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*Plenary sitting*

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**B8-0191/2016**

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))

**Lola Sánchez Caldentey, Marie-Christine Vergiat, Martina Anderson,  
Tania González Peñas, Miguel Urbán Crespo, Xabier Benito Ziluaga,  
Estefanía Torres Martínez, Malin Björk, Stefan Eck, Younous Omarjee,  
Kostas Chrysogonos, Stelios Kouloglou, Kostadinka Kuneva**  
on behalf of the GUE/NGL Group

**B8-0191/2016**

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

*The European Parliament,*

- having regard to the United Nations Universal Declaration of Human Rights of 1948, in particular to its Article 19, on freedom of opinion and expression,
  - having regard to the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong of 19 December 1984 in Beijing,
  - having regard to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (HKSAR) of 4 April 1990,
  - having regard to Article 28 of HKSAR Basic Law and Article 2 of the Bill of Rights on the right to life.
  - having regard to Article 27 of HKSAR Basic Law and Article 16 of the Bill of Rights on freedom of expression,
  - having regard to Article 17 of HKSAR Bill of Rights on freedom of assembly,
  - having regard to the EEAS Statement on the disappearance of individuals associated with the Mighty Current publishing house in Hong Kong of 7 January 2016
  - having regard to UK's Foreign Office statement on the missing HKSAR booksellers,
  - having regard to its previous resolutions on HKSAR and China,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas on 1 July 1997, the transfer of sovereignty of Hong Kong from the United Kingdom to the People's Republic of China took place, officially marking the end of Hong Kong's 156 years under British colonial governance; whereas, at the same time, Hong Kong switched its country of administration overnight to become China's first Special Administrative Region becoming an autonomous territory on the southern coast of China;
- B. whereas the People's Republic of China is the sole legitimate government of China;
- C. whereas HKSAR Basic Law, serves as the constitutional document of the HKSAR of the People's Republic of China; whereas HKSAR enjoys a high degree of autonomy as a special administrative region in all areas, including its political and judicial systems except defense and foreign affairs;

- D. whereas HKSAR's economy is guided by the "One Country, Two Systems";
- E. whereas human Rights are universal, inalienable, indivisible, interdependent and interrelated;
- F. whereas according to The Universal Declaration of Human Rights everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;
- G. whereas respect for freedom of expression underpins all free societies;
- H. whereas several HKSAR booksellers who are known for titles about Chinese political scandals and other sensitive issues have vanished since October 2015;
- I. whereas on 9 January 2016 thousands of protesters in HKSAR gathered in the streets to demand answers over the disappearance of the book publishers;
- J. whereas on the second week of January 2016 two Hong Kong journalists were on trial for selling political magazines in Shenzhen;
- K. whereas in 2015, HKSAR publisher Yiu Mantin was sentenced to ten years in prison in China on smuggling charges, while his family believes the charges were trumped up, in retaliation for publishing a book highly critical of President Xi Jinping;
- L. whereas the right of privacy, covert surveillance remains a major concern;
- M. whereas there is a lack of protection for homosexuals due to the absence of a sexual orientation discrimination law; whereas LGBTi persons in HKSAR may face legal challenges not experienced by non-LGBTi residents;
- N. whereas with its large migrant population, mostly from the Philippines and Indonesia HKSAR needs a more comprehensive definition of human trafficking; whereas HKSAR narrowly defines human trafficking as a crime only involving cross-border sex trafficking for prostitution, meaning that victims of forced labour are not legally protected; whereas the ILO estimates that almost 70 percent of modern-day slaves are forced labour victims, being the rest exploited in the sex industry;
- O. whereas evidences comment on a lack of protection for labour rights; whereas Indonesian women make up almost half of the 320,000 migrant domestic workers employed in HKSAR; whereas effective regulation of recruitment practices in both territories and better access to redress mechanisms in HKSAR are critical first steps towards ensuring that Indonesian migrant domestic workers are free from the risk of forced labour;
- 1. Is deeply concerned about the growing challenges on human rights in HKSAR, especially regarding freedom of expression; is very concerned over the disappearance of the booksellers;

2. Calls all relevant authorities to investigate and clarify the circumstances of the booksellers' disappearances in conformity with the rule of law and to take actions in order to bring responsible individuals of the disappearances to justice through a thorough, effective, rigorous and independent investigation;
3. Calls on the HKSAR authorities to urgently ensure the protection of innocent people under such an assault against freedom of expression; ensuring and protecting the aforementioned rights and guarantee the integrity of those facing threats for exercising those rights;
4. Insists that human rights, such as the right of freedom of expression and freedom of speech must be respected protected and fulfilled at all times not limiting publishing or media freedom and independent reporting;
5. Recalls that the independence of book editors, journalists and bloggers must be safeguarded and that their right to operate without fear of harassment or intimidation by state forces must be guaranteed;
6. Urges the HKSAR government to honor its commitment to press freedom; calls Chinese authorities to continue making every effort to ensure that the environment in which the media and publishers operate in the HKSAR is improved;
7. Reiterates its paramount concern on gender rights; calls all relevant authorities to take immediate action to effectively ensure and guarantee LGBTi individual's rights in HKSAR;
8. Expresses on the need of improving law enforcement and fight against human trafficking as a priority; reiterates serious concerns about on-going labour rights violations in HKSAR sharing the International Trade Union Confederation's concern on reports of serious shortcomings and failures by HKSAR authorities to live up to its commitments in relation to improving workers' rights; Urges HKSAR authorities to enhance labor rights and effectively comply with ILO core standards; calls the HKSAR authorities to regulate the issue of migrants domestic women;
9. 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 ACP-EU Council, the European Commission, the Council, the East African Community and the government of its Member States, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the institutions of the African Union and the Secretary-General of the United Nations;