

EU weapons embargo with China to remain in place

by Dr Axel Berkofsky

The European Union is not planning to lift the weapons embargo currently in place against China. The embargo was imposed after Beijing used military force to crush peaceful pro-democracy demonstrations in Tiananmen Square in June 1989. This was the message coming from the EU Council foreign ministers' meeting that took place in Luxembourg on April 26 and 27.

After the weapons embargo issue did not even make it onto the agenda of the last EU Council meeting in late March, the EU foreign ministers decided to discuss the issue over a "working lunch" in Luxembourg, an indication, perhaps, that the embargo issue was not receiving the level of attention Beijing was hoping for. While Beijing's policy-makers and China's state-controlled media gave optimistic reports that the EU would follow the Franco-German request to review and possibly lift the embargo, the EU's foreign ministers instead decided to delegate the controversial issue to a lower level.

"The Council requested", the official summary of the lunch-time discussions reads, "the Permanent Representatives, a Committee of EU Member States ambassadors, and the Political and Security Committee (PSC) to take the issue forward". The PSC is made up of ambassadors plus military officials from EU Member States. One week before the EU Council meeting in Luxembourg, Irish Foreign Minister, Brian Cowen, told his Chinese counterpart that attempts to urge the EU to lift the ban against weapons sales to China were not likely to be successful as long as Ireland holds the Presidency of the European Union.

"I have given to my Chinese colleague our frank assessment that we don't believe, as things stand, that a decision is likely during our Presidency" Cowen said, when meeting Chinese Foreign Minister, Li Zhaoxing, at the Asia-Europe Meeting (ASEM) in Straffan, Ireland, on 20th April. Analysts believe that Ireland does not intend to dedicate a great deal of time or effort into developing a consensus on the weapons embargo issue before it hands over the rotating EU Presidency to the Netherlands, at start of July. China's human ongoing rights violations and its failure to provide clear and specific evidence on the improvement of its human rights record, EU observers widely agree, will remain the main hurdle Beijing has to overcome in its campaign to see the EU weapons embargo lifted. Brussels and Beijing established a human rights dialogue back in 1996, but EU Commission officials usually refer to the progress of the dialogue as "very limited."

Foreign Minister Li, for his part, dismissed the bad news indicating that Beijing is prepared to wait if necessary. "All good things take time. It is all up to our European friends" he said, for the official record.

Off the record, however, Beijing's policy makers have long insisted that the embargo is a "relic of the Cold War", standing in the way of Brussels' goal to establish the "strategic partnership" with Beijing, envisioned in the EU's security strategy paper *A Secure Europe in a Better World*. The paper, carrying Javier Solana's signature, calls for a "strategic partnership" with China in the context of the EU's Common Foreign

and Security Policy (CFSP), but it provides no details on the how-and-what of EU-China security co-operation.

Before resuming to dedicate official high-level attention to the weapons embargo issue, however, the EU Council decided to review its non-legally binding Code of Conduct for weapons sales to China. The Code, updated in 1998, obliges all EU Member States to inform each other about arms export licenses they issue and sets out clear criteria for granting those licenses. The Code stipulates that EU weapons licences cannot be issued if the recipient country violates human rights norms, international law or uses the arms for internal repression or international aggression.

The Code, however, is not legally-binding and remains open to interpretation by EU Member States, leading to criticism by the United States that the code might not keep France and Germany from exporting weapons and weapons-related technology to China, once the embargo is lifted.

In order to address US concerns that French state-of-the-art Mirage jets and stealth German submarines could be on their way to Beijing before long, the EU Council has requested its Working Party on Conventional Arms (COARM) to review and, if need be, to propose modifications to the code. The EU's efforts to identify and close loopholes in the Code of Conduct are indeed overdue, confirms Amnesty International, the London-based human rights watchdog.

At least seven EU Member States, Amnesty claims, take advantage of the absence of legally-binding rules and sell weapons parts and accessories to China, including bombs, mines and ammunition. US political analysts, such as Roger Cliff and Evan S Medeiros at the Washington-based RAND Corporation, believe that EU arms manufacturers are eager to resume high-technology weapons exports if and when the EU decides to scrap the embargo.

“European technology transfers before 1989 played a key role in enabling China to develop modern surface-to-air and air-to-air missile systems”, they wrote in the *International Herald Tribune* recently. Lifting the EU embargo, they fear, would further boost the modernisation of China's military which is “largely aimed at preparing for a potential conflict with Taiwan”. Updating China's missile programme by deploying precision-guided missiles is part of these efforts and explains China's strong interest in the EU's Galileo radio satellite navigation system, according to Dr Steve Tsang, Reader in Politics at St Anthony's College, Oxford University.

At the sixth EU-China summit in Beijing in October 2003, the EU and China agreed to develop jointly the Galileo initiative, although China is mainly interested in the military use of the system, Tsang writes in the *Far Eastern Economic Review*. “China's keen interest in the EU's Galileo radio satellite project is mainly driven by the prospect of acquiring an alternative to the American-operated Global Positioning System (GPS) for its version of the US Joint Direct Attack Munitions (JDAM)”, Tsang writes. The US JDAM is a GPS-guided “smart bomb” that can be produced inexpensively and, unlike conventional missiles, is able to evade missile defence systems.

While the EU put the weapons embargo issue on the backburner until further notice,

China for its part decided to keep up the pressure on Brussels policy-makers. Although Chinese Prime Minister Wen Jiabao's recent visit to Brussels was dominated by China's long standing wish to gain EU approval of China's market economy status (MES) within the World Trade Organisation (WTO), the Chinese Premier still found the time to urge EU leaders not to mix business with principles.

The EU, Wen reportedly told EU Commission President Romano Prodi, is making an "economic mistake" to link China's progress on human rights to lifting the arms embargo and China's official recognition as a market economy. While Prodi promised Wen to publish a preliminary EU judgement on whether China is ripe for MES sometime in May, the EU Commission President limited himself to saying that China had made "progress" with respect to human rights. This does not appear to mean that the embargo will be lifted soon. ■

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