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BOOK REVIEW

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A Masterpiece in the Field of EU-China Relations and Beyond— A Preliminary Appreciation of *The European Union and China (1949–2008)*: *Basic Documents and Commentary* Edited by Francis Snyder

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2009 deems to be a year of weighty significance for China and the European Union, symbolizing the 60th anniversary of new China and approaching the 35th anniversary of its establishment of diplomatic relations with the EU, in spite of its broad and deepening challenges engendered by the global financial crisis, which has been undoubtedly resulting in negative effects on the economies of EU and China.

The director of an English-language journal *Frontiers of Law in China* jointly published by Higher Education Press (China) and Springer (Germany), invited me to write a review on a new book entitled *The European Union and China (1949–2008)*: *Basic Documents and Commentary* edited by Francis Snyder and published by Hart Publishing Ltd. I had three days off to systematically read it through. Now I would like to share some of my notes with readers interested in EU-China relations.

I regard this book as an invaluable masterwork for all-purpose use in the studies of EU-China relations and even beyond. Or just as the publisher indicates precisely in its inner cover, “This book provides an indispensible foundation for teaching, research, policy-making and advising on EU-China relations. Essential to every library, it will also be required reading for students, teachers, researchers, policy-makers, legal practitioners and government officials in the EU, China, the United States and elsewhere.” It is also an invaluable research tool, a good starting point for almost any project in EU-China relations.

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First of all, Snyder's book is original in its design in the field of EU-China relations. Frankly speaking, the "basic documents and commentary" model is by no means a new methodology in book compiling and editing, especially for law textbooks in the US. However, this model is creative in the disciplines relating to EU-China studies, in spite of a rapidly increasing number of monographs in the perspectives of trade and economies, law and policy, or even human rights and other social areas. This vast volume (1,103 pages) is not at all a simple collection of basic documents and commentary in chronological order or by subject matters, which itself is by no means an easy task since it covers a wide range over the past sixty years of Sino-European relations. It is a refined, well-balanced combination of objective basic documents, either binding or non-binding, with subjective observations by Snyder based on his cumulative researches for years.

Second, the documentary parts of the book are so far the most comprehensive in spite of its exclusion of related legislations.[1] As Snyder indicated, the "book is designed to fill the gap."[2] Though basic documents on EU-China relations could be sought out in the official websites of the EU and the Chinese Government and occasionally in some other websites, none of them is so complete, systematic and well-categorized. It is further worth noticing that the book even includes some unpublished documents in English and even available only in Chinese, French or Portuguese, though a few primary documents are blank because of their unavailability to the public. Each chapter also includes easy-to-consult tables, giving a comprehensive and detailed presentation of the documents.

Third, the book is a deliberately well-drawn picture of EU-China relations in multiple perspectives. The book is composed of nine chapters in the framework of both vertical and horizontal dimensions of EU-China relations, in addition to its introductory part at the beginning which exposes the purposes, structures, features and main contents of the book. Vertically, the book traces back to the beginning of the relationship between new China and new Europe and cumulates basic documents of EU-China relations chronologically for the past sixty years. Horizontally in chronological order, it starts with the diplomatic relations and extends gradually to trade and economic relations, strategic partnership, political dialogues, sectoral dialogues, cooperation beyond trade and textiles, special cooperation projects, EU-Hong Kong (China) and EU-Macau (China) relations and finally EU-China relations related to the WTO. Thus, the book could be described as an encyclopedia of EU-China relations, indispensible for anybody

[1] However, the reason for such exclusion given by Snyder that it is not a general textbook on EU-China relations seems to be not so persuasive since internal acts of the EU and China could well be identified as parts of "Basic Documents" of the EU-China relations.

[2] Francis Snyder (ed.), *The European Union and China, 1949–2008*: *Basic Documents and Commentary*, Hart Publishing (Oxford), at 1 (2008).

or any institute engaged in EU-China affairs.

Fourth, the Commentary of the book is concise, precise and profound, which is an illustration of Snyder's sharp and unique observations on EU-China relations. Here a few examples are as follows:

(1) In addition to the two concepts of "New China" and "New Europe" to start his comments on EU-China relations, Snyder in Chapter One divides the diplomatic relations between China and Europe from 1949 to 1975 into four generations, namely, (a) in 1949 (with the establishment of the PRC); (b) in the early 1950s; (c) between 1954 to 1964 (the end of the Korea War till the Cultural Revolution); and (d) during the 1970s (before and following the normalization of Sino-American relations).

(2) From the mid 1970s to 1990s, EU-China relations had mainly focused on trade in general (in particular, textiles), and the legal framework had been a number of bilateral agreements in these areas. From late 1990s on, EU-China relations have been developing fast both horizontally and vertically in terms of subject matter.

(3) "Policy papers" have been constantly and widely used as the new type of instruments in EU-China relations since the mid 1990s. Snyder subtly observed that although policy papers such as communications of the Commission to the Council and/or the European Parliament are quite common within the EU, it has been rarely used by China toward a single country or region. However, it is worthy of notice that in 2003, the Chinese government for the first time published its policy paper toward the EU,[3] which adequately demonstrates the high importance of EU-China relations in the minds of both sides.

(4) The phases, divisions and their respective features termed by Snyder to sum up the upgrading process of EU-China relations from trade to strategic partnership from mid 1990s to the present are undoubtedly accurate and quite in their places.

(5) The past 15 years of EU-China relations has been also characterized by regular conduction and proliferation of dialogues between the two sides. Snyder distinguishes it into two types, i.e., political dialogues and sectoral ones, in terms of their subject matters, participants, competences of the EU and its Member States and internal institutional arrangements of both sides.[4] Snyder uniquely describes the architecture of EU-China relations by means of various dialogues in political and sectoral areas as "soft" institutions or "soft law" measures which are not legally binding but which may have practical or even legal effects." [5]

(6) I applaud for Snyder's analysis of the Memoranda of Understandings

[3] Id. at 309–10.
[4] Id. at 657–58.
[5] Id. at 656.

(MOUs), its interactions with dialogues and the main functions of the latter. Snyder figures out three kinds of MOUs from legal standings: (a) a legally binding document; (b) a document not legally binding but creating legal effect; and (c) a political agreement with no legal effect. Accordingly he identifies most of the MOUs in EU-China relations as belonging to the second category. Compared with dialogues, MOUs bear more legal and normative characters.

(7) All kinds of cooperation projects in various fields since the mid-1980s have been indispensible components of EU-China relations, which are mostly neglected by scholars on EU-China studies. The systematic demonstration of documents and their vivid comments by Snyder remind readers of the importance and features in this regard. From the sharp observations by Snyder, it is discovered that "the early projects concerned with mainly economic and social reform" and "more recent projects deal with rule of law and good governance, reflecting changing priorities from the European and Chinese perspectives."[6]

The final analysis of the great success of this book cannot be made without understanding Snyder himself. First and foremost, Snyder's vast and broad knowledge of the EU, China, bilateral, regional and global affairs as well as his highly prestigious expertise in EU law, Chinese Law and WTO law are the academic guarantee for the high quality of this vast volume. Among the so large quantitative collection of various basic documents paralleled with unique commentary in the context of Chinese history, European integration and global affairs over the past six decades, the most admirable is Snyder's comprehensive understanding of any deep comments on all landmark events of China. Second, Snyder's rich and constant involvement in numerous EU-China programs, projects and other activities for decades is another precondition for this masterpiece. In my view, few scholars of EU-China affairs can rival with Snyder in this regard. Last but not the least, Snyder's excellent personality and wide acquaintances and active making of Chinese friends in various circles is an indispensable contribution to the great success of this book. He is well-known for his tenacity, thoroughness, dedication, enthusiasm and kindness to whoever are his friends and partners.

In a simple conclusion, I would like to say that this book is a fine tour guide of EU-China relations for both academic and practical purposes. One can not only find out evolutionary routes toward EU-China relations, but also benefit from vivid and featured comments.

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[6] Id. at 945.