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*Plenary sitting*

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**B8-0048/2018**

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))

**Cristian Dan Preda, Michaela Šojdrová, David McAllister, Sandra Kalniete, Tomáš Zdechovský, Pavel Svoboda, Ivan Štefanec, Elisabetta Gardini, Jaromír Štětina, Krzysztof Hetman, Claude Rolin, Dubravka Šuica, Brian Hayes, Thomas Mann, Laima Liucija Andrikienė, Eduard Kukan, Romana Tomc, Patricija Šulin, Agnieszka Kozłowska-Rajewicz, Francis Zammit Dimech, Jarosław Wałęsa, Bogdan Brunon Wenta, Adam Szejnfeld, Roberta Metsola, Milan Zver, Eva Maydell, Csaba Sógor, Ivana Maletić, Giovanni La Via, Tunne Kelam, Joachim Zeller, Deirdre Clune, Lars Adaktusson, Andrey Kovatchev, Marijana Petir, José Ignacio Salafranca Sánchez-Neyra, Ramona Nicole Mănescu, Jiří Pospíšil, Inese Vaidere**

on behalf of the PPE Group

**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 Laureate Liu Xiaobo and Lee Ming-chee, the one of 15 December 2016 on the cases of the Larung Gar Tibetan Buddhist Academy and Ilham Tohti, 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 EU-China summit held in Brussels on 1 and 2 June 2017,
  - having regard to the EU-China dialogue on human rights, launched in 1995 and the 35th round held in Brussels on 22 - 23 June 2017,
  - 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 International Covenant on Civil and Political Rights of 16 December 1966,
  - having regard to Rule 135 of the Rules of Procedure,
- A. whereas since President Xi Jinping assumed power in March 2013, the human rights situation in China has continued to deteriorate with the government stepping up its hostility toward peaceful dissent, freedoms of expression and religion, and the rule of law; whereas the Chinese authorities have detained and prosecuted hundreds of human rights defenders lawyers and journalists;
- 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 government 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 human rights lawyer Xie Yang was convicted but exempted from criminal penalties after he earlier pleaded guilty to subversion charges; whereas both Wu Gan and Xie Yang were arrested months before an

unprecedented crackdown on human rights lawyers and defenders in 2015 that saw hundreds of people questioned or detained nationwide over a few weeks;

- D. whereas longtime democracy activist Lee Ming-che went missing on March 19, 2017, after he crossed from Macau into Zhuhai in China's Guangdong province; whereas ten days later, China's Taiwan Affairs Office confirmed at a news conference that the "relevant authorities" had detained Lee Ming-che and placed him under investigation on suspicion of "engaging in activities that endanger national security";
  - E. whereas on 28 November 2017, Yueyang Intermediate Court sentenced Mr. Lee 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 Lee Ming-che public confession was likely made under pressure from Chinese authorities;
  - F. whereas Tashi Wangchuk, a Tibetan language rights advocate, was detained on 27 January 2016, after appearing in a New York Times video in which he advocated for the rights of Tibetans to learn and study in their mother tongue; whereas he was charged in March 2016 with "inciting separatism" and faces up to 15 years in prison although he told the paper explicitly that he was not calling for Tibetan independence;
  - G. 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 the media sources, Choekyi had kidney problems, jaundice, and other health-related issues which got worse because of the detention;
  - H. whereas human rights lawyers have continued to face intimidation and imprisonment, as in the cases of prominent lawyers Li Yuhan, who has been in 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 who travel 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;
  - 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. Calls on the Chinese government to immediately and unconditionally release Wu Gan as he has been imprisoned solely for peacefully exercising his right to freedom of expression and assembly under article 35 of the Chinese Constitution and his right to criticize state organs under article 41 of the Chinese Constitution and while pending his release to ensure that Wu Gan has regular, unrestricted access to family and lawyers of his choice, and is not subjected to torture or other ill-treatment; calls for the conduct a

prompt, effective and impartial investigation into the alleged torture against Wu Gan and bring those responsible to justice;

2. 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;
3. 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;
4. 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;
5. Calls on the Chinese government to respect its own constitution with regard, in particular: to article 4, that protects national minorities; to article 35, that protects freedom of speech, of the press, of assembly, of association, of procession and of demonstration; to article 36 that recognizes the right to freedom of religious belief; to article 41, that guarantees the right to criticize and make suggestions regarding any state organ or functionary;
6. Condemns, moreover, the anti-Buddhism campaigns carried out via the ‘patriotic education’ approach, including measures to state-manage Tibetan Buddhist Monasteries; is concerned that China’s criminal law is being abused to persecute Tibetans and Buddhists, whose religious activities are equated with ‘separatism’, deplors the fact that the environment for practising Buddhism in Tibet has worsened significantly after the Tibetan protests of March 2008, with the Chinese government adopting a more pervasive approach to ‘patriotic education’;
7. Reiterates its call on the Chinese authorities to engage with the Dalai Lama and the Central Tibetan Administration’s leadership; expresses its support for a peaceful resolution of the Tibetan issue with a view of granting a genuine autonomy in the framework of the Constitution of the People’s Republic of China;
8. 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 UN General Assembly resolution 43/173 of 9 December 1988, including access to medical care; calls on the National People’s Congress of China to ratify the International Covenant on Civil and Political Rights;
9. Believes that strong ongoing EU-China relations must result in an effective, mature, meaningful and open human rights dialogue;

10. Calls on all EU Member States to adopt a firm value-based approach towards China and expects them not to undertake unilateral initiatives or acts that undermine the coherence, the effectiveness and the consistency of the EU action;
11. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, and the Government and the Parliament of the Peoples' Republic of China.