

R17 A full reset of relations with China

Proposer: DWARS, GroenLinkse Jongeren; Jong
Groen
Agenda item: 4. Resolutions

Motion text

1 *Note: the resolution was drafted with support of the Taipei Representative*
2 *Office in the Netherlands.*

3 The current state of political affairs has made it immeasurably clear the
4 importance of international solidarity in the enforcement of international law
5 and the right to sovereignty and self-determination of peoples. Now more than
6 ever must we uphold the protection of human rights and the principles of
7 democracy and international rule of law, condemning the oppression, subjugation
8 and bullying that global superpowers exert unto their own peoples and on smaller
9 states.

10 The People's Republic of China's (hereinafter PRC) authoritarianism continues to
11 remain unabated as reports of abuses, if not atrocities, committed by the state
12 grow.

The crimes against humanity and genocide of Uyghurs.

14 Over a million Uyghurs remain arbitrarily detained in internment camps, wherein
15 they are subjugated to forced labour, systematic sexual abuse and rape, and
16 torture; a further number of at least 600.000 Uyghurs have been forcefully
17 relocated under the PRC's forced labour system. The Uyghurs are also subject to
18 extreme restrictions on freedom of religion and expression and the erasure of
19 their religious, ethnic and cultural identity, as the state has systematically
20 destroyed Muslim buildings including mosques and cemeteries, banned religious
21 practices and forced renunciations of faith, forced the separation of Uyghur
22 children for re-education, and brainwashing. It is now beyond reasonable doubt
23 that the PRC has implemented policies including mass forced sterilisations,
24 forced contraception, and forced abortions. Reports have also surfaced of forced
25 medical experimentation and mass deaths in camps.

26 It is thus clear that this is no longer simply a situation of cultural genocide,
27 but of crimes against humanity, including torture, and of genocide committed

28 against Uyghurs according to the definitions provided for respectively in
29 Article 7(1) of the 1998 Rome Statute establishing the International Criminal
30 Court, the 1984 United Nations Convention against Torture and Other Cruel,
31 Inhuman or Degrading Treatment or Punishment and Article II of the 1948
32 Convention on the Prevention and Punishment of the Crime of Genocide. Similarly
33 there has been a clear breach of the right to (internal) self-determination of
34 the Uyghurs.

35 The right to self-determination, prohibition of crimes against humanity, torture
36 and genocide are *ius cogens* (peremptory) norms under customary international
37 law, and thus binding regardless of the PRC's reservations; as well as *erga*
38 *omnes* obligations (owed to the international community as a whole) that fall
39 under universal jurisdiction. Although the ICC does not exercise jurisdiction
40 over PRC territory, the Court has held that "the Court may exercise jurisdiction
41 over crimes when part of the criminal conduct takes place on the territory of a
42 State Party".

43 The formal recognition of the situation in PRC as a genocide is therefore of
44 significant legal importance as the first step to holding the PRC accountable.

45 **PRC neo-imperialism.**

46 Despite the lofty promises of the Belt and Road Initiative (BRI) in its
47 conception, it has become clear that the BRI has largely become a manoeuvre of
48 the PRC to expand its control to the rest of the world. The BRI has become *the*
49 avenue of the PRC to exercise debt trap diplomacy on less economically developed
50 countries, from Sri Lanka to Greece.

51 The PRC has further continued to increase military tensions and aggression
52 toward its neighbouring states, from its military interventions at the China-
53 India border to the ever increasing military pressure in the South China Sea.
54 The PRC has furthermore continued to exert pressure on any opposition abroad,
55 from its threats against Lithuania for establishing the Taiwanese Representative
56 Office, to sanctions of officials of states that criticise it.

57 **The isolation of the Republic of China.**

58 Despite the Republic of China (ROC, hereinafter Taiwan) fulfilling the criteria
59 of a state according to Article 1 of the Montevideo Convention of 1933, the
60 people of Taiwan are prevented from exercising their right to self-determination
61 and self-sovereignty by the PRC. Taiwan is also significantly limited in
62 meaningfully participating as a sovereign state within the international
63 political order, as it is prevented from membership or attendance of most
64 international organisations.

65 As a result of the PRC's One-China principle, all states are forced to choose
66 between the PRC or Taiwan, as formal diplomatic relations with the PRC is
67 contingent on the severing of any formal relationship with Taiwan and therefore
68 the non-recognition of the Taiwanese government.

69 Furthermore, China has significantly intensified their aggression against Taiwan
70 and military pressure across the border over the past decade, going as far as
71 sending warplanes into Taiwan's air defence zone. The PRC has also threatened
72 military action against any independence attempts of Taiwan, and throughout the
73 COVID-19 pandemic has continued to block Taiwan's membership of WHO. Based on
74 the ICJ Wall Advisory Opinion 2004 and Reference Re Secession of Quebec, it
75 could be argued that the increased aggression and militarisation and
76 international isolation indicate a significant breach of the meaningful exercise
77 of the right to self-determination of the people of Taiwan.

78 **A full reset.**

79 The EU needs to re-evaluate its ties with China. We need a full reset of EU-
80 China relations – deviating from a focus of maximalising economic gain to
81 maximalising the respect for human rights, democracy, international law and the
82 international rule of law.

83 **The Federation of Young European Greens reiterates R06 Standing up the Chinese**
84 **Authoritarianism of the 2020 General Assembly, and with regards to the crimes**
85 **against humanity and genocide of the Uyghurs, calls on the European Union and**
86 **the governments of Member States:**

- 87 1. To formally recognise and declare the situation subjected to the Uyghurs
88 as a genocide;
- 89 2. Based on this breach of international law,
 - 90 1. For member states to start universal jurisdiction investigations of
91 the crimes against humanity and genocide committed by the PRC
92 against the Uyghurs in order to pursue prosecution of the PRC within
93 national regimes, and/or
 - 94 2. For the European Union to file a lawsuit against the PRC in the
95 International Court of Justice and to pursue charges against the
96 Chinese Communist Party in the International Criminal Court;
- 97 3. To implement European-wide trade sanctions on products originating from
98 the Xinjiang Uyghur Autonomous Region or associated with the forced labour
99 of Uyghurs;

- 100 4. To implement European-wide diplomatic sanctions on PRC officials of the
101 Xinjiang Uygur Autonomous Region, and eventually of Xi Jinping.

102 **With regards to the neo-imperialism of the PRC, calls on the European Union and**
103 **the governments of Member States:**

- 104 1. To denounce in the strongest possible terms the aggression of the PRC in
105 the South China Sea and the debt trap diplomacy in the African and Asian
106 regions;
- 107 2. To provide a feasible alternative to the BRI contingent on, amongst other
108 aspects, respect for human rights, including:
- 109 1. The adoption of the Build Back Better World (B3W) initiative, with
110 EU-wide funding of the initiative,
- 111 2. The ending of the externalisation of the EU border regime and thus
112 the funding of authoritarian regimes in Africa via the EU Trust Fund
113 for Africa and to replace this with intensified funding of pre-
114 existing Official Development Assistance (ODA) mechanisms contingent
115 on minimum standards and principles relating to, amongst others,
116 human rights and environment and climate, such as that of the Blue
117 Dot Network,
- 118 3. Further expansion and intensification of the Global Gateway
119 strategy, such as via further expansion of the European Fund for
120 Social Development Plus (EFSD+).

120 **With regards to the isolation of the Republic of China, calls on the European**
121 **Union and the governments of Member States:**
122

- 123 1. To denounce in the strongest possible terms the increasing aggression and
124 military build-up of the PRC against Taiwan;
- 125 2. To formally recognise the sovereignty of Taiwan and push for the full
126 membership of it in the institutions of the institutional order, primarily
127 the four core international agencies Taiwan is currently pursuing, WHO,
128 Interpol, ICAO and the UNFCCC, and eventually the UN;
- 129 3. To further enhance engagement and broaden partnerships with Taiwan,
130 including a reset of Member States' One China Policy and the broadening of
131 the scope of interaction with Taiwan beyond purely economic engagement
132 such as the further collaboration of European and Taiwanese ministers;
- 133 4. To increase European foreign investment into Taiwan, for example by
134 further intensifying the terms of the EU Bilateral Investment Agreement+

135 with Taiwan, with a particular focus on Taiwan's expansion of offshore
136 wind energy;

137 5. Based on this, to eventually establish formal diplomatic relations with
138 Taiwan:

139 1. By recognising the official diplomatic missions of Taiwan with the
140 EU and with the various Member States no longer as representative
141 offices serving as *de facto* embassies, but as *de jure* embassies and
142 diplomatic missions,

143 2. And by doing the same for the representative offices of the EU and
144 of the various member states in Taiwan.