



Plenary sitting

B8-0046/2018

16.1.2018

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 human rights activists Wu Gan, Xie Yang, Lee Ming-chee, Tashi Wangchuk and the Tibetan monk Choekyi
(2018/2514(RSP))

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on behalf of the S&D Group

B8-0046/2018

European Parliament resolution on the cases of human rights activists Wu Gan, Xie Yang, Lee Ming-chee, Tashi Wangchuk and the Tibetan monk Choekyi (2018/2514(RSP))

The European Parliament,

– having regard to its previous resolutions on the situation in China, in particular the one of 6 July 2017 on the cases of Nobel Laurate Liu Xiaobo and Lee Ming-Che, the one of 15 December 2016 on the cases of the Larung Gar Tibetan Buddhist Academy and Ilham Tohti, the one of 24 November 2016 on the case of Gui Minhai, jailed publisher in China the Report of 16 December 2015 on EU-China relations, and the one of 13 March 2014 on EU priorities for the 25th session of the UN Human Rights Council,

- 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 19th EU-China Summit held in Brussels on 1 -2 June 2017,

– having regard to the 35th round EU-China dialogue on human rights on 22 - 23 June 2017 in Brussels, and the statement of the DROI Chair of 22 June 2017 on this occasion,

- having regard to the statement by the Spokesperson for Foreign Affairs and Security Policy/European Neighbourhood Policy and Enlargement Negotiations on the verdicts of Wu Gan and Xie Yang in China of 27 December 2017,

- having regard to the Declaration by the High Representative Frederica Mogherini on behalf of the EU on Human Rights Day of 10 December 2017,

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

– having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas the promotion and the respect for human rights, democracy and the rule of law should remain at the centre of the long standing relationship in between EU and China, in line with the EU’s commitment to uphold these values in its external action and China’s expressed interest in adhering to these very values in its own development and international cooperation;

B. whereas on 26 December 2017 a court in Tianjin sentenced Wu Gan to eight years in prison under charges of subverting state power; whereas Wu Gan regularly published articles on sensitive issues relating to the Chinese government’s abuse of power; whereas according to his lawyer, Wu Gan rejected a deal with the authorities which would have given him a suspended sentence if he were to admit guilt;

C. whereas on 26 December 2017, in Hunan, the human rights lawyer Xie Yang was convicted, but pardoned from executing the sentence after he earlier pleaded guilty to subversion charges;

D. whereas on 28 November 2017, Yueyang Intermediate Court sentenced Mr. Li Ming-Che to five years in prison after founding him guilty on charges of “subverting State power” stripping him also of all political rights in China for two years; whereas Li Ming-Che’s public confession was likely made under pressure from Chinese authorities; whereas democracy activist Lee Ming-Che went missing on March 19, 2017, after he crossed from Macau into Zhuhai in China’s Guangdong province;

E. whereas on 27 January 2016, the Tibetan language rights advocate Tashi Wangchuk was arrested following his statement for a New York Times video in which he sustained the rights of Tibetans to learn and study in their mother tongue; whereas he was accused in March 2016 for “inciting separatism,” and faces up to 15 years in prison although he told the paper explicitly that he was not calling for Tibetan independence;

F. whereas in 2015 the Tibetan monk Choekyi from Phurbu monastery in Sichuan’s Seda county was jailed for celebrating the birthday of exiled spiritual leader the Dalai Lama; whereas after being charged, Choekyi was briefly held in a prison in Ganzi prefecture’s Kangding county, and was finally sent to Sichuan’s Mianyang prison to serve a four-year term; whereas according to media sources, Choekyi had kidney problems, jaundice, and other health-related issues which got worse because of the conditions of his detention;

G. whereas human rights lawyers have continued to face intimidation and imprisonment, as in the cases of prominent lawyers Li Yuhan, who has been held incommunicado since November 2017, and Wang Quanzhang, who was arrested July 2015, held incommunicado for over 800 days and reportedly subjected to torture; whereas human rights defenders who are petitioners travelling to major cities to raise local issues face detention and imprisonment, as with Li Xiaoling, who has been in detention since June 2017 while she continues to suffer from a severe case of glaucoma; whereas human rights defenders who provide a platform for petitioners and other HRDs, such as Ding Lingjie, Liu Feiyue, Zhen Jianghua, have also been detained;

H. whereas China has progressed in the last decades in realisation of economic and social rights, reflecting its priorities for the people’s rights to subsistence and development, while achievements in the area of political and civil rights together with the promotion of human rights are limited and in many areas clearly regressing;

I. 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.”;

1. Strongly deplores the imprisonment of human rights activists Wu Gan, Xie Yang, Lee Ming-cheh, Tashi Wangchuk and the Tibetan monk Choekyi;

2. Calls on the Chinese authorities to immediately and unconditionally release Wu Gan, and, in the meantime, to ensure that he has regular, unrestricted access to family and lawyers of his choice, and is not subjected to torture or other ill-treatment; calls for an immediate, effective and impartial investigation into the alleged torture against Wu Gan and bring those responsible to justice;
3. Calls on the Chinese authorities to release Lee Ming-Che immediately, and to ensure in the meantime that Lee Ming-che is protected from torture and other ill-treatment, and that he is allowed access to his family, a lawyer of his choice and adequate medical care;
4. Expresses its deep concern at the arrest and the continued detention of Tashi Wangchuk, as well as his limited right to counsel, the denial of presenting the evidence against him and the irregularities in the criminal investigation and calls for his immediate release;
5. Calls on the Chinese authorities to release the Tibetan monk Choekyi immediately and unconditionally; urges at the same time the Chinese government to allow his relatives and the lawyers of his choice to visit him and, particularly provide him the adequate medical care;
6. Urges Chinese authorities to immediately and unconditionally release all human rights defenders, activists, lawyers, journalists and petitioners being detained for their human rights work, and end the ongoing crackdown of detention, judicial harassment, and intimidation against them; underlines that Chinese authorities must ensure that all those held incommunicado are immediately put in contact with their family members and lawyers, and the conditions of all those in detention must meet the standards set out in the 'Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment', adopted by the UN General Assembly resolution 43/173 of 9 December 1988, including access to medical care;
7. Is worried about the adoption of the package of security laws and its impact on minorities in China, particularly the law on counter-terrorism that could lead to the penalisation of peaceful expression of Tibetan culture and religion and the law on the management of international NGOs which places human rights groups under the strict control of the government, as this constitutes a strictly top-down approach instead of encouraging partnership between local and central government and civil society;
8. As the 20th anniversary of its signature to the International Covenant on Civil and Political Rights approaches, encourages China to ratify it and to ensure its full implementation, including by ending all abusive practices and adapting its legislation as necessary;
9. Recalls the importance for the EU to raise the issue of human rights violations in China, in particular the case of minorities in Tibet and Xinjiang, at every political and human rights dialogue with the Chinese authorities, in line with the EU's commitment to project a strong, clear and unified voice in its approach to the country, including the yearly Human Rights Dialogues; nonetheless regrets the lack of concrete results of the yearly EU-China human rights dialogues; further reminds that in 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 on pursuing dialogue with China to live up to these commitments;

6a. (new) Calls on all EU Member States to adopt a firm, values-based approach towards China and expects them not to undertake unilateral initiatives or acts that might undermine the coherence, effectiveness and consistency of EU action; recalls with deep regret 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 2017, welcomes the adoption of a statement during the following session, and expects the EU to continue mentioning China as a country requiring Human Rights Council's attention for as long as the country won't engage in meaningful rights reforms; further calls on the EU and on its member states to raise robust concerns during the upcoming Universal periodic Review for China and to ensure that in particular Chinese civil society can freely participate in the process;

10. Instructs its President to forward this resolution to the Council, the Commission, the Vice President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Government and Parliament of the People's Republic of China;