P6_TA(2006)0345

Accession of the EC to the Hague Conference on Private International Law ***


(Assent procedure)

The European Parliament,

— having regard to the proposal for a Council decision (COM(2005)06390 (1) — 7591/2006),

— having regard to the request for assent submitted by the Council pursuant to Article 61(c), in conjunction with the first subparagraph of Article 300(2) and the second subparagraph of Article 300(3), of the EC Treaty (C6-0138/2006),

— having regard to Rule 75(1) of its Rules of Procedure,

— having regard to the recommendation of the Committee on Legal Affairs (A6-0250/2006),

1. Gives its assent to the proposal for a Council decision;

2. Instructs its President to forward its position to the Council and the Commission.

(1) Not yet published in OJ.

P6_TA(2006)0346

EU-China Relations

European Parliament resolution on EU-China Relations (2005/2161(INI))

The European Parliament,

— having regard to the 30th anniversary, in 2005, of the establishment of diplomatic relations between the EU and China,

— having regard to the EU-China Strategic Partnership launched in 2003,

— having regard to the main legal framework for relations with China, namely the EC-China Trade and Economic Cooperation Agreement (1), signed in May 1985, which covers economic and trade relations and the EU-China cooperation programme,

— having regard to the Commission’s policy paper entitled ‘A maturing partnership: shared interests and challenges in EU-China relations’ (COM(2003)0533), endorsed by the European Council on 13 October 2003,

— having regard to the first ever policy paper by China on the EU, issued on 13 October 2003,

— having regard to the EU-China political dialogue which was formally established in 1994 in recognition of China’s status as an emerging power on the international scene,

— having regard to the EU-China dialogue on human rights, initiated in January 1996, which was interrupted and then restarted in 1997, to the October 2005 Troika visit to Xinjiang which took place within the framework of the EU-China Human Rights Dialogue, and to the EU-China Dialogue Seminar on Human Rights held in London in December 2005, with the European Parliament as an observer,

— having regard to the ongoing Sectoral Dialogues between China and the Commission, such as the recently launched dialogue on employment and that on intellectual property rights (IPR),

— having regard to the Science and Technology Agreement between the EC and China which entered into force in 2000 and was renewed in 2004 (1),

— having regard to the agreement with China on cooperation in the EU’s Galileo satellite navigation programme, signed on 30 October 2003,

— having regard to the 8th EU-China Summit which took place in Beijing in September 2005 and to the Joint Declaration issued at the conclusion thereof, and the forthcoming 9th EU-China Summit to be held in Finland in the second half of 2006,

— having regard to the Joint Declaration on Climate Change issued at the 8th EU-China Summit and the commitment therein to develop and demonstrate in China and the EU advanced, near-zero emissions coal technology through carbon capture and storage (CCS),

— having regard to the session of the 10th National People’s Congress (5-14 March 2006) and Premier Wen Jiabao’s government report delivered thereat,

— having regard to its two most recent Interparliamentary meetings with China, which took place in Beijing, Shanghai and Hainan in March 2004 and in Brussels in October 2005 respectively,

— having regard to its recent resolutions on China, in particular its resolution of 13 October 2005 on prospects for EU-China trade relations (2), of 8 September 2005 on breaches of human rights in China, in particular as regards freedom of religion (3), of 28 April 2005 on the Annual Report on Human rights in the World 2004 and EU policy on the matter (4) and of 11 April 2002 on an EU Strategy towards China (5),

— having regard to the EU arms embargo introduced after the Tiananmen crackdown of June 1989, as supported by the European Parliament in its resolution of 2 February 2006 on the main aspects and basic choices of Common Foreign and Security Policy (6),

— having regard to its resolution of 7 July 2005 on relations between the EU, China and Taiwan and security in the Far East (7),

— having regard to its previous resolutions on Tibet and the human rights situation in China, and its resolutions of 18 November 2004 (8), 13 January 2005 (9) and 27 October 2005 (10) on the case of the Lama Tenzin Delek Rinpoche, imprisoned and tortured and therefore in danger for his life,

— having regard to the lack of progress in the EU-China human rights dialogue,

— having regard to Rule 45 of its Rules of Procedure,

— having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on Economic and Monetary Affairs (A6-0257/2006).

A. whereas the EU-China Strategic Partnership is of great importance for relations between the EU and China, and whereas a genuine strategic partnership must be based on shared common values,

B. whereas the acceptance of the One China policy underpins the respect for a peaceful resolution of the Taiwan question through constructive dialogue,

C. whereas, apart from democratic values, credibility, stability and responsibility should constitute the fundamental basis of the relationship between the EU and China,

D. whereas the strengthening of the EU's relationship with China will be crucial in meeting global challenges such as climate change, security and the non-proliferation of arms,

E. whereas China in itself constitutes the biggest challenge of trade globalisation and whereas it is experiencing a huge economic boom, with estimated growth rates of around 9% per annum,

F. whereas China's vigorous economic development, coupled not least with its permanent membership of the UN Security Council and its membership of the World Trade Organization (WTO), compels the country to shoulder a growing international responsibility,

G. whereas 'sectoral dialogues' between the EU and China have grown considerably in recent years,

H. whereas the EU is China's biggest trading partner and the biggest investor in China and whereas China is the EU's second biggest trading partner; whereas trade and economic relations have overshadowed the question of democratic reforms, respect for human rights and the rule of law,

I. whereas WTO membership creates a set of rights and obligations for both the EU and China; whereas, moreover, many of these obligations are still not being adequately applied and implemented by the Chinese, particularly those relating to the protection of intellectual property, national treatment and transparency,

J. whereas 70% of all counterfeit goods seized on the European market come from China, and whereas every year nearly five million counterfeit garments and accessories are confiscated by the customs services,

K. whereas Market Economy Status (MES) is an economic instrument rather than a political instrument; whereas China has to improve its performance in order to obtain MES,

L. whereas trade relations between the EU and China require reciprocal market access founded on the legal basis of WTO rules and on equitable and fair competition,

M. whereas the Chinese leadership, in its White Paper on the 'Construction of Political Democracy in China' (2005), confirms the primacy of the Chinese Communist Party (CCP) in China's socialist system of government,

N. whereas the Middle Kingdom of today enjoys a nationwide compact network of courts, evidencing significant progress in comparison with the situation some three decades ago,

O. whereas during the session of the 10th National People's Congress (5-14 March 2006) a spokesman for the Supreme People's Court declared that China will not abolish the internationally criticised death penalty because the People's Republic of China (PRC) is still a developing country in the early phase of socialism,

P. whereas the number of executions carried out is a state secret in China, although, according to estimates given by Chinese jurists, about 8 000 people die in this way each year,
Q. whereas in 2005 the Chinese security authorities registered 87,000 ‘incidents with a massive turnout’, an increase of 6.6% over 2004,

R. whereas, according to warnings from indigenous social scientists, the Chinese leadership’s policies for a harmonious society and the construction of new socialist villages reflect the current dangerous transition phase of the PRC to a market economy,

S. whereas the PRC introduced a ‘one-child’ policy in 1976, which is currently being debated under the intriguing title ‘Will China grow old before getting rich?’

T. whereas China expelled the Friedrich Naumann Foundation from Beijing in 1996,

U. whereas in March 2004 China included in its constitution a provision whereby human rights would be respected and guaranteed by the state; whereas China has signed but not ratified the International Covenant on Civil and Political Rights (ICCPR),

V. whereas there are continuous disturbing reports of political imprisonments, particularly of members of religious and ethnic minorities, allegations of torture, widespread use of forced labour, frequent use of the death penalty and systematic repression of freedom of religion, speech and of the media including the Internet,

W. whereas new regulations on religious affairs took effect on 1 March 2005,

X. whereas the Working Group on Enforced or Involuntary Disappearances of the UN Commission on Human Rights noted that its meeting in Geneva in April 2006 coincided with the 17th birthday of Gedhun Choekyi Nyima, the Panchen Lama of Tibet, who was abducted by the Chinese against his will and the will of his parents when he was six years old,

Y. whereas, nearly a decade after the initial request was made, a visit to the PRC by the United Nations Special Rapporteur on Torture finally materialised in the period from 20 November to 2 December 2005; whereas, however, the UN Special Rapporteur on Freedom of Religion or Belief has not been received for a follow-up visit to that made to China by his predecessor in November 1994, and whereas China has failed to issue a standing invitation to all the thematic procedures of the UN Commission on Human Rights,

Z. whereas, in its Global Appeal 2006, the United Nations High Commissioner for Refugees (UNHCR) continues to call on the PRC for the issuance of appropriate national refugee regulations, and for increased access to asylum seekers from the Democratic People's Republic of Korea (North Korea) who may be in need of international protection,

AA. whereas, according to the 2005 Yearbook of the Supreme People's Court, about 400 citizens were sentenced for political offences in 2004, 25% more than in the previous year,

AB. whereas according to the Dui Hua Foundation, which has been granted ‘special consultative status’ by the UN Economic and Social Council, the PRC currently has between 3,000 and 3,500 people imprisoned for the crime of ‘threatening public security’,

AC. whereas the Internet portal Google has submitted to restrictions imposed by the Chinese authorities, denying access to websites containing critical elements and words such as ‘Taiwan’, ‘independence’, ‘Tibet’ or ‘Tiananmen’,

AD. whereas on 14 March 2006 the foreign news services Reuters and the BBC reported on an open letter (dated 2 March 2006) from several former high cadres of the CCP, criticising tightened press censorship,
AE. whereas the campaign in the Xinjiang Uighur Autonomous Region targeting the ‘three evils’ of religious extremism, splittism and terrorism continues and resulted in numerous arrests last year, according to state-run media,

AF. whereas, due to the strict controls exercised by the Chinese Government over information about and access to Tibetan areas of China, it is difficult to determine accurately the scope of human rights abuses,

AG. whereas the Chinese leadership emphasises the ‘peaceful rise’ or ‘peaceful development’ of China with regard to the admirable re-emergence of the PRC on the world stage,

AH. whereas the option of rapprochement between the PRC and Taiwan should be kept alive; whereas such an option must be pursued peacefully through dialogue and diplomacy, also taking into account the will of the people on both sides,

AI. whereas the causes of the worsening bilateral relationship between China and Japan are political, not economic,

AJ. whereas the current American approach towards China as a resurgent power may be characterised by the concept of ‘con-gagement’, being a combination of two strategies: containment and engagement,

AK. whereas China’s engagement and influence in Africa have increased considerably over the last decade,

AL. whereas China maintains substantial financial and commercial connections with the Islamic Republic of Iran (exploration and importation of oil and gas, exports of weaponry) and could play a crucial role in convincing Iran to take a more cooperative line on nuclear issues,

AM. whereas China is cooperating with neighbouring countries in the context of the Shanghai Cooperation Organisation (SCO),

AN. whereas China and the Association of South East Asian Nations (ASEAN) decided in 2002 to set up an ASEAN-China free trade area,

AO. whereas over the past few years the Commission and Parliament alike have been focusing constant attention on Macao and Hong Kong.

EU-China cooperation

1. Looks forward to the advent of the EU-China Strategic Partnership and the closer cooperation which this will entail on a wide range of issues; urges the Council and the Commission to formulate a consistent and coherent policy towards China;

2. Welcomes the work of the Commission in the sectoral dialogues with China, which currently cover a wide range of issues, ranging from environmental issues to social affairs and human rights, and requests that Parliament be briefed at regular intervals on progress made;

3. Calls on China and the EU to establish their partnership and bilateral relationship on the basis of mutual openness and on the fundamental basis of credibility, stability responsibility and mutual understanding; urges both China and the EU to improve their cooperation on this basis in order to play a stable, responsible and credible role within the international community;

4. Regrets that increased trade and economic relations with China have brought about no substantial progress in the field of democracy, human rights and the rule of law, which are basic components of the political dialogue between China and the EU; takes the view, in this respect, that the development of trade relations with China must go hand in hand with the development of a genuine, fruitful and effective political dialogue;
Economic situation

5. Notes that the EU, after enlargement, overtook Japan to become China's largest trading partner and that, at the same time, China rose from being the EU's third trading partner to become its second largest, after the US;

6. Notes that in 2005, the Chinese trade balance amounted to USD 102 billion, which is more than twice as much as in the previous benchmark year (USD 32 billion); that in 2005, currency reserves amounted to approximately USD 819 billion — an increase of USD 209 billion compared to the previous year; that if this trend continues, China is likely to have at its disposal over USD 1000 billion in foreign reserves at the end of 2006, making it the world's largest holder of foreign currency; that initial predictions for 2006 point to a capital inflow of some USD 50 billion, primarily in long-term direct private investments; welcomes in this connection the fact that China has started to relax pegging its currency (Renminbi) to the US dollar and is thus not opposed to a possible currency revaluation; considers that warnings about insufficient risk surcharges for lending operations should be taken seriously;

7. Takes note of China's rapid economic development, making it the world's fourth biggest economy in dollar terms, even at its current undervalued rate; accordingly calls on the Commission to exert political and economic pressure aimed at bringing flexibility to bear on the exchange rate of the Chinese currency, which is being pegged at an artificially low value, a situation that runs counter to gradual world trade liberalisation; calls on China to gradually float its exchange rate; calls on China to replace the fixed linking of its currency to the dollar with a linkage to a basket of currencies including the euro;

8. Is concerned about the development of inequality and unfair distribution of wealth, mass unemployment and uncontrolled urbanisation, the rising crime rate and corruption and not least the environmental problems of China;

9. Recognises that China is more than a fast-growing market; underlines the fact that the on-going technological revolution of a country of this size has huge implications in a global economy;

10. Considers that balanced economic development is of great importance to both China and the EU; underlines the fact that stagnation of the Chinese economy due to uncontrolled growth is a serious threat both to China's internal stability and to the wellbeing of the global economy; recognises that rapid economic growth in China presents a huge challenge to global efforts to tackle climate change, with CO₂ emissions from coal-fired power stations set to double by 2030;

11. Welcomes the fact that in autumn 2006 the Commission took the initiative of publishing a strategy paper on the Union's long-term economic and trade relations with China in order to anticipate more adequately the impact of China's economic rise and to avoid ad hoc decision-making, thus helping to ensure that China will no longer be considered a threat, but be perceived as a challenge and an evolving partner;

12. Stresses that an increasingly positive trade relationship should also result in human rights reforms and recognises that, until there is a legally binding code of conduct on arms exports and until the situation regarding human rights and civil and political freedoms — including the Tiananmen Square issue — has been properly addressed, the EU should not lift the arms embargo;

13. Calls on China to develop a solid and credible investment climate for foreign trade and industry and to give absolute priority to improving legal security for foreign companies;

14. Reminds China that a further opening of its markets to foreign companies and investment, especially in the telecommunications, banking and financial services sectors, is to be seen as an integral part of the strategic partnership; calls on China to reform its market and its economic system accordingly, and to comply more rigorously with the anti-dumping rules and enforce them more strictly;
15. In the light of the findings of the anti-dumping investigation in the footwear sector, which proved that China had been practising State intervention and social dumping, and of the steps taken by the Commission to correct this distortion of competition, urges the Union to make its trading partners, such as China, comply with fair and equitable international trade rules; calls on the Commission, when considering, as it is shortly due to do, how the anti-dumping measures should be used, to simplify the procedures so that anti-dumping mechanisms can be employed more readily by SMEs; furthermore, calls for the anti-dumping procedure to be made more transparent;

16. Takes the view that, within the framework of efforts to modernise and liberalise the Chinese banking system, the EU should continue to work closely with the Chinese authorities with a view to adopting international accounting standards and the Basel II standards, which would ensure greater security for EU investors;

17. Welcomes the rapid modernisation of the Chinese financial sector; stresses, however, the utmost importance of ensuring a smooth transition so as to avoid any financial instability with possible repercussions across global financial markets; suggests, in particular, that a ‘race to the bottom’ involving harmful regulatory competition between global financial marketplaces should be avoided; suggests, on the contrary, that major regulators worldwide should promote standards of the highest quality; recalls that the EU itself is committed to the global convergence of standards in the areas of accounting (International Financial Reporting Standards), audit (International Standards on Auditing), capital requirements for credit institutions (Basel II), money laundering and the fight against financing terrorism (Financial Action Task Force on Money Laundering (FATF) recommendations) and securities market regulation (International Organization of Securities Commissions standards); points out that the EU would be ready to offer its experience and assistance to the Chinese authorities to implement convergence where necessary;

18. Considers that China is faced with considerable regional development disparities and more general income disparities, and that the new Chinese leadership must commit itself to tackling these problems with the help and expertise of the Commission;

19. Calls on China to use a transparent and fair procedure in the award of public procurement contracts which gives foreign undertakings equal opportunities to participate;

20. Considers that the pirating and counterfeiting of European products and brands by Chinese industries constitutes a serious violation of international trading rules; urges China to considerably improve the protection of Intellectual Property Rights (IPR) with regard to both Chinese and foreign inventions; calls on China to uphold current laws regarding the protection of IPR; welcomes the creation of an IPR chair at the University of Beijing;

21. Recognises the importance of MES for China; underlines, however, the fact that MES is an economic rather than a political instrument; urges China to reduce state interference in the economy and to improve its performance as regards its uneven compliance with corporate governance and accounting systems and its ineffective bankruptcy framework;

22. Notes that the recent problems in the footwear sector show the need for China to adopt a more adequate anti-dumping policy; stresses the urgency of such a policy in the light of China’s WTO membership;

23. Calls on the Council and the Commission to recognise that the difficulties faced by the textile, clothing, and footwear sectors are systemic, and calls on the Commission, when revising its economic and trade strategy in relation to China, to correct the current imbalances and anticipate the challenges;

24. Calls on China to adopt an economic policy based more on social (education, health, pensions, etc.) and household consumption and less on investment and exports;

25. Calls on the Commission to support the Chinese authorities in their campaign against intellectual property rights violations and product piracy;
Internal situation

26. Shares the view that the future development of China is currently difficult to predict and will mainly depend on domestic issues such as the further smooth development of the economy and the gradual improvement of the living standards of the majority of the population;

27. Wholly agrees with the conclusion in the above-mentioned White Paper that the concept of democracy and awareness of legal concepts inside the whole of Chinese society will need subsequent strengthening;

28. Underlines the fact that the rapid socio-economic modernisation of the PRC should be combined with the necessary political pluralism and institutional modernisation and that it can amply nurture itself from indigenous sources such as the works of the liberal reformers of the late 19th century, and especially the basic thinking of Sun Yat-sen;

29. Notes that social security, health and safety in the workplace, the right to form trade unions, industrial relations and social dialogue represent major challenges for China's future; calls on China to ratify key International Labour Organization Conventions, particularly Convention 87 concerning Freedom of Association and Protection of the Right to Organise and 98 on Collective Bargaining and to comply with the framework provisions of the International Labour Organization regarding effective measures to combat all forms of modern slavery, child labour and exploitation, particularly of female workers, so as to ensure respect for the fundamental rights of workers and discourage social dumping; invites the Commission to intensify and to report back regularly on the structured dialogue with its Chinese counterparts in these fields;

30. Takes the view that the denial of the right to form independent trade unions is counter-productive in the light of the increasing protests and demonstrations by workers throughout China against forced lay-offs, unpaid wages and other benefits, official corruption and mismanagement; therefore calls on the Chinese government to recognise and to guarantee the basic right to freedom of expression and association and the right to strike;

31. Draws attention to the increasing problem of child labour in China and the adverse working conditions faced by child workers in the country despite the fact that child labour is prohibited under Chinese labour law; therefore urges the Chinese authorities not only to improve the enforcement of the law but also to tackle the root causes of the problem of child labour, such as growing economic disparities, the rapidly changing social structure and the failure of the educational system to provide adequate and affordable education for all children;

32. Expresses its concern about the appalling socio-economic discrimination against China's 150 million migrant labourers from the countryside, takes note of the measures taken by the Chinese government to solve the problem, signalled by the new government guidelines officially published on 28 March 2006, and expresses its intention to follow the results of the implementation of this new policy carefully;

33. Calls on the European Union to continue to keep the situation in Macao and Hong Kong under careful review and hopes that the encouraging aspects of the two experiences will serve as an example and a stimulus to move the Chinese political process forward;

34. Postulates that as long as the CCP is not subjected to the order of a constitutional state, the party will remain a state within the state and thus very vulnerable to serious instances of abuse of power such as the national evil of cadre corruption, such a situation undermining the chances of creating a society based on the rule of law;

35. Joins its voice to the criticism, expressed in Chinese lawyers' journals, that Article 126 of the Chinese Constitution should also include a prohibition on interference by the CCP or the Chinese Government in the course of justice;

36. Expects fresh efforts to be made to strengthen the independence of the judiciary, and trusts that the gradual replacement of unqualified judges by competent jurists will curb the endemic corruption inside the judiciary and thus enhance popular trust in this fundamental state institution;
37. Welcomes the promise made by the President of the Supreme People’s Court at the 10th National People’s Congress that from July 2006 appeals against sentences imposing the death penalty will be conducted in open court; expects this promise to be acted upon;

38. Urges China to abolish the death penalty and declare an effective moratorium in respect of persons already sentenced; takes note of the significant signal given by Chinese jurists that the death penalty should be imposed only in cases of serious, violent crimes, by contrast with the present situation, in which 68 offences are punishable by the death penalty, of which half do not involve capital offences; is concerned that China carries out far more executions than any other country in the world; calls on China to release its official figures for executions in the year 2005/2006;

39. Strongly supports the demand made by Professor Liu Renwen, jurist and member of the Chinese Academy of Social Sciences, for the illegal trade in the organs of executed people to be brought to an end, by imposing strict provisions and controls;

40. Is seriously concerned about the harsh action taken by the authorities against ‘agitators’; notes that, according to a Blue Paper emanating from the Beijing Academy of Social Sciences, reasons for mass protests have included especially grave environmental problems that have endangered the health and existence of many farmers in newly industrialised regions, and also shameful expropriations of farmland for building purposes, not to mention the arbitrariness and corruption of local authorities;

41. Welcomes the intention of the Chinese Government to bridge the growing income gap between the populations of the coastal regions and of the countryside, to tackle serious environmental problems, to demonstrate better stewardship of natural resources and to develop and stimulate more efficient technologies;

42. Draws attention to the impact of China’s economic growth on natural resources and on the local and global environment notably as a result of CO2 emissions; calls on the Chinese Government to take all the necessary measures to protect the environment and in particular to ensure supplies of drinking water for the populace and take action in response to atmospheric pollution, and to conserve biodiversity; calls for an intensive dialogue between China and the European Union on natural resources and the environment;

43. Urges the authorities to supervise their investment programmes in favour of the countryside very carefully, in the light of the fear expressed by Chinese researchers that local party cadres interpret references to ‘new villages’ as a call for building projects at the expense of the farmers, and in view of the established fact that, hitherto, only one fifth of state subsidies for the agrarian sector has actually reached the farmers entitled thereto;

44. Is very concerned about recent reports of continuing serious human rights abuses in Tibetan areas of China, including torture, arbitrary arrest and detention, house arrest and other non-judicial surveillance of dissidents, detention without public trial, repression of religious freedom and arbitrary restrictions on free movement; is deeply concerned about the intensification of the so-called ‘patriotic education’ campaign since October 2005 in Tibet’s monasteries and nunneries, forcing Tibetans to sign declarations denouncing the Dalai Lama as a dangerous separatist and proclaiming Tibet to be ‘part of China’, including the arrest of monks from the Drepung Monastery in November 2005 for refusing to denounce the Dalai Lama; calls upon China to allow an independent body to have access to Gedhun Choekyi Nyima, the Panchen Lama of Tibet, and his parents, as requested by the UN Committee on the Rights of the Child; calls upon the Chinese Government to intensify its positive engagement in substantive negotiations regarding the demands of the Dalai Lama for autonomy for Tibet;

45. Takes note that China’s ‘one-child’ policy has resulted in an imbalance in population distribution; urges China to recognise the fact that the future balance between the working and the non-working parts of the population will have huge economic effects; underlines the fact that the EU is also confronted with the problem of ageing; calls on China to rethink the concrete implementation of its ‘one-child’ policy in order to tackle the economic and social disadvantages inherent in that policy;
46. Urges the Chinese authorities to provide for measures in national legislation to protect the welfare of, and prevent cruelty to, animals, especially as regards the rearing of animals farmed for their fur; urges China to stop the abuse of animals for purposes of traditional medicine, as exemplified by the use of rhinoceros horn and bear bile;

Human rights

47. Underlines the fact that the upholding of basic rights by the PRC requires the setting-up of a Constitutional Court, without which constitutional amendments, such as that of March 2004 on human rights, remain largely symbolic;

48. Stresses that Chinese citizens should have a legal entitlement to their basic rights, and urges courts to fully address clear iniquities on the basis of the Constitution, thereby pursuing a healthy judicial process that is now, little by little, gaining momentum;

49. Draws attention to the need for the state to abstain from regulating religion and expressions thereof; affirms the need, particularly in the light of the discussions among Chinese officials about the definition of 'religion' and especially 'legal religion', for a comprehensive law on religion meeting international standards and guaranteeing genuine religious freedom;

50. Deplores the contradiction between the constitutional freedom of belief (enshrined in Article 36 of the Constitution) and the ongoing interference of the State in the affairs of religious communities, in particular as regards the training, selection, appointment and political indoctrination of ministers of religion; deplores especially the fact that the State accords the right of legal existence to only five religions and, moreover, places them under the control of the corresponding Chinese ‘patriotic’ religious associations, protecting only ‘normal’ (zhengchang) religious activities and making their official registration subject to acceptance of the principles underlying the umbrella organization the ‘Three Autonomies’;

51. Calls on the Council to inform it regarding the measures taken to follow up the declaration made in its above-mentioned resolution of 8 September 2005 regarding the fates of various bishops incarcerated in the PRC for their religious convictions; moreover, calls on the PRC's authorities to release forthwith all members of the Christian Church who are still unfairly incarcerated and persecuted;

52. Notes that there are currently more Christians across China worshipping in 'illegal' places of worship (whether at Protestant house-churches or in underground Catholic groups loyal to the Vatican) than attending at ‘patriotic’ places of worship, and that both groups of worshippers, composed as they are of law-abiding citizens, constitute no threat whatever to public security; calls on the Chinese Government to cease its persecution and imprisonment of such Christian groups; maintains that Christians who do not identify with the ‘patriotic churches’ have the right to worship freely;

53. Deplores the serious violation of religious freedom brought about by the recent unlawful ordinations of bishops (30 April 2006, Kunming — Yunnan; 3 May 2006, Wuhan — Anhui), stemming not least from the strong pressures and the threats to which the Catholic clergy loyal to the Vatican was subjected by non-Church bodies;

54. Considers that the latest ordinations detract from the recent assertions by the Chinese authorities of their willingness to pave the way for a sincere and constructive dialogue between the PRC and the Holy See; points, therefore, to the need to respect the freedom of the Church and preserve the autonomy of its institutions from any external interference, which, as well as finding expression in gestures disavowing the demands negotiated by both sides, undermines confidence in reciprocal dialogue and advances in freedom in China;

55. Points out that the UN Special Rapporteur on Torture, after completing his mission, thanked the Ministry of Foreign Affairs for its cooperation, but rebuked the Ministries of State Security and Public Security for obstructing or restricting his attempts at fact-finding;

56. Is deeply concerned by the statement made by the UN Special Rapporteur on Torture that the practice of torture remains widespread in China, a reprehensible situation that is indeed increasingly recognised by government officials and in reports, and also by the ‘palpable level of fear and self-censorship’ observed by him during interviews with detainees;
57. Endorses the preliminary recommendations made by the Special Rapporteur to the Chinese Government, e.g. on reforming criminal law by adding the crime of torture in accordance with the definition contained in the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and also establishing an independent complaints mechanism for detainees subjected to torture and ill treatment;

58. Calls on the Chinese Government to revise the verdicts handed down for the crime of 'threatening public security', given that, in an overwhelming majority of cases, the accused had done no more than courageously exercise their fundamental constitutional rights by openly criticising the policies of the government and the CCP;

59. Once again calls on the Government of the PRC to improve the conditions of imprisonment in its jails and to cease and abolish the torture of detainees;

60. Regrets that no substantial progress has been made regarding the release of political prisoners incarcerated for their involvement in the Tiananmen Square demonstrations and, similarly, regrets that the Chinese authorities continue to ignore calls for a full and impartial inquiry into the events of 1989; calls for an official reassessment of the Tiananmen Square incident by the Chinese authorities, publication of the list of political prisoners and their unconditional release;

61. Deplores the recent crackdown by Chinese officials on defence lawyers aimed at stamping out legal challenges to their authority; calls upon the Chinese authorities to reveal the whereabouts of human rights lawyer Gao Zhisheng, one of China’s most outspoken lawyers and dissidents who is held on suspicion of criminal activity, and to release him unless he is to be charged with a recognised criminal offence; similarly calls for the release of Chen Guangcheng, a peasants’ rights advocate who has helped citizens in their attempts to sue their local authorities for carrying out forced abortions and sterilisations and who was sentenced to more than four years in prison, and of Bu Dongwei, who has been assigned to two and a half years of ‘Re-education through Labour’ (RTL) and who is detained at an undisclosed location; therefore urges the authorities to ensure that all human rights defenders can carry out peaceful and legitimate activities without fear of arbitrary arrest, torture or ill-treatment and that they be given access to proper legal representation in the event of arrest;

62. Joins with the UN Special Rapporteur on Torture, the UN Working Group on Arbitrary Detention and the UN High Commissioner for Human Rights in urging the Chinese Government to abolish ‘Re-education through Labour’ and similar forms of forced ‘re-education’ of detainees in prisons, pre-trial detention centres and psychiatric hospitals;

63. Rejects the nationwide Ankang system of police psychiatry applied to political and social dissidents, which purports to promise ‘health through rest and peace’, but in fact breaks its ‘patients’; admonishes the authorities against extending Ankang from 22 to 125 clinics, but, on the contrary, to erase this national stain;

64. Condemns in particular the existence of the Laogai labour camps across the country, in which the PRC detains pro-democracy activists, labour activists and members of minorities without a fair trial, forcing them to work in appalling conditions and without medical treatment; urges China to ratify ILO Conventions 29 and 105 on the Elimination of forced and compulsory labour; calls on China to give a written undertaking in relation to any given exported product that it has not been produced by forced labour in a Laogai camp and, if no such assurance can be given, insists that the Commission prohibit its importation into the EU;

65. Calls on the PRC to respect its international obligations under the 1951 Geneva Convention relating to the Status of Refugees and the 1967 Protocol thereto, and to allow the United Nations High Commissioner for Refugees full access to North Korean asylum seekers who may be in need of international protection;

66. Strongly condemns the detention and torture of Falun Gong practitioners in prisons, ‘Re-education through Labour’ camps, psychiatric hospitals and ‘legal education schools’; is concerned about reports that organs of detained Falun Gong practitioners have been removed and sold to hospitals; urges the Chinese Government to end the detention and torture of Falun Gong practitioners and to release them immediately;
67. Expresses its deep disquiet at the numerous violations of women’s and girls’ rights resulting from forced compliance with the Chinese Government’s family planning policy, including selective abortions, forced sterilisations, and the abandonment of girls on a massive scale;

68. Urges China without any further delay to ratify and implement the ICCPR;

69. Agrees with the important message conveyed in the above-mentioned Reuters/BBC open letter — which was unfortunately withheld from the general public in China — that the current policy of censorship is hampering China’s political development;

70. Expresses deep disquiet at the current clamp-down in the PRC on freedom of expression and free access to the Internet; repeats its requests to Beijing to refrain from intimidating, cracking down on or imprisoning those who advocate freedom of expression, whether the repression is directed at journalists or human rights activists or whether it makes information impossible to use by blacking out websites that do not conform to state censorship; condemns, therefore, the Internet censorship law passed by the National People’s Congress and the existence of systems of Internet censorship collectively known as the ‘Great Firewall of China’; calls in particular for the AsiaNews.it site to be allowed back onto the Web without delay — or in any event no longer be blacked out — bearing in mind that, in addition to being an excellent source of information about Asia and human rights advocacy, it also helps to foster dialogue between the Vatican and the PRC and hence the unity of the Chinese Church;

71. Expresses its concern at the irresponsible policies of major Internet firms Yahoo and Google which have bowed directly and indirectly to Chinese Government demands for censorship;

72. Calls on the Chinese authorities to re-open the office of the Friedrich Naumann Foundation in Beijing, so as to allow the Foundation to continue its work on development and democracy;

73. Recognises the rising influence of China globally but in particular in countries as diverse as Belarus, Venezuela, Sudan, Zimbabwe, Burma/Myanmar, Iran and North Korea, of whose human rights records the EU remains deeply critical;

74. Asks the Chinese authorities and the Council to improve the human rights dialogue by introducing simultaneous interpretation at meetings; requests that Members of the European Parliament be more actively involved in the human rights dialogue along with their Chinese parliamentary colleagues;

75. Regrets that the authorities in Xinjiang regularly group together individuals or organisations allegedly involved in the ‘three evils’, making it difficult to determine whether particular raids, detentions or judicial punishments are targeted at those peacefully seeking to express their political and religious views or at those who have engaged in violence; regards as counterproductive the destruction by officials of Uighur books with a view to distorting historical facts and advocating ethnic separatism;

76. Looks forward to seeing the Chief Executive and all members of the Legislative Council of the Hong Kong Special Administrative Region elected by means of an electoral system based on the principles of multi-party democracy, accountability of the government to the legislature and genuinely effective governance, which will confer a clear benefit on all the people of Hong Kong;

77. Acknowledges the increasing role that China is playing as a global power on the world stage; in this regard, urges the Chinese government to be fully committed to its growing responsibilities and to actively engage in international organisations and fora so as to promote peace and peaceful conflict-resolution and to support the universal values of democracy, human rights and the rule of law;
**Foreign policy/Relations with neighbours**

78. Draws attention to the concerns of the outside world, especially of Beijing's regional neighbours, concerning the double-digit increase in China's military spending every year since the mid-1990s; strongly recommends — as endorsed by numerous of its resolutions — that the EU arms embargo against China remain intact until greater progress is made on human rights issues; recalls in this context the need to include in further negotiations regarding the European Neighbourhood Policy and the Partnership and Cooperation Agreements, adherence to the EU embargo on arms trading with the PRC;

79. Stresses the direct link between the obvious Chinese interest in gaining access to European military high technology and the lifting of the arms embargo against the PRC, a connection with significant consequences for the cohesion of the transatlantic relationship and the market position of the high-tech weapons industry in Europe;

80. Expresses concern at the depth of cooperation with China on the Galileo programme and calls for further safeguards to be introduced to ensure that China, or other partners, cannot transfer sensitive technologies used in the programme to military applications;

81. Observes that China's Anti-Secession Law of 14 March 2005 and the present stationing of more than 800 missiles on the south-east coast of the PRC facing Taiwan belie the principle of peaceful reunification; calls on China and Taiwan to establish mutual trust and respect and to seek common ground while setting aside differences, to put in place the necessary political basis for a peaceful and steady development of cross-Straits relations, to resume dialogue on those relations and to strengthen economic exchanges and cooperation, making progress in particular on the 'three direct links' across the Taiwan Strait (mail, transport and trade);

82. Takes the view that, with regard to the possible option of a peaceful reunification process with the Chinese mainland, the will and approval of the 23 million citizens of Taiwan must surely be respected and taken into account, as must Taiwan's territorial sovereignty and integrity, in negotiations with China on Taiwan's status; points out that the beginning of a genuine democratic process in the PRC would help to ease tensions and pave the way for the resumption of a substantive dialogue between the two sides;

83. Calls on China to support the possibility of observer status for Taiwan within the World Health Assembly of the World Health Organization, in order to protect the health of the people of Taiwan, of international representatives and foreign employees on the island, and of the entire population of the globe; recalls in this context that infectious diseases such as HIV/AIDS, tuberculosis, malaria, SARS and, recently, avian influenza know no borders and require world-wide cooperation — also, and especially, with Taiwan as one of the most important international hubs in the Western Pacific; reiterates its call for Taiwan to be better represented in international fora and organisations, so as to put an end to the on-going unfair exclusion of 23 million people from the international community;

84. Concludes that the problematic relationship between Beijing and Tokyo springs from a sense of mutual challenge: Japan feels challenged by China's economic rise and China by Japan's pursuit of a larger and more active political role in the region; calls on each country to refrain from any action which might offend the historic memory or the sensibilities of the other;

85. Welcomes the American initiative of starting a strategic dialogue with Europe on China's rise — a central new element in the policy of the 'new' world towards the 'old' — and encourages the European Union and its Member States to develop a strategic consensus for dealing with China;

86. Highlights the global importance of China's existing and emerging energy relations; draws attention to the impact on the global energy market of the increase in China's energy consumption that will accompany its economic growth; calls on the Commission and the Council to include energy issues in their long-term strategy for EU-China relations and to raise this issue in their contacts with China where appropriate;
87. Recognizes the special economic importance of the African Continent for the PRC (30% of its oil imports, a growing market for Chinese military hardware), but also urges the Chinese leadership to uphold China's responsibilities as a permanent member of the United Nations Security Council and to promote good governance, democracy, the rule of law, respect for human rights and conflict prevention in its relations with African states;

88. Encourages the authorities in China to play an active role in bringing about respect for human rights and democratic change in Burma/Myanmar;

89. Expects the PRC to apply its proclaimed opposition to terrorism and nuclear proliferation in a concrete manner in China's influential relations with Iran; emphasises that a decisive stance by the PRC on Iran would demonstrate China's willingness and ability to take on international responsibility;

90. Welcomes China's commitment to the Six-Party Talks, and urges the Chinese Government to do more to promote security and stability in East Asia, particularly on the Korean Peninsula, and to play a more pro-active role in the promotion of democracy and respect for human rights in North Korea;

Conclusions

91. Concludes that a credible, stable and responsible economic and trading relationship between the EU and China should be based, on the European side, on the development of a long-term strategy and, on the Chinese side, on the development of a solid investment climate, on improving legal security for foreign firms, on continuing to open its markets and, above all, on observance of fair and equitable trade rules and on implementation of the WTO rules, including compliance with the TRIPs agreements as regards the protection of IPR;

92. Underlines the importance of addressing the concept of corporate social responsibility and the need to promote economically, socially and ecologically sustainable development in economic and trading relations between the EU and China; calls on the Commission to take care that these principles are applied;

93. Draws the conclusion that China's internal situation should be improved by strengthening the indigenous process of democratisation, increasing the professionalism of the judiciary, completely abolishing the death penalty and above all, by implementing the government's social programme, endorsed by the 10th National People's Congress, in favour of the backward countryside in order to serve the Chinese population and to promote stability in the region, and also by minority protection and cultural diversity, especially in the regions of Tibet and Xinjiang;

94. Concludes that a credible and responsible human rights policy can be restored in China only by respecting the basic rights of its citizens, as enshrined in the Constitution of the People's Republic;

95. Comes to the conclusion that China can greatly contribute to credible, stable and responsible foreign and neighbourly relations by acknowledging its key position as a serious stakeholder in the international law- and peace-promoting system, a major step that the EU can significantly promote by formulating a new common strategy on China;

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96. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the accession and candidate countries, the Government of the People's Republic of China and the Chinese National People's Congress, and the Taiwan authorities.