



Plenary sitting

B8-0459/2017

4.7.2017

MOTION FOR A RESOLUTION

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

pursuant to Rule 135 of the Rules of Procedure

on the cases of Nobel laureate Liu Xiaobo and Lee Ming-Che
(2017/2754(RSP))

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on behalf of the Verts/ALE Group

B8-0459/2017

**European Parliament resolution on the cases of Nobel laureate Liu Xiaobo and Lee Ming-Che
(2017/2754(RSP))**

The European Parliament,

- having regard to its previous resolutions on China with regard, in particular to the one of 16 December 2015 on EU-China relations, the one of 13 March 2014 on EU priorities for the 25th session of the UN Human Rights Council, the one of 24 November 2016 the case of Gui Minhai, jailed publisher in China and the one of 15 December 2016 on the cases of the Larung Gar Tibetan Buddhist Academy and Ilham Tohti,

- having regard to the EU-China Strategic Partnership launched in 2003 and to the European Commission and EEAS joint communication to the European Parliament and the Council entitled 'Elements for a new EU strategy on China', of 22 June 2016,

- having regard to the EU-China summit held in Brussels on 1 and 2 June 2017,

- having regard to the adoption of the new national security law by the Standing Committee of the Chinese National People's Congress of 1 July 2015, and the publication of the second draft of a new Foreign NGO Management law on 5 May 2015,

- having regard to the EU-China dialogue on human rights launched in 1995 and the 35th round held in Brussels on 23 and 23 June 2017,

- having regard to the statement of the DROI Chair of 22 June 2017 on the occasion of the EU-China Human Rights dialogue of 22-23 June 2017,

- having regard to the award of the European Parliament's Sakharov Prize for Freedom of Thought to Hu Jia in 2008 and Wei Jingsheng in 1996,

- having regard to the International Covenant on Civil and Political Rights of 16 December 1966,

- having regard to Rule 135 of the Rules of Procedure,

A. whereas Chinese writer and human rights activist Liu, Xiaobo was jailed for 11 years in 2009 for "inciting subversion of state power" after he helped write a petition known as "Charter 08" calling for sweeping political reforms in China; whereas Liu had already spent nearly two years in prison following the crackdown on the June 1989 Tiananmen Square protests and in 1996 was sentenced to three years of "reeducation-through-labor" as a result of further human rights activities,

B. whereas "Charter 08", which advocates putting human rights, democracy, and the rule of law at the core of the Chinese political system, was originally signed by 303 Chinese citizens, including rights defenders and legal activists, and after it was widely circulated online collected thousands of signatures,

C. whereas on October 8, 2010, the Nobel Committee awarded Liu the Nobel Peace Prize in recognition of his "long and non-violent struggle for fundamental human rights in China.",

D. whereas Liu's wife Liu Xia, although never charged with any offense, has been held in house arrest since Liu was awarded the Peace Prize in 2010 and since then has been denied almost all human contact except with close family and a few friends, and has reportedly suffered from severe depression throughout this period,

E. whereas Liu Xiaobo was recently transferred from a prison in China's northeast Liaoning province to a hospital in the provincial capital, Shenyang, where he is being treated for his serious health conditions,

F whereas in a video Liu's wife Liu Xia, talking about her husband's condition, said doctors could not perform radiotherapy or chemotherapy; whereas a source close to the family said Liu Xiaobo was being treated using targeted therapy and that he and his wife wanted to return to Beijing for treatment but authorities rejected their request,

G. whereas longtime democracy activist Lee Ming-Che went missing on March 19, 2017, after he crossed from Macau into Zhuhai in China's Guangdong province; whereas ten days later, China's Taiwan Affairs Office confirmed at a news conference that the "relevant authorities" had detained Lee and placed him under investigation on suspicion of "engaging in activities that endanger national security",

H. whereas although China's Criminal Procedure Law requires police to notify families within 24 hours of criminal detention, the requirement can be waived in cases involving "national security" and "terrorism," and when the police believe that such notification could "impede the investigation."; whereas China often uses this law to clamp down on dissidents and critics of the regime,

I. whereas Chinese authorities have offered no credible evidence for the grave allegations against Lee Ming-Che,

J. whereas the UN Working Group on Enforced or Involuntary Disappearance (WGEID) transmitted the case of Lee Ming-Che to the Chinese government under its urgent action procedure on 27 April 2017; whereas so far there has been no reply from the Chinese authorities,

K. whereas since President Xi Jinping assumed power in March 2013 the human rights situation in China continues to deteriorate with the government stepping up its hostility toward peaceful dissent, freedoms of expression and religion, and the rule of law; whereas the Chinese authorities have detained and prosecuted hundreds of human rights defenders lawyers and journalists,

L. whereas the Chinese government passed a slew of new laws that cast public activism and peaceful criticism of the government as state security threats, strengthen censorship, surveillance and control of individuals and social groups and deter individuals from campaigning for human rights with regard, in particular, to the State Security Law, passed on July 1, 2015, the Counterterrorism Law, the Cybersecurity Law, and the Foreign NGO Management Law,

M. whereas in its strategic framework on human rights and democracy, the EU pledges that human rights, democracy, and rule of law will be promoted "in all areas of the EU's external actions without exception" and that the EU will "place human rights at the centre of its relations with all third countries including strategic partners.",

N. whereas at the EU-China summit held in Brussels on June 1-2, the EU Council and Commission presidents in public avoided criticising China's deteriorating human rights situation, nor calling for the release of political prisoners, including EU citizens,

O. whereas the EU-China Human Rights dialogue has brought so far no substantial results; whereas some prominent NGOs called on the European Union to cancel the 35th round of the human rights dialogue with China of 22 and 23 June 2017 and suspend the exchange until the meetings can bring genuine human rights improvements,

- P. Whereas the EU and China are in the process of upgrading their economic relations through the negotiation of a bilateral investment agreement;
- Q. whereas last month Greece refused to endorse an EU statement criticising the crackdown on activists and dissidents in China that was due to be submitted to the United Nations Human Rights Council in Geneva on 15 June; whereas according to human rights NGOs this was the first time the EU had failed to make such a statement at the UN's top rights body,
1. Calls on the Chinese government to immediately and unconditionally release 2010 Nobel Peace Prize winner Liu Xiaobo and his detained wife, Liu Xia and allow them to obtain medical treatment wherever they wish, in China or abroad;
 2. Deplores the failure of the Chinese authorities to provide Liu Xiaobo with the necessary adequate medical assistance when the illness was diagnosed at an earlier stage and calls for accountability at every single level for those who wrongfully imprisoned him and misjudged his health conditions;
 3. Calls on the HR/VP to contact immediately the Chinese authorities to communicate the willingness of the EU to arrange for the medical treatment of Liu Xiaobo in Europe;
 4. Urges the Chinese authorities to allow Liu Xiaobo unfettered access to family, friends, and legal counsel;
 5. Calls on the Chinese authorities to provide evidence related to the case of Lee Ming-Che or to release him immediately; urges at the same time the Chinese government to disclose Lee's whereabouts and to allow his relatives and the lawyers of his choice to visit him;
 6. Recalls the importance of the EU raising the issue of human rights violations in China, at every political and human rights dialogue with the Chinese authorities, including at the forthcoming meeting of the G20 in Hamburg, in line with the EU's commitment to project a strong, clear and unified voice in its approach to the country; furthermore points out that, as part of its ongoing reform process and increasing global engagement, China has opted into the international human rights framework by signing up to a wide range of international human rights treaties, and therefore calls for dialogue to be pursued with China to live up to these commitments;
 7. Invites the EU High Representative and EU Member States to adopt Foreign Affairs Council conclusions on China that stress the critical importance of human rights in the EU-China relationship, convey a clear sense of concern about the negative trends in China in this regard, along with an expectation that the Chinese authorities take specific steps in response; stresses that such conclusions would serve to bind the 28 EU Member States and EU institutions to a common message and approach with regards to human rights in China;
 8. Notes that a strong contradiction exists between the official Chinese aspiration to the universality of human rights and the worsening human rights situation; points out that the recent worsening of the situation of human rights and freedoms in China that started in 2013 has intensified an already existing crackdown over the population, limiting the space for expression and peaceful advocacy for civil society even further; expresses its deep concern at the arrest, trial and sentencing of numerous civil rights activists, human rights defenders and government critics;
 9. Believes that strong ongoing EU-China relations must provide an effective platform for a mature, meaningful and open human rights dialogue based on mutual respect;
 10. Takes the view that in order to be truly effective, and to implement the EU's own Strategic Framework on Human Rights and Democracy, adopted in June 2012, the EU should clearly articulate its concerns and set out transparent benchmarks for advancing human rights in China as a means to ensure that EU messaging reaches not just Chinese government officials, but also people across China and Europe;
 11. Believes that deeper bilateral trade and investment relations should be based on a stronger

conditionality in the area of sustainable development and human rights, fully in line with Article 21 TEU and the EU Strategic Framework and Action Plan on Human Rights and Democracy;

12. Regrets the failure of the EU to make a statement on Human Rights in China at the UN's Human Rights Council in Geneva in June; calls on all EU Member States to adopt a firm value-based approach towards China and expects them not to undertake unilateral initiatives or acts that undermine the coherence, the effectiveness and the consistency of the EU action;

13. Takes note of the holding of the 35th round of the EU-China Human Rights dialogue on 22-23 June; regrets that the questions on human rights and the cases of political prisoners raised by the EU did not obtain the necessary and convincing consideration of the Chinese counterpart; reiterates its view that the Human Rights dialogue should be reviewed making it more result-oriented and anchored to clear benchmarks identifying specific human rights violations that the Chinese government need to address as a strategic priority for the EU and its Member States;

14. Calls on the EU and the Member States to substantially step up the support to civil society and human rights defenders in China in an ambitious and creative manner, in line with EU guidelines on human rights defenders; insists that the EU delegation adequately consults and engages with civil society, in particular ahead of high level meetings and human rights dialogues;

15. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, and the Government and the Parliament of the Peoples' Republic of China.