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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on minority rights and application of the death penalty

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on behalf of the PPE Group

European Parliament resolution on minority rights and application of the death penalty

The European Parliament,

- having regard to the twentieth anniversary of the fall of the Berlin Wall and the collapse of Communism in Central and Eastern Europe that freed millions of people,
 - having regard to the resolutions of the European Parliament in favour of a universal moratorium on the death penalty of 1 February 2007¹ and of 27 September 2007²,
 - having regard to resolutions 62/149³ and 63/168⁴ on the moratorium on the use of the death penalty adopted by the UN General Assembly on 18 December 2007 and on 18 December 2008,
 - having regard to the Council of the European Union's declaration condemning the execution of two Tibetans (Nr: 15132/09)⁵,
 - having regard to the Council of the European Union's declaration regarding the recent executions of nine persons in Xinjiang (Nr: 15843/09)⁶,
 - having regard to articles 35, 36 and 37 of the Constitution of the People's Republic of China that promise all nationalities living in China the respect of their fundamental right to life, as well as freedom of speech, of the press, of assembly, of association and freedom of religious belief⁷,
 - having regard to the forthcoming EU-China Summit to be held on 30 November 2009 in Nanjing,
- A. acknowledging that the Chinese Communist regime limits the freedoms of its people and denigrates the cultural, economic, linguistic, and religious rights of the individual and in particular, ethnic minorities,
- B. acknowledging the crucial and positive role that the moral support of Western European democracies provided for over fifty years to those oppressed under Communist regimes and the role this played in the fall of Communism in Europe,
1. Reiterates that the EU is opposed to the death penalty in all circumstances and emphasizes once again that the abolition of the death penalty contributes to the enhancement of human dignity and progressive development of human rights;

2. Notes that since 2007 all death penalty cases in China have been reviewed by the Supreme Court, however remains concerned that China still carries out the greatest number of executions worldwide;

¹ Text adopted P6_TA(2007)0018

² Text adopted, P6_TA(2007)0418

³ <http://www.consilium.europa.eu/uedocs/cmsUpload/N0747271.pdf>

⁴ <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/480/87/PDF/N0848087.pdf?OpenElement>

⁵ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/cfsp/110853.pdf

⁶ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/cfsp/111098.pdf

⁷ <http://english.people.com.cn/constitution/constitution.html>

3. Therefore urges the Chinese government to adopt a moratorium on the death penalty immediately and unconditionally, seen as a crucial step towards the abolition of the death penalty;
4. Calls on the European Union to maintain its public opposition to the death penalty and condemn the executions of nine Uyghur and Han Chinese individuals in November 2009 with an additional call for the commutation of all outstanding death sentences;
5. Calls on the Chinese authorities to immediately end the 'Strike Hard' campaign that is repressing the rights of all people in Xinjiang/East Turkestan whilst disregarding the causes of unrest;
6. Calls on the Chinese authorities to lift the media blackout in Xinjiang/East Turkestan, to allow people to communicate freely and to have uncensored access to telephone, internet, and mail communication;
7. Calls on the Chinese authorities to observe the provisions of the Constitution of the People's Republic of China that protect the rights and freedoms of nationalities in China and to end its policy of population transfer in Xinjiang/East Turkestan that can be cited an act of 'cultural genocide';
8. Reiterates its condemnation of the execution of the Tibetans Lobsang Gyaltzen and Loyak on 20 October 2009 regarding the March protests 2008 and on charges relating to "starting fatal fires", condemns also the death penalties with a two-year suspension against Tenzin Phuntsok and Kangtsuk due to the March protests, and the life imprisonment of Dawa Sangpo, and underlines its concerns as to whether a fair trial was granted to them;
9. Calls for the reopening of sincere and result-oriented dialogue between the Chinese government and the Dalai Lama representatives based on the "Memorandum on Genuine Autonomy for the Tibetan People" leading towards a positive, substantial and meaningful change in Tibet, consistent with the principles outlined in the Constitution and laws of the People's Republic of China;
10. Welcomes the existence of an EU-China human rights structured dialogue; expresses disappointment at the lack of substantial results coming from this dialogue; invites the Council and the Commission to raise this issue of concern during the forthcoming EU-China summit, as part of a thorough assessment of the effectiveness of the structured dialogue;
11. Calls on the Chinese authorities to respect the rights of ethnic minorities to practice their culture, language and religion, thus favouring the preservation of their cultural identity and their integration into society, necessary for a peaceful and stable cohabitation of diverse ethnic minorities;
12. Instruct its President to forward this resolution to the Commission, the Council, the Member States and the Council of Europe.