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*Plenary sitting*

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**B8-0187/2016**

2.2.2016

## **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 case of the missing book publishers in Hong Kong  
(2016/2558(RSP))

**Cristian Dan Preda, Tunne Kelam, Davor Ivo Stier, Andrej Plenković, David McAllister, Patricija Šulin, Lorenzo Cesa, Andrey Kovatchev, Jarosław Wałęsa, Milan Zver, Lara Comi, Bogdan Brunon Wenta, Michaela Šojdrová, Eva Paunova, Jaromír Štětina, Giovanni La Via, Ildikó Gáll-Pelcz, Marijana Petir, Ivan Štefanec, József Nagy, Sven Schulze, Pavel Svoboda, Luděk Niedermayer, Tomáš Zdechovský, László Tóké, Agnieszka Kozłowska-Rajewicz, Stanislav Polčák, Ivana Maletić, Csaba Sógor, Adam Szejnfeld, Dubravka Šuica, Romana Tomc, Therese Comodini Cachia, Elisabetta Gardini, Joachim Zeller, Roberta Metsola**  
on behalf of the PPE Group

**B8-0187/2016**

**European Parliament resolution on the case of the missing book publishers in Hong Kong  
(2016/2558(RSP))**

*The European Parliament,*

- having regard its previous resolutions on the situation in China, in particular the European Parliament report of 16th December 2015 on EU-China Relations and of the 13th March 2014 on EU priorities for the 25th session of the UN Human Rights Council,
  - having regard to the statement by the EEAS spokesperson on the disappearance of individuals associated with the “Mighty Current” publishing house in Hong Kong of the 7th January 2016,
  - having regard to the press release on the issuance of the annual report on Hong Kong Special Administrative Region by the European Commission and European Union External Action on the 28th January 2016,
  - having regard to the United Nation's Human Rights Committee's Concluding observations on the third periodic report of Hong Kong, China, adopted by the Committee at its 107th session (11 – 28 March 2013),
  - having regard to the United Nation's Committee against Torture's Concluding observations on the fifth periodic report of China adopted at its 1391st and 1392nd meetings, held on the 2 and 3rd December 2015,
  - having regard to the World Report 2016, Human Rights Watch,
  - having regard to the universal Declaration of Human Rights,
  - having regard to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and to the Hong Kong Bill of Rights Ordinance,
  - having regard to the UN the International Covenant on Civil and Political Rights of 16th December 1966,
  - 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 Rule 135 its Rules of procedure,
- A. whereas over the last four months, five Hong Kong resident booksellers who sold literary works critical of Beijing, have gone missing (Lui Bo, Gui Minhai, Zhang Zhiping, Lin

Rongji and Lee Po); whereas two of them are EU citizens - Gui Minhai a Swedish national and Lee Po, a British national; whereas in January 2016, the EU citizens were confirmed to be in mainland China, and the remaining 3 are so suspected; whereas Lee Po was temporarily reunited with his wife on the 23rd January 2016 in an undisclosed location in mainland China;

- B. whereas there are strong impacting media allegations, and concerns by lawmakers and numerous civilians, that the 5 booksellers were abducted by China's mainland authorities; and that in particular, Lee Po was abducted from Hong Kong and Giu Minhai vanished from his home in Thailand;
- C. whereas China operates a '*one country, two systems*' arrangement, and any such operation of mainland law enforcement agencies in Hong Kong would be a violation of Basic Law in Hong Kong and inconsistent with the one country, two systems principle;
- D. whereas Hong Kong upholds and protects the freedom of speech, expression and publication; whereas the publication of any material critical of Chinese leadership is legal in Hong Kong, yet banned in mainland China; whereas the "one country, two systems" principle guarantees Hong Kong's autonomy from Beijing with respect to such freedoms;
- E. whereas revelations were published that 14 publishers and 21 publications in Hong Kong had been identified as targets in an internal document of the Communist party of April 2015, in which a strategy to 'exterminate' banned books at their sources in Hong Kong and Macau was revealed;
- F. whereas mainland China's government tightly restricts and criminalizes freedom of expression, particularly through censorship; Whereas China's Internet's 'grey firewall allows the government to censor any politically unacceptable information; Whereas government agencies shut down or restricted access to VPNs (Virtual Private Networks); and announced that it would station police in major internet companies to more effectively prevent spreading rumors online;
- G. whereas Gui Minhai has recently released a media statement in mainland China, alleging his voluntary travel to mainland China and his confession to an old drink driving offence; Whereas this statement conjured strong suspicions and concerns of his rendition and a forced confession;
- H. whereas the UN Committee of Torture has reported its serious concerns at consistent reports from various sources about a continuing practice of illegal detention in unrecognized and unofficial detention places, the so-called "black jails; as well as serious concerns over consistent reports indicating that the practice of torture and ill-treatment is still deeply entrenched in the criminal justice system, which overly relies on confessions as the basis for convictions;

- I. whereas in April 2015, prominent journalist Gao Yu was sentenced to seven years in prison for allegedly leaking an internal CCP document calling for greater censorship of liberal and reformist ideas; whereas her confession was forced and also aired on;
- J. whereas 2015 marks the 40th anniversary of diplomatic relations between the EU and China; whereas the EU-China Strategic Partnership is of key importance to relations between the EU and the People's Republic of China (PRC) and to finding mutual answers to a range of global concerns and identifying common interests, as well as in creating a framework to address bilateral concerns between the EU and China;
  1. Expresses grave concern with the lack of knowledge on the whereabouts of the 5 missing book sellers; calls for immediate detailed information on the whereabouts of Lee Po and Gui Minhai, and calls for their immediate safe release and to be given the right to communication; calls for the immediate release of all those other persons arbitrarily arrested for exercising their rights to freedom of expression and publication in Hong Kong, including the 3 other booksellers;
  2. Calls on the Government to immediately report on information relating to the missing booksellers, and to engage in immediate inclusive and transparent dialogue and communication on the matter between mainland's authorities and those in Hong Kong;
  3. Expresses its concerns over the allegations of mainland China's enforcement agencies operating in Hong Kong; reminds the Chinese authorities that any operation of their law enforcement agencies in Hong Kong would be inconsistent with the guarantees of autonomy in Hong Kong as set out in the Basic Law and the "one country, two systems principle";
  4. Strongly condemns all cases of human rights violations, in particular arbitrary arrests, rendition, forced confessions, incommunicado custody and violations of the freedom of the publication and of expression; Calls for an immediate end to human rights violations and political intimidation;
  5. Expresses grave concern on the reported practices on secret detention, practices of torture and ill-treatment, and forced confessions;
  6. Condemns restrictions and criminalisation of freedom of expression, and deplores the tightening of restrictions on the freedom of expression; calls on the government to stop suppressing the free flow of information, including by restricting the use of the internet;
  7. Expresses its concern at the imminent adoption of the draft Foreign NGO Management Law, as it would mean a further shrinking of space for Chinese civil society and would severely restrict freedom of association and expression in the country, including by banning 'overseas NGOs' that are not registered with the Chinese Ministry of Public Security and provincial public security departments from funding any Chinese individual or organisation, and prohibiting Chinese groups from conducting 'activities' on behalf of or with the authorisation of non-registered overseas NGOs, including those based in Hong Kong and Macao; calls on the Chinese authorities to substantially revise this law in order to bring it in line with international human rights standards;

8. Expresses its concern at the new draft law on cybersecurity, which would bolster and institutionalise the practices of cyberspace censorship and monitoring and may force European companies to include mandatory backdoors in their IT infrastructure; notes the fears of Chinese reforming lawyers and civil rights defenders that this law will further restrict freedom of expression and that self-censorship will grow; stresses the severe adverse impact of both the cybersecurity and NGO laws on the activities of European businesses and institutions in the PRC, and therefore calls on the European Council, the EEAS and the Commission to continue to complain forcefully to the Chinese authorities against these highly controversial measures;
9. Instructs its President to forward this resolution to the Government and the Parliament of China, the European Commission, the Council, 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 and to the Chief Executive and the Assembly of the Hong Kong Special Administrative Region.