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The EU and China in the United Nations Human Rights Council: Competition and compromise

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Introduction

The EU’s and China’s roles in the United Nations Human Rights Council (UNHRC) are receiving increasing attention both in global media and international relations (IR) studies. Since 2016 there has been an increasing number of reports pointing out China’s growing influence in shaping the agenda of the UNHRC and the alleged decreasing influence of the EU in this body of governance. For instance, a report posits that “under President Xi Jinping, China is pressing the United Nations’ human rights body to favour national sovereignty and development over calling out domestic rights abuses” (Maizland, 2019). An observer suggests that China, together with Russia, has “grown increasingly assertive in their efforts to curtail human rights advocacy power” in the UNHRC while the EU’s power in this institution is declining after the US’s withdrawal (Lynch, 2018). A study by Clingendael highlights China’s growing proactiveness in terms of promoting sovereignty and development rights in the UNHRC (van der Putten,

2018). The study suggests that China's activeness in the institutions and the US's withdrawal "pose new challenges to European governments" (van der Putten, 2018: 9). The author of this report contends that China's growing influence in the UNHRC constitutes a significant challenge to the EU's position in the UNHRC, to the extent that "it will become a dilemma for European states to maintain their membership in this body" but unable to shape the human rights agenda in the UN (interview, March 2018).

As the prominent human rights governance body of the UN, the UNHRC was established in 2006 as a replacement of the Commission on Human Rights, aiming at "strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them" (UNHRC, n.d.). It has 47 members, all of which are elected by the UN General Assembly to serve for three years and cannot be elected immediately after two consecutive terms. Of the HRC's 47 seats, Asia-Pacific and African countries each have 13, with another 13 seats for the Western European States, Eastern European States, and North American states. China has been elected as a member of the UNHRC each time it has candidacy. EU Member States typically have 9-10 seats in the UNHRC. Despite being absent from the body, the EU has regularly issued statements regarding the issues it seeks to implement in the UNHRC. In addition, statistics show that the EU Member States in the UNHRC have voted cohesively in the majority (>80%) of the resolutions that passed through a vote. The EU's UNHRC agenda and the cohesion among member states constitute the EU's actorness in the Council. This paves the way for the examination of the relationship between the EU and China in UNHRC sessions.

This article aims to establish a detailed analysis of the relationship between the EU and China in the UNHRC. It argues that the EU and China both compete and compromise in the Council. In the first part, this article examines the statements issued by the EU and China with regard to the UNHRC to identify the key norms these two parties seek to promote in UNHRC sessions. It finds that the EU and China have two aspects of

norm divergence in the Council. On the one hand, the two parties promote different interpretations of human rights. On the other hand, the EU and China have contrasting positions regarding country-specific resolutions. The second part of the article focuses on the voting actions of the EU Member States and China in UNHRC resolutions passed through a vote between 2017 and 2019. The quantitative research of the votes of the EU and China demonstrates that the two parties competed intensively during UNHRC sessions. Firstly, the EU and China vote oppositely on the majority (~70%) of all the resolutions that passed through a vote. Secondly, the analysis shows that the proportion of resolutions that the EU and China vote oppositely has been increasing, while the number of resolutions that they both support decreasing. In the third part, this article analyses two resolutions that both the EU and China supported in a vote. The analysis of the content of these two resolutions suggests that despite their diverging norms regarding human rights governance, the EU and China can reach a consensus on resolutions that focus on norms other than human rights, as well as norms that are not clearly defined in international law.

Most of the UNHRC resolutions are based on consensus, whereas a number of others need to be passed through a vote. This article, especially in its second and third part, focuses on the latter type of resolutions. It suggests that the votes of the EU and China with regard to these resolutions constitute an important set of data that demonstrates both the norms the two parties respectively support in the UNHRC and their relationship in their attempt to shape the UNHRC and human rights governance structure more broadly. Since no EU institutions have joined the governance body, the EU's influence in the UNHRC is based on the cohesive actions of its Member States in the practices of the Council, especially their voting actions. Voting actions have been examined by a number of studies on the EU's role in international institutions as a demonstration of the Union's actorness (Dedring, 2002; Kissack, 2008). For example, Kissack (2008) suggests that the cohesive actions of EU Member States in the International Labour Organisation (ILO) demonstrates the Union's actorness in this

institution even though the EU is not a member of the ILO. Kissack (2008: 472) posits that EU level statements with regard to a certain institution constitute the “joint policy” of the Union, which formulates the foundation of the cohesive votes of the Member States. This article has found that EU Member States have voted cohesively in the majority of the UNHRC resolutions that passed through a vote. Such cohesiveness demonstrates the EU’s actorness in the Council and paves the way for this article’s analysis of the relationship between the EU and China in this UN body.

Norm divergence between the EU and China in the UNHRC

This article posits that the norms promoted by the EU and China in the UNHRC are considerably diverging. Such divergence has two aspects: first, the EU and China seek to promote diverging priorities of human rights protection in the UNHRC. Second, the two parties advance diverging norms regarding the agenda of the UNHRC. Such norm divergence constitutes an essential aspect of the competition of the EU and China in the Council.

One of the major divergences between the EU and China in the UNHRC is that they promote different hierarchies of human rights protection in the Council. Specifically, whereas the EU prioritises civil and political rights, China emphasises development rights as the essential human rights. The EU has been focusing on violations of civil and political rights in other states in its statements at UNHRC sessions. For example, in its statement at HRC 37, the EU expressed its “deep concern” regarding “the continuing deterioration of the political and human rights situation in Cambodia and the escalating repression of the opposition, civil society and the media”. The Union asserted that Cambodia needs to protect the civil and political rights of its citizens by adopting “swift reversal of the dissolution of the CNRP and for the reinstatement of all CNRP members of parliament and CNRP local counsellors” and allowing “civil society organisations to fulfil their legitimate role”. In addition to the focus on Cambodia’s civil and political rights issues, the EU’s statement at HRC 37 also emphasised civil and

political rights violations in a number of other states. To name just a few, the Union criticised China's "detentions and trials of human rights defenders and lawyers"; Venezuela's "continued weakening of and non-respect for democratic institutions, the repression of political opponents and the obstacles to the opposition's equal participation in elections"; and Russia's "strong pressure and restrictions on civil society continue on the basis of restrictive legislation". Overall, the statement shows that the protection of civil society and the political reform towards democracy constitutes the key norms promoted by the EU in the UNHRC. It shows that the Union tends to prioritise civil and political rights in its UNHRC agenda.

The EU's emphasis on civil and political rights is consistent with its overarching human rights agenda *Strategic Framework on Human rights and Democracy* and its Action Plan (Council of the EU, 2012). The Action Plan explicitly identifies civil and political rights as the EU's priority in its human rights promotion by stating that:

The EU will continue to promote freedom of expression, opinion, assembly and association, both on-line and offline; democracy cannot exist without these rights. It will promote freedom of religion or belief and to fight discrimination in all its forms through combating discrimination on grounds of race, ethnicity, age, gender or sexual orientation and advocating for the rights of children, persons belonging to minorities, indigenous peoples, refugees, migrants and persons with disabilities. The EU will continue to campaign for the rights and empowerment of women in all contexts through fighting discriminatory legislation, gender-based violence and marginalization (Council of the EU, 2012).

The rights the EU privileges in this framework, including freedom of expression, assembly and association, as well as non-discrimination, are civil and political rights. Such a hierarchy of human rights also underpins the EU's agenda in the UNHRC. This shows that the EU's norm promotion in the UNHRC constitutes a part of its overarching human rights promotion framework in international relations.

Whereas the EU has been almost exclusively focused on civil and political rights in the UNHRC discussions, China has adopted a different approach to the hierarchy of human rights in the Council, with an emphasis on the priority of development rights. For example, China stated at HRC 42 that the international society should “regard development rights as a universal and indivisible human right, so as to use the implementation of Agenda for Sustainable Development as a chance to...effectively implement development rights”¹. Liu Hua, Special Representative for Human Rights of the Ministry of Foreign Affairs, stated at HRC 43 that more attention should be put into development rights, since “development and poverty alleviation are essential for the protection of human rights”.² These statements by Chinese officials at the UNHRC demonstrates Beijing’s strong interest in promoting development rights as a priority of human rights protection in the Council’s agenda.

Such an emphasis on development rights in the UNHRC is consistent with China’s focus on reshaping the interpretation of human rights through the recognition of development rights as an essential right since the 1990s. This indicates that similar to the EU, China’s promotion of its interpretation of human rights is subject to its overarching effort of norm promotion in global human rights governance. Since China published its first White Paper on human rights in 1991, it has insisted on a hierarchy of rights in which development rights outrank social and political rights (Information Office of the State Council, 1991; Sceats & Breslin, 2012). The *National Human Rights Action Plan of China (2012–2015)* states that it “will continue to give priority to the protection of the people’s rights to subsistence and development. It will take proactive measures to ensure and improve the people’s livelihood, spare no efforts to solve the problems of immediate concern to the people.” (Information Office of the State Council, 2012, Chapter 1). In its interpretation of development rights, China mainly refers to Article 3 of the Universal Declaration of Human Rights, which lists the right to life,

¹ <http://www.china-un.ch/chn/hyyfy/t1702230.htm>

² <http://www.china-un.ch/chn/hyyfy/t1750602.htm>

liberty and security of person.

In recent years, China has been proactively promoting its hierarchy of human rights, especially the priority of development rights, in international institutions. A prominent example is the formulation of the Beijing Declaration on Human rights in 2017. This declaration was presented at the first “South-South Human Rights Forum” held in Beijing. This forum was attended by more than 300 representatives from over 70 countries and international organisations (“China focus”, 2017). The declaration explicitly endorses China’s preference for developmental rights by stating that “[t]he right to subsistence and the right to development are the primary basic human rights” and that “developing countries should pay special attention to safeguarding the people’s right to subsistence and right to development (Beijing Declaration, 2017, Article 3). Hence, China’s promotion of development rights in the UNHRC constitutes another attempt of Beijing to advance its interpretation of human rights in international institutions.

It is therefore obvious that the EU and China promote different interpretations of human rights in the UNHRC. Whereas the EU asserts that the UNHRC should focus on civil and political rights issues, China focuses on the recognition of development rights in the Council’s discussions. Such norm divergence denotes conflict between the two parties, especially when one party seeks to implement its interpretation of human rights in UNHRC resolutions. For example, in June 2017, China initiated a resolution entitled “the contribution of development to the enjoyment of all human rights”, which states that “development contributes significantly to the enjoyment of all human rights by all” and “calls upon all countries to realize people-centred development of the people, by the people and for the people” (UNHRC, report 34th and 35th session, 2017). This resolution was criticised by the EU for “distorted the relationship between human rights and development, creating a hierarchy in which development was placed above human

rights”³. This example shows how the norm divergence between the EU and China regarding human rights can lead to the conflict between these two parties in the UNHRC.

In addition to their diverging interpretations of human rights, the EU and China also promote different procedural norms in the Council, especially with regard to the UNHRC’s resolutions on the human rights situations of individual states. A fundamental norm promoted by the EU in the UNHRC is that the Council should focus on discussing the human rights situations of individual states. For example, the EU’s statement before HRC 41 urges the Council to discuss the human rights issues in a number of states, including Belarus, Eritrea, Syria, Burundi and Myanmar, Venezuela, Sudan, and the Philippines. In the statement, the Union explicitly calls out the alleged human rights violations in these states and urges these governments to take actions to address these issues. The statement, as well as the EU’s statements before other HRC sessions, demonstrates that the EU’s agenda in the Council is centred on country-specific human rights issues. The Union utilizes HRC sessions as a platform to raise human rights violations in individual states and put pressure on these states to improve their human rights protection. Hence, the EU is a strong supporter of country-specific resolutions in the UNHRC. Indeed, not only the EU votes in favour of the majority of the country-specific resolutions (except those regarding Israel), EU Member States have frequently drafted this kind of resolutions in the Council. For instance, at HRC 40, the United Kingdom led a group of countries that draft the Resolution on the human rights situation in the Syrian Arab Republic. During the same session, Sweden led the introduction of the Resolution on the human rights situation in the Islamic Republic of Iran⁴. This shows that the promotion of country-specific resolutions constitutes a key procedural norm of the EU in the UNHRC.

Contrary to the EU’s support for country-specific resolutions, China has strongly

³ <https://hongkongfp.com/2017/10/14/china-pushes-human-rights-chinese-characteristics-un/>

⁴ <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=24394&LangID=E>

opposed this type of resolutions, and more broadly the “naming and shaming” approach in the UNHRC. For instance, at HRC 42, China, representing the so-called “like-minded countries” (LMG), stated a direct opposition regarding the “naming and shaming” approach:

The LMG hopes the High Commissioner and her office will abide by the purposes and principles of the Charter of the United Nations, and carry out relevant work in an impartial, objective, constructive and non-selective manner, oppose politicization of human rights and double standards, and stand against "naming and shaming" and exertion of public pressure⁵.

China’s opposition to “naming and shaming” in the UNHRC demonstrates two aspects of its understanding of human rights governance. Firstly, it shows China’s insistence that the protection of human rights is a domestic issue, of which each state has the rights to decide its distinctive approach. The Chinese government has consistently stated that each state should respect other states’ way of protecting human rights. Indeed, despite being a signatory of the UDHR, China states in its National Human Rights Action Plan of China (2012–2015) that it will “[proceed] from China’s national conditions and new realities to advance the development of its human rights cause on a practical basis” (Information Office of the State Council, 2012). This statement demonstrates that China interprets human rights as an issue on which each individual country can formulate different policies based on its specific conditions (Freeman & Geeraerts, 2011). Hence, in the UNHRC China has been stating that all parties should “respect the development path independently chosen by other countries, and resolve differences in the field of human rights through constructive dialogue and cooperation”⁶.

Secondly, Beijing’s opposition against “naming and shaming” also accords with its position that human rights governance should be low-profile and centred on bilateral

⁵ http://www.chinahumanrights.org/html/2020/WORLD_0228/14793.html

⁶ <http://www.china-un.ch/chn/zgylhg/t1702230.htm>

dialogues. As Nathan (2015: 165-166) contends, China's approach to human rights issues has been centred on the norms that the dialogues "should be secret, that they should be bilateral rather than multilateral, that foreign dialogue partners should not coordinate with one another, and that invitees to the nongovernmental-specialist components of these dialogues need to be vetted by both sides". This approach is primarily demonstrated by EU-China human rights dialogues since the mid-1990s. Because of China's insistence, this dialogue has been kept bilateral between the EU and China, and the records of the dialogues have been kept away from public access. It shows Beijing's strong interest in keeping human rights issues low-profile in global governance. Hence, Beijing's tends to strongly oppose the "name and shame" approach in the UNHRC.

Clearly, China and the EU promotes diverging norms regarding country-specific resolutions in the UNHRC. This article suggests that there are mainly two drivers behind their contrasting approaches towards "naming and shaming" in the UNHRC. On the one hand, whereas the EU often acts as the vanguard of human rights protection in global affairs, China has been criticised by western developed states and many human rights organisations as a major perpetrator of human rights violations. Hence, Beijing's opposition against country-specific resolutions is driven by its strong interest in preventing itself become the target of criticism in the UNHRC. On the other hand, China also seeks to align itself with other developing states in the UNHRC to obtain their support on Beijing's human rights agenda. Most of the developing states strongly oppose "naming and shaming" for its alleged connection with neo-colonialism by the developed states (Freedman, 2011: 47). For instance, the African Group posits that "one of the reasons why the Commission [on Human Rights] was not successful was because of the naming and shaming" (quoted in Freedman, 2011: 292). Therefore, the interest in developing coalitions with the developing states group drives China to keep on the same lines towards "naming and shaming". Indeed, whereas China opposes country-specific resolutions in general, it has supported most of the resolutions regarding

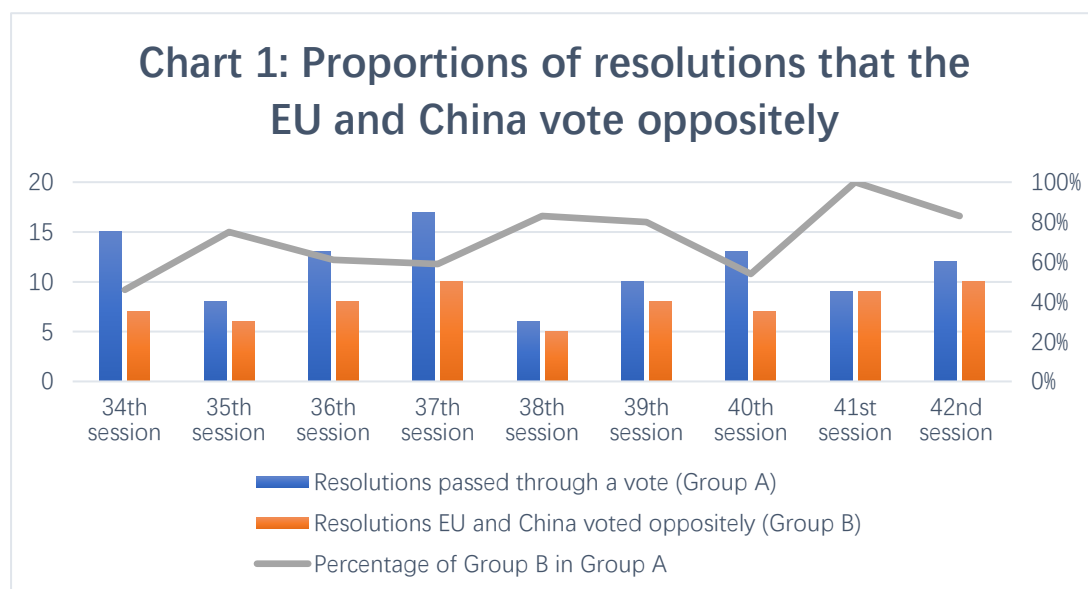
Israel's violation of Palestinian people's human rights in the UNHRC. This shows that it is Beijing's priority to forge a united front with other developing states in the UNHRC. This drives China to adopt the opposition against the "naming and shaming" approach as a central procedural norm in the Council. This shows that the divergence between developed and developing states (so-called North-South divide) regarding human rights governance constitutes an important factor that drives the norm divergence between the EU and China in the UNHRC.

Competition between the EU and China in the UNHRC votes

The divergence between the norms promoted by the EU and China in the UNHRC is accompanied by the intensive competition between the two actors in the practices of the Council. This is especially demonstrated by their voting actions in UNHRC resolutions that are passed through a vote. This article conducts a quantitative analysis of the voting actions of the EU Member States and China in all the resolutions that passed through voting in the last three-year membership rotation of the UNHRC (2017-2019). In this period of time, the UNHRC held 9 sessions (34th session – 42nd session, 3 sessions each year) and passed 103 resolutions through voting. An analysis of the data demonstrates two aspects of the intensive competition between the EU and China in the UNHRC.

Firstly, the analysis shows that the EU and China tend to have diverging positions regarding the majority of the UNHRC resolutions. Statistics show that among the 103 resolutions that passed by a vote between 2017 and 2019, the EU and China voted differently in 95 resolutions (see Chart 1). This means that the two parties have different opinions in more than 92% of the UNHRC resolutions that required a vote. If we exclude the resolutions that one of the parties abstained and focus on those that one party voted "in favor" and the other voted "against", the divergence is still significant. Indeed, the EU and China voted oppositely in 70 resolutions, or 68% of all the resolutions. This means that in almost 70% of the cases, the EU and China oppose each

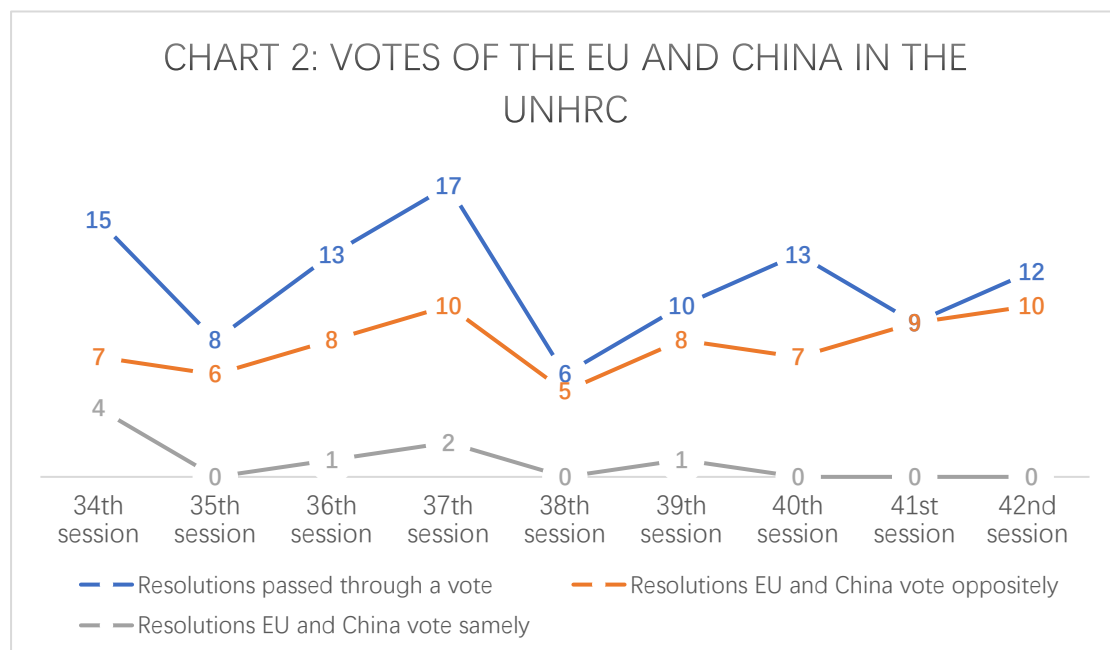
other in the votes of Council resolutions. Such a sharp contrast of voting actions shows that it is significantly difficult for the EU and China to reconcile their diverging norms regarding the UNHRC during the sessions. It also indicates that the divergence between the EU and China constitutes a major factor that the resolutions were put to a vote.



Secondly, the analysis of the voting actions of the EU and China in the UNHRC shows that the competition between these two parties has been escalating since 2017. This is demonstrated by the trend of votes of these two parties throughout the sessions. On the one hand, statistics show that between 2017 and 2019, the proportion of resolutions that the EU and China vote oppositely has been increasing. As Chart I demonstrates, in the 34th session, which is the first session of this time period, the EU and China voted oppositely in 7 resolutions. This accounts for 46% of the 15 resolutions that passed through a vote during that session. Since then, the proportion of resolutions that the EU and China vote oppositely has been increasing steadily, demonstrated by the grey line in Chart 1. The proportion went over 80% at the 38th session, and reached an astonishing 100% at the 41st session. If we do an annual calculation of the proportion of resolutions that the EU and China vote oppositely, the results are 58.3% in 2017, 69.7% in 2018, and 76.4% in 2019. Since the annual number of resolutions required a vote has

remained relatively the same (36 in 2017; 33 in 2018; and 34 in 2019), the rising proportion figures show that the EU and China have been increasingly against each other in UNHRC votes. Indication, intensive competition?

On the other hand, the escalating competition between the EU and China is also demonstrated by the decreasing numbers of resolutions that the two parties both support. Specifically, as Chart 2 shows, at the 34th session, there were 4 resolutions that the two parties both voted “in favor”. Altogether the EU and China jointly supported 5 resolutions in 2017. This number, however, dropped to 3 in 2018, and 0 in 2019. This shows that it becomes increasingly difficult for the two parties to reach a consensus on the resolutions that need a vote. Overall, statistics indicate that the EU and China are increasingly willing to vote against the resolution that is in contrast to their norms of the UNHRC. Because of their diverging norms in the Council, the competition between these two parties in the Council has escalated in the past three years. This indicates that the competition between the EU and China has become one of the major divergences among UNHRC members.



Norm convergence between the norms promoted by the EU and China in UNHRC resolutions:

Despite their intense competition in terms of voting actions, this article posits that the EU and China have been able to reach compromise in some of the UNHRC resolutions, especially those that incorporate the interpretations of human rights of both parties. This indicates that even though the EU and China are promoting diverging norms regarding human rights, there is still room for compromise between these two parties in the UNHRC.

One resolution that the EU and China reached compromise is entitled “The role of good governance in the promotion and protection of human rights”, which was adopted without a vote at HRC 37 (37/6). The resolution is characterised by the incorporation of both the EU’s interpretation of human rights and that of China. As a resolution that aims to contribute to the definition of human rights in global governance, “The role of good governance in the promotion and protection of human rights” identifies good governance as playing “a central role in the promotion and protection of human rights and in the elimination of obstacles to development”. In its definition of good governance, the resolution is considerably shaped by the EU’s approach to this norm as it recognises that “transparent, responsible, accountable, open and participatory government, responsive to the needs and aspirations of the people is the foundation on which good governance rests”. The emphasis on transparency and accountability as key elements of good governance is consistent with the EU’s approach to this norm. Indeed, in the communication entitled *Governance in the European Consensus on Development*, the EU asserts that good governance incorporates “a transparent system for financing political parties and support for parliamentary oversight and for other public and judicial institutions” (European Commission, 2006: 5). The shared focus on transparency and accountability demonstrates the EU’s influence on the definition of good governance in Resolution 37/6. However, the definition of good governance in this resolution also shows the EU’s compromise in drafting this resolution. Indeed, the

resolution does not mention “democracy” in its conceptualisation of good governance. This is considerably different from the EU’s approach, which asserts that good governance largely overlaps with “democratic governance” and should be based on the “protection for multiparty democracy and electoral competition”. This shows that the EU has made a compromise to avoid mentioning democracy in the resolution.

While the resolution mainly adopts the EU’s approach to good governance, it also implements China’s emphasis on the right to development in its conceptualisation of human rights. The resolution states that good governance “is one of the indispensable conditions for the full realization of human rights, including the right to development”. The mentioning of the right to development is explicit, or even awkward here. Highlighting the right to development as a part of human rights China’s influence on the drafting of this resolution, since Beijing is the major promoter of the inclusion of development rights in the UNHRC. This indicates that whereas China accepts the EU’s approach to good governance in this resolution, it has successfully implemented its understanding of human rights in the text. Hence, Resolution 37/6 constitutes one that adopts both the norms of the EU and those of China regarding the definition of human rights. It shows that the two parties can reach compromise by giving up on some of the norms they promote in the UNHRC.

Another compromise between the EU and China exists in the resolution entitled “Human rights, democracy and the rule of law”, which was adopted at HRC 34 (34/41). This resolution is characterised by its adoption of the interpretations of democracy of both the EU and China. On the one hand, the resolution affirms the “link between human rights, democracy, the rule of law and good governance” and “the role of good governance in the promotion of human rights”. This expression constitutes a confirmation of the democracy-rule of law-human rights nexus in global governance. Indeed, such a nexus underpins the EU’s norms framework. The EU argues that “the objectives of development democracy, human rights, good governance and security are

intertwined” (European Commission, 2011). It also posits that the “fair and impartial administration of justice is essential to safeguard human rights” (EU, 2015). Hence, the Resolution accords with the EU’s approach which connects democracy and the rule of law with the protection of human rights. This expression demonstrates that the EU successfully implements its interpretation of human rights in this resolution.

On the other hand, the Resolution also demonstrates China’s approach to democracy, especially its emphasis on sovereignty. The Resolution states that “while democracies share common features, there is no single model of democracy and that democracy does not belong to any country or region, and reaffirming further the necessity of due respect for sovereignty, territorial integrity and the right to self-determination”. Such an approach to democracy has two characteristics. Firstly, it underscores that democracy has no single model. This accords with the UN General Assembly’s definition of democracy in the 2005 World Summit Outcome, which states that democracy is “based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives” (United Nations General Assembly, 2005, p. 30). This definition is a broad one since it does not identify any “specific” types of electoral system, government structure, or party system, as the components of a “democratic” regime. Secondly, the Resolution emphasises sovereignty and non-interference principles in its conceptualisation of democracy. This is consistent with China’s focus on sovereignty in the UNHRC, and is contrasted to the EU’s understanding of democracy. Hence, Resolution 34/41 combines the approaches to democracy of both the EU and China. The willingness of the EU and China to endorse a resolution that incorporates the norms that they do not support demonstrates the capacity of these two parties to reach compromise in the UNHRC.

A comparison between Resolution 37/6 and Resolution 34/41 sheds light on the conditions of a compromise between the EU and China in the UNHRC. Firstly, both resolutions are not directly related to the definition of human rights, rather, they focus

on the connection between other governance norms, such as good governance and democracy, and human rights. This article suggests that the focus on other norms is essential for the compromise between the EU and China. As abovementioned, the EU and China have diverging interpretations of the hierarchy of human rights. Hence, it is highly unlikely that they can reach a consensus on a resolution that elaborates on human rights per se. For example, the EU and China voted oppositely on Resolution 36/9, which states the role of the right to development in human rights. However, other than human rights, the EU and China do not seek to promote their understandings of international norms such as democracy and good governance in the UNHRC. Hence, it is more likely that they can reach compromise on resolutions that focus on norms other than human rights.

Secondly, both Resolutions 37/6 and 34/41 are characterised by their focus on ambiguous norms. Indeed, both democracy and good governance are essentially norms without a clear definition in international law. This is in contrast to human rights, the components of which have been clearly defined in the Universal Declaration of Human Rights. The ambiguity of democracy and good governance denotes that a resolution can refer to these norms without presenting a clear definition. For instance, although Resolution 37/6 focuses on good governance, it does not attempt to present a definition of this norm. This paves the way for joint support among parties in the UNHRC even though they could have diverging interpretations of what good governance refers to. Hence, this article suggests that the EU and China are more likely to reach compromise on resolutions that focus on ambiguous norms in human rights governance.

Conclusion

This article has provided a detailed analysis of the competition and compromise between the EU and China in the UNHRC. It showed that the two parties promote diverging hierarchies of human rights and different approaches to country-specific resolutions. Such norm divergence constitutes an important aspect of the competition between the EU and China in the Council. The article also demonstrated the competing

voting actions between the EU and China between 2017 and 2019. Statistics show that the EU and China vote differently in the majority of the resolutions that passed through a vote. More importantly, the analysis indicated that the competition between the two parties has been escalating. This is demonstrated by the increasing proportion of resolutions that the EU and China vote oppositely and the decreasing number of resolutions that the two parties both support. The article then suggested that despite such intense competition, the EU and China managed to compromise on some resolutions. It contended that the two parties are more willing to compromise on resolutions that focus on norms other than human rights or norms that are not clearly defined in international law.

The analysis of this article provides important implications for the scholarly understanding of EU-China relationship in the UNHRC and other multilateral institutions. First of all, the article demonstrates that the competition between the EU and China is a manifestation of the increasingly expanding North-South divide in the UNHRC. Indeed, whereas the EU to a large extent represents the western developed states in terms of human rights governance, China's human rights agenda in the UNHRC is considerably consistent with most of the developing states. The growing gap between these two groups of states denotes a pessimistic future of the UNHRC, as the Council could become less and less effective if the votes of parties become rigid.

Secondly, it shows that norm divergence constitutes an important factor that shapes this bilateral relationship in international governance bodies. The EU and China have considerably different interpretations regarding human rights, sovereignty, and many other international norms. Hence, the two actors tend to compete with each other in global governance bodies since they both seek to promote their respective norms in the institution. This article has demonstrated that the growing proactiveness of Beijing to promote its human rights agenda in global governance has fuelled its competition with the EU in the Council. This finding indicates that the competition for "normative

power”, namely the power to shape the understandings of international norms, has become an increasingly important issue in EU-China relationship.

Thirdly, the article also shows that despite their norm divergence, the EU and China have the potential to reach compromise in international institutions. While this article shows that such compromise can be established on issues other than human rights, further studies can examine the compromise between the EU and China in other institutions. These studies can shed light on other drivers behind the compromise so as to foster the understanding of EU-China relationship in multilateral institutions.

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