



Plenary sitting

B9-0015/2019

16.7.2019

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 144 of the Rules of Procedure

on the situation in Hong Kong
(2019/2732(RSP))

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on behalf of the ECR Group

**European Parliament resolution on the situation in Hong Kong
(2019/2732(RSP))**

The European Parliament,

- having regard to its resolution of 4 February 2016 on the case of the missing book publishers in Hong Kong,
 - having regard to the European Parliament recommendation of 13 December 2017 to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on Hong Kong, 20 years after handover,
 - having regard to its resolution of 12 September 2018 on the state of EU-China relations,
 - having regard to the Statement by the EEAS Spokesperson on the ongoing protests against the proposed extradition reforms in Hong Kong of 12 June 2019,
 - having regard to the Statement by the EEAS Spokesperson on the latest developments in Hong Kong of 1 July 2019,
 - having regard to the joint report of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 8 May 2019 on the Hong Kong Special Administrative Region – Annual Report 2018 (JOIN(2019)0008),
 - having regard to the Basic Law of the Special Administrative Region (SAR) of Hong Kong adopted on 4 April 1990, which entered into force on 1 July 1997,
 - having regard to the Joint Declaration of the Government of the United Kingdom and the Government of the People's Republic of China on the Question of Hong Kong of 19 December 1984, also known as the Sino-British Joint Declaration,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas the Hong Kong SAR Security Bureau in February 2019 sought to amend the Extradition Ordinance in order to allow for extradition requests from authorities in mainland China, Taiwan and Macau for suspects accused of criminal wrongdoings;

- B. whereas the proposal was a response to a high-profile case in Taiwan, involving a Hong Kong citizen accused by the authorities there of murdering his pregnant girlfriend before fleeing to Hong Kong; whereas the Taiwanese government has said it will not seek to extradite the murder suspect under the proposed changes, and has urged Hong Kong to handle the case separately;
- C. whereas the Hong Kong government only conducted a 20-day public consultation for this bill, instead of the usual three months;
- D. whereas opposition against the law is widespread, with groups from all sections of society - ranging from lawyers to schools to house wives - having voiced their criticism or started petitions against the changes;
- E. whereas the proposal has been met with concern by several countries; whereas the European Union has issued a diplomatic note to Chief Executive Lam expressing concerns over the proposed changes to the law;
- F. whereas Hong Kong has entered into extradition agreements with 20 countries, including the UK and the US, but no such agreements have been reached with mainland China despite ongoing negotiations in the past two decades, failures commonly attributed to poor legal protection for defendants under Chinese law;
- G. whereas on 9 June, an estimated more than 1 million people marched to the government headquarters to protest against the proposed amendment;
- H. whereas actions escalated on 12 June, as there were no signs that the bill would be withdrawn; whereas protesters blocked the streets outside the Legislative Council, preventing councilors from entering the building to resume the second reading of the bill; whereas violent clashes broke out when a group of protesters attempted to storm the government offices;
- I. whereas police fired several rubber bullets, twenty beanbag shots, and 150 rounds of tear gases, resulting in 72 injuries, two of which are serious; whereas the police commissioner defended the police use of force and classified the protest as a riot, a declaration echoed by Chief Executive Carrie Lam;
- J. whereas on 15 June, it was announced that the extradition bill would be “suspended indefinitely,” but not withdrawn;
- K. whereas on 16 June, 2 million people took to the street for a protest on an unprecedented scale, involving nearly one-third of Hong Kong’s population; whereas following this protest, the Chief Executive made a public apology;

- L. whereas on 1 July, the 22nd anniversary of the handover of Hong Kong from Britain to China, a separate group of activists stormed and vandalized the LegCo parliament building; whereas tens of thousands of protesters in Hong Kong were also peacefully marching at the same time;
- M. whereas on 9 July Hong Kong's leader has described the extradition bill as "dead", but held back from completely withdrawing it, drawing criticism from her opponents who have promised to return to the streets;
- N. whereas the recent protests are the result of an accumulation of distrust between the Hong Kong people and the governments in Hong Kong and Beijing over the past decades;
- O. whereas Article 27 of the Basic Law guarantees freedom of speech, of the press and publication, and of association, assembly, procession and demonstration;
- P. whereas Hong Kong's traditional open society has paved the way for the development of a genuine and independent civil society that actively and constructively takes part in the public life of the SAR;
- Q. whereas even after 1 July 1997, existing agreements on civil, political, economic, social and cultural rights and international human rights agreements have continued to apply; whereas the PRC has also signed and ratified international agreements guaranteeing these rights and has thus acknowledged the significance and universality of human rights;

1. Expresses its sympathy and solidarity with the people of Hong Kong;
2. Is deeply concerned at the recent civil unrest in Hong Kong and considers that most of the people of Hong Kong have exercised their fundamental right to assemble and express themselves freely and peacefully and stresses that these rights need to be respected;
3. Expresses its dismay at the disproportionate, and provocative violent reaction by the authorities towards the protesters on 12 June; underlines that restraint should be exercised by all sides; recalls that there are doubts about the origins of the violent attack on the legislature, which had all the hall marks of a deliberate state-sponsored provocation, and which should be treated entirely separately from the peaceful, and very legitimate, protests;

4. Calls on the government to release and drop all charges against peaceful protesters, and all those detained during or in the lead to protests for the peaceful exercise of their right to freedom of expression;
5. Calls on the Hong Kong government to withdraw the proposed extradition bill;
6. Acknowledges that, over time, Hong Kong evolved into an open society in which citizens enjoy human rights, freedoms, high standards of public health and safety, transparency, and have a judiciary which is trusted, and where the rule of law prevails, and that the people of Hong Kong have a legitimate right to expect to continue enjoying their way of life and these rights and values under a high degree of autonomy;
7. Reminds that fully respecting the Basic Law of the Hong Kong SAR is of key importance for the development and further strengthening and expanding of present and future relations with the EU, and that intervening in Hong Kong's internal affairs has the potential to undermine that principle and should therefore be avoided;
8. Underlines the EU's commitment to strengthening democracy, including the rule of law, the independence of the judiciary, fundamental freedoms and rights, transparency, and freedom of information and expression in Hong Kong; calls on the EU to continue to carefully monitor the situation;
9. Calls on the authorities to ensure that Hong Kong's legislation remains fully in line with Hong Kong's international human rights obligations, including provisions of the International Covenant on Civil and Political Rights (ICCPR) and of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
10. Instructs its President to forward this resolution to the Council, the European External Action Service, the Commission, the governments and parliaments of the Member States and the accession and candidate countries, the Government and the Legislative Council of the Hong Kong Special Administrative Region and the Government of the People's Republic of China.