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The EU's Diplomacy after the Lisbon Treaty: A case of 2010 Nobel Peace Prize¹

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Abstract

The "Power Audit of EU-China Relations", a report by John Fox and François Godement published in 2009, presented a new approach in analysing the EU Member States' positions towards China and led to detailed recommendations for the whole EU's policy in this respect. At that point, the Lisbon Treaty, then coming to the ratification, was expected to be the future agent of such changes in the EU's policy. Its later ratification raised the expectations and hopes for the EU's effective foreign policy and among others also for its relations with China. Almost one year after the ratification, in October 2010, the EU relations with China have faced a particular test when the Nobel Peace Prize was awarded to Chinese dissident Liu Xiaobo. This paper analyses the reactions of the EU itself through its main institutions and some of its Member States. Their reactions, as they were reported in the European media, are evaluated by applying Fox and Godement's typology. The paper also discusses to what extent 2010 Nobel Peace Prize might be perceived as a tool of a diplomatic puzzle between the EU and China. By means of such analysis the author tries to assess a significance of changes introduced by the Lisbon Treaty in foreign policy field regarding the challenges facing the EU relations with its international partners such as China.

Keywords

EU-China relations, EU diplomacy, Lisbon Treaty, Liu Xiaobo, 2010 Nobel Peace Prize

In April 2009 "Power Audit of EU-China Relations", a policy report by John Fox and François Godement stated in its introduction that:

"China's foreign and domestic policy has evolved in a way that has paid little heed to European values, and today Beijing regularly contravenes or even undermines them. The EU's heroic ambition to act as a catalyst for change in China completely ignores the country's economic and political strength and disregards its determination to resist foreign influence" (Fox and Godement 2009, 1).

After declaring that the report presented a typology of the EU Member States' positions towards China and recommended the improvement of the EU's policy which was perceived by authors as unorganised and not unified. At that point, the Lisbon Treaty, then coming to the ratification, was expected as the future agent of such a change. Obviously, its ratification raised the expectations and hopes for the EU's effective foreign policy and diplomatic relations with its diverse partners, among others with China.

Almost one year after the ratification, in October 2010, the EU relations with China have faced a particular test when the Nobel Peace Prize was awarded to Chinese dissident Liu Xiaobo. First, this paper will analyse briefly the reactions of the EU and some of its Member States from a point of view of Fox and Godement typology. Second, it will explain to what extent 2010 Nobel Peace Prize might be perceived as a tool of a diplomatic puzzle between the EU and China. Finally, it will try to answer the question why Lisbon Treaty seemed to be ineffective in this case and it will conclude with some recommendations for the future.

EU-China diplomatic chess?

The "Power Audit" report defined the EU's policy towards China as an "unconditional engagement" in a meaning of "a policy that gives China access to all the economic and other benefits of cooperation with Europe while asking for little in return" (Fox and Godement 2009, 2). Authors noticed that EU's Member States agree on the existence of this policy but "largely ignore it in practice and pursue their own, often conflicting national approaches towards China [as for example] [s]ome challenge China on trade, others on politics, some on both, and some on neither" (Fox and Godement 2009, 2) which is the main reason of the EU's weakness in its relations with China. They classified those diversified national approaches in four main types:

- Assertive Industrialists willing to confront China with both political and economic issues and disagreeing that market forces should shape this relationship as for example Czech Republic, Germany of Angela Merkel, Poland;

- Ideological Free-Traders ready to pressure China on politics and opposed to trade restrictions and expecting to benefit from Chinese growth without being threatened by cheap Chinese products such as Denmark, the Netherlands, Sweden and UK;
- Accommodating Mercantilists convinced that good political relations with China will result in commercial advantages and that economic issues should dominate this relationship so they refuse to press China on political issues as for example Bulgaria, Cyprus, Finland, France under President Jacques Chirac, Greece, Hungary, Italy, Malta, Portugal, Romania, Slovakia, Slovenia and Spain;
- European Followers ready to support EU's policy, but reluctant to actively participate in it's shaping as they do not perceive China as a priority of their own foreign policy such as Austria, Belgium, Estonia, Ireland, Latvia, Lithuania and Luxembourg (Fox and Godement 2009, 5-7).

In these circumstances it is not surprising that the EU from the Chinese point of view is perceived as disunited. However, in the same time China found out how to benefit from a situation as it "has learned to exploit the divisions among EU Member States. It treats its relationship with the EU as a game of chess, with 27 opponents crowding the other side of the board and squabbling about which piece to move" (Fox and Godement 2009, 3, 7).

The Nobel Peace Prize test?

The ratification of the Lisbon Treaty was promising an effective EU foreign policy. Nonetheless, the reactions of many European leaders to 2010 Nobel Peace Prize were broadly criticised in media as lacking any kind of coordination. They were interpreted as the "pathetic spectacle" revealing that the ratification has changed barely nothing in this field and stressing a continuous risk for the EU that such a shortage of firm position in what concerns the EU's values on which it is based, will result in Chinese unlikeliness to take the EU seriously in other areas of diplomacy (Torreblanca 2009; Dennison 2009).

A main line that showed major differences between the Member States was the fact of complementing or not the usual congratulations with the call for a release of Liu Xiaobo, a dissident with 11-years' imprisonment sentence for his engagement in "Charter 08" manifesto issued by Chinese activists in December 2008 and calling for greater human rights and democratic freedoms in China.²

Angela Merkel and German government were praised by media for a direct claim for Liu Xiaobo's liberation (Torreblanca 2009; Factbox 2010; Reactions Nobel de la paix 2010). Less strong, but nonetheless noted too, was the call for liberation made by British Foreign Ministry (Europe praises choice 2010; Factbox 2010; Godement 2010). According to a majority of media: "with [these] honourable exceptions, the general tone in EU governments has been one of discomfort, doubt and a desire not to irritate China, touchy as it is about its sovereignty" (Torreblanca 2009). Among others, Italian Foreign Minister was criticised by the opposition party that to congratulate is not enough and that something should be done for the release (Partito Democratico 2010; Cina, premio a Liu Xiaobo 2010). Spanish reaction was commented by the media as an attempt of "not making much noise" (Torreblanca 2009). France was strongly criticised for chaotic and ambiguous division of roles between the President and Foreign Minister what was perceived as a clear evidence of avoiding "antagonising Beijing ahead of Hu [Jintao]'s visit" before incoming French presidency in G20 with a goal of concluding the sale of French Airbus planes and nuclear reactors to China (France urges balanced trade 2010; China's Hu to sign deals 2010; Factbox 2010; Reactions Nobel de la paix 2010; Torreblanca 2009; Godement 2010).

In the context of typology mentioned above, the reactions of the Member States have followed the prescribed categories. Germany, as an exemplar Assertive Industrialist openly challenged China on this political matter. British Ideological Free-Trader was standing on the same side of pressing China on politics. Italy and Spain, following their Accommodating Mercantilists' habitude, were both criticised for not claiming for the liberation. France may be perceived in this respect as an exception as, according to the "Power Audit" report, it was placed between the four categories as under President Nicolas Sarkozy it tends to suddenly and unpredictably switch between political support and criticism over China's human rights record, Taiwan or Tibet (Fox and Godement 2009, 6). Otherwise, if stable for longer period, similar French reactions might have been interpreted as a return to French discourse of an Accommodating Mercantilist under Jacques Chirac's Presidency. Last but not least, the reactions of European Followers were not even mentioned in a widely spread debate in media.

What was even more surprising for media, the same dissonance was visible between the EU institutions' reactions. The President of the European Commission, José Manuel Barroso, was criticised not only for a missing call for the liberation, but also for the ambiguity of wording of a released communiqué. The imprisonment of Liu Xiaobo was not explicitly mentioned and the release included a vague reference to the efforts made by human rights defenders all over the world which are made "sometimes at great personal cost" (European Commission 2010; Torreblanca 2009). The statement of the EU High Representative for Foreign Policy and Security, Catherine Ashton, was also severely judged when expressing her "hope" that Liu Xiaobo will be able to receive the prize himself as if the problem preventing him from travelling abroad was "niggling" (Torreblanca 2009; European Union 2010). The only reaction appreciated by media was that of the President of the European Parliament, Jerzy Buzek, who besides congratulations directly demanded the immediate and unconditional release of Liu Xiaobo (Torreblanca 2009; European Parliament 2010).

A tool of diplomatic puzzle?

Undoubtedly, “China badly wanted a Nobel prize” (Banyan 2010). Nonetheless, “the Nobel award is emerging as an early test of China’s newfound diplomatic clout, the product of its emergence as a global economic power” (Wines 2010). The evidence for the Nobel Peace Prize being used as a diplomatic tool in EU-China relations was Chinese pressure experienced by the European diplomats in a subject of their attendance to the Nobel ceremony.

Some European embassies in Oslo received a written *démarche* or diplomatic note pressing to boycott the ceremony and urging governments not to issue the statements of support and congratulations (Wines 2010). Some of this correspondence, which is the highest level of communication between diplomats, was delivered during meetings organised upon a request of Chinese diplomats (Wines 2010). The EU institutions did not receive such letters but Chinese “anti-Nobel diplomacy” caused annoyance in Brussels as it was perceived as an attempt to dictate the Member States what they should or should not do (Rettman 2010). Simultaneously, High Representative’s spokesman assured that a coordinated position will be taken if Member States request it, which however, had not been a case until then (Rettman 2010).

Nevertheless, some experts have no doubt that China will one day use the release of Liu Xiaobo to win appreciation from Western countries as

”[China] has learned that by forcing famous dissidents to exile, it kills two birds with one stone: it gives the dissidents a way out and wins favour with the international community; it also gets rid of direct political opponents, and belittles the moral image of dissidents within the country” (Laureate behind bars 2010).

Concluding remarks

Overall, almost one year after the ratification of the Lisbon Treaty the EU Member States’ reactions to the Nobel Peace Prize were chaotic and unsynchronized as before. The reactions to Chinese pressures to boycott the ceremony were less incoherent, nonetheless, the EU response was still not a coordinated position as one could have expected from much promising Treaty. One possible explanation, used in fact by the European institutions, might be that it was too early to use the Treaty’s provisions to their full capacities and that rather further development of the situation will show their real effectiveness or insufficiency.

However, a potential solution to current state of relations with China appears to be not so far away. One could realize that even the Member States acting very differently towards China, all of them have common interests and fears as for example promotion of political and diplomatic relations to balance and increase the level of trade exchange (Sandschneider 2002, 34). As “China knows its strength and no longer bothers to hide it [and i]ts new readiness to threaten the EU with something akin to diplomatic contempt became apparent” (Fox and Godement 2009, 3), the EU needs a change in its own approach. Fox and Godement suggested a “reciprocal engagement” understood as “firming up the EU approach and driving a harder bargain in negotiations with China, with the aim of coming to mutually beneficial deals that result in greater openness on both sides” (Fox and Godement 2009, 12). From their perspective this goal may be achieved by so-called “four R’s”: focus on reduced number of policy areas, use of incentives and levers to ensure the reciprocity of China, relevance to the EU and realism of expectations towards Chinese partner, which all together are believed to assure “Europeanisation” of national cooperation programmes with China (Fox and Godement 2009, 13, 18).

All things considered, the EU was supposed to be already strengthened by the Lisbon Treaty provisions, but as the Nobel Peace Prize case showed, at least its policy towards China still appears as “being driven by events (...) rather than driving events” (Moller 2001, 31) which seems to be essential if the EU is going to successfully build its global actorness.

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² An English translation was first published in “China Rights Forum”, the Hong Kong-based NGO Human Rights in China organization's quarterly journal (Charter 08 2010).

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