politicians' contacts and visits to China led to the mutual recognition of West Germany and China on 11 October 1972. China's acceptance of Germany's indivisibility also paved the way for developing relations. In the late 1970s and early 1980s, some arms agreements were signed, but due to relations with the Soviet Union, West Germany generally approached China cautiously. The US supported China's liberalisation and sought the

backing of its allies, including West Germany, which also encouraged China's opening up. Therefore, the foundations of Germany's 'change through trade' (*Wandel durch Handel*) approach, which would shape its China foreign policy for many years and become synonymous with Chancellor Gerhard Schröder, can be traced back to this period. As a result, trade relations rapidly developed in the 1980s, and Germany became China's most important European partner. In the 1980s, approximately 50% of the technology China imported came from West Germany (Möller, 1996, p. 712).

Despite a brief period of tension during the Tiananmen Square protests, Sino-German relations rapidly developed along trade lines after Germany's reunification and the end of the Cold War. German leaders generally supported the conclusion of large-scale trade agreements with China. Both Chancellor Helmut Kohl and his successor Gerhard Schröder's governments advocated of effective multilateralism in international relations (Mansingh, 2001, p. 63; Schnellbach & Man, 2015, p. 3). This approach fostered a closer relationship between the two countries and strengthened their partnership. Throughout China's 15-year-long negotiations with the WTO, Germany was "China's strongest supporter in regards to membership" (Malleon & Johnson, 2001), and despite the US voicing its concerns, this resulted in the country's accession to the WTO in 2001. After China's accession to the WTO, Sino-German trade volume further increased. The convergence of the two countries extended beyond the economic sphere alone. In 2004, Germany and China announced the establishment of a 'strategic partnership in global responsibility' to expand their bilateral relations into new areas (Falk, 2022; Zhongping & Jing, 2014, p. 8).

When Angela Merkel becoming Chancellor in 2005, Germany's relations with China entered a new stage. During her first term, she expressed greater emphasis on human rights, norms, and shared values in her rhetoric. She argued that the previous governments' unprincipled policies towards Russia and China had damaged Germany's international image and interests (Bundesvorstands 2005, cited in Schnellbach & Man, 2015, p. 9). Chancellor Merkel's meeting with the Dalai Lama in 2007 strained China-Germany relations. Chancellor criticised human rights violations in Tibet and subsequently announced that she would not attend the 2008 Beijing Olympics, becoming the first world leader to do so (Traynor & Watts, 2008). Despite all these tensions, they did not appear to significantly harm the trade and investment agreements between Germany and China, and both trade and FDI continued to increase. For instance, between 2000 and 2010, as can be seen in Graph 2, Germany's exports to China and China's exports to Germany for all products increased sixfold and eightfold, respectively.

Graph 2 Germany-China Trade Volume Between 2000-2010 (Billion US Dollars)



Source: Authors own work compiled from World Bank (n.d.-a), Germany Product exports and imports to China 2000-2010, <https://wits.worldbank.org/CountryProfile/en/Country/DEU/Year/2000/TradeFlow/EXPIMP/Partner/CHN/Product/all-groups> (Access Date 01.07.2024)

These economic relations remained the primary focus in the diplomacy of both countries for many years. For example, during Chancellor Merkel's many visits to China, prominent German automobile manufacturers, companies, and industrialists were part of the delegation, and numerous bilateral agreements were signed. Additionally, Germany attempted to ease some tensions between the EU and China. For instance, in 2013, Germany opposed the European Commission's proposal to impose high anti-dumping tariffs on Chinese solar panels, aiming to avoid harming trade relations (Bradsher & Eddy, 2013). This approach enhanced the mutual interdependence of the two countries throughout the 2010s. Furthermore, they continued efforts to develop other dimensions of the relationship. For instance, in 2014, the two countries established a 'Comprehensive Strategic Partnership', committing to not only economic but also political cooperation and strategic collaboration (Brattberg, 2021). In this regard, Berlin's approach towards China continued to remain in the cooperative first phase.

Germany's increasing dependence on China also sparked criticisms and concerns about the dangers of heavy reliance on a single country (Dempsey, 2023; Fix, 2022). Moreover, Chinese state-owned enterprises began acquiring more German technology companies and invest in high technology and telecommunications in Europe (Janson, 2021, p. 2). This contributed to shaping the perception of a Chinese threat in Europe and heightened fears related to cyberattacks, surveillance, and security. The German government's policy of change through trade, implemented for decades, was seen as unsuccessful when in dealing with China (Samrai, 2019). However, others argued that China had no international ambitions and emphasised that bilateral trade relations were in the interest of both parties (Choo, 2009; Zhang, 2015). Indeed, it is difficult

to say that concerns about China had led to a fundamental change in the overall attitude of mainstream policymakers towards China until the 2020s. For instance, German Economy Minister Peter Altmaier continued to believe that China would eventually liberalise through trade, stating, “I have always been convinced and I still believe that change can be achieved through trade” (Karnitschnig & Vela, 2020).

Critics often argue that Germany’s policy towards China during this period was influenced by German companies and aligned with their interests (Kundnani, 2011, p. 36). However, the disrupted trade balance, escalating trade deficits, Chinese FDI, the absence of a level playing field for European companies in China, China’s assertive foreign policies compared to the previous decade, and heightened criticism of human rights issues in Tibet, Hong Kong, and Xinjiang all underscored the necessity for Germany to reassess its China policy:

“Everybody agrees we will cooperate. We will also cooperate economically because we’re highly interdependent. It’s the biggest market in the world, who does not want to be present there? Everybody wants to be there. The only question is, what are the conditions for being on that market?” (Interview #6 An Official at the German Permanent Representative to EU, 07.10.2022)

All these and many more developments compelled the German government to adopt a new and multifaceted strategy towards China. As a means to this end, like the EU, Germany sought to limit China’s influence by bolstering diplomatic engagement with Indo-Pacific countries (Ulatowski & Hills, 2022). In the early months of 2019, a policy paper by the Federation of German Industries (*Der Bundesverband der Deutschen Industrie-BDI*), a highly influential actor in Germany’s external trade policy, already discussed that China had become a systemic competitor, preceding the Strategic Outlook released by the Commission and the EEAS in March (BDI, 2019). Furthermore, in December 2019, German leaders decided to regulate and reduce foreign investments in security-related areas such as energy supply, digital infrastructure, and transportation to control and reduce Chinese activities in these domains. It was clear that Germany was concerned about the Chinese FDI in Europe and was willing to limit Beijing’s reach to the critical areas. That is to say, Germany began to securitise China more than in previous years and moved towards the questioning second phase. Despite these measures, policymakers and diplomats refrained from categorising this as a paradigm shift in Berlin’s China foreign policy (Sauerbrey, 2019), instead seeking to normalise the adjustments to minimise their impact on foreign trade.

Germany extended this attitude to its relationship with the EU. During its presidency of the Council of the EU in the second half of 2020, one of the top priorities for Germany was to conclude the CAI which had been under negotiation with China for years. This was viewed as a means to

provide European investors in China with the similar opportunities that Chinese investors had in Europe. According to Erik Brattberg and Philippe Le Corre (2020, p. 5), the Chancellor saw this deal as an opportunity to ensure access for German businesses, who were “struggling with a slowing economy at home and transatlantic trade tensions under the Trump administration,” to the increasingly important Chinese market. In line with this, an MEP from the European People’s Party (Interview #21, 05.10.2023) asserted that Germany showed the most interest in the CAI, noting, “In my political group as well, the German people [were] defending CAI, obviously because of domestic reasons, much more than of European reasons.” Just one day before the end of Germany’s rotating presidency, Angela Merkel succeeded in concluding the deal with China. The German government hailed this as a notable “success for the German Presidency of the Council” (EU2020.de, 2020) with the Chancellor emphasising that the deal is a “very important undertaking, because it gives us more reciprocity in market access” (Reuters, 2021). According to a policy advisor to an MEP (Interview #7, 10.10.2022), the “main reason” for concluding the agreement was Angela Merkel’s desire to push her long-standing policy one last time:

“Merkel wanted to have this deal done because of her legacy. She knew that this was the last big thing she could do with China, and it was basically going to be a manifestation of her change through trade .. Generally speaking, the greater your economy, the more you benefit from trade. And as such, there was a clear economic interest from the German side to push up [in addition to] personal interest of Merkel to get through.”

However, the conclusion of the agreement at a time when concerns about China were significantly on the rise raised criticism. For instance, some member states argued that the agreement served more of Germany’s interests and complained that their voices were not heard at the EU level (Ewing & Myers, 2020; Šimalčík, 2021). Following these discussions, the EU’s decision to impose sanctions on China for human rights violations marked a tenuous period in EU-China relations. Despite Chancellor Merkel’s continued reluctance to openly criticise China, the end of her 16-year tenure in the September 2021 elections ushered in a new government with a more assertive policy towards China. Specifically, the coalition partner, the Greens, adopted a more sceptical stance towards China (Interview #6 An Official from the Germany Representative to the EU, 07.10.2022), and the party’s Foreign Minister Annalena Baerbock made repeated critical statements about Beijing, particularly regarding human rights violations, and even portrayed President Xi as a “dictator” (Gijs, 2023). This attitude increased expectations that Germany would reassess its China foreign policy and adopt a more balanced approach emphasising human rights and shared values. Thus, the inclination towards the critical second phase became more visible in Germany’s China policy.

In conclusion, when evaluating Germany's long-term stances, discourses, and initiatives towards China, it is evident that the country has long perceived China as a trading partner and shaped its policies in this context. Germany aimed to increase the prosperity of its citizens and eventually pave the way for China's economic and then political liberalisation by strengthening its commercial ties with China. Consequently, bilateral economic relations surged in the post-Cold War era, and eventually trade with China grew to the extent that it surpassed the US, making China Germany's largest trading partner (Baur & Flach, 2022). This situation changed to some extent due to the disrupted trade balance, increasing concerns about China's domestic and international ambitions, and its growing investments in critical sectors in Europe. However, the conclusion of the CAI during a period of significant criticism of China led to the perception that trade and investment relations were prioritised over other concerns. Thus, when evaluating Germany's relations with China in terms of trade and investment, it can be said that Germany has long regarded China as one of its most important trading partners. Cooperation was a key aspect of this relationship, and Germany was one of the most devoted supporters of the relationship until perceptions of the Chinese threat escalated. Mutual dependencies have largely shaped the relationship, but in recent times, German politicians have increasingly felt the need for a rebalancing.

4.6 France

Like Germany, France's relationship with China has also witnessed conflict and tensions over an extended period. Bilateral relations dating back to the 1600s were shaped until the 20th century within the context of France's colonial initiatives, attempts to obtain territory and privileges from China, and engagement in commercial activities. Unlike Germany after World War I, France continued to control its colonies in Indochina for some time (Aldrich, 1996, p. 1). Therefore, during these years, France had more connections with the region compared to Germany, although it is hard to illustrate it as the ideal form of a relationship. During WWII, the exiled French government fought alongside China as part of the Allied forces against the Axis powers. However, afterward, conflicts between French troops and local forces in the Southeast Asian territories under French control made it difficult to establish good relations. After the Communist Revolution, France, similar to Germany, initially did not recognise the PRC and maintained relations with Taiwan. But this did not last long, and diplomatic relations were established between France and the PRC in 1964, relatively earlier than in many other Western countries (Mengin, 2002, p. 137).

The increase in attacks on French officials in China following the Cultural Revolution further worsened Sino-French relations. Simultaneously, France's particularly military equipment trade with Taiwan led to strains in Paris-Beijing connections and various diplomatic crises. For example, in December 1992, China ordered the closure of the French consulate in Guangzhou

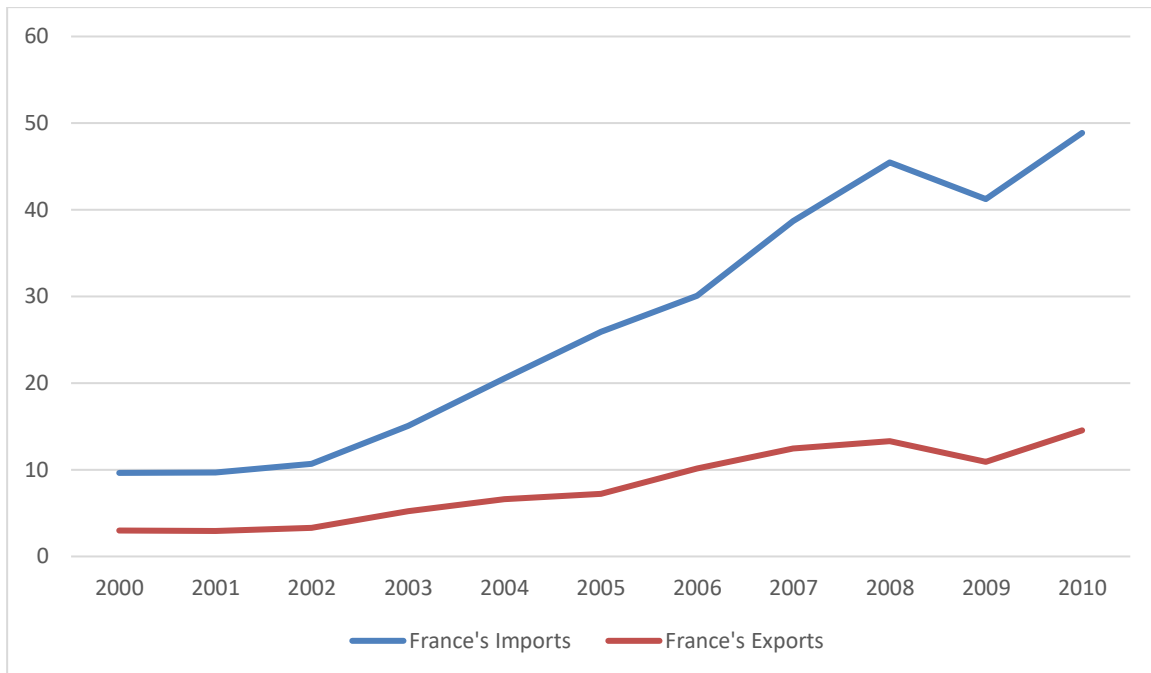
due to France's sale of fighter jets to Taiwan (Kristof, 1992). However, after the end of the Cold War, the Paris government favoured improving relations with China and increasing its share in the lucrative Chinese market. Ultimately, France agreed to ban French companies from selling arms to Taiwan, and diplomatic relations were re-established in 1994 (Weske, 2007, p. 7). French officials frequently emphasised the contribution of trade with China to the country's prosperity (Irish Examiner, 2004) and President Jacques Chirac even stated that the arms embargo was "outdated" and should be "lifted as soon as possible" (Wyatt, 2004). In this context, France became one of the countries within the EU that most actively lobbied for the lifting of the arms embargo on China after the Tiananmen Square incidents and stood at the forefront of the countries known as the 'Airbus Club' within the Union (Kinzelbach & Thelle, 2011, p. 61). Paris's policy in this regard quickly bore fruit, and bilateral trade volume with China rapidly increased.

With the onset of the 2000s, both countries were eager to improve their relationship not only in the commercial field but also in political and social areas. To achieve this, France and China initiated a 'strategic dialogue' in 2001 to enhance bilateral interactions in various fields such as reform in global economic governance, climate change, and crisis management. In 2004, when they upgraded their relations to a 'global strategic partnership', the ties between the two countries grew even stronger. However, after Nicolas Sarkozy became president in 2007, some disagreements arose in Sino-French relations. He criticised China's use of force against demonstrators in Tibet. Protests in France before the 2008 Beijing Summer Olympics further escalated tensions between the two countries. On 7 April 2008, activists in Paris protesting the situation in Tibet disrupted the Olympic torch relay (Walker & Batty, 2008). In response, Chinese citizens called for a boycott of French brands (Tompsett, 2008).

In light of these tensions, President Sarkozy attempted to follow a balanced policy and delineate politics from economics when dealing with China (Duggal, 2022). He criticised China over the Tibet crisis, and despite strong opposition and warnings from the Beijing government that trade deals were at risk, he met with the Dalai Lama, the exiled spiritual leader of Tibet (France 24, 2008b). However, it was crucial for France not to lose a foreign market and investors during the Eurozone crisis. As a result, the President wrote a letter of support and apologised to Chinese athlete Jin Jing, who carried the Olympic torch during the Paris protests (France 24, 2008a). He invited his Chinese counterpart, Hu Jintao, to France to discuss political issues between the two countries. At the G20 London summit in early April 2009, it was announced that President Sarkozy and President Hu agreed to "put the disagreement behind them" (France 24, 2009). Therefore, despite some minor disputes, Sino-French trade and investment volumes continued to gradually increase under President Sarkozy's administration while the trade deficit progressively grew (See Graph 3).

Graph 3 France-China Trade Volume Between 2000-2010 (Billion US Dollars)

Chapter 4



Source: Author's own work compiled from World Bank (n.d.-d), France Product exports and imports to China 2000-2010, <https://wits.worldbank.org/CountryProfile/en/Country/FRA/Year/2000/TradeFlow/EXPIMP/Partner/CHN/Product/all-groups> (Access Date 01.07.2024)

Throughout President François Hollande's tenure, bilateral trade relations continued to strengthen. In 2013, the two countries launched the High Level Economic and Financial Dialogue to discuss economic matters in-depth. Moreover, in September 2014, as the initial step of an agreement permitting French companies to invest in Chinese mainland securities denominated in Yuan, officially known as Renminbi, licenses were granted to two French firms, BNP Paribas and Carmignac. French Finance Minister Michel Sapin stated that more licenses would be obtained in this area, potentially increasing the amount they could transfer to China (Melander, 2014). Previously, bilateral investment agreements were made in US Dollars. Hence, this new investments initiative was a move that also undermined the global influence of the US.

Apart from trade and investment, President Hollande invited China to adhere to the Paris Climate Treaty and reduce greenhouse gas emissions (The Guardian, 2015). Furthermore, French leaders shared similar views with their Chinese counterparts regarding a multipolar world order. For instance, during their first visit to China in April 2013, Presidents Hollande and Xi agreed on their desire for a multipolar world order, as opposed to a world dominated by a single superpower, which the United States represents (Tan, 2013). Therefore, they both had mutual interests in strengthening trade and investment between their nations.

This policy seemed to persist during President Emmanuel Macron's time in Elysée. President Macron, who made official visits to China in 2018 and 2019, signed a series of trade and investment agreements with President Xi, covering energy, aviation, banking, and many other areas (Momtaz, 2019). During this period, concerns in Europe increased due to Chinese foreign

policy ambitions. On 29 August 2019, France, along with the UK and Germany, jointly issued a statement. This Joint Statement expressed concerns that the situation in the South China Sea, without directly mentioning China, could lead to insecurity and instability in the region and emphasised the rights of navigation (Gov.uk, 2019). The parties largely called on China to comply with the UNCLOS's Arbitration Award, which was issued in June 2016. By the time the 2020s arrived, France began to reevaluate its relationship with China, and its shift from the cooperative first phase to the critical second phase became more evident. The unease caused by China's foreign policy in Europe was compounded by the pandemic in 2020 and the handling of the outbreak was among the things President Macron criticised about China (FT, 2020). Additionally, advocating for France and the EU to have strategic autonomy, the French leader argued that Europe should be less dependent on both the US and China (Reuters, 2020).

Under Emmanuel Macron's presidency, France witnessed an increase in its trade deficit, and the investment imbalances between Chinese and European companies led to a growing trade imbalance in favour of China, raising questions about the nature of the partnership with China. For instance, in 2018, France's trade deficit with China reached approximately €30 billion, making China the country with which France had the largest trade deficit in bilateral trade (Ministry for Europe and Foreign Affairs France, n.d.). This trend continued to grow against France, and by 2021, the trade deficit had reached almost €40 billion (France 24, 2023). Although China significantly increased its investments in France and became the largest source of FDI in the country in 2019 (Interesse, 2024), this figure remained relatively low in comparison to French investments in China. However, one of the countries that exerted the most pressure for the conclusion of the CAI was still France. According to Tereza Novotna (2024, p. 714), the coordination between "the two most influential EU member states was essential" for achieving a successful completion of the deal. On 30 December 2020, President Macron was also present at the meeting with President Xi alongside Chancellor Merkel, where he assisted in concluding the CAI. This was perceived as an affront to "other member states that should not be repeated" (Esteban, 2022, p. 49). It was argued that except for the Commission the main drivers of the deal were Germany and France and the original plan was to conclude the deal under the German Presidency and finalise it under the French Presidency (Interview #4 An Official from the Polish Representative to the EU, 05.01.2022).

However, just shortly after three months, the EU and China imposing sanctions on each other suspended the promotion of the agreement. Following the sanctions, Clement Beaune, France's Junior Minister for European Affairs, stated that France would not tolerate "threats and intimidation" from China (Nussbaum & Horobin, 2021). The French Parliament, in a decision that could potentially strain relations between the two countries, adopted a non-binding resolution characterising China's actions towards the Uyghur Muslim population as 'genocide' and 'crimes

against humanity'. President Macron stated that this had been raised in bilateral relations with China and expressed his support for a ban on goods produced with forced labour (France 24, 2022). On the other hand, even though the ratification of CAI was not on the agenda during this period, France was claimed to be among the countries supporting the ratification agreement, including Germany, Ireland, and Slovenia (Islam, 2022, p. 38).

During the French rotating presidency of the Council, President Macron also sought to maintain a balanced relationship with China. For instance, he announced that he would strongly pursue the acceptance of an anti-coercion instrument in response to China's economic pressure against Lithuania. Subsequently, the EU approved a €130 million package to support companies affected by China's pressure (Reynolds & Goodman, 2022). But at the same time, France opposed the confrontational approach of the US towards China to maintain its strategic autonomy. After discussions on China at the European Council on 20-21 October 2022, during which some high-ranking EU officials acknowledged China's increasing assertiveness and aggressiveness, President Macron stated that there was no intention to change France's approach to China at that time (Jacqué, 2022). Furthermore, following the G20 summit in Bali, Indonesia, in November 2022, President Macron expressed that China was part of the existing world order, and President Xi was committed to the United Nations. Therefore, France did not categorise China as a revisionist power and argued that there was no need for a policy change (Bequelin, 2022). However, he also emphasised the need for a change in the investment approach and supported the concept of a level-playing field. He admitted that strategic mistakes had been made in the past, particularly regarding infrastructure sales to China, and advocated for a reassessment of dialogue with China on this matter (Van Overstraeten, 2022).

In summary, when examining France's long-term stances, discourses, and initiatives towards China in the fields of trade and investment, it is evident that the country has historically considered mainland China an economic interest and significantly increased trade and investment cooperation, especially after the Cold War. In the first two decades of the 2000s, trade relations continued to grow, serving not only economic purposes but also a shared vision of a multipolar world, as their strategic partnership appeared to align with a common goal. However, at the beginning of the 2020s, increasing trade imbalances, China's tougher stance in domestic and foreign policies compared to previous periods, and a series of developments such as the pandemic raised questions about the dynamics of the relationship between the two countries. Nevertheless, it is difficult to claim that this questioning has led to fundamental changes. While there was a belief in the need to reduce dependence on China, concrete initiatives in this regard were scarce. At the end of 2020, France remained one of the key actors in concluding the CAI with China. Trade relations continue unabated, with several new agreements still being signed (Szumski & Bauer-Babef, 2023). There may be a political will among French leaders and

policymakers for a more balanced policy towards China, but concrete moves in this direction have yet to become visible.

Conclusion

This chapter, examining the stance, rhetoric, and initiatives of key EU actors towards China in the areas of trade and investment, revealed that the behaviours of these actors varied over different periods. Prior to the 2010s, most EU member states and institutions primarily viewed China as a trade partner, facilitating the rapid development of EU-China relations. During these years, when China's accession to the WTO was supported, the EU-China strategic partnership was declared, and bilateral trade volume increased significantly, key EU actors generally maintained a profile that avoided securitising China, instead, they emphasised the benefits of engagement. In this respect, they were similar in being in the cooperative first phase.

However, in the following decade, the EU's increasing economic challenges and declining competitiveness, contrasted with China's rise as a stronger and more ambitious international pole, and growing concerns about its repressive policies, led some EU institutions and member states to highlight the challenges posed by China. In other words, some EU actors began to question China's domestic and external policies more closely, shifting towards the critical second phase. The differences between the policies of these institutions and member states, and the approaches of EU actors who wished to continue cooperating with China as usual and were more reluctant to criticise China, became increasingly pronounced. Although towards the end of the decade, more EU institutions and member states began to question Chinese policies, there were differences in the intensity of their criticisms. This led to a gap between the external policy actions driven by EU actors like the Parliament, which advocated for stricter measures on China's human rights abuses, and those like the Commission and big member states, which prioritised deepening investment cooperation. In the next chapter, when examining the stances, discourses, and initiatives regarding human rights, this gap will become even more evident.

Chapter 5 Examining China Policies of the EU Actors on Human Rights: Stances, Discourses, and Initiatives

Given the significant differences between the European and Chinese systems of governance and ideology, both sides have generally viewed human rights as a contested area since the outset of their relationship. Therefore, areas that could increase cooperation such as trade and investment came to the fore and the EC and China focused on developing bilateral cooperation, while human rights became more of an area of 'dialogue'. The events of Tiananmen in 1989 were the first serious test of human rights between Europe and China. Although the EC condemned China's brutal violence against protesters and imposed sanctions that are still in effect today, it is difficult to say that the crisis generated long lasting anti-China sentiment in EU capitals. Human rights remained a relatively low-priority agenda item in bilateral talks while both sides continued to enjoy increased commercial gains.

Starting from the second half of the 2010s, this began to change. The increasing global influence of China, linked to its rapid growth, the growing pressure on religious and ethnic minorities within the country as well as President Xi's move to become "more authoritarian" with constitutional changes for a third term, to crush "Deng Xiaoping's legacy" (Interview #9, A Policy Officer in the EEAS's ASIAPAC.4 Division, 11.10.2022) and to build "his own heritage" (Interview #6, An Official at the German Permanent Representative to EU, 07.10.2022) led to an increase in criticism of China in Europe. Leading actors in the EU, while supporting the continuation of commercial interests, also sought ways to respond to public demands. Therefore, the process of foreign policy-making by the EU regarding China's human rights violations becomes an intriguing area of study, and the long-term stances, statements, and initiatives of EU institutions and member states need to be surveyed to better understand the EU's decisions that seem inconsistent with each other. Consequently, this chapter addresses the human rights policy towards China of the key EU institutions and member states. It represents the second step of the operationalisation detailed in the theoretical framework chapter. In this step, transitions from what is characterised as the first phase in this research, where EU actors considered China mainly as a cooperation partner, to the second phase emphasising the adoption of a more multi-faceted and questioning policy towards the challenges posed by China, will be compared in terms of human rights policies.

Like the previous chapter, this chapter concentrates on the strategies of the European Commission, Council, Parliament, EEAS, and two big member states, this time with a focus on

the developments that resulted in the human rights sanctions on Chinese officials in March 2021. It discusses their policies towards China in the field of human rights and the transition periods towards the second phase where they began to question China more. Thus, along with the insights from the previous chapter, it obtains data that will enable a comparison of the policies of key EU actors in terms of horizontal and vertical inconsistencies in the subsequent chapter.

5.1 The European Commission

After the official establishment of relations with China in the mid-1970s, despite efforts by some nongovernmental organisations to voice concerns over abuses, human rights were “largely a non-issue in Sino-Western European relations” (Wan, 2001, p. 66), partly because throughout almost the entire Cold War, promoting human rights in relations with third countries was not “an explicit objective” for the EC (W. Shen, 2013, p. 167). Therefore, even though the human rights situation deteriorated following the Cultural Revolution and the law and order campaign in 1982, there was no initiative in Europe regarding human rights violations in China. Philip Baker (2002, p. 48), who reviewed the policy statement database on China and human rights between 1985 and 1989, noted that, except for the Parliament, no institution of the EC issued a foreign policy statement on the situation of human rights in China. In other words, concerns related to human rights violations in China in the Commission and many other EU institutions, no matter how grave, did not make the agenda until the Tiananmen incident.

On 5 June 1989, the Commission issued a statement criticising PLA’s way of suppressing protests. In the statement, the Commission deplored the brutal repression that was being carried out, stating that it could harm cooperation between the EU and China, as well as China’s openness and reform policies. The Commission also called for measures to be taken to ensure the safety of European citizens in China (Feege, 1992 p. 65, cited in Möller, 2002, p. 16). Three weeks later, the European Council issued a still-in-effect arms embargo. In the following period, EU member states co-sponsored a resolution on China’s human rights violations at the UN Human Rights Council (UNHRC), yet were not successful in passing it due to the decreasing unity among member states. In response to this, the Commission (1995a) included a section on how to address human rights issues with China in its 5 July 1995 communication, “A Long Term Policy for China-Europe Relations.” This makes the 1995 communication important, as it was the first to mention the use of the EU’s cooperation programs to improve human rights in China (W. Shen, 2013, p. 173).

The Communication expressed the need for a constructive engagement in the EU’s political relationship with China (Commission, 1995a, p. 3), and indicated that the EU would continue its actions at three levels in promoting China’s responsible and constructive role in the region, firstly,

by supporting potential efforts to open up and liberalise all areas of Chinese life, thereby strengthening moves towards a civil society based on the rule of law. Secondly, this will be promoted by holding regular and systematic dialogues on human rights. In this regard, the objective of transforming the first EU-China Human Rights Dialogue, which took place in Brussels in January of the same year, into a permanent forum is renewed in the Communication. And thirdly, it will be promoted by involving the international community in the dialogue on human rights through multilateral forums such as the UN (Commission, 1995a, p. 5). The Communication was issued at a time when EU countries were starting to diverge in the UNHRC. Some EU member states, including France and Germany, referred to as the Airbus Club due to their pursuit of lucrative commercial contracts with China (Baker, 2002, p. 56; Kinzelbach & Thelle, 2011, p. 61), caused a decrease in support for human rights on international platforms compared to previous years. In this regard, the 1995 Communication was seen as an attempt by the Commission “to reconcile the abstract human rights imperative with real economic interests on the ground” (Möller, 2002, p. 22).

The regular summits mentioned in the Communication were decided to be held twice a year, one in the EU and the other in China. The Commission published another Communication in the following year entitled ‘Building a Comprehensive Partnership with China’ which aimed to support China’s transition to an open society based on the rule of law and respect for human rights. Despite serious deficiencies in human rights in China, the Commission (1998b, p. 8) believed that the human rights situation had improved in the last twenty years and that Europe should continue to use all available channels to actively, sustainably, and constructively support this process. It also announced that the EU would continue to raise human rights restrictions in Tibet and that it would continue to pressure China to ratify ILO conventions (Commission, 1998b, p. 10).

In a similar vein, one of the issues raised by Commission President Jacques Santer during his visit to China in October 1998 was human rights. He offered technical assistance for the ratification of two UN Conventions China had signed, and expressed the need for China and the Dalai Lama to start a dialogue as soon as possible to resolve the crisis in Tibet (Commission, 1998a). However, the discussions between the Commission and China generally revolved around establishing a trade and commercial partnership, as highlighted in the 1998 Communication. The Commission’s 2001 Communication, which updated the previous Communication three years later with the title ‘EU Strategy towards China: Implementation of the 1998 Communication and Future Steps for a more Effective EU Policy’ had an even more hopeful tone regarding human rights. The 2001 Communication reiterated that human rights had improved in China and that significant steps had been taken towards democratisation, such as direct elections in villages, while dialogue continued in areas where deficiencies exist (Commission, 2001, p. 10).

In this regard, the Commission was of the opinion that as China's economic development continued, progress would also continue in the field of human rights, and ultimately economic development would make China a liberal country that respects the rule of law and human rights. This approach can also be seen in the speech given by Commission President Romano Prodi at the EU-China Business Forum in Brussels on 6 May 2004. In his speech, President Prodi (2004) noted significant progress in human rights in China since Tiananmen and argued that as China's economic growth increased, demand for individual freedom in the country would also increase. The 2003 Communication too, mentioned developments in the rule of law and civil society in China, but also pointed out serious shortcomings in areas such as labour rights, freedom of expression, and the rights of ethnic and religious minorities in Tibet and Xinjiang. In this Communication, the Commission (2003, pp. 12–13) reiterates the need to complement the Human Rights Dialogue with cooperation projects in the field of human rights.

Three years later, the 2006 Communication "EU-China: Closer Partners, Growing Responsibilities" noted that progress in this area had been limited, despite the Chinese leadership repeatedly expressing support for reforms in basic rights and freedoms. The biannual Human Rights Dialogue did not meet the expectations of the EU, and the Communication argued that the dialogue should be more result-oriented and produce more concrete results (Commission, 2006b, p. 4). In other words, the Commission voiced its discomfort with China turning the dialogue into an "inconclusive talking shop" (Fox & Godement, 2009, p. 34). However, there was no apparent pressure to make concrete progress in this area during those years.

China's repressive policies towards ethnic, linguistic, cultural, and religious minorities, particularly in Tibet, drew criticism in Europe, it brought with it public demands, including protesting the Beijing Summer Olympics in August 2008. The Commission largely continued its past approach. For instance, on 30 January 2009, following the visit of Chinese Premier Wen Jiabao to the Commission, President Barroso remarked that nine cooperation agreements were signed and "frank and open discussions based on mutual respect" were held on many issues, including human rights and Tibet (Willis, 2009). However, the joint statement they released (EU-China Joint Statement, 2009) made no mention of human rights. Regarding the Commission being generally less critical than the Parliament on human rights violations, an administrator for a Parliamentary body (Interview #23, 05.10.2023) stated that this stemmed from the Commission being an executive body and the duties it is obliged to perform:

"Parliament is more open to express different positions and the Parliamentarians are more open in their communication with counterparts because the Commission is the executive, so they have a kind of a mandate. They have to respect certain things. They have to move things forward. And you have to find the balance between certain aspects."

The Commission's joint communication with HR/VP in June 2016, 'Elements for a new EU strategy on China', was a reflection of the EU's need for a new policy on China in light of developments. The new strategy emphasised human rights more strongly in response to increased competition and challenges posed by China; stated that the protection of human rights would continue to be a fundamental part of the EU's relationship with China; and called on China to fulfil its international commitments regarding the release of political prisoners, ensuring fair trials, and protecting the rights of minority groups, particularly in Tibet and Xinjiang (Commission & High Representative, 2016, p. 4). According to a Commission official in the Secretariat General's Strategic External Policy Issues (Interview #12, 19.10.2022), the primary factor in this change of stance was not China being more assertive or ambitious, as China had always been this way in areas it considered crucial, which did not significantly affect the course of the relationship. The issue mainly stemmed from "the big difference with the previous era when China was more focused on its own model, but then it started to want to export its model."

In line with the EU strategy on China but with a greater emphasis on the challenges rooted from China, the Commission's much-discussed 'EU-China - A strategic outlook', another joint communication with HR/VP, also acknowledged China's progress in economic and social rights but highlighted a deterioration in human rights, particularly civil and political rights in Xinjiang. The EU would "strengthen cooperation with China to meet common responsibilities across all three pillars of the United Nations - Human Rights, Peace and Security, and Development" appeared as the first of the 10 Actions proposed by the Strategic Outlook (Commission & High Representative, 2019, p. 3). The triple conceptualisation in the Strategic Outlook and its more questioning approach both in terms of trade and values emerged as the biggest break in the Commission's approach towards China compared to previous communications. Therefore, it symbolised a transition from what the research called the cooperative period, termed the first phase, towards the second phase aimed at taking a more serious look at the nature of the relationship and the challenges posed by China.

On the other hand, as discussions of human rights abuses in Hong Kong, Xinjiang, Tibet, and other regions intensified in the ensuing period, one of the most important issues for the Commission in dealing with China was to conclude the CAI. Human rights were included in the deal, mostly in the form of committing to ratify ILO conventions on forced labour. Commission President Ursula von der Leyen tried to highlight this aspect of CAI in her statements on the agreement, calling it a "landmark" in the value-based trade agenda with China; in a similar fashion, Valdis Dombrovskis, Executive Vice President/Commissioner for Trade, suggested that the EU had combined a value-based foreign trade agenda with one of its largest trading partners with the agreement and secured binding commitments to combat forced labour (Commission, 2020c). However, the timing and content of the agreement were highly criticised by some MEPs and some member

states. For example, a Greens/European Free Alliance MEP Reinhard Bütikofer claimed that CAI's language on human rights is exceedingly weak, promising essentially nothing, and if the content was not corrected, the agreement would not pass through the Parliament (Le Corre 2021). An official from the Commission's DG-Trade (Interview #18, 03.10.2023), argued that these criticisms were unfounded and that it was their "mandate" to finalise the agreement since "there was consensus on member states" and "a very wide political support for this in the European Parliament." Thus, the Commission was "only the negotiator" and its duty was to pass an agreement when it made the deal "passable." He maintained that especially in terms of Trade and Sustainable Development, the agreement is "the most advanced":

"On paper, we've achieved something quite remarkable .. [President Xi] could have said "No, this goes too far" but he did say yes, and we concluded the agreement. This was difficult and China did go very far, further than anything else it has ever concluded."

On the other hand, a policy advisor to an MEP (Interview #7, 10.10.2022) said that the sustainable development clauses were "potentially overselling" and that the agreement was "creating a level of expectation that was not necessarily reflecting the reality." After the Council took the decision to impose sanctions on four Chinese officials in Xinjiang and the XPCC PSB, forced labour found more place in the discourse of the Commission. For instance, at the 2021 State of the Union (SOTEU), the Commission President's annual address to the plenary of the Parliament in September, President von der Leyen (2021) implicitly blamed China and expressed that doing business around the world "can never be done at the expense of people's dignity and freedom", and that the EU could never accept forced labour and the sale of products made in this way in European stores. She gave a similar speech at SOTEU-2022, describing the rejection of the evidence of Uyghur forced labour camps by Chinese-sponsored research centres in Europe as toxic lies. She stressed that just as FDI in Europe is screened for security concerns, the same should be done for values, and that there is a "need to better shield ourselves from malign interference" and that the EU "will not allow any autocracy's Trojan horses to attack" to European democracies from within (von der Leyen, 2022). In this regard, President von der Leyen's Chinese stance is observed to be increasingly "hawkish" (Interview #31 A China expert from Czechia, 25.10.2023; Caulcutt et al., 2023).

In summary, when the stances, discourses, and initiatives of the Commission with China in the field of human rights are examined, it is seen that human rights were included in many communiqués and discourses of the Commission. After the Tiananmen events, while some member states gave up on human rights objectives sooner and prioritise their interest more, the Commission played a somewhat broker role in human rights in this process. In other words, as explained in the previous section, under almost all conditions, the Commission supported

tangible interests such as signing trade agreements and pursuing increased commercial gains, as some member states preferred. On the other hand, the Commission aimed to develop responses to requests from the public, NGOs, some other member states, and Parliament for the promotion of human rights in China. For a long time, however, the latter played a more secondary role in the policies researched, and a policy change in human rights was not proactively pushed by the Commission. Instead, for the Commission, the process proceeded in the form of less insistent demands on dialogue and bilateral negotiations, and summits with no practical political output, and the Commission maintained its relationship with China in the cooperative first phase since the years when the relationships were established. It thought that economic development would ultimately lead to progress in political and social rights. However, this wishful thinking of the Commission did not materialise. On the contrary, China began to defend its principles more assertively while designing its policies (Holslag, 2011, p. 309). While its attitude changed slightly since the mid-2010s, the Commission's criticism of China on human rights increased as a result of China's harsh practices in Hong Kong, Xinjiang, and other regions. Yet, it remained a question mark to what extent these criticisms would affect trade and investment cooperation, as evidenced by the conclusion of CAI in 2020. After the counter-sanctions in 2021 and the start of the Russia-Ukraine War in 2022, Commission President von der Leyen's stance towards China appeared to have toughened and transitioned more determined towards the second phase.

5.2 The Council of the European Union

Similar to the Commission, it is difficult to talk about an agenda focused on the development of human rights in third countries for the Council before the 1990s. During this period, foreign and security policy was not already part of the institutional structure of the EC, instead, representatives of member states in the EPC interacted ideationally to provide coherence in foreign policy. When diplomatic relations were established with China in the 1970s, the priority of the EC and member states was to develop bilateral trade, so the Council's general approach was to evaluate the cooperation agreements submitted by the Commission and accept agreements that member states deemed in their interests. The government's harsh intervention in pro-democracy demonstrators in Tiananmen Square and the EC's response to it was unprecedented in this respect. One day after the events on 5 June 1989, the heads of state and government in the European Council (1989, p. 25) criticised the violence used by the PLA against the protestors.

Three weeks later, at the summit in Madrid, the European Council reiterated its accusation of the Chinese government's policies. The Presidential Conclusions (European Council, 1989, p. 17) released after the summit expressed satisfaction with the progress resulting from the increasing role of the EC in international relations, its increasing involvement in global issues, and the

consistency between EC objectives and political cooperation; advocated for the active role of the EC in promoting the profound changes and reforms in Eastern European countries; but regretted human rights violations take place during these changes. The results of the summit, therefore, provided a substantial perspective in assessing the political atmosphere in Europe in 1989. The summit conclusions did not include much detail on the situation in China. In fact, excluding the annexes part, China was included in the results as only a single sentence in the Political Cooperation-Asia subheading: “The European Council has expressed its deep concern over the situation in China and has approved the attached declaration [annex II]” (European Council, 1989, p. 21).

Annex II detailed this criticism. Here, the European Council (1989, p. 25) vehemently denounced the brutal repression occurring in China and expressed “its dismay at the pursuit of executions”, appealing to the Chinese government to put an end to the executions and other forms of repression against people who rightfully assert their democratic rights and called on the authorities to respect human rights, and considered adopting the following measures were necessary: raising the issue of human rights violations in China in appropriate international forums; requesting independent observers; cutting military cooperation by member states and imposing an embargo on arms trade with China; suspending bilateral ministerial and high-level contacts; postponing new cooperation projects by the Community and member states; reducing cultural, scientific, and technical cooperation programs to activities that could only be meaningful under current conditions; extending visas for Chinese students who wish to do so. Additionally, the European Council advocated for the postponement of the examination of China’s new credit requests by the World Bank. Thus, with the decisions of the Madrid Summit, the EC applied sanctions against China for the first time due to human rights violations.

Subsequently, as the conclusions foresaw, the repressive practices of Chinese authorities were repeatedly raised on international platforms. One of the most visible instruments of this was the campaign to get a decision against China in the UNHRC. Until the mid-1990s, EU member states struggled to pass a resolution condemning the situation in China, with a number of partner countries, notably the US. However, after the intended decision failed to materialise, the unity among member states decreased over time, and their support for initiatives in the UNHRC waned. Some member states, such as France and the UK, found ways to circumvent the arms embargo, which they said was not legally binding, and conducted military exercises with China (Casarini, 2013; Portela & Vennesson, 2013, p. 206) and argued that it is in the interests of both sides to put human rights into the background and focused on areas where they could improve cooperation.

This approach of member states was supported by the belief that it would enhance European interests while also fostering the development of human rights and freedoms in China. As a result,

efforts, particularly those aimed at re-establishing and developing cooperation, were accompanied by the promotion of a human rights dialogue between the EU and China. While the initiative at the UN was still going on, the first dialogue was held in Brussels in early 1995 and this was followed by a dialogue in Beijing in January 1996, but discussions were suspended due to EU member states' ongoing attempts to obtain a decision in the UNHRC (Baker, 2002, p. 58). After this year, there was a significant split in the support of EU member states for initiatives in the UN. The EU and China met in the third Human Rights Dialogue in Luxembourg in October 1997, and it was decided that two human rights summits would be held each year, one in Europe and the other in China.

However, abandoning initiatives on international platforms and focusing solely on Human Rights Dialogue brought about criticisms. For instance, Katrin Kinzelbach and Hatla Thelle (2011, p. 79) argued that the unity of the UN was lost in initiatives due to the profitable trade prospect of China, which attracted some EU member states, the human rights dialogue that replaced this initiative, on the other hand, did not provide the desired efficiency and is even counterproductive and risks contradicting the goal of improving the protection of human rights in China by diverting discussions from concrete problems in the field. Although many EU texts mention the progress of human rights along with the rising development in China (e.g., Commission, 1998b, 2001, 2003), the extent of concrete change in political rights and freedoms remained a controversial issue. As explained in more detail in the trade and cooperation chapter, the general approach of the Council during this period was based on prioritising the EU's interests and aiming to develop commercial relations, and in the first decade of the 2000s, the Council and its member states avoided decisions that would cause a radical change in relations with China. Therefore, it might be premature to say that the Council moved away from the cooperative first phase during these years.

Since the mid-2010s, China's increasing international ambitions and domestic pressures prompted the EU to reconsider its perspective on China and pursue a new policy. In order to achieve this, the Commission and HR (2016) jointly issued the 'Elements for a new EU strategy on China' communication on 22 June 2016, which was adopted by the Council four weeks later. The new strategy emphasised the EU's interests as well as universal values and was based on a positive partnership agenda with constructive management of differences. It also noted that the EU's engagement with China, outlined in the EU Global Strategy, was principled, practical, and pragmatic, while remaining faithful to EU values and interests (Council, 2016, p. 2). Additionally, the Council underlined that the promotion of human rights and the rule of law would continue to be a fundamental part of the EU's relationship with China; highlighted that the detention and harassment of human rights activists, lawyers, journalists, and pro-worker rights remained a significant concern in China; asserted that the EU would continue to encourage China to fulfil its

international obligations, comply with international standards, and respect its constitutional guarantees and commitment to the rule of law. Despite these concerns, the Council viewed a comprehensive investment agreement as the main priority for deepening and rebalancing the EU's economic relationship with China and suggested that after an ambitious investment reached, both sides might envision broader aspirations such as a free trade agreement, provided that conditions were appropriate for a longer-term perspective (Council, 2016, p. 3). In general, the Council's approach to the new strategy stressed human rights more than in previous years, but investments and trade continued to shape the nature of the relationship.

One of the most useful tools for tracking the traces of the Council's stances, discourses, and initiatives on human rights in China is the Action Plans on Human Rights and Democracy documents. The action plans are jointly prepared by the HR and Commission and presented to the Council's (and Parliament's) approval. On these action plans, the Council reiterated its support to EU institutions and the EU Special Representative for Human Rights (SRHR) (Council, 2015, 2020a). While the Council referred to broader objectives of supporting human rights and democracy in the adoption of the previous two action plans, the 2020-2024 action plan specifically addressed human rights violations, particularly exacerbated by the global pandemic; acknowledged a decline in universal and indivisible human rights, argued that the pandemic and its socio-economic consequences had negative impacts on human rights, democracy, and the rule of law by deepening inequalities and increasing pressure on vulnerable individuals (Council, 2020b, pp. 3–4).

Nevertheless, during these years, the Council was far from making a decision that would harm the EU's relationship with China due to human rights concerns. Whereas, before 2021, the Council made many decisions worldwide regarding human rights violations, including those in Belarus (CFSP, 2017c, 2018a, 2020a; Council Regulation, 2018), Burundi (CFSP, 2017d), Iran (CFSP, 2017a, 2018c, 2019a), Libya (CFSP, 2020c), Myanmar/Burma (CFSP, 2018e, 2018b, 2018d, 2019b), Nicaragua (CFSP, 2019c), South Sudan (CFSP, 2018f), Venezuela (CFSP, 2017b; Council Regulation, 2017), and Zimbabwe (CFSP, 2020b). The decision to impose sanctions on China began to be discussed more after the Council adopted the GHRSR with the CFSP 2020/1999, also known as the conclusion on "restrictive measures against serious human rights violations and abuses" on 7 December 2020 (CFSP, 2020e/1999). The founding father of the sanction regime was the Parliament, the Netherlands was the main driving force, and member states like Lithuania were among the supporters (Eckes, 2023, p. 59; MFA Lithuania, 2021b; Parliament, 2020, p. 5). On the other hand, there were member states "that were less interested in sanctioning" and "some also care less about human rights violations. Even amongst those who care equally about human rights .. [some] had different ideas as to the effectiveness of sanctions" (Interview #25 A member state official, 10.10.2023).

The Council started the decision numbered CFSP 2020/1999 by stating that it adopted this decision based on Article 29 of the EU Treaty and the proposal of the HR regarding this matter. The decision established a framework for restrictive measures against countries committing genocide, crimes against humanity, serious human rights violations or abuses⁹, and other human rights violations or abuses¹⁰ (Art. 1). These measures included preventing the entry into or transit through member states of natural or legal persons who commit human rights violations (Art. 2); freezing all funds and economic resources of individuals, entities, or bodies who hold, own or control such resources; and ensuring that no funds or economic resources are made available, directly or indirectly, to them (Art. 3). Thus, the Council developed a new and comprehensive framework for measures to be applied to serious human rights violations.

On 2 March 2021, the Council adopted the GHRSR's first sanctions which included travel bans, asset freezes, and prohibitions on funding to four Russian officials associated with the arrest of Alex Navalny (CFSP, 2021a/372). Following this decision, on 22 March 2021, the Council adopted a broader sanction decision covering a wider geographical area. The decision (CFSP, 2021b/481) stated that the Union continued to have deep concerns about serious human rights violations and abuses, such as torture, extrajudicial executions, enforced disappearances, or systematic forced labour committed by individuals and entities in different parts of the world, including China, the Democratic People's Republic of Korea, Libya, Eritrea, South Sudan, and Russia. In this context, eleven individuals and four entities were included in the list of persons, entities, organs, and companies subject to restrictive measures. Zhu Hailun, the former Secretary of the Political and Legal Affairs Committee of the XUAR, who was reported to have had a "key political position" in the practices in Xinjiang and was described as the "architect" of a wide-scale surveillance, detention, and indoctrination program; Wang Junzgeng, the Party Secretary of the XPCC, who oversaw XPCC's policies and was responsible for the use of "ethnic minorities as a forced workforce"; Wang Mingshan, the former Director and Deputy Party Secretary of the XPSB, who used the Integrated Joint Operations Platform (IJOP) big data program for tracking Uyghurs and sent to detention camps "those deemed potentially threatening"; Chen Mingguo, the Director of XPSB and Vice-Chairman of XUAR, who "holds a key position in Xinjiang's security apparatus" and responsible for "arbitrary detentions and degrading treatment inflicted upon Uyghurs and people from other Muslim ethnic minorities", were among the individuals subject to sanctions under this decision (CFSP, 2021b/481, pp. 27–30). In addition, the XPCC PSB, which was

⁹ Torture, inhumane treatment or punishment, slavery, extrajudicial or arbitrary executions, enforced disappearances, arbitrary detention.

¹⁰ Trafficking in human beings and migrant smuggling-related human rights violations, sexual and gender-based violence, violation or abuse of freedom of assembly and association, violation or abuse of freedom of thought and expression, violation or abuse of freedom of religion or belief.

responsible for implementing all XGCC policies, was also included among the sanctioned entities.

Thus, after about 32 years since 1989, the Council imposed sanctions on China for human rights violations. On the same day, China imposed sanctions on 10 European politicians and researchers, as well as four institutions, including the Political and Security Committee of the Council and European Parliament's Subcommittee on Human Rights, which led to the most problematic state of EU-China relations in the 21st century. So, the sanctions imposed due to human rights violations represented the sharpest break in the Council's stance towards China and became the most concrete indicator of its transition from the signals it started giving in the mid-2010s towards the questioning second phase of the relationship.

In the process leading to sanctions, there were already several areas of dispute between the EU and China, even though the new CAI had just been concluded. China had already begun to be defined as a systemic rival and its political, economic, and military ambitions had exacerbated the problems between them, however, according to one of Austria's former permanent representatives to the EU and Head of the European Union Delegation to China and Mongolia (Interview #17, Mr. Hans Dietmar Schweisgut, 14.11.2022), due to the complex structure that includes many institutions, member states, and the private sector, the EU was "slow in responding to China's initiatives." Therefore, adapting the EU's policy to the changing partnership and rivalry balance took some time. Under these conditions, an official from German Permanent Representative to the EU (Interview #6, 07.10.2022) stated that the CAI is "dead as it could be", but bilateral trade between countries is likely to continue, and trade and investment relations may also continue with the Commission's trade policy toolbox. However, in the coalition formed after Chancellor Merkel in Germany, the Greens appear to be more committed to advocating human rights in foreign policy. This could also affect Germany's position in the Council and result in an increase in China-related disputes in Germany's and the EU's external policy. An MEP from the European People's Party (Interview #21, 05.10.2023) also expects that the Council will become increasingly critical of China on human rights issues:

"[It will] change over time with ever more countries that will decouple from China, or at least, de-risk or diversify away from China which might give them space more to criticise. The fact that Italy exited the Belt and Road Initiative, for example, is quite symbolic in a way. Lithuania is ever more prominent in its voicing and I think more countries will follow. So, I would imagine that over time, the individual member states or the Council as a whole might also become more critical and voicing more its values in foreign policy."

In conclusion, when examining the Council's long-term stances, discourses, and initiatives towards China in the field of human rights, it can be seen that, following the unsuccessful attempts to pass a resolution in the UNHRC in the early 1990s, the Council treated the issue as a low-priority agenda item. The Council's decisions, conclusions, and regulations primarily focused on maintaining trade, balancing investment, and ensuring equal conditions for the EU. Although the Council imposed sanctions for human rights violations in many regions worldwide, it refrained from making decisions that could strain its relations with China until the third decade of the 2000s. This attitude towards human rights underwent a major change with the adoption of the GHRSR by the Council in December 2020 and Council decided to impose sanctions on Chinese officials. The decision to extend the sanctions for another 12 months on 4 December 2023 (CFSP, 2023/2721) indicates that the Council's stance towards China regarding human rights will continue and without a change in attitude between the two sides, this issue can be predicted to remain a controversial area between them.

5.3 The European Parliament

As the most democratic institution of the EU, the European Parliament developed an institutional culture that supports democracy, human rights, the rule of law, and individual freedoms both in Europe and in other regions. This characteristic also reflected on the EU's human rights relationship with China. During the Cold War, concerns about mass executions in China following the implementation of the law and order campaign did not resonate much in Europe. The Parliament became the institution that raised the issue most within the EC, and between 1985 and 1989, it presented four question motions on the situation of human rights in China (Baker, 2002, p. 48), yet, human rights were a less discussed topic until the late-1990s. In the 1989 events as well, the Parliament was one of the most critical institutions of the EC towards China. While advocating for the embargo on arms trade implemented by the EC and the suspension of high-level relations due to the Tiananmen Square incident, the European Council issued a decision in October 1990 accepting the gradual continuation of high-level relations, and the Parliament decided to include China back in the list of beneficiaries of trade and cooperation agreement (Commission, 1995b).

After the decrease in initiatives at the UN and other international platforms and the initiation of the EU-China Human Rights Dialogue in 1995, the Parliament emphasised the importance of dialogue but also stressed that it must be "a realistic and frank debate" (Parliament, 1997) and concrete outcomes should be achieved. However, in the following years, the impact of the Human Rights Dialogue on the mentioned concrete outcomes remained highly debated, and the Parliament emerged as one of the leading institutions in pushing for the inclusion of human rights in relations with China. The Parliament and MEPs particularly raise the issue of protecting the

rights of ethnic, religious, and linguistic minorities in China (Parliament Resolution, 2002b, 2002a, 2006, 2007).

As trade relations between the EU and China rapidly developed, the Parliament repeatedly raised the need to consider not only EU interests but also EU values in the partnership with China. This stance of the Parliament continued to strengthen in the subsequent decades, and it called for the improvement of human rights in various areas. For instance, after China's accession to the WTO in 2001, the Parliament called for China to ratify the ILO in domestic legislation and to meet WTO standards in working and production conditions (Parliament Resolution, 2005b, 2006, 2007). Additionally, it adopted many resolutions on labour rights, working standards, women workers, child labour, modern slavery, and forced labour in China. It demanded the monitoring of these issues and urged the EU to encourage China to undergo a meaningful transformation in terms of human rights and worker rights.

The Parliament's demands regarding human rights in China can also be seen in its resolution on the Commission's communications and strategies. For instance, on the Commission's EU strategy towards China adopted in 2002, the Parliament appreciated China's support in the fight against terrorism, which became an agenda item for many countries after 2001 (Parliament Resolution, 2002a Art.4). However, it was more cautious about what was securitised within the scope of the fight against terrorism and it highlighted that the Chinese government should not use the fight against terrorism as a means of suppressing ethnic and religious communities. Similarly, in the resolution on the CFSP adopted in 2003, the Parliament saw progress in human rights in China as a precondition for the development of a strategic partnership between the EU and China, underlining that partnership cannot progress without tangible progress in this area (Parliament Resolution, 2003a Art.77). In other words, the Parliament expressed that it did not consider progress limited to trade and economic areas sufficient for developing the relationship (Parliament Resolution, 2005a Art.32). According to Parliament, the development of a partnership that was confined to these two areas would also be limited, and an overlap in the field of human rights and values was a must for the deepening of cooperation. Furthermore, the failure of the belief that liberalisation and an increase in human rights will occur in China through trade was another issue criticised by the Parliament (Parliament Resolution, 2009c Art.61), and it was sceptical about the possibility of achieving transformation through this means alone. Therefore, it can be said that in the early 2000s, the Parliament had concerns about the future of EU-China relations, these concerns were reflected in its decisions and statements, and it was one of the earliest actors within the EU to begin questioning concerns about human rights in China.

During this period, the Parliament's stance on another issue on the agenda, namely whether the EU should lift the arms embargo on China, was clear. According to the majority of MEPs, for any

consideration of lifting the embargo to arise, China must first had to demonstrate significant progress in human rights (Parliament Resolution, 2003b Art.1). Additionally, the threats posed by China to Taiwan led the Parliament to argue for the continuation of the arms embargo on China, and the Parliament's position on the embargo remained the same until this threat was eliminated (Parliament Resolution, 2003b Art.2). In other words, as for the Parliament, the development of the military dimension of cooperation could only have been achieved through concrete and meaningful progress in human rights and a reduction in China's threat of the use of force.

The Parliament's stance, which can be considered within the scope of the second phase, became even more visible by the 2010s. Some autonomous regions and minorities in China, namely, Tibet, Hong Kong, Macao, Inner Mongolia, and Xinjiang were among the regions most discussed by the Parliament. MEPs issued numerous questions regarding restrictions on freedom of expression, deficiencies in fair trial and the rule of law, arbitrary arrests, and inhumane treatment of prisoners in these regions. The Parliament repeatedly condemned the violations of fundamental human rights and freedoms in Tibet, Xinjiang, and other places (Parliament Resolution, 2010b, 2010a, 2011a, 2011e, 2011b, 2012a, 2012c, 2013c, 2017a). It called on the EU Commission and member states to raise this issue more prominently in summits with China. It also urged EU institutions and member states to ensure a unified stance towards China and to balance interests and values in policies to promote the establishment of human rights in China (Parliament Resolution, 2012b Art.93, 2013b Art.2).

Therefore, compared to other institutions, it can be observed that during these years, the Parliament has been the institution that has brought the issue of human rights with China to the forefront the most. For instance, in the CAI deal, the Parliament argued that the agreement must be compatible with the EU's core values and contribute to the advancement of human rights. While acknowledging the significant importance of the agreement for EU interests, the Parliament emphasised that its content and the human rights dimension were vital for the EU, and the agreement should not be completed without including these aspects (Parliament Resolution, 2013b Art.23&36, 2020b Art.14). In other words, the Parliament recognised the importance of ensuring a level playing field with China for the EU's interests, but it believed that an agreement focused solely on interests cannot be defended.

In addition, the increasing disputes with China and concerns about its domestic and foreign policies since the mid-2010s were also reflected in the decisions and statements of the Parliament. From this period onwards, the Parliament took various decisions regarding human rights violations such as the arrest of minority opinion leaders and restrictions on freedoms within the country, as well as international law violations such as actions against the UNCLOS decision and cyber-attacks (Parliament Resolution, 2013a, 2016b, 2017d, 2017b, 2017c, 2017a, 2018c,

2018d, 2018b, 2018a, 2019b, 2019a). As MEPs started to take the challenges posed by China more seriously and engaged in further discussions in the Parliament, the concerns about China's repressive policies, particularly regarding human rights abuses against Uyghurs, led to discussions on imposing sanctions on Chinese officials and urging the Council to take action on this matter (Parliament Resolution, 2019c Art.12). Therefore, while it is often said that the Parliament has always advocated for human rights, it can be seen that its discourse has become increasingly firm compared to previous decades by the end of the 2010s.

The Parliament's increasingly hardened stance towards China became even more pronounced in the 2020s. Following the growing suspicion regarding the detention of Uyghurs in camps under the guise of re-education centres, the Parliament called on the Council and relevant EU officials to take this issue more seriously. GHRSR provided a framework for the Parliament's demands, and many MEPs advocated for targeted sanctions associated with human rights abuses (Parliament Resolution, 2020c Art.20).

“Some were more in favour of sanctions than others. Especially those MEPs that were sanctioned by the Chinese government were definitely in favour. I also welcome sanctions against Chinese officials guilty of violating human rights or international law .. China's claim to great power collides with the values and boundaries of the EU. For me personally, the human rights situation and the treatment of the Uyghurs play an extraordinarily important role in future cooperation with China. The Chinese government is committing genocide. This cannot be ignored in cooperation.” (Interview #27 An MEP from Renew Europe, 11.10.2023)

In this regard, the Parliament was at the forefront of encouraging the Council to impose sanctions on Chinese officials in Xinjiang and the XPCC PSB under the GHRSR on 22nd March 2021, pushing for the EU to impose sanctions on China once again for human rights reasons since 1989. The Parliament's policy regarding sanctions can also be traced to the retaliatory sanctions imposed by China on European individuals and institutions. Instead of targeting the Council, which imposed sanctions on Chinese politicians, or the politicians of member countries within the Council, China mainly targeted the MEPs and the Parliament, except for imposing sanctions on the Council's Political and Security Committee. This was evidence of the Parliament being the most vocal within the EU regarding the human rights situation in China. Following Chinese sanctions, the Parliament condemned the sanctions and demanded their immediate removal. It stated that if the sanctions were not lifted, the ratification of the investment cooperation would be frozen (Parliament Resolution, 2021a Art.10). According to the resolution adopted on 20 May 2021, with 599 in favour and 30 against votes, MEPs concluded that an agreement with China is not possible as long as the sanctions remain in effect (European Parliament, 2021):

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“European Union sanctions individuals who are responsible for the abuse of human rights when China sanctions the EU and European Parliament members specifically for criticising them for not keeping up with human rights .. Can really the European Union just forget that they have sanctioned the Parliament members or the fact that the atrocities are still ongoing?” (Interview #28 A Parliament Officer for China and Southeast Asian Countries, 12.10.2023).

Although it is not yet clear whether China would lift the sanctions targeting the Parliament, it is unlikely that there will be a change in this policy as the EU renewed sanctions against the authorities in Xinjiang and the XPCC. Thus, as long as the EU sanctions remain in effect, it can be predicted that China will not unilaterally lift its sanctions and the CAI will remain on the shelf. In fact, a policy analyst at the European Parliamentary Research Service (Interview #11, 18.10.2022) approached this with scepticism and said “There are a lot more activists in the European Parliament than among the Commission .. I wonder if the European Parliament could be convinced to ratify it, even if the sanctions would be lifted” adding that more might be needed for normalising. An MEP from Greens/European Free Alliance (Interview #14, 19.10.2022) listed these extras as follows: China “needs to stop its domestic genocide as well as its export of the digital surveillance system to other authoritarian regimes. It also needs to stop stealing our technology.” According to her, since this will likely not happen, so any large-scale cooperation plan “is likely doomed.” Therefore, the sanctions advocated by the Parliament and its external policy stressing various values and interests affected multiple dimensions of the EU-China relationship.

In conclusion, based on the long-term stances, discourses, and initiatives of the Parliament towards China, it can be seen that the Parliament is the institution that highlights human rights and EU values the most in the relationship. During the Cold War years, the Parliament was perhaps the only institution in the EC that questioned the situation of human rights in China in a meaningful way, and its stance remained similar after the Cold War, emphasising that rights, freedoms, and EU values should also be included in the boosting trade and economic relations. The increase in China’s repression towards the international community and minorities within the country after the early 2000s led to the Parliament questioning the EU’s China policy more extensively. While other institutions and EU actors were still at a low level of alertness regarding China during this period, the European Parliament was the only EU institution that was open and vocal about China’s human rights violations (W. Shen, 2013, p. 168). In other words, among the key EU actors, the institution that entered the second phase earliest was the Parliament, and with the questioning policies it pursued, it influenced both other institutions and EU member states at various levels. Even before the EU’s decision to impose sanctions on the Chinese in Xinjiang, the

Parliament had adopted numerous resolutions calling for sanctions, thereby making a significant impact on the shaping of decisions.

5.4 The European External Action Service

During the tenure of Javier Solana, the first person appointed to the HR position before the establishment of the EEAS, China's place in the EU's foreign policy was primarily in the fields of commercial relations and trade partnership, with human rights relatively taking a back seat. The agendas of both HR Solana and European countries, as well as the US, during this time, were largely occupied by counter-terrorism efforts, crises in the Balkans and the Middle East, and the inclusion of new states into Western institutions. Under the leadership of HR Solana, the first security strategy document known as ESS underlined that China's high growth had lifted millions out of poverty (ESS, 2003, p. 8) and emphasised the need for the EU to consider China as a strategic partner along with countries like Japan and Canada (ESS, 2003, p. 42). He argued that a strategic partnership with China would bring stability to the region and the international community (Solana, 2004). Additionally, HR Solana called on China to take action against military regimes that used violence against pro-democracy protesters, such as the case of Myanmar (DW, 2007). But in fact, crises in other regions had a relatively greater prominence on HR's busy schedule compared to China and human rights.

Catherine Ashton, who became HR in 2009, placed greater importance on the relationship with China compared to the previous era, and developing relations with strategic partners, including China, became one of her priorities. With the establishment of the EEAS during this period, she held the position of HR/VP and aimed to enhance EU-China trade and investment relationships while incorporating discussions on human rights, freedom of assembly, and freedom of expression in China into her speeches. She stated that the EU closely monitored the human rights situation in the Tibet Autonomous Region and the Union was "worried by restrictions on expressions of Tibetan identity and freedom of expression in Tibet", and all of which were raised in the recent EU-China Human Rights Dialogue (Ashton, 2012d). She also mentioned the support for initiatives by the UN High Commissioner for Human Rights in this field and invited the parties to engage in "a meaningful dialogue" (Ashton, 2012b). Similarly, regarding the protests and arrests in Hong Kong, HR/VP Ashton urged China to "respect the freedoms of opinion, information, and peaceful assembly" and highlighted the importance of finding "a solution acceptable to all parties" (Ashton, 2014a). In general, while emphasising strategic partnership, she adopted a stance that also drew attention to human rights violations in mainland China and its autonomous regions. Nevertheless, during this period, EU-China relations received relatively less attention in the agendas of both the EU and the EEAS compared to the subsequent decade, and the relationship did not encounter much significant tension.

During Federica Mogherini's tenure as HR/VP, which began in November 2014, the differences between the EU and China became more visible. In the EU's new security strategy in 2016, the EEAS did not identify China as a competitor or a security threat. It stated that the EU would support freedom of navigation in East and Southeast Asia and adhere to international law on maritime issues, but it avoided direct mention of China. China was positioned in the strategy as a country where trade and investment would be deepened, while human rights would continue to be part of the dialogue (EUGS, 2016b, p. 38). In other words, instead of the more critical approach we encounter in Parliament, the EEAS stood somewhere between the first and second phases during these years.

This approach seemed to evolve in the 2019 Strategic Outlook, in which the EEAS, along with the Commission, was a co-initiator. Following this conceptual shift, HR/VP Mogherini highlighted collaboration with China in various areas such as climate, SDGs, and supporting a rule-based international order. However, she also acknowledged significant divergence in certain areas: “[I]t would be quite naïve, if not ridiculous, to hide that we have differences in the ways in which we address our governance and our political systems” (quoted in Valero, 2019). Human rights and China's restrictive policies in this domain were prominent among the divergent areas. HR/VP Mogherini advocated for a balanced approach in this regard, emphasising the importance of not side-lining values:

“But of course the most outstanding disagreement we have with China concerns the human rights situation in China .. We know that the Chinese government does not share all our principles and values, and they know that we are in different places on some issues. It is also very clear that we will not sacrifice our values in the name of *real-politik*. We are always very clear on that.” (Mogherini, 2018c)

While the discourse against placing values behind interests is important, HR/VP believed that relations with China were more complex than this, and on 8 March 2019, in a press conference following the EU-China Strategic Dialogue, she expressed determination to strengthen cooperation and strategic partnership. She acknowledged issues in human rights, asserting that these were normal because “the picture is not just black or white” (Mogherini, 2019). Some statements by the EEAS criticise problems such as the detention of Tibetan and Uyghur activists, the education camp system in Xinjiang, the death penalty, restricted freedom of expression, child rights, limitations on rights in Hong Kong, and the lack of judicial independence (EEAS, 2018, 2019). However, growing concerns about the deteriorating human rights situation in Xinjiang and other regions led to criticism of the EEAS and HR/VP, with critics arguing that their actions were insufficient and that the partnership with China was prioritised over other issues (HRW, 2019).

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Josep Borrell, who held the chief diplomat position starting in late 2019, became HR/VP at a time when EU-China relations were facing more challenges compared to the previous decades. During his time, concerns over Beijing's domestic and international ambitions increased in Europe. Highly disputed new issues emerged such as cyber-espionage, Covid-19, disinformation, and Xi Jinping's "no-limits friendship" (Robinson, 2023) with Russia attacking Ukraine, while crises related to Taiwan escalated:

"The overall argument that the dependencies could be weaponised was kind of discredited at the time. Now the tables have turned. And of course, the Russian invasion was also another thing that changed a lot of things, before that Covid, the Chinese activities like the propaganda during Covid, the politicisation of the pandemic, and the mass diplomacy and all that many things one on top of another have contributed to the change of thinking .. it's a different environment from five years ago, a very different one." (Interview #31 A China expert from Czechia, 25.10.2023)

Furthermore, China's suppression of ethnic and religious minorities was another disputed issue. This was reflected in the EEAS through a noticeable strengthening of the rhetoric compared to HR/VP's predecessors. HR/VP Borrell believed that Europe should strengthen its strategic autonomy to defend its interests against China (Zalan, 2020) and clarifies that Chinese disinformation posed a security threat during the pandemic (Borrell, 2020c). He argued that a more realistic approach was needed to balance values and interests in the relationship with China. He claims that disinformation was used to undermine human rights and stressed that the EU should take a stand against it (Borrell, 2020a). He also criticised China's increasing suppression of minorities, noting that China was seriously undermining the freedoms in Hong Kong, and affirmed that the EU would not merely observe attempts to curtail these freedoms but would provide a comprehensive EU response (Commission, 2020d). Indeed, in March 2021, the EU imposed sanctions on Chinese officials. When China retaliated with counter-sanctions, HR/VP Borrell labelled them as "regrettable and unacceptable" stating, "Instead of changing policies and addressing our legitimate concerns, China has again turned a blind eye" (DW, 2021).

In conclusion, when examining the EEAS's and HR/VPs' long-term stances, discourses, and initiatives regarding human rights in relation to China, it can be observed that the trajectory of relations with China during the period of the EEAS's establishment and the subsequent years has brought about a certain degree of change in the institution's policies. While the partnership dimension of relations with China was relatively prominent in the late 2000s and early 2010s, human rights were on the agenda of the EEAS and HR/VPs, but to a limited extent. In the following years, as China appeared more ambitious externally and more oppressive domestically, leading to a need for recalibration in EU foreign policy, the EEAS began to address the human rights

situation in China more prominently than before. However, until the 2020s, human rights were not allowed to cause a rupture in the relationship. After the 2021 sanctions, a significant transformation can be observed in the attitude of HR/VP, as human rights abuse in China, including camps and forced labour, is mentioned more often. In this regard, similarities can be found in the transition from the cooperative first phase to the questioning second phase between the EEAS and another supranational institution, the Commission.

5.5 Germany

In the 1970s, after establishing official relations with China, West Germany's relations with the country primarily progressed on a commercial and economic basis. Especially in the 1980s, German leaders were eager to develop relations with China. One aspect of this was aimed at achieving increased prosperity through trade. The other aspect can be considered a continuation of *Ostpolitik*, characterised by the approach of effective multilateralism, and change through trade in international relations, led by Chancellors Kohl and Schröder, under which it was believed that commercial relations and economic liberalisation would eventually lead to political liberalisation (Kundnani & Parello-Plesner, 2012). In other words, German leaders believed that by deepening trade relations with China and supporting its openness to the outside world and economic liberalisation, it was possible to achieve a transformation towards a more democratic and liberal political order in China, respecting the rule of law and human rights. The violent suppression of Tiananmen Square protests posed a significant challenge to these goals. Many Western governments issued condemnations after the Chinese PLA used disproportionate force against the protesters. West Germany was among those who criticised the way the Chinese government handled the demonstrations. They condemned the "outrageous" measures taken by the Chinese government against its own people (Q. Shen, 2019, p. 10) and invited China "to return to its universally welcomed policies of reform and openness" in a manner that evoked the increasing openness of China and the progressing bilateral trade relations throughout the 1980s (McFadden, 1989). At the European Council summit in Madrid on 26-27 June 1989, Germany was among the countries that decided on an arms embargo against China.

However, especially with the reunification of Germany and the end of the Cold War, there can be talk of a political will to put the Tiananmen Square incident behind. For instance, Berlin, in its eagerness to rapidly develop and advance relations with Beijing, participated in efforts to lift the arms embargo imposed after Tiananmen (Tang, 2005, p. 319). When many EU member states, led by Denmark, the UK, and the Netherlands, sponsored drafts in the UNHRC to condemn China (Rühlig et al., 2018), Germany adopted a cautious approach to avoid harming bilateral relations. The belief in economic trade and openness leading to political and social transformation in China, along with the practice of 'silent diplomacy' on human rights (Wong, 2006, p. 99), became

fundamental principles of German foreign policy towards China. German political elites thought that they could adopt a more “patient” approach instead of “punitive measures” towards human rights in China and, as Hans Kundnani and Jonas Parello-Plesner (2012, p. 4) argued, they implemented a “stealth” human rights program by developing China and making reforms based on trade rules.

Germany’s stance led to the initiation of the EU-China Human Rights Dialogue initiative instead of making a decision at the UNHRC, allowing Germany’s relations with China to rapidly develop throughout the 1990s and the early 2000s. However, it is debatable how well this approach worked. For instance, according to Human Rights Watch (HRW, 2000), this policy resulted in human rights becoming a “behind closed doors” issue, failed to promote respect for universal human rights principles, and fell short of achieving significant progress in human rights.

Germany’s silent attitude towards human rights seemed to be disrupted in 2005 with Angela Merkel took office as Chancellor. During her first term in office, she paid more attention to human rights and values in foreign policy compared to Chancellors Kohl and Schröder, who had a ‘business-first approach’ (Barkin, 2021). Despite China’s strong opposition and the warning that the meeting could harm Sino-German trade, Chancellor Merkel met with the exiled spiritual leader of Tibet, the Dalai Lama, in her office in Berlin on 23 September 2007 (Reuters, 2007). Her policy was seen as breaking a ‘taboo’ about Germany not raising critical issues regarding China (Heiduk, 2015, p. 118). In response, the Chinese government suspended dialogue with Germany for nearly six months, causing concern for the German industry and businesses, particularly in the automotive sector, as China’s share in German foreign trade had been steadily increasing over the past two decades. When this attitude of Beijing coincided with the Eurozone crisis, Chancellor Merkel recalibrated her approach to relations with China, which were crucial for the German economy, and toned down her criticism of China’s human rights record (Barkin, 2021).

Berlin’s approach to China continued in this manner throughout the 2010s, with various ups and downs. Human rights remained a topic discussed within the framework of the EU-China Human Rights Dialogue and did not exert significant pressure. That is to say, although Germany signalled a shift towards the questioning second phase relatively early, in the subsequent years, it remained one of the most important actors in the cooperative first phase. The German government occasionally raised human rights violations but avoided harsh criticism of China and adopted an approach that sought to separate commercial and political relations. It was hoped that as China opened up and its prosperity increased, freedoms within the country would grow, and China’s human rights record would eventually improve. In this regard, Chancellor Merkel appeared to follow the change through trade approach like her predecessors. However, the situation regarding human rights in China did not turn out as German politicians had hoped, and

at the same time, Germany's dependency on China increased significantly compared to previous periods. This posed a handicap to initiating human rights-based initiatives that could potentially harm ties with China.

German officials, although not being too loud, began to voice criticisms of various practices by the Chinese government in the 2020s. The Federation of German Industries, BDI (2019), expressed the need to address the challenges posed by China more seriously and highlighted its systemic rivalry earlier than the Strategic Outlook issued by the Commission and the EEAS. After Beijing's plan to impose the NSL in Hong Kong, German Foreign Minister Heiko Maas stated that "legal principles need to be upheld" and added:

"The 'one country, two systems' principle and the rule of law are ultimately the basis for Hong Kong's stability and prosperity. Not even the security law can be permitted to call these fundamental values into question. Freedom of opinion and of assembly, and also the democratic debate in Hong Kong, must also be respected in future" (DW, 2020)

Concerns about the situation of ethnic minorities in Xinjiang and the detention camps, along with criticisms of activities in Hong Kong and Tibet, increasingly took part on the agenda of German officials. On 30 June 2020, involving 28 countries during the 44th session of the UNHRC, Germany became a signatory to a joint statement on human rights violations in China (Talmon, 2020). On 25 September 2020, during the 45th session, German Permanent Representative to the UN, speaking on behalf of the EU, expressed grave concern over China's "large network of political re-education camps, widespread surveillance, and systemic restrictions on freedom of religion or belief" against Uyghurs in Xinjiang and urged China "to uphold its national and international obligations, and to respect human rights, including the rights of persons belonging to minorities, especially in Xinjiang and Tibet" (von Ungern-Sternberg, 2020). And on 6 October 2020, during the UN General Assembly Third Committee meeting in New York, Germany led an initiative criticising China on behalf of a group of 39 countries, primarily from the EU. German Permanent Representative to the UN, Ambassador Christoph Heusgen (2020) stated that in Xinjiang, "widespread surveillance disproportionately continues to target Uyghurs and other minorities, and more reports are emerging of forced labor and forced birth control, including sterilization." In return, the Chinese envoy accused Germany of "spreading misinformation" at the UN (Talmon, 2020).

The heated debate between the German and Chinese envoys at the UN towards the end of 2020 can be seen as a signal of the EU's eventual imposition of sanctions on Chinese officials in March 2021, even though it did not prevent the conclusion of the CAI at the end of 2020. However, Chancellor Merkel, even after the sanctions, never became too vocal on human rights in China.

On the contrary, she kept a low profile and even refrained from openly condemning China's retaliatory sanctions, which included German MEPs (Brattberg, 2021). According to Peter Hefele, policy director of the Wilfried Martens Centre for European Studies, the official think-tank of the European People's Party (Interview #10, 12.10.2022), the CAI was also concluded because of "Mrs. Merkel's influence", and in this respect, her stance differed from that of other more critical institutions and countries:

"That was the last thing she wanted to get through. It reflects a different stand of, in particular, her and her government to China, where others have been already way more critical .. it was the very last day [of her Council Presidency], and it was clear if this will not happen, then it will be gone for almost ever."

The end of Angela Merkel's 16-year tenure in late 2021 brought some changes to Germany's China policy. Although Olaf Scholz, the new Chancellor, largely continued "the policy of Angela Merkel" vis-à-vis China, many ministers in the new cabinet expressed their dissatisfaction with Germany's increasing dependence and leaned "towards a stronger position on human rights when it comes to dealing with China" (Interview #6 An Official at the German Permanent Representative to the EU, 07.10.2022). Foreign Minister Annalena Baerbock was one of the most critical of the Beijing regime and suggested that the EU needed to consider values and interests together in its external policy towards China, stating:

"Long-term successful economic cooperation involves reaching understanding on common values and standards, otherwise there's an imbalance. The idea that it's possible to talk to some countries about economic policy only and exclude other problems from relations just doesn't work in a globalised world .. Values and interests are not opposites; this distinction is a dead-end. As a social, ecological market economy, we will only successfully assert our economic interests if we also defend the values of fair market access and fair treatment of workers." (Baerbock, 2021)

In a similar line, during her trip to China, she accused the Chinese government of increasingly curtailing human rights, adding "Where companies gain advantages at the cost of human rights, there is no fair competition" (The Guardian, 2023). Therefore, with the new government, human rights became a more discussed agenda item in Germany's relations with China. During this period, there were also discussions within the coalition government about de-risking and diversifying partnerships with China in economic relations. However, given the level of existing economic dependencies, the extent to which human rights can shape Germany's foreign policy decisions remains a contentious issue.

In conclusion, when examining Germany's long-term stances, discourses, and initiatives towards China, it is difficult to say that human rights have been the primary focus of German leaders in bilateral relations. From the early days of formal relations, the primary goal of German politicians towards China has been to develop trade relations, and progress in human rights has often been targeted as an indirect extension of progress in trade relations and economic interdependence. While Germany initially joined the arms embargo imposed on China after the Tiananmen Square incident, its policy of pressuring China to improve human rights quickly gave way to expanding trade volume and increasing economic interdependence. Rather than striving to make decisions on multilateral platforms like the UN, Germany preferred to encourage the Chinese government in the field of human rights through a non-binding summit mechanism within the framework of the EU-China Human Rights Dialogue.

From the 1990s to the 2020s, the promotion of human rights largely continued within this context, with Angela Merkel's first term being considered an exception. However, likely influenced by the economic crisis, she softened her initial policy of pressuring China on human rights, perhaps failing to call China's hand on disrupting trade relations, and pushed this area to the background in the relationship. Towards the end of 2021, it was observed that the new coalition government in Germany was more vocal about human rights compared to its predecessor. German officials were more eager to raise human rights violations at summits and in press statements. That is to say, in terms of this research's two phases, Germany's transition to the critical second phase mostly occurred in the 2020s. However, the economic ties and mutual dependencies between the two countries have made the impact of such strong statements and increased tensions on whether they will lead to a policy change more ambiguous. On the other hand, according to a German MEP from S&D (Interview 16, 07.11.2022), the external trade policy of Germany is "going more to a value-based one" due to the failure of the previous change through trade policy.

5.6 France

Since the establishment of official relations with the PRC in the 1960s, France, like Germany, prioritised trade and the economy as the primary areas of engagement with China. Both countries increased their bilateral interactions in the 1970s and 1980s as far as Cold War conditions allowed, and this cooperation continued to gain momentum after the end of the Cold War. They focused on areas where collaboration was possible. This policy also influenced France's approach to human rights in its relations with China.

However, France was initially one of the countries that most strongly criticised the violence against the demonstrators in Tiananmen Square. The French government first condemned the repression by Beijing following the events in June 1989. On 21 June 1989, the French Parliament

observed a one-minute silence in honour of the young people executed in China. On the same day, in a statement released by the Elysée, President François Mitterrand (1989) expressed his sadness over the young people executed by the Chinese government and stated that “[*in French*] As an interpreter of the emotion and disapproval of the French people, I launch a solemn appeal to the Chinese authorities to show clemency towards the other condemned people to capital punishment.”

Foreign Minister Roland Dumas’s statements were even stronger. After the events of 4 June, he first denounced the atrocities and stated that he was “dismayed by the bloody repression” of unarmed demonstrators (McFadden, 1989). He described what was happening in China as “atrocious” and said, “The totalitarian machine, in all its horror, is rolling. It turns what should be judicial decisions into veritable murders” (quoted in Weisskopf, 1989). The minister also emphasised that maintaining “normal relations” with China was no longer possible and that France foresaw the reconsideration of all cooperation programs with China, the interruption of high-level visits, and a review of the issue of cutting off dialogue (Le Monde, 1989). France was also one of the most influential actors in the efforts to impose an arms embargo on China. Therefore, it is quite noteworthy that French politicians, while initially criticising China to such an extent, soon adopted a stance that stressed cooperation more and downplayed human rights concerns.

Starting almost a year before the official date when the European Commission lifted economic sanctions in October 1990, Paris began violating these sanctions and offered new loans to China, granting the export credit guarantee agency the authority to cover the China risk (Wong, 2006, p. 90). France, a leading country among in the Airbus Club, aimed to expand trade with China, thereby increasing the country’s openness. Additionally, France was among the least supportive EU members of initiatives at the UNHRC. Instead, the country made efforts to initiate a human rights dialogue with China. This stance became even more apparent with the election of Jacques Chirac as president in May 1995. President Chirac was a staunch supporter of developing economic relations with China and did not want human rights to be a problem in this area. Ultimately, when France failed to convince other EU member countries to withdraw from the draft resolution against China sponsored by Denmark at the UNHRC, President Chirac decided to withdraw France’s support for the EU-sponsored resolution. France’s decision was questioned as prioritising short-term national economic interests over the collective long-term interests of the EU and weakening the credibility and reputation of the country (Wong, 2006, p. 94). The French administration, which aimed to further improve relations with China, also made efforts to lift the arms embargo introduced in 1989. President Chirac argued that the embargo did not respond to the political realities of the modern world (Portela & Vennesson, 2013, p. 207). In this regard, among the EU member countries, Germany and France can be seen as the two countries

that most strongly supported the establishment of good relations with China and opposed the imposition of an embargo due to human rights concerns.

France's close relationship with China and the relegation of human rights to the background can be seen as an exception for a couple of years after Nicolas Sarkozy was elected as president in May 2007. President Sarkozy expressed concerns about human rights violations in China more vocally than his predecessors, particularly on issues such as the situation in Tibet, and made several critical statements about China. While he refrained from mentioning Tibet and the Dalai Lama during his trip to China in 2007, he called on China to make more efforts on issues like press freedom, the death penalty, and the rule of law, as well as to fulfil its responsibilities in combating global warming (Hepher & Jarry, 2007). In the second half of 2008, when Mr. Sarkozy, who was also the President of the EU at the time, announced that he would meet with the exiled spiritual leader of Tibet, the Dalai Lama, tensions between France and China reached their highest level since 1989. Although the French President assured China that the meeting "posed no threat" to China, and therefore "no need to dramatise things", the Beijing government blamed the President for interfering in Chinese internal affairs (Al Jazeera, 2008) and announced that it had cancelled its participation in the EU-China summit, which had been held every year since 1998 (Traynor, 2008). The summit only took place during the rotating presidency of the Czech Republic after France, with Prague hosting the summit instead of Lyon. Extensive protests in France, including the prevention of the Olympic torch relay for the 2008 Beijing Olympics, also strained relations (Tompsett, 2008; Walker & Batty, 2008).

President Sarkozy appeared to be cautious about China's economic retaliation because anti-French protests and boycott calls emerged in China. Likely influenced by the impact of the economic crisis in Europe and the potential economic damage that further tensions with China could bring to France, the French administration sought to reduce tensions. In 2009, before the G20 summit, President Sarkozy and his Chinese counterpart Hu reportedly reached an agreement to leave the Tibet dispute behind (France 24, 2009). The following year, during his visit to China, President Sarkozy was eager to further develop the relationship. President Hu stated, "President Sarkozy's visit to China has opened a new page in Sino-French relations", indicating that the Tibet tensions were in the past and that the two countries were deepening their cooperation in many areas (France 24, 2010). In the run-up to the G20 Summit in 2011, France also sought support from China for Europe to overcome the Eurozone crisis (Flynn & Xin, 2011). This economic dependency on China hindered speaking out more forcefully on human rights, and this largely persisted until the 2020s, leading France to remain in the first phase for a longer period compared to actors like Parliament.

During President Sarkozy's successor François Hollande's tenure, human rights remained a controversial area in the French external relations with China. The President was criticised for "remaining silent about human rights abuses" (Villeminot, 2013) and France engaged in human rights dialogue with China partly within the framework of the Paris Climate Agreement's sub-articles. President Hollande repeatedly invited China to comply with the agreement (The Guardian, 2015), however, it is difficult to say that Sino-French relations during this period were centred on human rights. Similarly, during President Emmanuel Macron's leadership, France's relationship with China continued on an economic basis, but human rights became a more prominent issue, particularly due to the increasing violations. France, in particular, opposed the enactment of the NSL in Hong Kong and following the law, the Paris government announced the suspension of the extradition agreement for offenders (Guillot, 2020).

In December 2020, when the CAI agreement was concluded, French officials adopted an optimistic stance regarding the agreement and believed it was a sign of China's further opening. President Macron praised China for taking steps in the right direction, while other political figures such as French Junior Minister for Trade Franck Riester and French MEP Raphaël Glucksman criticised the agreement for lacking commitments regarding forced labour and having a weak commitment to ratifying the ILO convention (Nicolas, 2022, p. 57). These debates continued as the EU decided to impose sanctions on Chinese officials for human rights violations. However, France's willingness to escalate this tension is debatable. President Macron stated that he does not agree with countries like the US and the UK implementing harsher policies towards China and argued that Europe should follow its own policy. He sometimes framed this as 'European strategic autonomy' which basically aims "to equip the EU with the tools to take decisions and action independently based on its own interests" (Weber, 2022);

"I would say that we need to move from being a Europe of cooperation inside of our borders to a powerful Europe in the world, fully sovereign, free to make its choices and master of its destiny. This is the goal we should pursue." (Macron, 2021, cited in Maurice, 2022)

In this regard, the President did not pressure China too much on human rights and preferred not to raise this in his meetings with his Chinese counterpart (Jeannerod, 2023). Nevertheless, on 20 January 2022, the French Parliament exacerbated the tension in France-China relations by passing a resolution condemning China's actions against the Uyghur Muslim population as "genocide" (Leali & Lau, 2022). Therefore, France's interaction with China on human rights issues appears to be heading towards a more tumultuous period compared to previous decades.

In summary, when examining France's long-term stances, discourses, and initiatives towards human rights concerning China, it is observed that French leaders, except for 1989 and 2007-8,

mostly preferred not to prioritise human rights in their official relations since the 1960s when diplomatic relations were established. France attempted to separate areas where agreements could be reached from areas of tension, was willing to continue the cooperative first phase, and thus giving precedence to economic cooperation and treating issues like human rights that could harm it as lower priority agenda items. France's stance influenced the EU and other member states as well; particularly, its withdrawal of support for the UNHRC decision on China marked a significant setback for countries advocating human rights initiatives. In 2003, France, along with Germany, even submitted the official proposal to lift the arms embargo against China. Although there was a brief tension with China over human rights during Nicolas Sarkozy's early years in office, it was short-lived. The two countries continued to enjoy economic collaborations, while human rights remained an area of non-binding dialogue. In 2020, human rights debates were reignited due to China's practices in Hong Kong and Xinjiang. While French officials criticised China's repressive practices, trade agreements between countries continued, as seen in the previous section, and this situation has left the extent to which France can advance on human rights matters open to debate.

Conclusion

This chapter, examining the stances, discourses, and initiatives of key EU actors in the area of human rights towards China, revealed the deepening differences in their approaches over time. EU institutions and member states keen to continue trade and investment cooperation addressed Chinese challenges at a low level until the end of the 2010s. In this context, during a period of rising concerns about serious human rights violations, actors such as the Commission and large member states were slower to transition from the cooperative first phase to the more critical second phase of comprehensively questioning their relations with China. On the other hand, while not dismissing the importance of the partnership aspect of the relationship, some EU actors, primarily the European Parliament, who began criticising China's increasingly ambitious and repressive profile prior to cooperative institutions and member states, entered the second phase earlier. This led key EU member states and institutions to follow different agendas in EU foreign policy. The number of institutions and member states taking China-related issues seriously increased over the years, leading to a rise in the transition to the critical phase. However, there was also a difference in the intensity of the scrutiny among these institutions and member states. In other words, by the 2020s, the attitude of almost every EU institution and member state towards China became more questioning compared to the previous decade. However, the level of their criticism varied, and this continued to be a factor maintaining the gap in the policies followed towards China within the EU. All these divergences became the

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fundamental factor leading to and deepening the inconsistencies between EU institutions and member states, which will be presented in the next chapter.

Chapter 6 Horizontal and Vertical Consistency of the EU towards China

As discussed in the previous chapter, the EU's foreign policy-making process indicates a rather complex procedure involving various actors. One of the reasons for the EU's decisions regarding China sometimes appearing significantly different is due to the complexity of this process and the differing interests and priorities of the involved actors. Therefore, the coherency between the leading institutions and member states within the EU in its foreign policy-making is one of the most crucial components influencing the overall consistency of the Union in foreign policy.

Starting from this point, this chapter focuses on the harmony of key EU actors' China policies in foreign policy, as examined in the previous two chapters, and identifies potential inconsistencies among them. In other words, the chapter compares the long-term stances, discourses, and initiatives towards China between the four major EU institutions, namely the European Commission, Council, Parliament, and the EEAS, and the two largest EU member states, Germany and France. This allows for the exploration of two of the most prominent concepts in the realm of EU consistency: horizontal consistency, signifying the alignment among EU institutions and policies, and vertical consistency, which represents the coherence between EU institutions and member states. It reveals the extent to which these types of consistency are ensured when it comes to the EU's external policy towards China. The chapter analyses the overlaps and contradictions in the attitudes, discourses, and policies of EU actors towards China in a comparative manner, using the two-phase framework of the study, namely the cooperative first phase and the critical second phase. The differences in the transition of EU actors from the first to the second phase, as well as the intensity of their orientation towards the critical phase, led to a divergence in their approach to engaging China. This resulted in differing policy priorities, and consequently, the EU arrived at two substantially unlike decisions—finalising the CAI and imposing sanctions on Chinese officials.

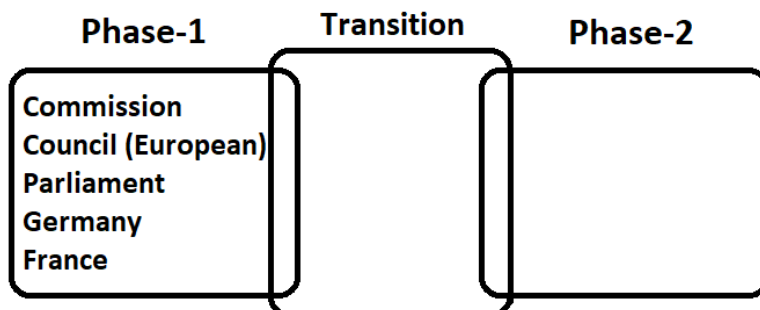
In this context, the chapter, first evaluates the relatively horizontally and vertically consistent period up to the 2010s, when all actors mainly focused on commercial gains during the rapidly developing relations within the framework of strategic partnership. This is followed by an examination of the increasing discrepancies between actors focused on interests in China and the increasingly visible China sceptics in the second decade of the 2000s. Finally, the chapter reveals that these discrepancies deepened, culminating in the imposition of sanctions on Chinese officials shortly after the conclusion of the largest investment agreement to date. However, it also notes that the number of actors entering the questioning phase is higher than in

previous decades and concludes by discussing whether this might lead to a shift towards consistency.

6.1 Until 2010: Developing Relations and Initial Struggles for Consistency

From the beginning of the 1970s, when official relations were established, the EU, formerly known as the EC, placed trade and investment at the centre of its relationship with China. Despite significant differences in key areas between the two, such as governance, rights and freedoms, economic models, and shared values, economic cooperation and the gains that both parties derived from it allowed these differences to remain in the background for many years. In the years following the establishment of relations, as explained in more detail in Chapter 4, in the rhetoric and initiatives of EU officials, the emphasis was predominantly on strengthening bilateral cooperation and developing the partnership aspect of the relationship. In this respect, commercial gains emerged as an area where EU actors could more easily reach consensus. Consequently, until the end of the Cold War, EC member states and institutions followed a relatively consistent approach towards China. This can partly be attributed to the fact that human rights were not yet a field actively promoted by the EC in third countries (W. Shen, 2013, p. 167). Although there were some individual cases of promoting human rights such as the French government did occasionally (Cohen, 1988, p. 40; Godement & Wacker, 2020), the European governments did not overall “treat China’s human rights as a diplomatic issue” (Wan, 2001, p. 67). Therefore, since all the European actors were somewhat harmonious in engaging China on an economic basis, the period up to the 1990s in EC actors’ relations with China can be described as the ‘Relative Consistency and Cooperative First Phase’. This can be modelled as in Figure 3:

Figure 3 Key stakeholders’ positions until the 1990s



Source: Author’s own elaboration

The first significant challenge to this phase of cooperation came with the Tiananmen Square events in June 1989. The imposition of an arms embargo did not immediately reduce the horizontal and vertical consistency within the EC. Initially, all key EC actors appeared to hold similar positions regarding the sanctions. The Commission issued a statement condemning

China for the violence against protesters and warned the Beijing government that its policy of brutally suppressing protests could harm cooperation between the EU and China (Commission, 1989). Since the Council of the EU had not yet integrated the CFSP into the EC structure during these years, sanction decisions were made by another intergovernmental body, the European Council. Likewise the Commission, the European Council criticised the harsh intervention against demonstrators and called on the Chinese government to stop the brutal suppression of protesters. During the Madrid Summit, 26-27 June 1989, the European Council went beyond criticisms of the EU merely being 'concerned' in times of crises. In the Presidential Conclusions published after the summit, the European Council expressed sorrow over the executions in China and invited officials to respect human rights. It also made the first sanction decisions that marked a turning point in EU-China relations in Madrid. In the detailed decisions outlined in Annex II of the conclusions, the European Council (1989, p. 25) decided to cut military cooperation with China, impose an embargo on arms trade with China, suspend high-level contacts with China, and postpone cooperation projects. The Parliament, which had already begun to raise the issue of human rights in China in the 1980s and submitted multiple question motions throughout the decade concerning Beijing's pressures and mass executions, was also supportive of the sanctions.

After establishing official relations with China, Germany engaged in trade and economic cooperation for decades, with only a few exceptional cases and years. The events of 1989 can be considered as one of the deviations in this policy. The West German government condemned the events in Tiananmen (Q. Shen, 2019, p. 10) and joined the decision for an arms embargo against China at the Madrid Summit. With a similar policy, after establishing its first diplomatic relations with China, France, the other large member state, did not prioritise human rights in its China foreign policy, except for a few specific periods or events. Instead, the Paris government chose to concentrate on areas of mutual interest, such as trade and investment cooperation, where they overlapped, rather than investing time and effort in an area where they diverged from China, such as human rights and core values. Meanwhile, the human rights situation in China remained largely overlooked as an area of concern. The June 1989 protests and the violent suppression of demonstrators by the PLA marked a period when France blamed China the most regarding human rights during the Cold War. In this regard, there was a certain overlap between the stances of the Commission, Council, Parliament, and member states immediately after the Tiananmen events. In other words, although the approach of EC actors towards China differed from previous years, this did not appear to immediately undermine the relative horizontal and vertical consistency.

However, the apparent harmony among EU actors in the sanction decisions of June 1989 did not last long, and the first cracks soon emerged. Disagreements among EU actors primarily surfaced in how to respond to human rights violations in China. One group of member states and

institutions prioritised a more pro-human rights stance in policies towards China. The others questioned the negative impact of this criticism on commercial cooperation and EU interest. This distinction dealt a significant blow to the adoption of a consistent approach by EU actors in foreign policy.

The Council decided to suspend high-level diplomatic contacts and impose arms embargoes in late June 1989. However, while the latter decision continues to this day, the former decision was rescinded shortly after. In October 1990, the Council decided to re-establish high-level relations, continue cooperation programs, and resume high-level talks between the EC and China (EPC Documentation Bulletin, 1990, p. 454). Thus, after approximately a year-long hiatus, the Commission continued official bilateral cooperation negotiations with China. This approach, unsurprisingly, gained more acceptance from China. In the 1990s, the EU generally maintained a pro-trade approach towards China, with the Commission being a leading actors in this strategy. In these years, the Commission not only became a “central actor” in the functioning of the EU, as Franco Algeri (2002, p. 66) put it, but also for the EU’s “external economic relations”, and engagement with China was not an exception for this. The common emphasis of the communications it published between 1995 and 2003 (Commission, 1995a, 1998b, 2001, 2003) was to develop the EU’s economic ties with China. Human rights remained an area included in the Commission’s communications on China but continued as an area for mutual goodwill-based dialogue.

The Parliament, on the other hand, approached efforts to normalise relations with China by institutions and member states more cautiously and advocated for initiatives to include human rights on the agenda of relations with China. Since the 1990s, Parliament emphasised the necessity of adopting a more balanced approach towards China. It not only highlighted the importance of the EU having “a cooperative rather than confrontational relationship” with China but also expressed that it deplored strongly the fact that “the Council and Commission were unable to defend a joint position on the issue of serious human rights violations in China at the meeting of the UN Human Rights Commission in Geneva” (Parliament, 1997).

On the other hand, the large member states that supported the embargo decision against China in June 1989 did not stick to this position for long. After the Chinese government did not change its suppressive domestic policies, they quickly returned to its previous approach, aiming to maintain commercial relations as before while simultaneously lobbying to lift the arms embargo. For instance, Germany pursued a strategy of supporting human rights through lower-level engagement and promoting human rights through openness and silent diplomacy (Wong, 2006, p. 99). This led to a policy that differed from member states such as Denmark, the Netherlands, and the UK, which sought to pass resolutions against China in the UNHRC. In other words, there

was an inconsistency between the Germany foreign policy of engaging in dialogue with China and the foreign policies of member states attempting to push through decisions on human rights in China on international platforms.

Similarly, French officials lobbied for cooperation with China in Europe, including the lifting of the arms embargo, in order to further increase bilateral trade (Kreutz, 2004, p. 51). In the 1990s, French politicians sought to re-establish and strengthen bilateral cooperation with the goal of sharing the benefits of the Chinese market. Naturally, this resulted in the human rights situation in China being overshadowed in French foreign policy. Additionally, a year before the official removal of the EU's economic sanctions against China, France began to weaken the impact of these sanctions by offering new loans to China (Wellons, 1994, p. 345), significantly undermining the unity of the EU. France, at the same time, did not strongly support the initiatives launched by other EU member states against China at the UNHRC. Instead, it made efforts to initiate the Human Rights Dialogue, which lacked any binding mechanism. Paris attempted to persuade other EU member states to abandon their drafts against China at the UNHRC, and when it failed to achieve this, it unilaterally decided to withdraw its support to the draft (Wong, 2006, p. 94). In this regard, while France's approach appeared more consistent with the other big member state, Germany, it caused a divergence with the policies of countries which sponsored the UN draft. Furthermore, President Chirac made efforts to lift the arms embargo, arguing that the embargo did not reflect the current political reality (Portela & Vennesson, 2013, p. 207), and although unsuccessful in this goal, it became one of the member states most pleasing to China in Europe.

Without garnering the support of major two member states, other member states were unable to pass a resolution against China in the UN successfully. Upon this, many EU actors began to pursue an agenda focused more on developing economic cooperation. Human rights remained an area included in the communiqués and summits of EU institutions and member states, but it remained a dialogue based on mutual goodwill. The Human Rights Dialogue, which China also preferred due to its lack of binding commitments in the field of human rights, took the place of UN initiatives. In short, a divergence on human rights became more apparent among EU actors, with a mismatch emerging between institutions and member states placing greater emphasis on trade relations with China and those advocating that human rights should not be overlooked at the expense of this prioritisation.

Throughout these years, the communications published by the Commission and the discourse and statements addressed in Chapter 4 and 5, covering other areas of collaboration and those planned, took up more space. The common denominator in all of them was the Commission's policy of increasing cooperation in its relations with China, supporting China's liberalisation, and having an expectation that this would ultimately improve human rights in the country. In other

words, increasing cooperation with China was not only economically beneficial for both sides but also, as China developed economically, it was expected to lead to what Commission President Prodi (2004) noted as “demands for greater individual freedom.”

However, over the years, the Commission did not observe significant progress towards the targeted transformation in China. While asserting, as in the communication titled ‘EU-China: Closer partners, growing responsibilities’, that responsibilities increase alongside the partnership, and that the Human Rights Dialogue should continue to yield more tangible results for the desired progress in human rights (Commission, 2006b, p. 4), the Commission, beyond raising this issue, did not have any explicit initiatives aimed at achieving concrete results in human rights in China or any pressure that would jeopardise trade cooperation. For example, during these years, the Parliament called on the Commission, the Council, and member states to reduce tensions between Tibet and China, initiate dialogue between the Dalai Lama and China, and appoint a Special Representative for Tibet on behalf of the EU (Parliament, 2004; Parliament Resolution, 2009a). Despite that, the Commission pursued a lower-profile policy regarding Tibet and human rights. In Europe, the months before the 2008 Beijing Summer Olympics also led to widespread criticism of Beijing’s repressive policies, but it is difficult to assert that there was significant criticism from the Commission towards China. All these factors can be considered as the beginning of the emergence of differences among EU actors in the field of human rights towards China. Throughout these years, the Council approved cooperation agreements drafted by the Commission, contributing to the strengthening of economic ties and the increase of China’s share in foreign trade. While the Council made various decisions against China on issues such as subsidies, dumping, or counterfeit products that could negatively affect EU markets, it did not allow human rights concerns to impact cooperation.

On the other hand, the Parliament has supported cooperation with China since the establishment of the first official relations, underlining the contribution of trade and investment to the well-being of European and Chinese citizens and the “need for continuing, enhanced cooperation between the EU and China, based on an intense dialogue, taking account of their vast mutual interests” (Parliament, 2002). While supporting trade, the Parliament has consistently been the institution that promotes human rights and universal values in China the most, adopting a stance distinct from more economically oriented or trade-focused actors. Issues extensively discussed in the Parliament regarding China included arbitrary arrests, lack of fair trials, violations of rights and freedoms, erosion of the rule of law, deficiencies in labour rights and working standards, and inhumane treatment of dissenters, particularly in Tibet, Xinjiang, Hong Kong, and Macao. Even in the early 2000s, when EU-China trade was increasing exponentially and the relationship was referred to as its ‘honeymoon’ period (Men, 2014; Shambaugh, 2007), the tone used by the Parliament was more demanding than that of other actors.

The Parliament, more frequently than the Commission and the Council, called for a focus not only on trade and investment but also on the necessity of supporting economic progress with progress in human rights. MEPs urged Beijing to take steps to improve human rights, including ratifying ILO conventions and aligning working conditions with WTO standards (Parliament Resolution, 2003a, 2005a, 2005b, 2006, 2007). Additionally, it adopted a series of resolutions concerning minority rights in the country (Parliament Resolution, 2002b, 2002a, 2006, 2007). During these years, while the Commission and many member states set the development of bilateral trade with China as a key goal to deepen the strategic partnership, Parliament underlined that without any improvement in human rights, the partnership would be limited (Parliament Resolution, 2003a Art.77). When initiatives to lift the arms embargo on China were pursued within the EU, especially by member states like France and Germany, the Parliament opposed these efforts. It argued that the embargo could not be lifted without significant progress in the human rights situation in China and in the absence of a credible resolution to China's threat of the use of force against Taiwan (Parliament Resolution, 2003b Art.1&2). Thus, it is evident that there was substantial difference between the Parliament's stance and that of the large member states, a gap that would deepen further in the future.

In those years, the EEAS was not yet institutionalised. When the HR position was first established in 1999 with the Treaty of Amsterdam and Javier Solana was appointed as the first HR, the primary objective in the EU's engagement with China was to strengthen economic ties. Therefore, human rights, while discussed within the framework of the Human Rights Dialogue, were a topic that did not produce concrete outcomes. HR Solana's agenda was filled with threats and developments closer to Europe rather than China. In the EU's first security strategy prepared under his leadership, China was considered among the strategic partners of the EU (ESS, 2003, p. 42). Furthermore, HR Solana argued that China should take the initiative in combating human rights violations in East Asia (DW, 2007). In other words, he made a distinction between regimes that committed human rights violations against pro-democracy protesters and China, indicating that China could be a responsible partner of the EU against those regimes.

In the late 1990s and early 2000s, the major member states also emphasised commercial cooperation in their relations with China. Although there was a brief setback in 1989 due to the incidents in Tiananmen Square, the relationship quickly recovered. Following the reunification of Germany and the increase in China's opening up, bilateral trade volume continued to rise dramatically. The belief that political liberalisation in China could be achieved through Germany's support for commercial partnerships and economic liberalisation, or the 'change through trade' principle, became the fundamental motto of Berlin's engagement with Beijing for many years. Consequently, Germany was one of the leading advocates for China's accession to the WTO (Malleon and Johnson 2001). In the early 2000s, considered the golden age of relations, the two

countries declared each other as strategic partners and committed to expanding the scope of cooperation. Similarly, France also advocated for boosting trade with China. In addition to trade, a strategic dialogue was declared in 2001 to enhance interaction in other areas, and in 2004, the relationship was elevated to a global strategic partnership. In this process, the capacity of the bigger member states, “the size of the bureaucracy that they have to deal with these issues” and “their national champions of industry, which many small countries they do not really have” helped them to determine the external policy course of the Union:

“It’s quite natural .. For example, when we talk about German automotive companies, they have a decisive role actually in shaping even bilateral economic relations between, for example, Central European countries with China. The decisions that are influencing the very structural nature of these relationships are often made actually in company headquarters.” (Interview #31
A China expert from Czechia, 25.10.2023)

Thus, the consensus on enhancing economic cooperation before 1989 briefly continued to support human rights after the 1989 events. However, this could not be sustained among EU actors regarding the priority of trade versus human rights. After the discord at the UNHRC, some EU institutions and large member states began to prioritise a trade-centric approach, while the Parliament took a more cautious stance, emphasising that trade and human rights should go hand in hand (Parliament Resolution, 2009c Art.61). Nevertheless, since the challenges posed by China were not as visible as they would be in subsequent decades, the rhetoric against China was not very strong. Therefore, despite various discrepancies among them, in terms of this research’s two-phase framework, EU actors remained within the cooperative first phase up until the 2010s.

The period following Angela Merkel becoming Chancellor of Germany in 2005 and Nicolas Sarkozy becoming President of France in 2007 marked a time when the boundaries of the cooperative phase were being tested. Chancellor Merkel criticised the business-first approach of previous governments during her first tenure. She accused their China policy of lacking principles, arguing that such policies damaged Germany’s international image and that German foreign policy needed to incorporate values more (Bundesvorstands, 2005, cited in Schnellbach & Man, 2015, p. 9). Despite warning that it would harm bilateral relations with China, she received the exiled spiritual leader of Tibet, the Dalai Lama, at the Chancellery office in Berlin (Reuters, 2007).

This raised expectations that human rights would play a more prominent role in Germany’s China policy. However, as relations with China worsened and negatively affected the German industry and markets, coupled with the Eurozone Crisis, the Chancellor re-evaluated her stance towards China. In her second term starting in 2009, her tone in criticising the human rights situation in

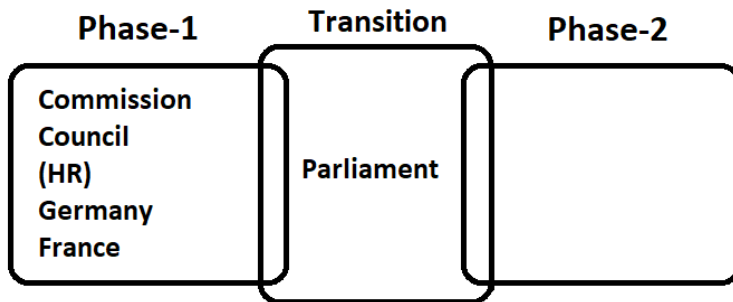
China significantly softened (Barkin, 2021), and she adopted a business-first approach similar to previous German governments. The influence of German companies and businesspeople, especially in the automobile industry, lobbying for enhanced cooperation with China on this policy cannot be overlooked (T. Haas & Sander, 2019, p. 12; Packroff, 2024). Consequently, Germany became one of the member states most resistant to letting concerns about China disrupt trade and remained one of the EU actors that sustained the cooperative phase the longest. Her approach led to a consistent foreign policy with institutions such as the Commission and member states like France, which place trade relations at the centre of engagement with China. This contrasted with institutions like Parliament attempting to address the deteriorating human rights record in China, as well as with certain member states like Sweden and Lithuania adopting a different policy stance.

After Nicolas Sarkozy became president following the May 2007 elections, France, like Germany during Chancellor Merkel's first term, experienced friction in its relationship with China due to human rights concerns. President Sarkozy, under pressure from public opinion, criticised China's human rights record on one hand and on the other hand, tried to pursue a policy that aimed to separate economic cooperation (Duggal, 2022). French officials sought to minimise conflicts as much as possible when it came to China, even downplaying disputes in diplomatic summits and meetings, to ensure that trade and investment collaborations continued without harm. During a period when Europe was grappling with the Eurozone Crisis, President Sarkozy, following protests in China calling for a boycott of French goods because the Frenchman met with the Dalai Lama, made extra efforts to mend relations with China and toned down the rhetoric on human rights. Meeting with his Chinese counterpart Hu Jintao before the G20 London Summit in April 2009, he announced that they had put disagreements over Tibet behind them (France 24, 2009), expressing the desire to normalise relations. In summary, France, when economic interests were at stake, opted for a policy that side-lined human rights, and this approach largely continued in the following years with the increasing dependence on China. Therefore, his policy led France to continue following the cooperative phase, increasing its alignment with other EU actors that prioritised trade and investment cooperation while decreasing its consistency with institutions and member states that advocated more strongly for human rights. These differences in approaches towards China among EU actors became more apparent in the second decade of the 2000s.

To summarise this part, from the initial diplomatic relations until the 2010s, Tiananmen was a turning point, but since all the key actors responded similarly, there was no major inconsistency among them. In the following years, the opportunities presented by partnering with China for Europe were more emphasised, and relations developed in this direction. During 2007-8, two big member states briefly raised concerns about human rights violations in China, but commercial

concerns prevented this process from being prolonged. The Parliament, on the other hand, while highlighting China's opportunities for Europe, started passing resolutions on human rights violations in the country earlier than other key actors. This positioned the Parliament in a transitional phase between the cooperative first phase and the critical second phase as early as the 2000s. This can be portrayed as in Figure 4:

Figure 4 Key stakeholders' positions until the 2010s



Source: Author's own elaboration

6.2 The 2010s: New Challenges and Increasing Incoherence

At the beginning of the 2010s, while there was no sudden, radical change in the overall trajectory of EU-China relations, both the economic challenges faced by Europe and the changing international climate, along with China appearing to adopt more ambitious policies under Xi Jinping's second term, led to increasing calls for the EU to recalibrate its policies (Brown, 2020; Fox & Godement, 2009; Huotari et al., 2020). Nevertheless, the leading EU institutions and member states did not respond to the changes in international politics and economics with the same approach. This divergence in their views on the policies to be pursued towards a rising and increasingly authoritarian China resulted in differing opinions and increased both horizontal inconsistencies among EU institutions and vertical inconsistencies between institutions and member states.

In the early 2010s, most of the EU member states increasingly needed trade with China, particularly to mitigate the impact of financial crises. Therefore, the Commission devoted a significant portion of its efforts to enhancing cooperation and partnerships that would benefit EU interests. This generally led to human rights issues taking a back seat on the Commission's agenda. One of these collaborations was the CAI negotiations. The Commission, authorised by the Council in October 2013 (Council, 2013, p. 8), began to conduct on behalf of the EU and held 25 rounds with Chinese counterparts until the end of the 2010s and brought the agreement to a finalisable condition (Commission, 2019c). Thus, alongside other trade and cooperation negotiations, the Commission made one of the major contributions to the trade and investment dimension of the relationship by finalising the CAI. On the other hand, from the mid-2010s

onwards, the Commission increasingly addressed human rights in its communications towards China compared to the previous period. This can be seen in the Commission's joint communication with HR/VP titled 'Elements for a new EU strategy on China' in 2016. The communication, which was significant for emphasising human rights more than previous text, called on China to respect human rights and protect the rights of ethnic and religious minorities, especially in Tibet and Xinjiang (Commission & High Representative, 2016). However, it had little to say about the review of relations with China and it did not bring a fundamental innovation to the relationship as much as the 2019 Strategic Outlook did.

The 2019 joint communication, commonly known as the Strategic Outlook, can be considered the first major break in its stance. Up to this point, while there were occasional references to challenges originating from China in its discourse and initiatives, they did not significantly impact the nature of the relationship (Interview #1 A Policy Official in the Commission Secretariat General's Strategic External Policy Issues – China and Indo-Pacific, 02.12.2021). But, the Strategic Outlook was an acknowledgment that China had now become an economic competitor. More importantly, for the first time, the Commission characterised China as a systemic rival due to its authoritarian governance and actions undermining international law. The communication reported a deterioration in human rights, especially in Xinjiang (Commission & High Representative, 2019, p. 2), and expressed readiness for cooperation to fulfil China's responsibilities. In short, by the time we reached the 2020s, the Commission had moved beyond a solely cooperative approach towards China, with the Strategic Outlook being the clearest indicator of its shift to a more critical second phase. Nevertheless, the intensity of this shift remained a matter of debate compared to other EU actors.

In the first half of the 2010s, it is difficult to categorise the Council's approach as purely cooperative or confrontational, and as an intergovernmental institution, its decisions more prominently reflected EU interests compared to other institutions. As China transitioned from pursuing low-level policies to more ambitious ones, the Council also began to update its attitude. It approved the Commission's EU strategy on China (Council, 2003) and expressed more concerns about China's increasingly hardline domestic and foreign policies compared to previous years. For example, it expressed the need for the EU to consider values and interests together in its engagement with China, emphasising the pursuit of 'principled pragmatism' in relationships, as suggested by HR/VP in the EU Global Strategy of 2016 (Council, 2016 Art.4). Additionally, it voiced concerns about the deteriorating human rights situation in the country and called for the protection of minority rights, particularly in Tibet and Xinjiang (Council, 2016 Art.5), and advocated that China should respect UNCLOS and other international agreements in the South China Sea and other regions (Council, 2016 Art.16, 2018 Art.7, 2021 Art.4&6). On the other hand, the Council highlighted that the main priority was a comprehensive investment agreement

to deepen economic relations between the EU and China, suggesting that after achieving this, there could be future developments such as a free trade agreement with China (Council, 2016 Art.7).

This stance indicated a belief within the Council that human rights goals would either ultimately be achieved through the development of trade or that they had not progressed significantly beyond rhetoric for the Council. During these years, the Council repeatedly made sanction decisions for many countries in various regions of the world due to human rights violations (CFSP, 2017d, 2017c, 2017a, 2017b, 2018a, 2018c, 2018d, 2018b, 2018e, 2018f, 2019a, 2019b, 2019c, 2020a, 2020c, 2020b; Council Regulation, 2017, 2018). Although the Parliament and some small to small/medium member states brought human rights violations in China to the EU agenda, until the 2020s, the Council did not make a decision that would damage bilateral relations. Instead, it imposed sanctions on individuals and companies involved in cyberattacks from China targeting Europe (CFSP, 2020d/1748; Council Regulation, 2020/1125). Thus, while the Council acknowledged the challenges posed by China regarding international law and human rights, it did not yet escalate its tone on these issues and did not evaluate China alongside other countries committing human rights violations.

Throughout the 2010s, the institution that most frequently raised concerns about the human rights situation in China, as in previous years, was the Parliament. It took a series of decisions to condemnation of China, especially focusing on issues such as freedom of expression, the right to assembly and demonstration, religious freedoms, deficiencies in fair trials, and the conditions of detainees (Parliament Resolution, 2009b, 2011b, 2011c, 2012c, 2016c). It stressed that cooperation with China should not only be leaned over on interests and highlighted that human rights should not be ignored at the expense of maintaining economic relations.

The Parliament itself acknowledged that consistency in the EU's relations with China was problematic and called for both institutions and actors to pursue a more consistent policy (Parliament Resolution, 2012b Art.93). It was more proactive than other EU institutions in making decisions that disturbed the Chinese government, including calling for the release of Chinese human rights activists (Parliament Resolution, 2010b, 2016c, 2016b, 2017c, 2018d), addressing issues in Taiwan (Parliament Resolution, 2013a), Hong Kong (Parliament Resolution, 2017a, 2022c), and Xinjiang (Parliament Resolution, 2011b, 2018a) and ending repression and violence in these regions, lifting religious restrictions (Parliament Resolution, 2019b), and respecting the UN arbitration decision in the South China Sea (Parliament Resolution, 2017b, 2017d). Particularly, after the adoption of the NSL in Hong Kong and the establishment of re-education camps in Xinjiang drawing significant reactions from many European citizens, the Parliament intensified its criticisms of China. It advocated for imposing sanctions on Chinese officials due to

the oppression and human rights violations against the Uyghurs (Parliament Resolution, 2019c, 2020c Art.20). On the other hand, not everyone in Parliament shared the same view. A Left group MEP (Interview #24, 06.10.2023) emphasised the importance of continuing constructive dialogue with China instead of imposing sanctions:

“You have to find political ways to help those who are victims of the human rights violation. If you make sanctions in the majority of the cases, you will not stop human rights violations because that will continue but you have no more instruments kept which gives you a chance and opportunity to be involved in changing this reality from your point of view.”

However, it is difficult to say that this view represents the majority in Parliament. Instead, many other MEPs and groups (for instance, Interview #3 An MEP Targeted by the Chinese Counter Measures, 14.12.2022; Interview #16 An MEP from S&D, 07.11.2022; Interview #26, an MEP from Greens/European Free Alliance, 10.10.2023; Interview #27, an MEP from Renew Europe, 11.10.2023) were more inclined to highlight human rights violations in China and to adopt restrictive measures. Therefore, regarding deepening trade and investment relationships, the Parliament adopted a much more cautious stance from the mid-2010s onward, and as an EEAS China Policy Officer on Security and Defence Policy Division (Interview #22, 05.10.2023) noted, in following values in foreign policy, while “the Commission is more cautious” and nations states often late, the Parliament acts “earlier than most governments.” This led to occasional differences in agendas and exerted pressure for different priorities with EU actors who focus more on trade and investment collaborations.

This does not imply that the Parliament advocated ending cooperation with China; instead, it can be characterised as the efforts to incorporate EU values more into EU policy in response to China’s changing strategy and an evolving global system. On the other hand, it is reasonable to expect a certain level of foreign policy inconsistency if one EU institution calls for sanctions such as asset freeze and travel restrictions for Chinese institutions and officials due to human rights violations while other institutions and major member states pursue a ‘business as usual’ strategy in the relationship. Despite efforts by the Commission and large member states to include human rights and EU values in foreign policy, their emphasis on economy-focused approaches in relations with China (or the Parliament’s emphasis on human rights), has produced a certain level of inconsistency. Put differently, there were horizontal inconsistencies between the Parliament and the Commission and, to a certain extent, the Council regarding priorities in relations with China, as well as vertical inconsistencies between the Parliament and major member states. This negatively impacted the consistency of the EU’s foreign policy.

During this period, with the institutionalisation of the EEAS and the appointment of HR also as VP, another significant institution and position was established in managing foreign relations with China. Catherine Ashton, who served as the first incumbent in the double-hatted position of HR/VP between 2009 and 2014, attached particular importance to developing relations with China. Leading strategic dialogue summits with China, she not only strengthened economic ties but also supported cooperation in various other fields. In addition to her objectives related to trade and investment relations, she added the promotion of human rights and freedoms in China to her discourse (Ashton, 2012c) and criticised the violence against protesters in Hong Kong (Ashton, 2012b). However, the impact of these statements on the EEAS-China dialogue was quite limited and the relationship primarily developed in the frame of trade and investment cooperation.

Her successor, Federica Mogherini, served during a period when the challenges posed by China to Europe became more visible. She updated the ESS with the EU Global Strategy, which subtly referred to some of the challenges linked to China in terms of economics, ideology, and human rights. HR/VP Mogherini, on the one hand, argued that maintaining the relationship within the framework of cooperation was in the interest of both parties, underlining that both the EU and China would suffer from confrontation. On the other hand, the tone of HR/VP and the EEAS underwent a change compared to previous years, particularly highlighting the situation in Xinjiang as the most serious point of disagreement in EU-China relations (Mogherini, 2018b). However, considering the policies pursued, their impact on the course of the relationship remained narrow, and they did not trigger a strong enough reaction to question the scope of the cooperation perspective that has been ongoing for years. An EEAS official in the Security and Defence Policy Division (Interview #20, 05.10.2023) noted that during this period the institution's strategy was still less *realpolitik* compared to the 2020s and that in the following years, the EU's approach to China and the world in general evolved to take action more "independently and not to be reliant on others in order to do that":

"Global Europe communication of the previous High Representative Mogherini, still had a vision of the world how we would love to see it but not how it is, whereas the Strategic Compass takes a stronger approach to how the world is and where we are and what we need to do in order to strengthen Europe's position in the world."

In this respect, about three years later, in the Strategic Outlook jointly published by the EEAS and the Commission, a more realistic perspective towards China was presented. However, despite advocating that values should not be sacrificed for interests, HR/VP Mogherini (2019) reiterated the goal of strengthening the strategic partnership. In short, by the end of the 2010s, while it was clear that the EEAS and HR/VP were more critical of relations with China, in its first decade after

being established, the institution did not appear to have completely moved beyond the cooperative phase. Consequently, as we entered the 2020s, the divergence among key EU actors regarding their position on China became the most fundamental component undermining EU coherence.

These differences became evident once again when examining the policies of the major member states. For almost half a century, German politicians followed a business-first approach towards China. This policy proved highly profitable for Europe, and Germany as well. Hence, to avoid harming cooperation with China and economic ties, Germany preferred to stand against some decisions taken by the Commission and the Council against China (for instance, see, Bradsher & Eddy, 2013). Although some Western countries expressed concerns about the increased challenges posed by the Beijing government to the international order during Xi Jinping's tenure (Andrijauskas, 2020; Jerdén & Bohman, 2019), Germany seemed less inclined to share these concerns before late 2010s and continued its policy of collaboration. In fact, in 2014, the two countries declared a Comprehensive Strategic Partnership, aiming to elevate their strategic partnership to the next level (BPA, 2014). This led to a difference in approach with EU actors who were being more cautious about China.

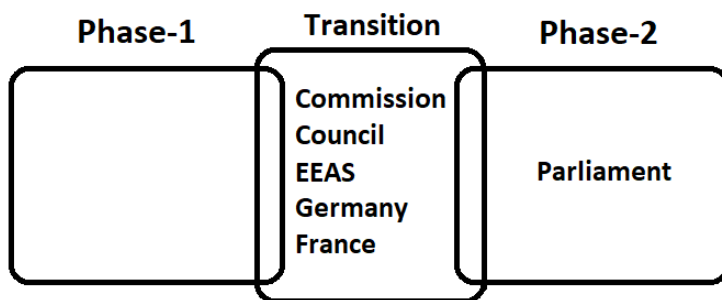
In the following years, the need to reassess Germany's China policy increased. In this context, Germany, on the one hand, launched a new guideline on strengthening its diplomatic and trade engagement with Indo-Pacific countries to balance the rising China. In other words, Germany began to question its partnership with China more intensively as the 2020s approached, and as Rafał Ulatowski (2022) suggests, the new guideline pointed to "the failure of the country's 'change through trade' strategy towards China." However, on the other hand, according to the World Bank (n.d.-e) data for 2018-2021, its commercial partnership with China, on which German industry and business sectors heavily rely, continued to grow. Therefore, its transition from a cooperative to a more questioning phase was not as sharp as that of actors like the Parliament.

In the early 2010s, France also regarded China as one of its most important trade partners and addressed the differences between the two countries at a lower level. During these years, France was not bothered extensively by China's growing global influence in politics. Both countries shared similar views on the multipolar world order, favouring a scenario where Europe and China are great powers rather than a unipolar global system led by the US (Tan, 2013). Therefore, the mutual strengthening of their economies through trade and investment cooperation was in the interest of both nations. President Sarkozy's commercial partnership policy largely continued during the terms of his successors and human rights remained far from being a significant aspect of France's engagement with China. French presidents pursued a strategy of expanding established partnerships and signed bilateral cooperation agreements in many sectors including

aviation and nuclear energy (BBC, 2010; Reilly, 2012, p. 128). However, as the 2020s drew near, they started to voice their concerns about some of the China-related challenges more (Wirth & Schatz, 2020, p. 2), and addressing the challenges posed by China while pursuing the interests of the French economy appeared to be a priority for its politicians. This resulted in a clear distinction between actors aiming for more flexible policies towards China and those demanding stricter measures as the 2020s began.

In short, the 2010s represented a different decade than the previous ones. EU institutions and member states reassessed their relations with China, particularly after President Xi's more ambitious foreign policies started to be perceived as more of a threat to the economy, liberal system, and human rights. This reassessment led to the transformation of policies and all key EU actors examined in this research appeared to pass from the cooperative first phase to a more questioning one. Yet, this questioning was not the same for every stakeholder. That is to say, although some EU member states or institutions were aware of the challenges stemming from Beijing's domestic and external policies, they were not ready or willing to make an overarching transformation in the relationship. Rather, it seemed like, while they were taking some precautions, they kept the overall course of the relationship and were reluctant to criticise the Chinese government openly. Consequently, this triggered a gap in the stances, discourses, and initiatives of the EU member states and institutions, particularly the Parliament and other key actors, leading the Parliament to move on to the more critical second phase earlier than others. This difference can be illustrated as in Figure 5:

Figure 5 Key stakeholders' positions in the late 2010s



Source: Author's own elaboration

6.3 2020s - Differences in Intensity of Criticism: CAI and Sanctions

China's rapid rise and its increasingly ambitious stance at the international level, paralleling its economic growth in the 2010s, became a topic of increasing discussion among Western scholars (Buzan, 2010; Christensen, 2015; Mearsheimer, 2010b; Swaine, 2011). Similarly, the challenges posed by China and concerns over its repressive practices gained more prominence by the 2020s in the EU and its member states. Therefore, the more critical approach, as outlined in the

cooperative and critical two-phase framework of this research, was incorporated to varying degrees into the foreign policies of many EU actors. However, the intensity of this approach differed among actors, leading to the adoption of seemingly inconsistent decisions.

As mentioned in the previous subsection, the Commission, together with HR/VP, declared in the 2019 Strategic Outlook that China was no longer merely a cooperation partner but also an economic competitor and a systemic rival. This characterisation by the Commission and the EEAS, two of the most significant actors in developing the partnership dimension of the relationship, was the clearest manifestation of their and the EU's evolving stance towards China. However, at the beginning of 2020, the Commission appeared to pursue a more moderate policy compared to the Parliament and some member states. This moderation can be observed in their contribution to concluding the CAI amid serious allegations against China and in the Commission officials' efforts to highlight the agreement's potential contributions to human rights in China. The positions and division of opinions between key EU actors can be summarised as in Table 2:

Table 2 Positions of the key stakeholders on the conclusion of CAI

Actor	Pro-Conclusion	Main Thoughts
Commission	✓	Considers the conclusion a success for the EU
Council	✓&✗	Member states wanted the deal, but some criticised the way it was concluded
Parliament	✗	Criticised the substance and timing more than other actors
EEAS	✓	Considers the conclusion a success for the EU
Germany	✓	Pushed the conclusion more than any other MS
France	✓	Helped Germany to conclude the CAI

Source: Author's own elaboration

However, the agreement was hailed by the Commission because of "its concessions" in fields such as market access and sustainable development (Casarini & Otero-Iglesias, 2022, p. 1). The Commission President Ursula von der Leyen argued that the agreement was "an important landmark in [the EU's] relationship with China and for [the EU's] value-based trade agenda .. It will also commit China to ambitious principles on sustainability, transparency and non-discrimination", while Commissioner for Trade, Valdis Dombrovskis, underlined that they received binding commitments from China on "combatting forced labour" (Commission, 2020c).

Commission officials, too, (Interview #1 A Policy Official in the Commission Secretariat General's Strategic External Policy Issues – China and Indo-Pacific, 02.12.2021; Interview #12 A

Commission Official in the Secretariat General's Strategic External Policy Issues, 19.10.2022; Interview #18 A Commission Official in DG Trade-China, 03.10.2023) highlighted that the agreement provided more opportunities for the EU to have equal rights when investing in China, just as China does when investing in the EU, and therefore, it was crucial for the EU's interests. They also pointed out that human rights, modern slavery, and labour rights were promoted in China through the agreement. Indeed, the level-playing field was one of the fundamental issues in the negotiations for the CAI to begin, and China's alleged violations of ILO standards and compulsory labour in re-education camps increased the significance of an initiative in these areas.

Yet, not every institution and member state shared the same opinion. For instance, an official from a member state's permanent representative (Interview #4 An Official from the Polish Representative to the EU, 05.01.2022) claimed that the timing of the agreement was quite poor, and their views were ignored during the conclusion of the agreement. Similarly, most of the MEPs and other Parliament officials interviewed noted the problems posed by concluding a cooperation agreement at a time when challenges regarding China were mounting (Interview #3 An MEP Targeted by the Chinese Counter Measures, 14.12.2022; Interview #7 A Policy Advisor to an MEP/EPP, 10.10.2022; Interview #14 An MEP from Greens/European Free Alliance 19.10.2022; Interview #16 An MEP from S&D 07.11.2022).

Therefore, even though there has been a change in the Commission's approach to China compared to the previous decades by the time we reached the 2020s, its cooperative nature and its more active role in this aspect of the relationship led to it not fully aligning with some other EU actors. In other words, horizontal and vertical inconsistencies in approaches to human rights among the Commission and some other EU actors became more pronounced. In this respect, although the Commission appears to have transitioned to the second phase in its relationship with China, there was a difference in the intensity of questioning compared to EU institutions and member states following a pro-human rights policy. Three months later, following the sanctions and counter-sanctions decisions, the Commission appeared more critical of China than before. A Commission official in the Secretariat General's Strategic External Issues (Interview #13, 19.10.2022) stated that China's "backfire" sanctions were "completely politically oriented towards Members of the European Parliament, towards the Political Security Committee" and argued that this made the CAI "impossible." It was claimed that the President of the Commission was increasingly becoming 'hawkish' (Bond, 2023). In this regard, following the decisions of sanction, a trend towards horizontal consistency among institutions strengthened as their attitudes approached each other in taking a tougher stance vis-à-vis China.

While the Commission increasingly questioned its longstanding pro-cooperative approach, the Council's most significant turning point in its China policy since 1989 undoubtedly was its decision in March 2021 to impose sanctions on Chinese officials for human rights violations. Before these sanctions, with the initiative of the Netherlands, the Council adopted the decision numbered CFSP 2020/1999, known as the sanctions regime, on 7 December 2020, providing a comprehensive framework for sanction decisions on human rights violations. After the adoption of the GHRSR, the expectation for a decision related to human rights violations in China increased. In this context, according to a policy advisor to an MEP (Interview #7, 10.10.2022), "Germany was trying to dial [Chinese sanctions] down a bit because they thought that of course it's going to spill over into other areas." Under the GHRSR, following the imposition of travel bans and asset freezes on four Russian officials for the first time on 2 March 2021, the Council, on 22 March 2021, made its second sanction decision, which included four Chinese officials and the XPCC PSB (CFSP, 2021b/481). According to a member state official (Interview #25, 10.10.2023), after adopting the sanctions regime, it was inevitable for the Council to sanction China in order for the EU not to lose its "credibility":

"Now the EU has this new sanctions regime where we can sanction human rights violations. Then, how would you get around not sanctioning China for what's happening? That's why, I think, even though people would not have wanted it ideally to damage the relationship, it's difficult to see a way around it without losing all credibility."

Prior to these sanctions, the Council had already taken sanction decisions against Chinese individuals and institutions for reasons related to cybersecurity (CFSP, 2020d/1748; Council Regulation, 2020/1125). However, it may be going too far to assert these sanctions shook the relationship between the EU and China as profoundly as the sanctions imposed for human rights violations. In other words, despite mutual accusations regarding cyber-attacks and the EU's introduction of new regulations on data protection and investments in critical sectors, the crisis did not escalate significantly. One possible factor in this moderation could be the more indirect relationship of the individuals and institutions subject to sanctions with the CCP compared to subsequent sanctions. In contrast, in the sanctions related to human rights violations in 2021, officials in Xinjiang, including CCP and police authorities, were targeted by the sanctions. This led to a more personalised response from the CCP and retaliation through counter-sanctions. China's targeting of MEPs in its counter-sanctions, who are co-decision makers in the EU, shelved the ratification of the CAI, which had been concluded with China less than three months earlier. In summary, a decision by the Council in the field of human rights had a significant impact on EU-China cooperation.

The sanctions thwarted negotiations concluded by the leaders of the Commission, the European Council, and the leaders of the two major countries with China at the end of December, marking the largest waste of time in EU-China history. In this regard, the Council's decision indicates a differentiation from the approach of actors prioritising areas of cooperation by pushing aside differences between the EU and China. In other words, the Council's decision to impose sanctions does not appear consistent with the previous stance of institutions which are more inclined towards cooperation or the approach of larger member countries that usually give precedence to their economic interests in trade relations with China. In this context, the sanctions disrupted horizontal consistency with institutions prioritising trade and cooperation as primary objectives and vertical consistency with member countries. The Council adopted the GHRSR on 7 December 2020 and did not exclude China, a country where concerns about severe human rights abuses had increased, from the countries subject to sanctions. This can be interpreted as the Council adopting a consistent approach within the framework of its sanction policy (Interview #8 A Policy Officer in the EEAS's ASIAPAC.4 Division, 11.10.2022; Interview #25 A Member State Official, 10.10.2023).

However, it is difficult to assert that the Council's stance towards China is shaped primarily around a pro-human rights axis. Until the 2020s, human rights in relations with China held a relatively minor place on the Council's agenda. The Council made decisions against China, such as dumping, over-capacity production in various industries, and issues like free navigation in the South China Sea, but the primary motivation and emphasis were on EU interests. With this approach, the Council differentiated itself from some smaller member states and institutions like the Parliament that advocated more for human rights violations in Tibet, Hong Kong, Xinjiang, and other regions for many years. In other words, as an intergovernmental institution, the Council had significant differences with other supranational institutions both in terms of trade and human rights approaches. In fact, as an intergovernmental institution, there were major foreign policy differences within itself. An MEP from Greens/European Free Alliance (Interview #14, 19.10.2022) stated that the EU was "not harmonised" on "common answers to the genocide in Xinjiang" and that, in this sense, the CFSP was not really "common." This was seen as one of the factors affecting the consistency. Moreover, it was argued that the dependencies of certain member states hindered the Council from criticising China:

"[Member states] wanted to impose sanctions based on the way in which they are not dependent or independent from China economically or otherwise. For example, Greece and its situation with the Port of Piraeus being owned by the Chinese make that I think they have clearly been blocking criticism of China. And I think this is the correlation you need to make or at least the causality you can

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see there. Why otherwise would Greece be blocking such criticism?” (Interview #21 An MEP from European People’s Party, 05.10.2023).

While the Commission focused mostly on trade and cooperation projects with China, and the Council pursued policies centred around EU interests, Parliament advocated for the alignment of these areas with human rights. The rights of minorities in the country ranked among the top issues that MEPs consistently brought up in relations with China. It took a series of resolutions concerning the arrest of human rights activists in China and the restriction of various rights and freedoms, including press, expression, and assembly freedoms, and called on the Council to implement targeted sanctions against Chinese institutions and officials involved in severe human rights abuses against mainly the Uyghurs (Parliament Resolution, 2019c Art.12). In this regard, it is evident that Parliament’s initiatives and calls contributed to the Council’s adoption of the GHRSR in December 2020. Following the adoption of the sanctions regime, many MEPs intensified their calls for the implementation of targeted sanctions against individuals and institutions associated with human rights violations (Parliament Resolution, 2020c Art.20) and became leading actors in imposing sanctions on Chinese officials in Xinjiang. As one China expert (Interview #31, 25.10.2023) put it, “the big role here” belonged to the Parliament:

“European Parliament has been a very strong force on being very .. hawkish on China, and it’s been pushing on many fronts for more pronounced strategy. In many ways, it’s still, way ahead of the executive, whether the Commission or the national governments, for example, in Taiwan, where the Commission is quite, let’s say conservative, and many big European states are conservative.”

As a result of Parliament’s China policy, Beijing targeted five MEPs and the Parliament’s Subcommittee on Human Rights in retaliatory sanctions. China’s attitude in this regard serves as evidence that Parliament is the most active institution within the EU concerning human rights. It denotes that the Chinese government held primarily the Parliament and MEPs who campaigned for the decision to impose sanctions on Chinese officials accountable for the sanctions, rather than the member states who took the decision to sanction those officials. On the other hand, Parliament adopted a decision stating that an agreement with China would not be possible unless sanctions against MEPs were lifted (European Parliament, 2021), thus directly influencing the EU’s engagement with China. This led Parliament to pursue a different policy from EU actors advocating for a more indirect consideration of human rights in the relationship.

Therefore, when examining Parliament’s policy on human rights with China, it is observed that it was the institution within the EU that brought human rights to the forefront the most and considered progress in this area a prerequisite for deepening other areas of the relationship. Its stance led to differentiation from institutions and member states that sought to enhance

European interests by developing bilateral trade with China or believed that commercial cooperation and economic liberalisation would ultimately result in political liberalisation. In other words, Parliament's policy, which integrated human rights with trade relations, reduced horizontal consistency with institutions such as the Commission and the Council, and vertical consistency with major member states, which prioritised trade and interests. These policy differences among key actors in the EU undermined the unity of the Union's foreign policy, constituting one of the main reasons for making significantly different decisions within a relatively short period. The Council's decision to impose sanctions on a Chinese institution and officials, influenced in part by calls from the Parliament, can be regarded as one of the developments that enhance the alignment between the Parliament and the Council regarding human rights.

The transition of the EEAS to a more questioning phase bore similarities to that of the Commission. That is to say, the EEAS entered the questioning second phase relatively later than the Parliament and seemed to pursue a lower intensity of criticism even in this phase until the sanctions were imposed. Describing China as a systemic rival in the Strategic Outlook marked a significant departure from the strategic partnership approach of the previous HR/VP, rendering the latter an increasingly hollow concept. Just before the outbreak of the global Covid-19 pandemic, in December 2019, Josep Borrell took over the double-hatted position and although initially announced goals to deepen the strategic partnership dimension (Borrell, 2019), concerns about China's deficiencies in pandemic management, cyber-espionage and disinformation, coupled with increased pressure in Hong Kong and Xinjiang led to an increase in critical statements from HR/VP (Borrell, 2020a, 2020d, 2021, 2022). He highlighted areas where China poses a security threat to Europe more than his predecessors had. He also expressed the need for more efforts to balance values and interests in relations with China, stating that the EU "will not simply stand back and watch" Chinese attempts to restrict individual freedoms (Commission, 2020d).

China's counter-sanctions in March 2021 did not help to soften this attitude. After the sanctions and the war in Ukraine, the HR/VP's statements became more hawkish than before. He stood behind the sanctions imposed on officials in Xinjiang and made several statements blaming China (DW, 2021). In a similar fashion, an EEAS policy official at the ASIAPAC.4 Division (Interview #8, 11.10.2022) stated that since there were "serious human rights violations, it was necessary not to turn a blind eye" and that the EU could not have skipped China when imposing sanctions on others because "it was also about the credibility of the EU." Nevertheless, almost all of the six senior EEAS officials interviewed within the scope of this research approached with caution when it comes to relations with China. They diplomatically explained that, although there has been a decline in the partnership dimension in recent times, it does not necessarily mean that it will continue this way. They stated that "China may realise that [counter sanctions] were an

overreaction” (Interview #2 A Policy Officer in the EEAS’s ASIAPAC.4 Division, 06.12.2021) and cooperation could resume as it used to be with changes in China and the EU’s policies. They were more inclined than the MEPs to emphasise that China is a very important partner for the EU and to avoid making statements that could disrupt cooperation. Thus, a difference in the intensity of the critical stance towards China became apparent between the EEAS officials and the Parliament officials during the critical phase.

As the third decade of the 2000s approached, the two big member states became more aware of the challenges posed by China, prompting them to shift from the cooperative first phase to the critical second phase. However, compared to some other EU actors, the scope and intensity of this criticism were narrower and less intense. For instance, in cases such as the violent suppression of protests in Hong Kong after the enactment of the NSL or the detention of ethnic minorities in Xinjiang, German politicians expressed their concerns (DW, 2020). Germany’s representative at the UN General Assembly accused China of forced labour of Uyghurs and other minorities and implementing policies, including forced birth control and sterilisation (Heusgen, 2020).

On the other hand, the long-standing trade-oriented policy and increasing dependency caused the tone of criticism from German politicians to remain relatively low. Both the Chancellor and the cabinet were not among the leading actors bringing human rights to the agenda. Instead, at a time when the human rights crisis occupied the international agenda significantly, and on the last day of Chancellor Merkel’s Council presidency, Germany and France controversially concluded the CAI via video conference with President Xi (Vela et al., 2021). Therefore, the extent to which concerns about human rights violations in China influenced Germany’s investment cooperation decisions was questionable. Despite the German Council Presidency characterising the agreement as a success due to its provisions for ensuring fairer treatment for EU companies and investors, and China’s commitments to address forced labour and ratify the related fundamental ILO conventions, not everyone agreed. For instance, Green MEP Reinhard Bütikofer, the Chair of the Parliament’s Delegation for Relations with China, criticised the weakness of the commitments and stated that “It is ridiculous to try selling that as a success” (von der Burchard, 2020).

The fact that the agreement was finalised largely due to the pressure from major powers and that German and French companies were the primary beneficiaries led to criticism of the two. For instance, one MEP from Renew Europe (Interview #27, 11.10.23) said that while some EU member states and institutions “simply had their own interest in mind,” he was against the agreement because he did not “see the human rights problems in China being adequately addressed” and also because he did not “believe that the Xi government would truly grant European investors fair

economic conditions.” In addition to throwing a life jacket to China by concluding the CAI at a time when it was blamed for its policies towards minorities, adopting a relatively passive approach to human rights was another questioned aspect. For example, even after the sanctions and counter-sanctions in March 2021, Chancellor Merkel refrained from openly criticising China and did not condemn the counter-sanctions either (Brattberg, 2021).

This approach by the German government deepened the inconsistency between the country’s policies and those of EU actors critical of China for human rights violations and sanctions. After the 16-year tenure of CDU and Angela Merkel, there was a certain change in Germany’s China policy with the SPD, Greens, and FDP coalition government led by Olaf Scholz, who took office in December 2021. Although there is not a very sharp distinction between Chancellor Scholz’s and his predecessor’s approaches to trade with China, many German officials and political-elites explicitly criticised the China policy Germany has been pursuing for years:

“The human rights issues have become way more important, both from the Liberals as well from the Greens. The SPD, in particular Mr. Scholz, the Chancellor, is more on the tradition of Mrs. Merkel, to save what can be saved in terms of economic relations. But he is also aware that those old times are gone and that we are no longer the most influential power.” (Interview #10, Peter Hefele, policy director of the Wilfried Martens Centre for European Studies)

In this respect, Foreign Minister Annalena Baerbock became one of the most vocal critics of the Chinese government’s oppressive practices against Uyghurs and other ethnic minorities, leading to tension in Germany’s relations with China (Martin, 2021). With the new coalition, reducing dependencies on China and economically de-risking by diversifying partners became a more highlighted part of the government’s objectives, as Chancellor Scholz (2022) commented that “today’s China isn’t the same as the China of five or 10 years ago” and therefore, Germany “can’t be overreliant” to China. This issue had also entered the agenda of the previous government, but the extent to which Germany’s half-century-long China policy had been altered or could be altered remained a contentious topic. Similar concerns applied to the coalition government as well (Quant, 2024).

The other major country, France, began to direct more criticism towards China regarding human rights violations at the end of the 2010s. During the NSL process in Hong Kong, France stood among the European countries attacking the law. On the other hand, like Germany, France was expected to gain significantly from the CAI. Therefore, under the shadow of criticism of China, the French government was one of the key proponents pushing for the conclusion of the deal. However, like Germany, France was blamed due to timing, the lack of commitments regarding modern slavery, and the weakness of the agreement in ensuring ILO standards (Nicolas, 2022, p.

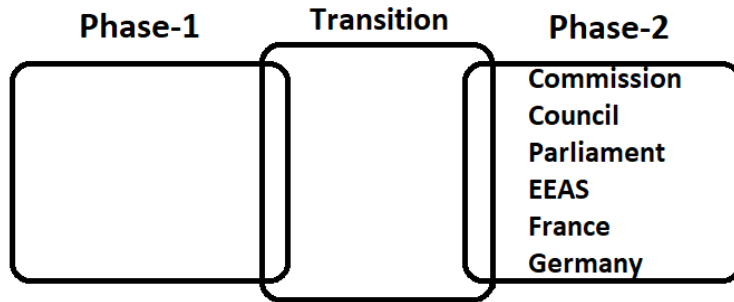
57). Therefore, with its role in concluding the CAI, France experienced a divergence with EU actors who place human rights concerns more centrally.

Following the sanctions in March 2021, there were developments that strained relations with China, such as officials condemning the Chinese government's actions related to the Xinjiang and the French Parliament adopting a resolution characterising activities against the Uyghur population as genocide (France 24, 2022). The threat posed by China began to be expressed more openly, as evidenced by President Macron acknowledging that selling critical infrastructure-related areas to China was a strategic mistake (Van Overstraeten, 2022). French politicians initiated efforts to reduce dependence on China and diversify partners. However, it is not yet clear how long it will take for the decision to reduce dependency to bear fruit after a strategy based on increasing commercial relations has been followed for 5-6 decades. In the two years following the sanctions, as evidenced by President Macron's visit to China, where he took along a delegation of French businesspeople and completed a series of profitable investment agreements (Reuters, 2023), there was no game-changing shift in France's China policy. Therefore, while it can be said that France, like key actors such as the Commission, the EEAS, and Germany, began to scrutinise China more closely and thus transitioned to the second phase, the intensity of this scrutiny was not as high as that of Parliament and MEPs. This remained a factor that reduced vertical consistency between France and Parliament.

Nonetheless, recent years, particularly the war in Ukraine, have contributed to the realignment of many EU institutions and member states in foreign policy:

“While every member states have their own interests, the European Union and European Parliament as an institution has never been more united in its position on China than now. The more and more Council is actually together. The European leaders realised that we cannot allow the foreign powers to come and divide and conquer, it's an old slogan 'we are stronger together' but it actually works as a slogan and as an action as well .. if there is one good thing that came out of this Russian invasion in Ukraine is that it really opened a lot of eyes.”
(Interview #28 A Parliament Officer for China and Southeast Asian Countries, 12.10.2023)

Therefore, the war that began in February 2022 can be seen as a development that reinforced the rhetoric of EU institutions and member states to adopt a firmer stance towards China following the March 2021 sanctions, and it supports the expectation of increased foreign policy alignment. In this respect, although it is difficult to talk about a single European China policy and the intensity of criticism varies, the positions of the key actors after the sanctions moved closer to each other in terms of the two phased framework of this research:

Figure 6 Key stakeholder's positions after the Chinese counter-sanctions

Source: Author's own elaboration

Conclusion

When examining the approaches of EU actors towards China in past periods, differences become apparent. Initially, they all displayed a cooperative attitude, but as China's pressures on the EU and human rights increased, they began to reassess their own China policies. This led them towards the critical second phase. However, in transitioning to this phase, there were some differences regarding the timing and intensity. While actors such as the Commission, Council, and the EEAS, and large member states seemed to have kept this issue relatively in the background until the third decade of the 2000s, the Parliament and MEPs pursued a proactive policy in many areas such as China's minority policies, labour rights, rule of law, freedom of expression, and religious and cultural freedoms since the 2000s. Some small and medium-sized member states accompanied them in criticising China's oppressive practices, but other institutions and big member states were relatively less vocal on human rights. It was argued that "there is very great variation within the member states, and some member states are also not really aligned with the EU policy" as well as the functioning of some institutions differ from each other, "DG trade, for example, is more utility-maximising, to use an economic term, in the sense that they are more oriented towards practical matters instead of values" (Interview #30, A research analyst from Bruegel, 23.10.2023).

This led to a gradually increasing differentiation starting from the 2010s, undermining horizontal consistency between Parliament and other institutions. Similarly, from the second half of the 2010s, a divergence in human rights with Parliament and Germany and France increased, leading to reduced vertical consistency between them. In 2020, while China's minority policies and human rights violations faced considerable criticism, the completion of the largest investment collaborations with China by the two big member states was the greatest evidence of this divergence. On the other hand, the initiatives of actors advocating for pro-human rights policies led to the Council first accepting the GHRSR and then implementing sanctions against a Chinese institution and four officials within this framework. So, although it is observed that EU actors were

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increasingly questioning China, their goals and priorities in engagement with China were different. This laid the groundwork for an inconsistency that would complete large-scale collaborations while imposing sanctions on China.

Chapter 7 Explaining the Consistency of the EU's Decisions on China Through Europeanisation

The China policy of EU institutions and major member states, as detailed in the previous chapters, evolved over the years and passed through various turning points, experiencing occasional setbacks in relations at times and progressing quite rapidly, perhaps in an uncontrolled manner. EU foreign policy took shape within a complex process in which leading EU actors, as well as many small and large member states and institutions, are involved. The decisions of the EU on China emerged as a reflection of this complexity. Both EU institutions and member states, in shaping foreign policy decisions within the framework of their own political views, values, and interests, influenced the decision-making process, with the harmony and disharmony among these actors being a direct factor affecting the coherence of decisions.

This final chapter of the thesis examines the impact of key EU actors on EU foreign policy to understand the reasons behind two seemingly very different decisions on China, using Europeanisation theory. To do this, it starts from the vertical and horizontal inconsistencies identified in the long-term stances, discourses, and initiatives of EU institutions and member states towards China in the previous chapter, and evaluates the impact of them on the behaviour of the EU in pursuing its foreign policy objectives of varying nature. In explaining these differences, Europeanisation comes into play.

The Europeanisation, which was elaborated on in detail in the second chapter, suggests that in the formation of EU policies, there is an effect of downloading, which is a top-down process where the EU level influences the member states, uploading, which is a bottom-up process where the member states influence the EU level, and crossloading, where policies are shaped through the mutual exchange of ideas. In this context, the Europeanisation perspective claims that all these dimensions of top-down, bottom-up, and cross influence might be present in the EU's decision-making process regarding its Chinese foreign policy. Excluding the ideational interaction of crossloading, this chapter considers one of the fundamental reasons for the two cases that appear inconsistent with each other—the CAI and the sanctions—as the mismatch between the top-down and bottom-up processes of key actors in the EU decision-making mechanism. Actors situated in different phases of cooperation and criticism in their policies towards China and maintained two different policy initiatives. The ability of these actors to influence the EU had a significant impact on the conclusion of the CAI and the subsequent imposition of human rights sanctions on Chinese officials. In this regard, the chapter provides an

explanation from the Europeanisation viewpoint for why the EU makes decisions that seem inconsistent and reveals that the design of EU decision-making and the differences in top-down and bottom-up processes play a significant role in this.

For this purpose, the chapter first focuses on both the institutions and member states; compares the impact of downloading and uploading and discusses how these processes influence the decision-making mechanism of the EU regarding decisions on China. Crossloading is not included in the scope of the evaluation as it is more abstract, and therefore, a bit harder to capture, and often essentially related to an ideational interaction involving both downloading and uploading processes. Instead, the chapter continues with a section examining the trade-off between values and interests in the EU's China policy. It concludes by discussing its own model.

7.1 The reasons for inconsistencies in the EU foreign policy

In various stages of EU policy-making, institutions and member states have been significant actors and have had a major impact on the policies pursued and decisions made regarding China. However, as explained in the sub-sections of horizontal and vertical consistency, it did not always appear that the stances, discourses, and initiatives towards China among institutions themselves and between institutions and member states were consistently aligned. This emerged as one of the components shaping the EU's China external policy and affecting its coherence. When the formation of EU policy is considered as a process in which the EU level influences member states and member states influence the EU level, as suggested by the Europeanisation approach (Börzel, 2002; Radaelli, 2003), analysing this two-way relationship provides an insight that will help make sense of the different types of decisions in foreign policy. In this regard, two stages of this process, downloading and uploading, and their role in shaping the policy behaviour of the EU stakeholders eventually affect foreign policy decisions as well.

When evaluating the impacts of the attitudes, discourses, and initiatives of the four institutions and two big member states included in the scope of this research on the EU's foreign policy towards China, it is observed that over the years, these institutions and member states have occasionally pursued different agendas within the framework of their priorities, interests, and institutional cultures. These different agendas of the institutions and member states caused them to move from the cooperative phase to the critical phase in their relations with China at different periods and with different intensities and this naturally led to, at times an inconsistent top-down and bottom-up policy-making process among them. The institutional design and the difference in approaches to China among key actors was also a point of attention in the interviews conducted as part of the research. A policy advisor to an MEP (Interview #7, 10.10.2022) remarked that to understand the EU's different external decisions, one has "to consider the institutional

setup in the EU.” According to him, “the positions of the different institutions were not the same .. not even within the same institution the positions were not the same.” In this context, the different impacts that institutions as well as member states have on EU policy, play an important role in explaining the rationale behind different types of decisions.

The phases in which key EU institutions and member states were situated in their relations with China, and the impact they had on the EU accordingly, constituted one of the significant variables of the decision-making mechanism. For instance, as the institution that negotiates, implements EU policies with third parties, and drafts legislation, the Commission was one of the key actors in managing relations with China. Specifically, its duties to negotiate trade and investment agreements and submit laws related to customs and cooperation for approval by the Council and Parliament have made it an institution that directly affects the foreign trade and investments of member states. In its relations with China, the policy approach that the Commission downloaded to the member states was generally a cooperative understanding aimed at developing the partnership aspect of the relationship until its stance became distinctly more hawkish in the 2020s. Particularly since the mid-1990s, it has devoted more effort to areas where both sides were willing to develop and contribute to mutual interest. Thus, the Commission has contributed more than many other institutions to the development of the cooperative and partnership dimension of the relationship and had an impact on advancing the cooperation phase within the EU decision-making mechanism.

However, concerns about the challenges posed by China to the EU’s economy, security, and values, and to the international system have been increasingly growing since the mid-2010s, which also led to questioning the Commission’s business-oriented model. For many Western politicians and scholars, China has gradually been described as a country that increasingly violates international law, exacerbates border issues with its close neighbours through expansionist activities, threatens EU security, collaborates closely with authoritarian regimes like Russia and North Korea, increasingly suppresses ethnic and religious minorities, and where the situation of human rights deteriorates year by year (Benner et al., 2018; Gramer & Iyengar, 2022; Holslag, 2019).

During a period when such criticisms of China were increasing, the Commission appeared to maintain its focus on trade and investment at the centre of relations, while also making relatively fewer initiatives related to human rights. Its communications, negotiations, and officials’ statements for a long time downplayed human rights problems in China and instead emphasised the strategic partnership dimension of the relationship. This approach in executing and concluding agreements shaped the relationship of EU member states with China and led many EU member states to increase their volume of trade and investment with China. Therefore, in

terms of Europeanisation, the policy it pursued had a significant cooperative top-down impact on EU member states, shaping policies at the EU level. During these years, its policy aimed at developing the partnership aspect of the relationship led to a certain degree of agenda differentiation with actors who began to increasingly highlight Chinese challenges, particularly in the area of human rights. Consequently, the foundations for the EU's seemingly inconsistent decisions towards China in 2020-2021 were laid during this period as they started emphasising different aspects of the relationship.

As we entered the 2020s, the Commission's policy appeared to undergo some degree of change. It began to speak more about the challenges posed by China and admitted that Europe is in economic competition and systemic rivalry with China (Commission & High Representative, 2019). Nevertheless, all of this did not prevent the Commission from playing a significant role in concluding the CAI by the end of 2020. After the conclusion of the deal, Commission officials tried to highlight the economic gains CAI would bring to EU member states and its contribution to labour rights and human rights in China. However, the completion of negotiations during a time marked by alarming allegations of human rights violations, especially against Uyghurs and other ethnic minorities, led to questioning the Commission's stance and the limitations of cooperation with China in general. It was argued that the Commission's position was heavily under the influence of the big member states (Interview #3 An MEP Targeted by the Chinese Counter Measures, 14.12.2022).

This position of the Commission and its business-first strategy as well as its relatively late and low intensity transition to the critical phase, caused a gap between its policy and EU actors who are increasingly discussing the human rights violations and challenges stemming from China. In other words, the Commission moved from the cooperative first phase to the questioning second phase, however in 2020, the intensity and severity of this questioning remained low compared to actors like the Parliament who were more critical of China. Some Commission and EEAS officials noted that the CAI and sanctions do not constitute a big part of the bilateral relations as "these two things are in the bigger picture of huge China relations, still relatively small" (Interview #18 A Commission Official in DG Trade-China, 03.10.2023). Others were inclined to consider sanctions for human rights and cooperation with China as independent areas: "It might seem contradictory that we concluded CAI and three months later we impose human rights sanctions. This shows that we are dealing with different challenging policy fields at the same time. These processes are different" (Interview #2 A Policy Officer in the EEAS's ASIAPAC.4 Division, 06.12.2021).

Therefore, in Europeanisation terms, there was a 'mismatch' or 'misfit' (Börzel, 2002; Börzel & Risse, 2000; Héritier et al., 1996) between the approach of the Commission, one of the leading institutions in the creation of top-down policies from the EU level to member states, and the

efforts of other EU institutions and member states, who argue that the challenges posed by China to the EU and human rights should be further included in the EU's foreign policy. This reduced the horizontal consistency between the Commission and the institutions that had a more confrontational approach and vertical consistency between the Commission and such member states.

The collaborative approach mentioned for the Commission was also prevalent in much of the Council's relations with China. The Council granted authority to the Commission to negotiate many bilateral trade and investment agreements, including the CAI, and ensured the completion of agreements by approving the cooperation proposals submitted by it. Considering the intergovernmental nature of the Council as a tool for pursuing the interests of EU member states, it is not surprising that it adopted this stance towards approving agreements that would increase countries' economic interests. In this regard, the Council was an institution that both approved EU decisions, thus, exerting a top-down impact on member states, and allowed member states to project bottom-up policies to influence the EU level due to its intergovernmental design. On the other hand, while the Commission emphasised the partnership dimension of the relationship more, it seemed like the Council became more vocal on issues such as dumping and overcapacity production affecting EU economies, violations of intellectual property rights, cyber-attacks from Chinese soil to Europe, or hindering freedom of navigation in the South China Sea. Over the years, the Council has made many decisions in these areas and occasionally adopted a confrontational stance (CFSP, 2020d; Council Regulation, 2013, 2020; Council Resolution, 2009, 2019). Still, it is difficult to say that there was a significant difference between the Council and the Commission until the 2020s, as there was between the Parliament and these two institutions in the late 2010s.

In addition, some member states supporting the increased focus on human rights also made efforts in the Council to upload their goals to the EU. In this regard, while the research focuses on the uploading capacities of the major member states, it is undeniable that many other small/medium-sized member states also have a significant impact on the process. A Commission official in the Secretariat General's Strategic External Policy Issues (Interview #13, 19.10.2022) noted that especially the Baltic and Nordic countries have "a tendency to take an extremely hawkish position within the Council" and they have been "extremely vocal and extremely visible in their relations towards China." Moreover, the Netherlands led the process towards the Council's adoption of the GHRSR (MFA Lithuania, 2021b; Parliament, 2020, p. 5), and other members, such as Lithuania, called for this instrument to be used against human rights violations in China (MFA Lithuania, 2021a). Therefore, due to the influence of some member states, the Council's critical stance on human rights was more pronounced than that of the Commission, and these countries contributed to the Council's transition to the critical second

phase. In other words, the Council was an EU institution that was more open to ‘uploading’ of member states than many other institutions, and if the uploading initiatives of member states were successful, the decisions taken by the Council had a top-down effect that also affected other EU member states.

With the GHRSR, on 22 March 2021, the Council imposed sanctions on four Chinese officials associated with human rights violations in Xinjiang (CFSP, 2021b). With this decision, along with China’s counter-sanctions against five MEPs, some five more European citizens, Council’s Political and Security Committee, and the Parliament’s Subcommittee on Human Rights, the CAI’s ratification has reached an impasse. As a policy advisor to an EPP MEP put it, the CAI “is nothing .. as long as the sanctions are not lifted” (Interview #7, 10.10.2022), which seemed unlikely at the time of the interview. Thus, due to the agreement and years of negotiation effort were largely thrown away, the sanctions coming immediately after the conclusion of the CAI became the most visibly inconsistent decision in the EU’s China policy.

In this respect, the Council’s decision in the field of human rights also affected investment cooperation among member states. This caused a discrepancy between the Commission, which had adopted a cooperative approach until this date, and the Council’s decision, along with various member states and became one of the fundamental reasons for the differing nature of the decisions. On the other hand, there was an alignment between Parliament, which advocated for a greater role for human rights in the relationship and had less overlap with the Council in this area until the 2020s, and the decision of the Council, along with some other member states such as Lithuania and Sweden.

Although the European Parliament, one of the foremost advocates of values and human rights in the EU (Feliu & Serra, 2015; Gfeller, 2014; Velasco-Puffleau, 2024; Zanon, 2005), supported to develop economic relations with China, the areas of focus for the MEPs were not limited to trade alone. The direct election of MEPs by citizens of member states brought about a more direct incorporation of public demands and expectations into the Parliament’s decision-making process compared to other EU institutions, generally embedding democracy and its inherent values more deeply into the institutional culture of the Parliament. It did not put down the maintenance of bilateral trade and investment agreements in the EU’s China policy and voiced the contributions of these agreements to EU member states (Parliament Resolution, 2013b, 2016a). However, it began criticising the Chinese government’s repressive and violent policies towards minorities much earlier and more heavily than many other actors. MEPs encouraged the inclusion of human rights in EU policies to a greater extent and ultimately the Parliament emerged as one of the key actors contributing to changes in the nature of EU-China relations due to human rights-related concerns. As a result, whether or not a member state brought human rights to the

forefront of its foreign policy agenda, the Parliament engaged in a top-down policy ‘downloading’ to all member states. This led to a certain discrepancy between actors focused on mutual gain in relations with China and their attempts to influence EU policy, resulting in factors that most significantly influenced the adoption of decisions that appeared to be of divergent character.

The Parliament’s China criticisms escalated in the second half of the 2010s. In a period when some other EU institutions and member states refrained from taking actions that could negatively affect economic cooperation with China due to increasing dependency, the Parliament issued a series of resolutions condemning the Chinese government’s restrictions on human rights and freedoms, deficiencies in fair trial procedures, poor treatment of detainees, and called for an end to pressure and violence against minorities in Tibet, Hong Kong, Macau, and Xinjiang (Parliament Resolution, 2010b, 2010a, 2011c, 2011e, 2011b, 2011a, 2012a, 2012c, 2013c, 2016b, 2016c, 2017c, 2018a, 2018d, 2019b). Approximately two years before the Council imposed sanctions on Chinese officials for human rights violations in Xinjiang, the Parliament called on the Council to implement targeted sanctions against China (Parliament Resolution, 2019c Art.12, 2020a Art.24). Whether they were MEPs and policy advisors to the European Parliament or officials from other EU institutions and member states, there was a broad consensus among the participants of this research that the Parliament is the institution that most advocates human rights in China.

“The European Parliament is big on principles and there are more activists in the Parliament than the Commission .. the Parliament is more eager [on human rights]” (Interview #11 A Policy Analyst at the EPRS, 18.10.2022)

In other words, the first key EU actor to move from the cooperative first phase to the critical second phase was the Parliament and thus, even though the Council took the sanction decisions anonymously, it was evident that the Parliament played a leading role in initiating and sustaining efforts to impose sanctions.

“We are not here representing the state, so we are not here representing national interests. According to the treaties, [other supranational institutions] should be [the same], but I understand that they get a lot of pressure also from the Council. But, the Parliament, as the only directly elected institution in the EU representing the citizens, we feel more at ease when taking a clear stance regarding human rights violations. I think it has to be like this. We need to be vocal when there is ample evidence that such human rights violations happen.” (Interview #26 A MEP from Green/Free Europe Alliance, 10.10.2023).

This policy of the Parliament significantly affected the EU and its member states. In terms of Europeanisation, the Parliament’s critical approach towards human rights in China and its influence on the EU’s foreign policy contributed to the process leading to sanctions decisions. As

can be seen in the freezing of the ratification of the newly concluded investment agreement, the initiatives of the Parliament and MEPs had a significant top-down impact on the cooperation between EU member states and China. The simultaneous pursuit of the Parliament's initiative alongside those of other actors, and the different aspects they emphasised in relations with China, led to the uploading of decisions with differing characteristics to the EU level, making consistency in the decision-making mechanism debatable. Therefore, when considering the decision to impose sanctions on a country for human rights violations shortly after completing a large investment agreement with that country as a foreign policy inconsistency, one of the main responsible parties for the subsequent decision was the Parliament.

On the other hand, the EEAS and HR had the mission of coordinating and making external relations more consistent. The reason for the HR was also appointed as the Vice President of the Commission with the Lisbon Treaty was to ensure this coordination and to bridge the gap between the intergovernmental Council and the supranational Commission. However, the extent to which the EEAS ensured the external consistency of the EU remained controversial, and many issues at the time of its establishment continued to be debated a decade later.

After its establishment, the EEAS generally had a perspective of enhancing cooperation with China, particularly during the terms of the first two HR/VPs. The EEAS and HR/VPs approached China as a strategic partner that has some differences from the EU and, through its pursued policies, sustained dialogues, and conducted external diplomacy, had an impact in this direction on the EU and its member states. In other words, its initiatives aimed at enhancing cooperation, detailed in previous chapters, had a similar top-down effect as those of the Commission and contributed to maintaining engagement with China in the cooperative first phase until the mid-2010s. The documents it released contained relatively superficial references to challenges posed by China. This led to its policy during these years diverging from the policies of EU actors who securitised or criticised China more and to different priorities being pursued at the EU level.

However, in the following years, there was a shift from the cooperative phase to a more questioning approach by the EEAS with an increasing emphasis on the differences between the EU and China. The EEAS and HR/VP, while avoiding jeopardising the cooperation perspective, gradually began to mention the challenges brought about by China (see, EUGS, 2016; Mogherini, 2018b), and with the new decade, they recalibrated their rhetoric. Issues such as trade dependency, Chinese assertiveness, domestic repression and human rights violations, pandemic, and disinformation found greater prominence in the discourse of the HR/VP (Borrell, 2019; Mogherini, 2019). On the other hand, the extent to which this change in the discourse of the HR/VP has influenced the EEAS and hence the EU emerged as a topic that was avoided in the

interviews conducted for this research with EEAS officials. Officials were over-cautious when it came to China and were quite moderate in criticising the EU and its relations with China:

“Some see it contradictory, but we have three dimensions .. There was an expectation that [the] opening of China would lead to change through liberalisation. But it didn’t take place .. [After this we identified three dimensions] because we realised that China has not only offers opportunity but also challenges.” (Interview #9, A Policy Officer in the EEAS’s ASIAPAC.4 Division – China, Hong Kong, Macao, Taiwan, Mongolia 11.10.2022)

“Situation with China is very complex .. It would be too easy to say [increasing dependency] was a mistake because Europe gained a lot by trading China. It lifted all the boats. But with the knowledge we have today, maybe we could have been more careful.” (Interview #22 A China Policy Officer in the EEAS’s Security and Defence Policy Division 05.10.2023)

In this respect, the argument that applies to the Commission, regarding the decrease in its horizontal consistency with more critical institutions and, similarly, its vertical consistency with member states promoting pro-human rights policies, is also valid to a certain extent for the EEAS. In the years following its establishment, its cooperative approach, later transitioning to a low-intensity questioning attitude until the Strategic Outlook, contributed to shaping the EU policy towards a more cooperative direction. However, when its policy did not align with the efforts of actors pursuing a higher-intensity critical agenda to shape the external policy of the EU, it became inevitable for decisions of different natures to be taken consecutively.

Just as the alignment of policies pursued by institutions within the EU affected the consistency of the EU’s China policy, the alignment of member states with each other and with EU institutions was among the most significant components affecting the EU's consistency. In this respect, with their capacities, the impact of big member states on the decision-making mechanism and consistency was massive:

“They definitely have more capacity .. Just to give you a flavour of what is happening here, they have larger delegations, so they have more people present in meeting rooms at the same time at different locations, in different roles. This means that, merely by the sheer size, they have a bigger impact. For example, I’m now meeting you. This means I’m not able to participate in one meeting and we’re just 4 Belgian colleagues here in the EPP group. So this means that I have to count on three other colleagues to be able to be present in that meeting. But the Germans are with 20-plus members here or even more. So, obviously, they can choose from many more members that could potentially be present in that

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meeting. You see? That plays a role.” (Interview #21, An MEP from European People’s Party, 05.10.2023)

As explained in the previous chapter, there have been periods when the approaches of Germany and France to China were not always in harmony with those of EU institutions and other member states. This discordance has had a significant impact on the EU’s external policy and the varying nature of the decisions made by the EU. For instance, Germany and France, as the largest member states of the EU in terms of population and GDP, have generally played a leading role in shaping EU policies in many areas, and their relations with China are no exception. Their potential to influence the EU ultimately increased their chances of influencing other member states and EU foreign policy. As a result, German and French leaders have been reasonably successful in uploading their own foreign policy to the EU’s China foreign policy for a long time.

“Usually, the EU was managed through the alignment of France and Germany, and then all the other countries would follow up. Now it’s not so easy anymore, because now the EU is so big and it takes more countries to follow up, but I think the influence is still there.” (Interview #30 A research analyst from Bruegel, 23.11.2023)

German and French foreign policy based on boosting cooperation with China did not attract much attention when things were going smoothly. However, China’s increasing dominance in both economic and other areas, and its departure from liberalisation policy to a more opposite direction, led to greater scrutiny of their approach (Barkin, 2020, p. 1; Dempsey, 2023; Oertel, 2023). The fact that Germany and France did not undergo a radical change in their engagement with China during this process led to a gap between their policy and that of EU actors who took China more seriously.

Germany and France often attempted to upload their policy to the EU level. They were sometimes successful in this regard, but sometimes unsuccessful, as in the attempt to lift the arms embargo imposed on China (Tang, 2005, p. 319). German and French leaders, for a long period, placed economic liberalisation at the centre of engagement with China. They aimed to increase national interests by facilitating the entry of German and French industry and companies into the productive Chinese market. This was seen as a lucrative area during the years when Europe had a relative technological superiority, China had not yet become a significant military and economic power on the international stage, and the West’s attention was generally focused on the Soviet Union/Russian Federation. Consequently, this led to lower opposition within the EU, if any. Strengthening trade relations benefited both sides, and it was argued that for Europe, “it was good because it was cheap” until “the dependency became life-threatening” (Interview #18, A Parliamentary official in DG External Policy, 03.10.2023).

Contrary to Paris and Berlin's policy, there were EU member states in the 1990s that criticised the human rights situation in China and sponsored decisions against China in the UNHRC. These member states, such as Denmark and the Netherlands (Rühlig et al., 2018, p. 17), were more willing than larger member states like Germany and France to demonstrate their support for protesters in China and to criticise the brutal methods used by the Chinese government to suppress demonstrations (Le Monde, 1989; Q. Shen, 2019, p. 10). They advocated for decisions to be made on international platforms against China's practices. However, these member states had less capacity than larger member states to upload their own foreign policies to the EU level and influence other member states. It is often clear that other member states need the political support of the two major member states for the policy they pursue in many areas to be successful, as an Italian Permanent Representation to the EU official's (Interview #29, 16.10.2023) response to the question of whether Germany and France have a greater capacity to influence EU foreign policy compared to other member states captures this: "How could we say no? Let's try to be realistic. This is not a judgment or it's not something wrong. But like in every single group, there are members which have a different [influence]."

Efforts in the UN yielded no results without the support of larger members. Germany and France's preference for pursuing a lower-level policy on human rights in China and their reluctance to risk bilateral trade cooperation by pushing for a decision in the UNHRC were among the main reasons for the failure of the policy pursued in the UN. This was an important example demonstrating the role of the two major member states in the unity and foreign policy of the EU. Rather than advocating for a decision on international platforms like the UN, they supported the establishment of a lower-level communication forum between the EU and China, as preferred by China as well. This resulted in the formation of the EU-China Human Rights Dialogue. Therefore, just as in trade cooperation, the major member states succeeded in uploading their own policies on the EU, ensuring that a human rights policy close to their own foreign policy became EU policy.

Germany's approach based on enhancing cooperation with China continued until the 2020s, as can also be observed from the increasing bilateral trade which was multiplied nearly 10 times between years 2000 and 2020 (from \$25.48b to \$245.29b, World Bank, n.d.-f). Beijing benefited from Europe's increasing dependency, which reduced the manoeuvring space available to EU member states in their foreign policy and discourse toward China. It was debated that Germany occasionally stood against decisions considered by the Commission and the Council, not only in the field of human rights but also in some decisions related to China's overcapacity production or anti-dumping, due to fear of Chinese retaliation (Bradsher & Eddy, 2013). This stance had negative effects on EU cohesion. A growing divergence began to emerge between the German foreign policy and EU actors trying to pursue an agenda highlighting threats posed by China.

Similarly France has long pursued a policy of developing economic relations with China. France's policy prioritising cooperation with China faced political tension, particularly during Nicolas Sarkozy's first years, due to his outspokenness on the violations in Tibet and his meeting with the exiled Tibetan spiritual leader, the Dalai Lama. However, when there were attempts to initiate a boycott of French goods in China, French leaders must have considered the damage escalating the tension would cause to the country's interests, because they decided to transitioned to a strategy of softening relations with China shortly thereafter. In other words, when it came to increasing dependencies and getting a share from the rising Chinese economy, France preferred not to face probable economic straits due to human rights issues. China's weaponisation of the economy and dependency on France, similar to its strategy towards Germany, played a role in this (Hackenbroich et al., 2022, p. 2; Varma, 2024). Therefore, French officials adopted an approach that prioritised human rights less in order to revive their fragile economies amid crises. This attitude largely persisted until the 2020s. Although Germany and France started to become more critical on issues such as Chinese FDI in critical sectors in Europe towards the end of the 2010s and began to move towards the second phase, the intensity of this criticism remained at a level that did not threaten cooperation, and in this respect, the distinction between the big two and more critical actors became more pronounced.

The distinction became even more visible with the conclusion of the seven-year-long CAI negotiations, just one day before the end of Germany's Council presidency. The presence of Chancellor Merkel and President Macron alongside the Presidents of the Commission and the European Council in the meeting with China illustrated the strongest supporters of the agreement. According to the Former Austrian Permanent Representative to the EU and Head of the European Union Delegation to China and Mongolia, Hans Dietmar Schweisgut (Interview #17, 14.11.2022), while the Commission and the EEAS were the vanguards of European policy towards China, Germany had "a much stronger interest than most of the other countries," particularly in supporting trade and investment policies. For this reason, some other member states approached the rapid completion of the CAI with suspicion, and their "suspicions were also further given food by the fact that the Director General of the Trade Department in the European Commission happened to be a German." Many other interviews conducted as part of the research also indicated that it was no secret that Germany and France were the most eager member states to complete the CAI (Interview #2 A Policy Officer in the EEAS; Interview #3 An MEP Targeted by the Chinese Counter Measures; Interview #4 An Official from the Polish Representative to the EU; Interview #7 A Policy Advisor to an MEP/EPP; Interview #16 An MEP from S&D; Interview #18 A Commission Official in DG Trade-China; Interview #21 An MEP from EPP; Interview #25 A Member State Official; Interview #31 A China Expert from Czechia). And by finalising the deal, the large member states once again had the opportunity to set their own

policies as EU policies. Therefore, although negotiations began with many member states accepting the need for a comprehensive investment agreement, the conclusion and timing of the agreement were seen as a result of France and Germany setting their own trade and investment policies at the EU level (Płóciennik et al., 2021, p. 5). As a policy analyst at the European Parliamentary Research Service (Interview #11, 18.10.2022) stated:

“[Veto power] means that the smallest member state can exert huge leverage .. Hungary can have as much impact on what’s being decided as Germany, for instance. What is important is the Franco-German alignment on issues. If France and Germany agree on certain things, and this is usually a prerequisite to get the ball rolling on foreign policy issues, you can’t really avoid it.”

However, less than three months later, the EU’s first sanctions decision against China on human rights since 1989, along with the deadlock of the CAI, made the EU’s China policy appear more inconsistent than ever. Even after the sanctions, the German government’s avoidance of direct criticism of China was an indicator of its decreasing coherence with EU actors who were more openly critical of China. Considering Germany’s and France’s bottom-up influence in shaping EU policies, this became a factor weakening consistency with other critical key actors such as the Parliament, and made the greatest impact on the adoption of the first of the two seemingly inconsistent decisions. In other words, some key EU actors were in different phases of cooperation or criticism in relations with China or pursued these policies with varying intensities. Their simultaneous attempts to upload different types of policies to the EU level and their success in doing so ultimately resulted in the adoption of two distinct decisions. There was a mismatch between the policies of the key stakeholders, which resulted in diverging uploading and downloading efforts, for instance, while the big member states tried to impact the EU level in a way that is more related to trade and investment cooperation, the Parliament and some other member states pursue a policy that tried to include the human rights in the EU agenda more. Thus, these two efforts gradually diverged as China was perceived more ambitious internationally and repressive domestically and the mismatch between different policies that impacted the EU level caused the primary reason for the EU to make decisions that did not seem consistent with each other. Before detailing this in the last sub-section, the next part makes an overall assessment on different opinions on interests and values in the EU foreign policy-making regarding China.

7.2 The contestation of interests vs. values in foreign policy-making

The institutions and member states examined in the research have maintained official relations with China for over half a century. Each of them has sought to pursue its own institutional or government agenda, and there has been interaction at various levels during this process. While

the engagement of actors with China has been shaped within the framework of diverse variables such as institutional culture, foreign policy tradition, national interests, new opportunities, and challenges, the policies they pursued were sometimes quite different in character. According to an MEP from Greens/European Free Alliance (19.10.2022), every actor “has a different geopolitical focus and different bottlenecks.” For instance, for the European Commission, “it makes sense to always balance between upholding some values, but not disregarding rational relations and economic opportunities,” and for “a smaller country with occupation history, such as Czechia or Lithuania,” it might be more important not to “uphold their values of freedom and democracy” while for “a bigger country, losing economic opportunities might be a threat to survival, thus that is preferred.” Considering the dozens of institutions of the EU and its 27 member states, it is not always realistic to expect them to have the same foreign policy objectives. However, the harmonisation and coherence of foreign policies have been among the fundamental objectives of the EU for decades. Alignment in foreign policy has been emphasised by the EU in treaties such as the Maastricht (TEU, 1992 Title 1 Art.C) and Amsterdam Treaties (Consolidated Version of the TEU, 1997 Title 1 Art.3) and most recently the Lisbon Treaty (TFEU, 2007 Title 3 Art.13). Therefore, it would be reasonable to expect EU actors to have overlapping policy objectives, even if they are not identical, and to refrain from pressing for policies that contradict each other as much as possible.

However, particularly considering the past decade, there is a fundamental difference in the engagement of leading EU actors with China and as one of the interviewed Renew MEPs (Interview #27, 11.10.2023) stated, the “discrepancy between the EU’s aspirations in terms of values and ethics and economic interests and dependencies” forms the fundamental reason for the lack of coherence in the policy towards China. This discrepancy in substance consists of two poles: a collaborative approach that places the interests of member states and Europe at the centre of engagement, and a value-based approach that considers China’s increasing authoritarianism as a threat to the values endorsed and supported globally by the EU. These two are not sharply delineated from each other, just as EU actors do not always approach China solely based on interests or values. It is not politically valid to say that an EU institution focuses only on European economic interests in foreign policy, or that a member state pursues a completely value-based policy in foreign affairs, or vice versa. However, after examining the long-term policies, discourses, and initiatives of institutions and member states, a rough generalisation can be made about which pole they are closer to in their China foreign policy¹¹. In the interviews conducted as

¹¹ Treating values and interests as mutually exclusive may not always be accurate. In situations where they overlap, an actor in foreign policy can pursue both values and interests simultaneously. The spectrum of values and interests mentioned in the text has been used to define political situations where these two diverge from each other.

part of the research, it was possible to see comments falling within the boundaries of the two approaches. For example, an MEP from the Left group (Interview #24, 06.10.2023) argued that the EU should first “define its interests” and then act accordingly:

“Structure must be further developed if we want to have a clearer positioning of ourselves. What are our international interests? What do we want to strive for? And as long as you don’t [describe] it, then you have different answers from Hungary, Poland, France, Germany, etcetera.”

On the other hand, another MEP (Interview #26, An MEP from the Group of the Greens/European Free Alliance, 10.10.2023) opposed prioritising interests over values regarding China, stating that “what we should never do is prioritise economic interests and look the other way when it comes to human rights violations.” These two different comments can be seen as a rough example of the two poles mentioned above.

The Commission, Council, Parliament, EEAS, Germany, and France, specifically examined in this research, emerged as highly influential actors in EU external policy-making or implementation. Each of them exerted a certain influence on the EU’s engagement with China in line with their institutional, personnel, or governmental perspectives. Their placement of either the collaborative or value-based approach at the core of EU-China relations directly influenced their contribution to EU foreign policy. In general, as these approaches converge, the expectation for horizontal and vertical consistency in foreign policy increases, while it decreases as they diverge. This coincides with the statements of one of the MEPs of the Greens/European Free Alliance (Interview #26, 10.10.2023):

“[EU] policy-making is quite dysfunctional .. there are several interests at stake .. You have the Commission pushing for certain approaches towards China and within the Commission, if you are responsible for the trade portfolio, you might have a different view than if you are HR/VP, for instance. Then you have the Council member states where there is no unanimity on how to have relations with China. And then you have the Parliament with maybe more space to make political statements that sometimes can be contradictory with policy goals pursued by the Commission or the Council .. [this] is not the most efficient way when it comes to dealing with third countries.”

From the perspective of the two-phase framework of this study, for a long time actors were generally in the cooperative first phase, hence there was a certain degree of consistency. Amidst a slowing growth rate, diminishing technological superiority, and a profoundly felt debt crisis, Europe, found itself grappling with a quandary regarding its policy towards China, framed around strategic partnership. China, increasingly perceived as a rising power due to its rapid growth, was swiftly closing the technological gap with the West through substantial investments in education

and innovation, and demonstrating resilience to financial crises, unlike Europe. This presented Europe with a challenge as it sought to navigate its relationship with a dynamically evolving China while confronting its own internal economic challenges. Major member states' prediction that China's economic liberalisation would bring about liberalisation in other areas as well fell short due to President Xi Jinping pursuing a "certainly more forceful, assertive, and ambitious" agenda compared to his predecessors (Bader, 2016, p. 14) and making China "more centralized, authoritarian and assertive abroad" which often resulted in "contradiction with European interests and values" (Bartsch & Wessling, 2023, p. 8). As noted by an analyst from the Bruegel think-tank, this was one of the primary reasons that shifted the situation for the EU.

"So basically, what triggered all of this was the expectations that China should become more like the West as time progressed and as China opened its economy, the secret hope of many politicians in the West in the 2000s and in the early 2010s was that China is going to democratise and liberalise also politically. As its economy develops, as people have more opportunities, they will demand more participation, etc. Now this has not happened, quite the reverse has happened if one should say. Since Xi Jinping, there has been a more nationalistic tone. There has been a strengthening of the government .. it was an eye-opener for the EU." (Interview #30 A research analyst from Bruegel 23.11.2023)

As a result, approaches to managing relations with China within the EU once again began to diverge, leading to a decrease in unanimity and coherence. During these years, the Commission and big member states showed little alteration from the previous decade. Although concerns about human rights occasionally surfaced in rhetoric, the focal point of engagement remained positioned closer to economic interests rather than values, reflecting a trade-off between interests and values. This preferred approach of significant EU actors notably shaped EU foreign policy to a significant extent, as expected. Specifically, the Commission, to some extent the Council and the EEAS, and the two major countries played the largest role, as indicated by many EU institution and member state officials interviewed regarding the continuation and intensification of bilateral cooperation with China. As a result, as implied by Europeanisation, these initiatives influenced EU foreign policy and member states through bottom-up and top-down policy processes, with the priority in the EU's China policy remaining largely commercial-centric.

On the other hand, China's rapid growth, its capacity to finance military investments through economic development, its more aggressive stance on issues concerning land and sea borders, its lack of respect for international court decisions on these matters, and challenges such as the Taiwan issue led some other EU institutions and member states to question the EU's China policy more extensively (Netherlands, 2019, p. 38; Parliament Resolution, 2018c). Another significant

reason for this questioning has been the increasing evidence and concerns regarding human rights violations in the country. Parliament and some small and medium-sized member states have often been more vocal than German and French government officials in addressing the challenges posed by China more seriously and openly criticising Beijing's increasingly oppressive approach towards minorities and dissidents. As we entered the 2020s, criticisms were followed by calls for sanctions against China (MFA Lithuania, 2021a; Parliament Resolution, 2019c, 2020a). Just as actors focusing on commercial cooperation sought to influence the EU, human rights and values advocacies sought to influence the EU according to their own preferences and objectives. These two distinct initiatives decreased harmony in the EU's China policy and the foreign policy cycle that appeared to be consistent (until the 1990s) - inconsistent (the first half of the 1990s) - consistent (before and after the millennium), respectively, once again moved towards inconsistency.

When the overall nature of the relationship is evaluated from the perspective of Europeanisation, as many scholars and numerous EU officials participating in the research pointed out (Krotz & Maher, 2016; Lehne, 2012), the major countries were quite influential in shaping the course of relations with China. Their material and human capacities placed them in a pivotal position within the EU and provided them with more opportunities to upload their preferences to the EU compared to other EU member states. As a result, the EU-China relations, which have officially continued for more than half a century, were largely maintained in a position closely aligned with Germany's and France's foreign policies towards China. Indeed, looking back, the China policy pursued by the Franco-German engine closely overlapped with many EU decisions, such as establishing formal relations, enhancing cooperation, addressing human rights at the bilateral dialogue level rather than the UN, and elevating the relationship to a strategic partnership. The two major member states were quite successful in influencing institutions and the EU, and the agenda of Brussels shared more similarities than differences with those of Berlin and Paris. This was also noted in many of the interviews (Interview #3 An MEP Targeted by the Chinese Counter Measures; Interview #4 An Official from the Polish Representative to the EU; Interview #14 An MEP from Greens/European Free Alliance; Interview #16 An MEP from S&D; Interview #21 An MEP from EPP; Interview #26 An MEP from Greens/European Free Alliance). If these two powerful member states, as in June 1989, had a pro-human rights approach rather than a pro-business approach towards China in the 30 years following the sanctions, it is unlikely that, despite the pressure from other EU actors, the bilateral trade volume and mutual dependence between Europe and China would be as high as they are. In short, the fundamental basis of the EU's decades-long foreign policy prioritising cooperation with China lies widely in the foreign policy preferences of the two largest member states and their capacity and success in uploading them to the EU.

Nevertheless, this is only one side of the coin. Although they are considered the two key member states of the EU, it cannot be said that all of Brussels' policies are shaped within the framework of Berlin's and Paris's foreign policy preferences. While small and medium-sized member states may have less capacity, research on their success in uploading their preferences to the EU is also available in Europeanisation studies and IR literature (Benner et al., 2018; Crombois, 2020; Panke, 2010). In addition, the Parliament developed an institutional culture that globally promotes democracy and human rights, and this identity largely shaped its relations with China:

“It's just in their nature, it's institutional culture. It's also kind of what we call parliamentary diplomacy, a different kind of cooperation between the European Parliament and the Parliament of the third country .. there is a lot of dialogue, the dialogue is open. This is also something that Parliament also emphasise, but also the members indeed are not shy to say to Chinese counterparts what they really think.” (Interview #23, An Administrator for a Parliamentary Body, 05.10.2023)

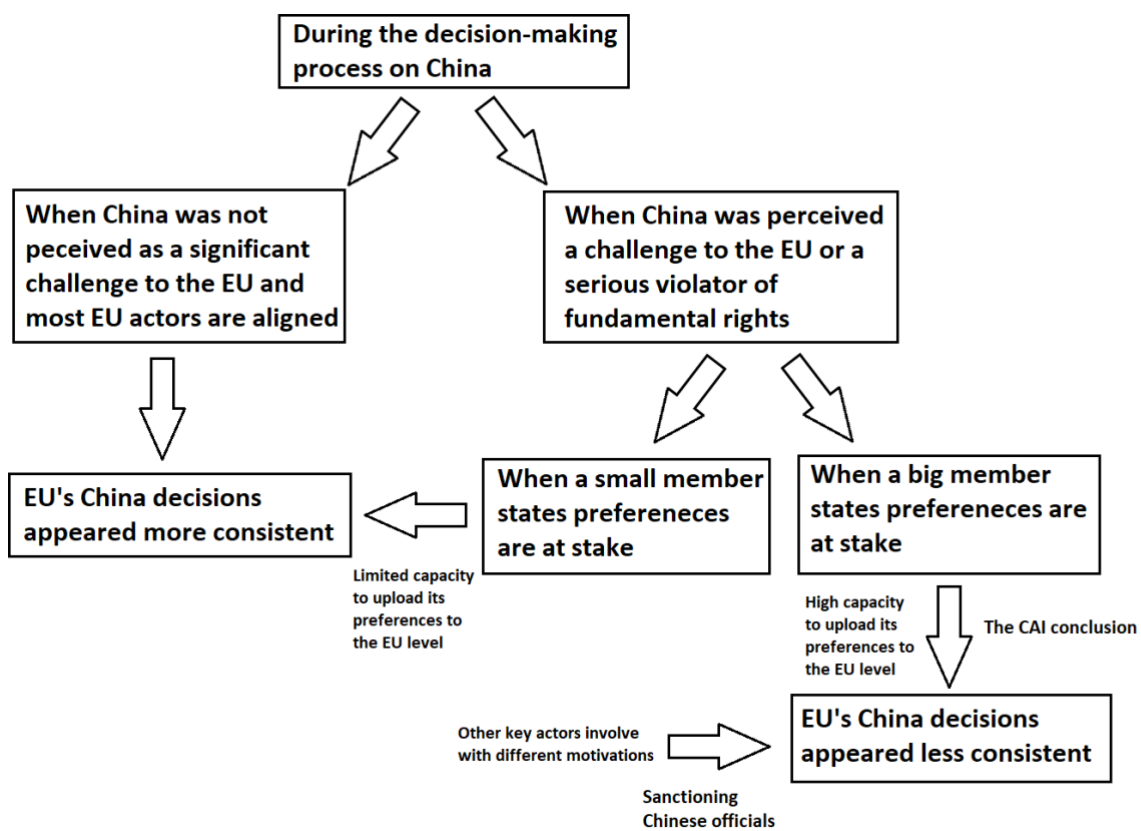
While many other EU institutions and member states have pursued a lower-profile policy regarding the restriction of rights and freedoms in China, the Parliament has long been the EU actor that has brought these issues to the forefront the most. In the early 2000s, it addressed issues in Xinjiang, followed by Tibet, Hong Kong, and again Tibet and Xinjiang in the late 2010s. It took many resolutions on human rights-related areas in China, advocated for sanctions repeatedly, and played a significant role in decisions on sanctions under the GHRSR. Therefore, its approach emphasising the importance of values in foreign policy had a considerable impact on the EU's decision-making in this direction and consequently, had a top-down influence on member states as well.

7.3 Discussing the theoretical model

The theoretical framework chapter had modelled when decisions of different natures were made. The model first divided the decisions taken by the EU towards a third country into two categories based on whether the member states and institutions were aligned or not and whether the country was perceived as a challenge or not. It predicted that inconsistent decisions were unlikely when these policies overlapped, while it made a distinction based on the capacity of member states to upload their policies to the EU level when they did not overlap. It was reasonable to say that some consistency would remain, given that low-capacity actors typically had less influence on the EU. However, when it came to a large member state with a high capacity to influence the EU, this state could impose its preference on the EU more successfully, resulting in a decision aligned with its own interests.

The critical point here was how other member states and institutions would intervene in the process. If the decision taken by the large member state regarding the challenging country was not sufficiently supported by other actors, those actors could invoke the EU's institutional identity and values to shape a counter-process. Thus, simultaneous initiatives, with the large member state's policy of increasing cooperation with the challenging country and the other institutions and member states' efforts to constrain the challenging country, could eventually lead to a clash and decisions of different natures. The application of this model to the EU's December 2020 and March 2021 decisions to conclude CAI and impose human rights sanctions on Chinese officials, respectively, can be illustrated as follows:

Figure 7 Mapping the Consistent and Inconsistent EU Decisions on China



Source: Author's own elaboration

When applying the model from Chapter 2 to the decisions made by the EU regarding China, the importance of two fundamental components in shaping the consistency of the EU's decisions becomes evident. The first of these components concerns situations where the EU member states and institutions do not perceive China as a challenge and most EU actors adopt roughly similar policies. When this first case is present in the relationship, the EU tends to make more consistent decisions towards China. This can be said for the period during the Cold War when relations were limited or the early 2000s when the EU-China strategic partnership was initiated. Until the 1990s, China was not a significant part of the EU agenda; rather, it was seen as a country

with a different political system that, unlike the Soviet Union, was located in a very distant geography and thus did not pose any immediate military threat. Therefore, it was perceived as a country with which developing a certain level of economic and diplomatic relations would be beneficial for Europe. Despite various concerns, improving human rights in third countries was not yet a fundamental part of EC external relations, making them relatively low-level issues. The fact that leading EC actors largely converged on a China policy made its decisions less contentious in terms of consistency during this period. Similarly, the debates in the 1990s over the campaign against China at the UNHRC gave way in the 2000s to advancing trade and business relations, with most EU actors being aligned. Thus, a strategic partnership with China was declared, and further development of economic relations was targeted, resulting in relatively consistent decisions during the years supported by most significant EU institutions and member states.

On the other hand, in the half-century following the diplomatic relations that began in the 1970s, there were years when issues between the EU and China escalated, and these are more related to the second component in the model. Here, EU member states or institutions were more cautious about the pressures China exerted on Europe, fundamental human values and freedoms, or the liberal international system as a whole, compared to the periods described in the previous paragraph. These concerns about China led to EU actors having different objectives in decisions regarding China than they had previously.

The second component of the model differentiates between actors who have a greater chance of influencing EU decisions and those who do not. For example, following the Tiananmen Crisis, some EU member states, led by Denmark, co-sponsored a draft at the UNHRC to pass a resolution against China. These countries argued that serious human rights violations in China should not be overlooked, and that relations should not continue as usual when such serious abuses of the EU's fundamental values were at stake. However, they failed to get the two big EU member states on board. Without the support of Berlin and Paris, the other EU member states could neither pass the draft at the UNHRC nor ensure that the EU followed a strong and binding program on human rights with China. Instead, in line with the wishes of France and Germany, the Human Rights Dialogue without strong commitments was initiated. This remained an example of the limited ability of other member states to upload their preferences to the EU level and influence EU decisions according to their own wishes:

“Smaller countries don't really have the resources, or even maybe at in some cases the level of interest, to actually contribute to, or to dedicate their attention to ties with China .. At the same time, you also have bigger states that usually have bigger resources that can use like leverage their power within the EU to

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follow their national interest by moving the EU in some direction.” (Interview #31

A China expert from Czechia, 25.10.2023)

However, the challenges posed by China were also less significant than those in the late 2010s, and thus there was still no major inconsistency in EU decisions. Approaching the 2020s, as the challenges from China increased, the EU realised it could no longer conceptualise China merely as a strategic partner. Instead, it declared China to be both an economic competitor and a systemic rival (Commission & High Representative, 2019). This was an indication of how much Beijing had challenged Brussels over the years and also signalled that relations with China would become more complex than in previous decades. On the other hand, increasing investment opportunities in China for European companies, which did not have the same opportunities in China as Chinese companies had in Europe, was something European countries had desired for years. This was particularly important for the larger member states with more significant trade and investment cooperation with China. These member states had a greater capacity to impose their preferences on the EU and shape EU decisions. Thus, with Germany holding the Council presidency and France’s support, the conclusion of the CAI with China became possible. In other words, the big member states succeeded in imposing their preferences on the EU and shaping the EU’s decisions according to their policies.

However, the conclusion of the agreement occurred during a period of grave concerns about China’s serious human rights violations. Calls for action regarding Beijing’s increasing repression in Hong Kong and particularly in Xinjiang were occupying European public opinion, and demands for an initiative were growing louder. The Parliament, which transitioned from the cooperation phase to the critical phase with China the earliest, was particularly proactive on this matter. The calls from the Parliament and some medium/small member states were among the main reasons for the Council’s adoption of the GHRSR in December 2020, which provided a framework for imposing sanctions on individuals and entities in regions with severe human rights violations. Following the adoption of the GHRSR, the expectations and initiatives of these actors to impose sanctions on Chinese officials increased. Although the CAI was designed with the logic of providing more equality for EU companies and introduced various regulations regarding labour rights in China, it was a cooperation agreement in essence. It was expected to boost European investments in China and strengthen bilateral economic cooperation with China. In this respect, the sanctions represented a logic quite different from that of the agreement.

The initiative they launched in response to the perceived threat from China and its increasing violations of fundamental rights differed from those in the 1990s. At that time, China was not seen as a significant challenge as it was in 2020, and thus, the campaign against China attracted limited attention. However, by the end of the 2010s, the peak of both the perceived challenges from China and concerns about its violations of fundamental rights, along with the Parliament

being on board and issuing a series of resolutions calling for sanctions, had a greater impact on EU decisions. In other words, under the leadership of the Parliament, the initiative to adopt a stronger decision on human rights succeeded simultaneously with the initiative by big member states to conclude the CAI. The success of the Parliament and other member states in influencing the EU level resulted in the sanctions decision in March 2021. The conclusion of the CAI, the immediate follow-up of human rights sanctions, China's disproportionate counter-sanctions, and the impossibility of ratifying the investment agreement—all these developments happening in quick succession—emerged as the most controversial aspects of the EU's consistency in its decisions regarding China.

In summary, the model discussed in the theoretical framework chapter, which predicts when the EU is likely to take consistent decisions and when this likelihood decreases, provides a suitable framework for evaluating the EU's decisions regarding China. The different periods of the relationship and the varying nature of the decisions taken correlate with the potential of actors to influence the EU and the challenges posed by the target country. During a period of increased challenges linked to China, big member states, leveraging their influence within the EU, concluded the CAI based on a logic of cooperation. Concurrently, the more confrontational initiatives of the Parliament and other member states influenced the EU, resulting in the Council's decision to impose sanctions. The simultaneous pursuit and imposition of these two mismatched logics at the EU level led to an inconsistency in foreign policy decisions.

Conclusion

EU foreign policy-making emerges as a complex process involving various actors and as suggested by Europeanisation, both institutions and member states strive to shape EU policy to closely resemble their own policies through downloading and uploading activities according to their preferences and priorities. Large member states are generally classified as more fortunate in this regard due to their physical and human resources and be more successful in uploading their preferences to the EU level. However, other actors also engage in the process and seek to influence the Union's foreign policy according to their own strategies. The policies pursued by EU institutions and member states in their relations with China point that these institutions and member states sometimes converge and sometimes diverge over time. In this convergence and divergence, cooperation with China and concerns related to human rights have played a significant role. Assuming that cooperation represents interests and human rights-related concerns represent values, it appears that EU actors generally tend to be positioned closer to one side of the values and interests equation.

Actors striving to increase European interests in relations with China have pursued a collaborative approach aimed at increasing bilateral trade for decades. On the other hand, actors closer to the perspective of the values or promoting pursuing more balanced interests questioned China's oppressive actions and endeavoured to include values and human rights more in the EU's foreign policy. At the same time, the increasing challenges posed by China also influenced the behaviour of actors. As a result, EU institutions and member states, which previously pursued a more cooperative policy, gradually shifted towards what this study conceptualises as the critical phase. However, the timing of this shift, as well as the variations in the intensity of criticism and the top-down and bottom-up influences of EU actors on other institutions and member states, led to the EU making decisions on disparate issues within close timeframes. This was influenced by diverging foreign policy priorities, the capacities of actors, the weight of values and interests in foreign policy, and the influence of institutional cultures. The impact of big member states uploading their own policies to the EU often resulted in the EU generally pursuing a China policy that leans towards trade. Yet, other EU actors' attempts to further integrate values into EU foreign policy also shaped the EU agenda. These two different approaches occasionally led to a decrease in coherence in EU foreign policy, as observed in the initiatives at the UNHRC in the 1990s. Thus, the contestation between the cooperative and values-based/critical approaches in the EU's China foreign policy unfolded as a cycle of years of consistency and inconsistency in foreign policy. In this respect, the conclusion of the CAI and the sanctions in 2021 as well as the key actors' diverse influences in making these two decisions, emerged as one of the biggest inconsistencies in this cycle. In other words, the initiation of different logically framed initiatives by key actors influencing the EU's decision-making processes on China, and the success of these initiatives within the same timeframe, became the primary reason that made the consistency of the EU's decisions on China controversial.

CONCLUSION

The primary aim of this research was to make sense of the decisions the EU has taken regarding China and to explain why it has made such markedly different decisions in quick succession. The EU, which represents the most advanced economic and political organisation humanity has produced and has expressed in numerous founding treaties the goal of ensuring consistency in its foreign policy, managed to finalise its largest investment cooperation agreement with China. Within less than three months, it imposed sanctions on a Chinese institution and four officials due to human rights violations, effectively rendering the ratification of this agreement almost impossible—all without any apparent major changes in Europe, China, or global politics. These intriguing developments formed the starting point of the research, and as far as the scope and time of a doctoral research allows, it explored the reasons behind the EU's decisions on China, incorporating different dynamics and actors into the analysis.

For many years, the EU regarded China as a significant trade partner with a different value system. However, China's growing influence and ambitions in international politics made it increasingly difficult to consider it solely as a partner. This was updated in the Strategic Outlook published by the Commission and HR/VP in 2019, where, for the first time, the EU referred to China not only as a partner but also as an economic competitor and a systemic rival (Commission & High Representative, 2019). Although the Strategic Outlook provided an important framework for understanding the changing nature of the relationship, it was difficult to say that all EU actors were on the same page regarding relations with China. When cooperation with China or questioning of it are viewed as two distinct phases in EU-China relations, EU member states and institutions entered these phases at different times or pursued cooperation or criticism with varying intensity. As a result, the consistency of the policy followed by the EU became more complex. As mentioned in the literature review section of this research, while studies examining Sino-EU relations have increased in number as the relationship has developed, the consistency of the EU's China policy remains a gap in the literature.

Therefore, this research aimed to contribute to filling this gap by focusing on the cases of concluding the CAI and imposing sanctions on four Chinese officials and the XPCC PSB held responsible for the violations in Xinjiang. The core argument of this thesis is that EU actors developed two different logics (or phases) in their approach toward China, namely cooperation and criticism, and that this divergence, combined with their success in influencing the EU level, resulted in two distinct decisions. In other words, the thesis posits that EU member states and institutions, which were operating in different phases of cooperation and criticism in their

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relations with China, were simultaneously successful in imposing their preferences at the EU level. This, in turn, led to inconsistencies in the decisions made, due to the inherently different nature of these two policies.

To explain this, the research began by selecting key institutions and actors prominent in EU-China relations. The research focused on the most prominent institutions in EU foreign relations, particularly in trade/investment cooperation and human rights, as well as the two member states generally acknowledged to have the greatest capacity to influence the EU. In this context, the research centred on a sample of six key actors: the European Commission, the Council of the EU, the European Parliament, the EEAS, and the largest member states, Germany and France. While acknowledging that other institutions and member states also influence EU policy, the research demonstrated that the preferences, policies, and initiatives of the selected actors were particularly significant in the two cases under investigation. The theoretical framework section detailed how Europeanisation would be operationalised, specifically, how it would be used to explain the findings and establish causality. In essence, this involved focusing on the role of the EU's prominent institutions and member states in shaping decisions through their long-term stances, discourses, and initiatives toward China. This approach made it possible to explain the process whereby member states upload their policies to the EU level, and how decisions made at the EU level are downloaded to the member states, resulting in an interactive and mutually reinforcing process.

In addition to the analysis of primary and secondary sources concerning the stances, discourses, and initiatives of EU actors, the research also benefitted insights gained from semi-structured elite interviews. To this end, three rounds of fieldwork were conducted in Brussels during Autumn 2021, 2022, and 2023, with the first two rounds supported by the University of Southampton-Research Training and Support Grant, and the final round funded by the European Consortium for Political Research-SGEU Future Grant. Furthermore, in cases where face-to-face interviews were not possible due to Covid-19 and other factors, the necessary information was obtained through online meetings and email exchanges. Ultimately, the data gathered from interviews with over 30 senior officials made a significant contribution to the completion of the thesis.

Results of the Analysis

Within the scope of the two cases compared, the research revealed that the EU institutions and member states examined exhibited various similarities and differences in their relations with China. These similarities and differences in their preferences and policies influenced the decisions taken by the EU, resulting in the EU appearing consistent when the overall stances,

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discourses, and initiatives of EU actors aligned, and inconsistent when they diverged. In this context, the research presents six main interrelated findings.

First, the thesis identified that some of the EU actors were in different phases (or had different intensities within the same phase) concerning their approach to either enhancing cooperation with or critically reassessing their relationship with China. Indeed, apart from the period following the Tiananmen Crisis, EU actors have generally adopted a stance aimed at developing economic relations and increasing cooperation with China since the establishment of diplomatic ties. During what the research frames as the first phase, this cooperative period, China was regarded as a partner, and from the 2000s onwards, even as a strategic partner. The expansion and deepening of these ties found widespread support across Europe. This was followed by a more critical second phase, during which EU actors began to reassess China and the relationship they had established in light of the challenges stemming from China to the EU and the liberal international order. China's rise as an economic superpower, its use of increasing economic power to finance military modernisation and a strong navy, its more assertive stance on territorial and maritime disputes, particularly in the South China Sea, and its repressive policies towards ethnic minorities and activists made it difficult to maintain the relationship as it was. Therefore, the EU and its member states had to recalibrate their stance towards China. However, this recalibration did not occur simultaneously or with the same intensity for every actor. While acknowledging the challenges, many actors did not appear ready for a significant change and continued to deepen cooperation. On the other hand, the European Parliament, in particular, began questioning relations with China more intensively than many other institutions and member states from the early 2000s, with this scrutiny increasingly intensifying over time. It emerged as the most vocal critic of China within the EU and the actor that most actively warned the Union about the challenges posed by China and its human rights violations. Therefore, this divergence in attitudes among actors became a key factor in shaping the overall EU stance towards China.

The second finding, parallel to the literature on big member states (Börzel, 2002; Gross, 2009; Krotz & Maher, 2016; Lehne, 2012; Leuffen et al., 2014; Mattila, 2004), is that the material capacities of member states are quite significant in shaping the EU's decisions regarding China. The decision-making process within the EU is a complex mechanism involving many member states and institutions, both large and small, and numerous studies highlight the influence of smaller member states on this mechanism (Arter, 2000; Björkdahl, 2008; Crombois, 2020; Jakobsen, 2009). However, specifically regarding the CAI, it is likely that no other member states' presidency could have been as swift and successful in concluding the agreement as Germany

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was. In other words, although all member states were initially on the same page at the start of the negotiations, over time, differing voices and concerns emerged regarding China. While there was a general desire for equal conditions in investment, some EU actors had reservations about the agreement in terms of timing and content. Consequently, without Germany's push and France's support, concluding the CAI in 2020 would have been impossible. Thus, the process leading to the decision on the major investment cooperation with China up to that point was shaped by the significant weight and material capacity of the larger member states.

Thirdly, although big member states play a very significant role in making key decisions regarding China, the shaping of relations and the decisions made are not solely influenced by material capacity. Other member states and institutions, driven by motivations different from those of the big member states, can successfully initiate, maintain, and conclude initiatives against a country that poses both economic and values-related challenges to the EU, thereby influencing its decisions. This was evident in the adoption of the GHRSR and the campaigns conducted against severe human rights violations within this framework. Small/medium-sized member states like the Netherlands and Lithuania worked towards the adoption of the GHRSR. The European Parliament, being one of the most vocal EU actors on human rights violations in Xinjiang, issued resolutions calling for sanctions against Chinese officials responsible for these violations. In this regard, the Parliament and MEPs were among the key actors laying the bricks for the Council's decision in March 2021 to impose sanctions on the XPCC PSB and four Chinese officials. This demonstrated that the EU's decisions regarding China were shaped not only by larger member states but also by other actors with various concerns.

Fourthly, the research revealed that the EU's decision to undermine the CAI by imposing human rights sanctions on China after concluding the agreement was essentially the result of two different logics simultaneously influencing the EU. EU actors with various preferences and objectives, as suggested by Europeanisation theory, attempted to shape their policies at the EU level. This approach offered advantages such as the alignment of the actor's objectives with EU policies, lower adaptation costs for EU policy, and thus greater benefits. Big member states were more advantaged compared to other member countries in uploading their policies to the EU, and as a result, were able to influence EU decisions and policies to a certain extent. The policy they sought to upload was more connected with the cooperative and partnership aspects of relations with China, with a cooperation logic being more prominent than that of some other actors. On the other hand, actors influencing the sanction decision process were attempting to impact the EU with a more critical or confrontational logic. The success of these two different logics in

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sequentially influencing the EU was a leading reason for the successive adoption of decisions with differing characteristics.

As a finding that is connected to the third and fourth findings but somewhat more theoretical and conceptual, the research revealed that Europeanisation is a two-way process and the harmony between the processes is crucial for effective EU policy. That is to say, while member states influence the EU in a bottom-up way, institutions' initiatives and decisions made at the EU level have a top-down impact on member states. In this respect, there is a mutually constructive process, and this is continuously repeated. By combining Europeanisation with consistency, this thesis highlights the importance of vertical and horizontal consistency among the actors involved in shaping EU decisions for foreign policy, revealing the critical role of coherence between the actors shaping the EU, as well as between supranational and intergovernmental bodies, for effective EU policy. A lack of such coherence risks undermining years of EU efforts.

Finally, the analysis revealed that while the EU aims to enhance coherence and have single voice in foreign policy through successive agreements and regulations, there are shortcomings in this policy towards China. It is evident that many EU actors have taken a more critical stance in relations with China from the 2020s onwards, and particularly after China's counter-sanctions, their positions have become more aligned, similar to the arms embargo decision of June 1989. However, up until the end of the 2010s, a group of EU actors, including the Commission and big member states, focused on trade and investment cooperation aspect of the relationship, while other actors, especially the Parliament, questioned the future of the relationship with China more intensively and raised earlier criticisms regarding China's pressures or increasing dependency. The growing divergence in engagement with China among the actors has made the EU's foreign policy coherence more problematic compared to the early 2000s.

In this context, it is reasonable to say that there are periods of alignment and divergence among EU actors when looking retrospectively. During the Cold War, EU actors were somewhat in agreement on low-level diplomatic relations and increasing economic gains, which did not constitute a coherence issue. The same can be said for the 1989 sanctions. All actors shared a similar stance in criticising China's oppression of protests and implementing the arms embargo. However, in the following years, the distinction between member states trying to pass resolutions against China in the UNHRC and big member states that did not support this marked the first significant divergence. After the failure of other member states in the UN, the focus shifted to strengthening economic ties with China's accession to the WTO in the new millennium. The evolving relationship was celebrated with strategic partnership. Therefore, in the early 2000s, EU actors once again pursued convergent policies. This period was followed by years of divergence

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between those more willing to criticise China's repressive policies and those less willing. The division among EU actors regarding partnership and competition with China reflects the two different logics mentioned earlier, each feeding into a different decision-making process. The second decision, taken shortly after the first, rendered the first one impossible and undermined years of effort in that direction, leading to an appearance of inconsistency in EU foreign policy. In summary, whether the consistency in foreign policy, one of the main goals in the Lisbon Treaty and many other agreements, meets the desired level in the cases compared remains controversial. Therefore, if the EU's goal is to achieve foreign policy consistency as stated in its treaties, it is clear that supporting greater alignment among actors and decisions is essential to reaching this goal.

Global Picture

How do the findings of this research relate to broader international developments? It is certain that an analysis of the EU's decisions regarding China would be incomplete without including global developments, particularly the rising US-China tensions. Over the past decade, the friction between Washington and Beijing has intensified excessively, with some referring to it as a new Cold War or Cold War 2.0 (Brands & Gaddis, 2021; Kuik, 2021). Despite its aim to develop an independent policy, the EU, which has significant relations with both countries, was inevitably affected by these tensions. Moreover, President Trump's trade war further complicated the situation for the EU. Although transatlantic relations became more positive with Joe Biden's administration, there are still differences in views on how to address a more ambitious China. The US has been more active in conceptualising China as a competitor and responding to the challenges China poses to the liberal international order it pioneered. EU actors often stated that they did not want to take sides in this conflict and approached both countries from a more commercial perspective for a long time. However, the need to reassess China compelled the EU to take several decisions, such as reducing dependencies, strengthening cooperation with like-minded partners in the Indo-Pacific (clearly excluding China), supporting large-scale projects like Global Gateway as alternatives to the BRI, and restricting foreign investment in critical infrastructure and security-related sectors. In this regard, there has been increased overlap with US policies. Nevertheless, it is still difficult to say that this overlap is firm. Many EU officials have expressed that they have more ties with their transatlantic partner than with China, yet, when it comes to EU interests, the Union has followed its own policy, which does not always have to align with that of the US:

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“We do have an independent relation with China. We don’t just copy-paste the US position. Of course, we have a close transatlantic cooperation. We have a strategic dialogue between the Secretary General of the European External Action Service and the Deputy Secretary of State on a regular basis on China. They have consultations on the Indo-Pacific as well. So, we cooperate and coordinate very closely, but that does not exclude that we do have different positions, different opinions on certain aspects.” (Interview #6 An Official at the German Permanent Representative to EU, 07.10.2022)

“We have a very close stance on how we see the world, how we are in favour of a rules-based approach to the world .. But when the mood music in the US has changed on China, in Europe, there has been quite a gap in years. So it is not like an automatic shift. We had a little bit different approach.” (Interview #20 An Official in the EEAS’s Security and Defence Policy Division, 05.10.2023)

Another significant international factor shaping the EU’s relationship with China is undoubtedly Russian aggression. Until the 2020s, the EU maintained a stance towards Russia similar to that with China in terms of increasing mutual dependencies. In this regard, major collaborations like Nord Stream 2 were continued despite Russia’s annexation of Crimea in 2014. However, Russia’s invasion attempt of Ukraine in February 2022 not only completely altered EU-Russia relations but also had a profound impact on EU-China relations. Kremlin’s declaration of a no-limit friendship with Beijing was met with fear and anxiety in Europe, and China’s dual-use products contributing to the war in Russia raised concerns among EU member states. Additionally, China’s rhetoric regarding a potential invasion of Taiwan and its military activities in the Strait were other areas of concern. Since the route used for nearly half of the products coming to Europe passes through this region, the increasing tensions led EU actors to deeply worry. However, it is also worth noting that the EU’s initiatives in this area have been much more limited compared to those of the US. While the US engaged in various actions such as strengthening Taiwan’s defence, supporting countries in the region like Japan, the Philippines, South Korea, and Australia militarily, and enhancing mutual protection pacts in the region, the EU took measures like relocating chip and semiconductor factories from Taiwan to Europe with a more commercial logic. The situation regarding Taiwan is likely to remain one of the most critical issues in the coming years.

Aside from the US-China rivalry and the Russia-Ukraine War, other critical issues influencing the shaping of EU-China relations include global health, climate change, nuclear proliferation, international development, the migration crisis, the sharing of the Arctic, and space security. Many of these issues are expected to grow in importance. For example, the fields of AI and new technologies, are becoming increasingly significant in terms of cyber security and technological

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leadership and featuring more prominently in EU-China summits. However, a detailed discussion of all these topics is beyond the scope of this thesis. Perhaps finally, the impact of the Hamas-Israel war that began in October 2023 on EU-China relations can be briefly addressed. The violence and horrific civilian casualties resulting from Israel's assault on Gaza, following Hamas militants' attack on a concert using paragliders, led to significant international reaction against the disproportionality of response. However, European countries remained divided on the issue. Ireland, Spain, and Slovenia were more vocal in criticising the Netanyahu government and subsequently decided to recognise Palestine as a state. In contrast, Germany's support for Israel and the EU's generally passive stance during the crisis were sources of criticism. The vacuum resulting from the EU's lack of initiative allowed China to increase its influence in the Middle East, leading to a diminishing role for the EU and a strengthened position for China. Thus, the EU's failure to provide a consistent and unified response to the Palestine-Israel issue has damaged its profile and normative influence in many Global South countries, strengthening China's position. Therefore, if the EU aims for coherence and consistency and also wishes to maintain its normative power, the consistency of its Middle East policy seems of critical importance.

Limitations of the Research

The research identified reasons for the apparent inconsistencies in the EU's decisions regarding China and developed an approach to explain under what conditions the likelihood of the EU making inconsistent decisions increases. It did so by selecting a sample of prominent actors and cases relevant to the decisions made by the EU. However, the decision-making process within the EU is more complex than this. Moreover, it is sometimes a rather opaque process, which complicates analysis. Tracking who advocates for what during Council sessions is particularly challenging, especially when no decision is made and discussions related to the agenda are not published. This research attempted to shed light on this lack of information through interviews with officials from EU institutions and member state delegations. However, it should be noted that relatively few member state officials were available for the research compared to other institutions. As a result, some perspectives may remain one-sided, and obtaining a broader sample of member state representatives could be beneficial for validating the findings.

Additionally, the fundamental reference level for the research was the member states and EU institutions. In other words, the EU institutions and member states were the reference point in the research, and inferences about the EU were drawn based on their stances, discourses, and initiatives. Since these two components have the greatest impact on EU decisions, they provide a useful focus for explaining the reasons behind different types of decisions. However, it would

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be incomplete to claim that these are the only influential levels. Subnational levels, interest groups, NGOs, individuals, as well as regional and systemic levels all have varying degrees of impact. Furthermore, not including globally influential issues, such as the US-China rivalry or the challenges directed by Russia, may somewhat limit the explanatory power of the research. Still, within the scope of the available timeframe, the research balanced explanatory power and viability by approaching cases from a broad perspective. Thus, while it does not disregard the influence of other levels, it views them as aspects that can be addressed in further research, as will be discussed in the next subsection.

The research adopts a largely unilateral perspective when addressing the consistency of the EU's decisions regarding China. That is, it approaches the cases from a European viewpoint and evaluates the EU's decisions on China from the perspective of EU institutions and member states. However, there is also the dimension of the Chinese perspective which was not included within the scope of the research. Clearly, incorporating this would have both increased the scope of the thesis and required expertise in Chinese politics and language, areas in which the researcher does not consider himself an expert. Nevertheless, the research acknowledges that this is an important dimension and accepts that the Eurocentrism or Western perspective-only explanations in IR from the decades following the discipline's establishment need to be broadened to include Global IR (Acharya, 2014; Acharya & Buzan, 2019).

Further Research

As Chinese influence in global politics increases, the importance of research analysing China is clearly growing. Similarly, its share in the EU's external relations has significantly expanded over the past two decades. Therefore, examining different sectors or actors in the EU-China relationship could aid in explaining EU foreign policy decisions or assessing their consistency, and would help complete the picture of the study of EU-China engagement. For instance, a detailed examination of processes related to the adoption of the EU's cybersecurity toolbox or the restrictions on investment in critical sectors could offer intriguing comparisons with the strengthening of commercial relations and partnerships. On the other hand, since EU actors had similar cooperative and cautious approaches towards Russia as they did with China before the war, studying Russia as a case, would provide an interesting, though challenging, analysis. Additionally, comparing the processes related to these two countries would contribute to a solid background for understanding the policies the EU might pursue in light of the increasing Sino-Russian rapprochement with the war. Furthermore, the EU's position on milestones in the US-

China rivalry would support inferences about the EU's stance towards China as well as the nature and future of transatlantic partnership.

In this research, the actors considered were treated as monolithic for simplicity. For instance, when examining the Commission's stance on China or France's discourses and initiatives towards China, the policies of these actors were analysed without considering the differences between their sub-units or within the member states. However, a more detailed study would likely reveal various differences in their long-term stances, discourses, and initiatives towards China. In this regard, analysing the subnational units of a smaller number of actors, interest groups, or the different divisions within institutions, such as DG-Trade and DG-Just, could introduce a new dimension to explaining EU decisions. In addition, this research discusses the consistency of the EU's decisions regarding China, thus evaluating the issue from a European perspective. This perspective could be complemented by further research that evaluates the cases from a Chinese perspective, enabling a comparison of the approaches and consistency of both sides.

Finally, this research did not include discussions on potential solutions to the inconsistencies it identified when examining the EU's decisions on China in terms of consistency. Instead, it highlighted the shortcomings in achieving one of the EU's significant goals and developed an understanding of the reasons behind these shortcomings. In this regard, exploring ways to enhance the consistency of EU actors and addressing incoherence presents an interesting intellectual exercise and is of critical importance to the EU. Therefore, devising potential remedies to improve foreign policy consistency in future studies would not only contribute significantly to the EU literature but also offer substantial practical benefits for policymakers.

Concluding Remarks and Policy Recommendations

The research identified various issues in harmonising and ensuring the consistency of EU actors' foreign policies, despite the emphasis on these aspects in numerous founding treaties and key texts of the EU. Achieving this harmony and enhancing a unified voice in foreign policy seems set to remain one of the EU's most significant challenges in the coming years. This is particularly crucial as a full-scale war continues in its immediate neighbourhood, with many anticipating a similar conflict in the Taiwan Strait; as migration issues and the differing challenges faced by transit member states along migration routes versus those further away persist; as inflation and the cost of living crises continue to threaten the prosperity of many nations; and as these developments strengthen xenophobia and the rise of the far-right in Europe. Last but not least, with the effects of climate change becoming increasingly palpable, demanding urgent collective responses, consistency and harmony among EU member states and institutions emerge as more

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essential than ever. In other words, during the years when the EU was on the rise in global politics, and its economic and technological supremacy was more pronounced, the decline in foreign policy consistency might have been more tolerable due to its capabilities and the global context. However, for European countries now weathering stormy days, coherence is more of a necessity than ever before.

The push by different EU actors for divergent logics and the consequent shaping of EU foreign policy decisions in line with these, as seen in the nullification of the CAI after seven years of negotiations due to human rights sanctions and counter-sanctions, results in a significant waste of effort and time for the EU. In addition to this loss, and perhaps more importantly, such inconsistency undermines the Union's role and capacity in the international arena. Therefore, finding ways to overcome this should be among the top priorities of European political elites. As this research does not focus on how the EU can achieve consistency, the researcher does not have a detailed answer on this matter beyond his personal opinions. Nevertheless, as mentioned in the previous subsection, this could serve as an interesting area for further studies.

On the other hand, if the EU continues to set consistency as a goal and acknowledges that its power in international relations is dependent on this, it must enhance the coordination between initiatives launched and maintained by different member states and institutions. China is undoubtedly a huge country, making it challenging to pursue a single, unified policy towards it. The tripartite conceptualisation in the Strategic Outlook seems to remain a guiding framework for EU policymakers in addressing this issue. However, even as policies are pursued in different areas of partnership, competition, and rivalry, ensuring a certain level of coordination among these policies and preventing them from undermining each other is crucial for the EU to effectively pursue its objectives. The EU's motto, 'United in diversity,' adopted in 2000, celebrates diverse perspectives among its members but also emphasises the importance of harmony and unity among these diverse actors. In this regard, the need to adhere to this motto in its external relations is greater than ever.

Appendix A Participant Information Sheet

Study Title: Consistency of the EU's Decisions on China: An Analysis of Cooperation and Sanctions

Researcher: Ahmet Tuzgen

ERGO number: 67771

You are being invited to take part in the above research study. To help you decide whether you would like to take part or not, it is important that you understand why the research is being done and what it will involve. Please read the information below and ask questions if anything is not clear or you would like more information. You may like to discuss it with others but it is up to you to decide whether or not to take part. If you are happy to participate you will be asked to sign a consent form.

What is the research about?

I am currently doing my PhD at the University of Southampton with the supervisions of Dr. Kamil Zwolski and Dr. John Glenn and this research is a part of my PhD thesis. The research is about understanding the European Union's decisions on China. On the one hand, the EU has been trying to improve its trade and investment relations with China, on the other hand, it has been imposing sanctions that damage the cooperation process. I think this seemingly inconsistent behaviour of the EU is worth investigating.

Therefore, I am planning to ask the participants questions about the impact of the EU and its member states on the decisions taken regarding China such as "What do you think are the factors that affect cooperation decisions of the EU?" or "Which member states or institutions do you think are the most influential in taking sanctions decisions?."

Why have I been asked to participate?

You have been asked to participate due to you have been working in the EU institutions and you have the knowledge about the issues related to the subject of the research, and it is believed that your participation will make invaluable contribution to the research.

What will happen to me if I take part?

If you take part, we will arrange a meeting in Brussels, either your office or any other place you prefer, to have a conversation on the research subject. The meeting will not take more than 30 minutes unless you wish to extend it. During the meeting, I will seek your opinions on the EU decision-making process and recent developments such as the Comprehensive Agreement on Investment (CAI) or imposing restrictions on human rights-related grounds.

If you grant permission, the conversation will be audio recorded by a password-protected mobile device. You may prefer not to answer some of the questions or not to comment on certain issues. If you wish to participate anonymously, you will be given a pseudonym in all research notes and outputs and your name will not appear in the study in any way. After the interview, you will have the right to withdraw from the research for two months without giving any reason. You will also be able to request deletion of audio files for 2 months after the interview.

Are there any benefits in my taking part?

Participation in this study is completely voluntary. While it does not directly benefit the participant, it will make a significant contribution to the literature by improving our understanding of the EU and its decisions. Therefore, it is believed that your participation will lead to a public benefit.

Are there any risks involved?

The research has no apparent risk. However, if the participants feel uncomfortable due to certain topics or questions, they may redirect the conversation or state their desire to skip particular questions. They may also take part anonymously; in this way, their name will be replaced with a pseudonym and will not be mentioned in any research document.

What data will be collected?

No personal information will be collected in the research. Only the opinions of experts will be inquired.

Will my participation be confidential?

Your participation and the information I collect about you during the research will be kept strictly confidential. Only responsible members of the University of Southampton may be given access to data about you for monitoring purposes and/or to carry out an audit of the study to ensure that the research is complying with applicable regulations. Individuals from regulatory authorities (people who check that we are carrying out the study correctly) may require access to your data. All of these people have a duty to keep your information, as a research participant, strictly confidential.

All data will be securely stored on a password-protected computer and the password will be known only to me. The computer will be stored securely when I am not immediately in its possession. All documents of the interviews will be backed up at a password-protected and secure online location for ten years. After ten years all documents will be deleted.

Do I have to take part?

No, it is entirely up to you to decide whether or not to take part. If you decide you want to take part, you will need to sign a consent form to show you have agreed to take part.

What happens if I change my mind?

You have the right to change your mind and withdraw without giving a reason for two months after the interview.

What will happen to the results of the research?

Your personal details will remain strictly confidential. Research findings made available in any reports or publications will not include information that can directly identify you without your specific consent.

The results will be published as a doctoral thesis. They may be included in academic publications and presentations. If you request a copy of the results, it can be sent to you electronically. The data will not be used in another future study unless you give specific consent for it.

Where can I get more information?

If you would like to get more information about the research, you can reach my supervisors or me with the following email addresses:

The Researcher, Ahmet Tuzgen:

Supervisor, Dr Kamil Zwolski:

Supervisor, Dr John Glenn:

What happens if there is a problem?

If you have a concern about any aspect of this study, you should speak to us with the email addresses above. We will do our best to answer your questions.

If you remain unhappy or have a complaint about any aspect of this study, please contact the University of Southampton Research Integrity and Governance Manager (023 8059 5058, rgoinfo@soton.ac.uk).

Data Protection Privacy Notice

Appendix A

The University of Southampton conducts research to the highest standards of research integrity. As a publicly-funded organisation, the University has to ensure that it is in the public interest when we use personally-identifiable information about people who have agreed to take part in research. This means that when you agree to take part in a research study, we will use information about you in the ways needed, and for the purposes specified, to conduct and complete the research project. Under data protection law, 'Personal data' means any information that relates to and is capable of identifying a living individual. The University's data protection policy governing the use of personal data by the University can be found on its website (<https://www.southampton.ac.uk/legalservices/what-we-do/data-protection-and-foi.page>).

This Participant Information Sheet tells you what data will be collected for this project and whether this includes any personal data. Please ask the research team if you have any questions or are unclear what data is being collected about you.

Our privacy notice for research participants provides more information on how the University of Southampton collects and uses your personal data when you take part in one of our research projects and can be found at <http://www.southampton.ac.uk/assets/sharepoint/intranet/ls/Public/Research%20and%20Integrity%20Privacy%20Notice/Privacy%20Notice%20for%20Research%20Participants.pdf>

Any personal data we collect in this study will be used only for the purposes of carrying out our research and will be handled according to the University's policies in line with data protection law. If any personal data is used from which you can be identified directly, it will not be disclosed to anyone else without your consent unless the University of Southampton is required by law to disclose it.

Data protection law requires us to have a valid legal reason ('lawful basis') to process and use your Personal data. The lawful basis for processing personal information in this research study is for the performance of a task carried out in the public interest. Personal data collected for research will not be used for any other purpose.

For the purposes of data protection law, the University of Southampton is the 'Data Controller' for this study, which means that we are responsible for looking after your information and using it properly. The University of Southampton will keep identifiable information about you for 10 years after the study has finished after which time any link between you and your information will be removed.

To safeguard your rights, we will use the minimum personal data necessary to achieve our research study objectives. Your data protection rights – such as to access, change, or transfer such information - may be limited, however, in order for the research output to be reliable and accurate. The University will not do anything with your personal data that you would not reasonably expect.

If you have any questions about how your personal data is used, or wish to exercise any of your rights, please consult the University's data protection webpage (<https://www.southampton.ac.uk/legalservices/what-we-do/data-protection-and-foi.page>) where you can make a request using our online form. If you need further assistance, please contact the University's Data Protection Officer (data.protection@soton.ac.uk).

Thank you for taking the time to read the information sheet and considering taking part in the research.

Appendix B Consent Form

Study title: Consistency of the EU's decisions on China: An analysis of cooperation and sanctions

Researcher name: Ahmet Tuzgen

ERGO number: 67771

Please initial the boxes if you agree with the statement(s):

I have read and understood the information sheet (14/10/2021, Version 1.1) and have had the opportunity to ask questions about the study.	
I agree to take part in this research project and agree for my data to be used for the purpose of this study.	
I understand my participation is voluntary and I may withdraw up to two months after this interview for any reason without my participation rights being affected.	
I understand that my interview will be audio recorded.	
I understand that the information collected about me may be used in future ethically approved research studies.	
I understand my responses will be anonymised in reports of the research.	
I understand that I may be quoted directly in reports of the research but that my name will not be used.	
I understand that I will be quoted directly in reports of the research and that my name will be used.	

Name of participant (print name)

Signature of participant.....

Date.....

Appendix C Sample of Interview Questions

- 1) Has there been any change in the EU's stance towards China since you began working for the EU?
- 2) What led the EU to define China as a systemic rival in 2019?
- 3) Do you think China is becoming more assertive over time? (If so, was it a mistake for Europe to increase its dependence on China over the years?)
- 4) What do you think is the most prominent problem in the EU's decision-making?
- 5) Do you think the EU's foreign policy towards China coherent? (If not, what do you see as the biggest obstacle to this?)
- 6) Do you think there is a difference between member states and institutions in adhering to values in foreign policy?
- 7) Do you think the Uyghur issue or human rights in general could be a powerful factor that change the EU's cooperation with China?
- 8) Do you think some member states or institutions prefer cooperation with China while others favour a tougher stance?
- 9) Were there specific member states or institutions more eager to conclude the CAI?
- 10) Were there specific member states or institutions more eager to impose sanctions?
- 11) Do you think big member states like Germany or France have more capacity to shape EU foreign policy than the small member states?
- 12) Since the beginning of the War in Ukraine, has there been any change in the EU's position regarding China?
- 13) Does Beijing's close cooperation with Moscow affect the EU's concerns about China?
- 14) How should the EU respond to Chinese claims in the South China Sea, particularly if the tensions across the Taiwan Strait increase?
- 15) In the Indo-Pacific Strategy, the EU emphasises its aim to strengthen cooperation with like-minded partners. Can we consider this as a shift in the EU's engagement in the region?
- 16) To what extent can transatlantic policies differ regarding relations with a great power like China?
- 17) Is there a difference among the EU institutions and member states in their security perception of China? Can we say that some EU actors securitise China more than others?
- 18) Is the launch of initiatives like the Global Gateway linked to changing dynamics and perceptions of China?
- 19) Do you think groups and summits such as 17+1 or 14+1 undermine the consistency of the EU's China policy?
- 20) What would you say about the future policy of the EU regarding China? Do you expect continuity or change in the short term?

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