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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 human rights violations in China -case of Liu Xiaobao

Charles Tannock, Tomasz Piotr Poręba
on behalf of the ECR Group

European Parliament resolution on human rights violations in China -case of Liu Xiaobao

The European Parliament,

- having regard to its previous resolutions on the human rights situation in China,
 - having regard to the declarations of the Presidency on behalf of the EU concerning Charter 08 and the arrest of human rights activists of 19 December 2008,
 - having regard to the declarations of the Presidency on behalf of the EU on the prosecution of Mr Liu Xiaobo of 26 June 2009,
 - having regard to the EU-China human rights dialogue of 20 November 2009,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas the Union is based on adherence to the values of freedom, democracy and observance of human rights and to the rule of law, and it regards observance of those inalienable rights as an essential prerequisite for peaceful existence in a civilised society,
- B. whereas the new EU-China Strategic Partnership, currently being negotiated, is very important for relations between the Union and China in the future, and whereas a true partnership should be based on shared common values,
- C. whereas Liu Xiaobo, prominent human rights activist, and co-author of the “Charter 08”, former president and current board member of the independent Chinese PEN, the freedom of expression advocacy group, was placed under “residential surveillance” by Chinese authorities on the night of December 8, 2008, and held under pre-trial detention until he was formally charged on June 24, 2009 with “inciting to subvert State power”,
- D. whereas on 23 December 2009 Liu Xiaobo was sentenced by the Beijing No. 1 Intermediate People's Court for 11 years of imprisonment for “inciting subversion of state power”,
- E. whereas the arrest of Liu Xiaobo comes amid a wave of detentions and other actions targeting leading writers and activists who have been organizing activities marking Human Rights Day in 10 December 2009 in order to commemorate the 60th anniversary of the signing of the Universal Declaration of Human Rights,
- F. whereas the Charter 08, a petition disseminated on the eve of Human Rights Day outlines political reforms and calls for greater human rights and democracy in China,
- G. whereas there are continuous reports of political repression, particularly of journalists, human rights activists and members of religious and ethnic minorities, allegations of torture, frequent

use of the death penalty and systematic repression of freedom of religion, speech and the media including the Internet,

1. Strongly condemns the sentence of 11 years in prison of Liu Xiaobo and underlines that the charges based on the six articles he published on the internet and the co-authoring of Charter 08 are not reasonable accusations;
2. Calls upon the Chinese authorities to order his immediate release as well as release of all dissidents who have been arrested and jailed for crimes of freedom of expression and conscience and criticizing the government; calls to cease harassment of all Chinese citizens who peacefully express their desire for internationally-recognized fundamental freedoms;
3. Calls upon China to respect its commitments to human rights, to its universality and to the rule of law, in particular the provisions of the UN Declaration on Human Rights Defenders;
4. Deplores the fact that China's human rights record remains a matter of concern owing to widespread and systematic human rights abuses;
5. Urges China to reform its criminal law to allow greater freedom of expression and to respect freedom of the media both Chinese and foreign based in China; calls on the Chinese authorities to end the blocking of thousands of websites, including European media websites; calls on the Chinese authorities to release cyber dissidents and web users imprisoned in China;
6. Calls on China for a prompt ratification and implementation of the International Covenant on Civil and Political Rights;
7. Notes that "Charter 08" calls for a new constitution guaranteeing human rights, election of public officials, freedom of religion and expression, and an end to the Communist Party's monopoly control over the military, courts and government in China and it is in line with the values of freedom, democracy, human rights the rule of law which must form a basis for the EU-China Strategic Partnership;
8. Calls on the EU and China to strengthen the EU-China human rights dialogue, established in 2000, which, up to now, did not achieve tangible results;
9. Instructs its President to forward this resolution to the Council, the Commission, the Governments and parliaments of the Member States, the United Nations Human Rights Council and the President and Government of the People's Republic of China.