



Plenary sitting

B9-0017/2019

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 Hong Kong
(2019/2732(RSP))

Kati Piri, Tonino Picula
on behalf of the S&D Group

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

The European Parliament,

- 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 Joint Report from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament and the Council - Hong Kong Special Administrative Region: Annual Report 2018 published on 8 May 2019, and the other 20 similar reports preceding it;
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 12 March 2019 to the European Parliament and the Council “EU-China – A strategic outlook”;
- having regard to the EU’s ‘One China’ policy,
- having regard to the EU-China dialogue on human rights launched in 1995,
- having regard to 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 (2017/2204(INI))
- having regard to its previous resolutions on Hong Kong, in particular those of 24 November 2016 on the case of Gui Minhai, jailed publisher in China , of 4 February 2016 on the case of the missing book publishers in Hong Kong , of 15 December 2005 on human rights situation in Tibet and Hong Kong , of 8 April 2003 on the Third and Fourth Annual Reports by the Commission to the Council and the European Parliament on the Hong Kong Special Administrative Region , of 19 December 2002 on Hong Kong , of 26 October 2000 on the First and Second Annual Reports by the Commission on the Special Administrative Region of Hong Kong , of 8 October 1998 on the communication from the Commission to the Council on the European Union and Hong Kong: Beyond 1997 , and of 10 April 1997 on the situation in Hong Kong ,
- having regard to its previous resolutions on China, in particular those of 12 September 2018 and of 16 December 2015 on EU-China relations ,
- having regard to Rule 144 of its Rules of Procedure,

- A. whereas the promotion and the respect for human rights, democracy and the rule of law should remain at the centre the long standing relationship in between EU and China, in line with the EU's commitment to uphold these values in its external action and China's expressed interest in adhering to these very values in its own development and international cooperation;
- B. whereas the 1984 Sino-British Joint Declaration guaranteed, and the 1990 Basic Law of the Hong Kong Special Administrative Region (SAR) stipulates that Hong Kong will maintain the autonomy and independence of the executive, legislature and judiciary for 50 years after the handover of sovereignty;
- C. whereas the EU and the European Parliament remain strong supporters of the 'one country, two systems' principle and Hong Kong's high degree of autonomy under China;
- D. whereas the EU and Hong Kong hold an annual high-level meeting called the Structured Dialogue, which was initiated in 2005; whereas the 12th annual Structured Dialogue took place in Brussels on 7 December 2018;
- E. whereas the Basic Law gives the Hong Kong SAR the right to organise its own external economic relations and to become a member of international organisations;
- F. 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; whereas Hong Kong is party to the International Covenant on Civil and Political Rights (ICCPR);
- G. whereas the Basic Law lays down provisions providing protection for human rights and individual freedoms; whereas the Basic Law guarantees freedom of speech, of the press and publication, and of association, assembly, procession and demonstration;
- H. whereas the Hong Kong Security Bureau's proposed early this year changes to two Hong Kong laws concerning extradition, the Fugitive Offenders Ordinance (FOO) and the Mutual Legal Assistance in Criminal Matters Ordinance;
- I. whereas the proposed Security Bureau changes would expand the case-by-case extradition arrangement to mainland China, enabling the Hong Kong government to transfer criminal suspects to the mainland authorities; whereas the changes would remove the LegCo from scrutinizing these individual executive requests, a crucial layer of governmental and public oversight;
- J. whereas on several occasions over the past month, the people of Hong Kong have taken to the streets in unprecedented numbers, peacefully exercising their fundamental right to assemble and to protest; whereas on June 12, tens of thousands of protesters assembled around the Legislative Council (LegCo) building and its nearby roads, calling on the government to drop its proposed amendments to Hong Kong's extradition law;

- K. whereas the Hong Kong police used the violent acts of a small number of protesters as a pretext to use unnecessary and excessive force against the vast majority of peaceful protesters;
- L. whereas the European Union shares many of the concerns raised by citizens of Hong Kong regarding the Government's proposed extradition reforms, and has conveyed these to the Government; whereas this is a sensitive issue, with potentially far-reaching consequences for Hong Kong and its people, for EU and foreign citizens, as well as for business confidence in Hong Kong;
- M. whereas, Hong Kong leader Carrie Lam announced the widely-loathed legislation was "dead" on the 9th of July; however, she stopped short of announcing that the bill would be withdrawn;
- N. 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 for the full withdrawal of the proposed extradition law that would make it easier to extradite people from Hong Kong to China and which has triggered, over recent weeks, the most massive protests in Hong Kong's history;
 2. Calls on the Hong Kong Government to immediately 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 freedom of expression;
 3. Calls on the Hong Kong Government to establish an Independent Commission of Inquiry to conduct an impartial, effective and prompt investigation into the excessive use of force by the police;
 4. Urges 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;
 5. Expresses its disappointment at the fact that the 37th round of the EU-China Human Rights Dialogue brought no substantial results; regrets, furthermore, that the Chinese delegation did not take part on 2 April in the continuation of the dialogue that foresaw an exchange of views with civil society organisations;
 6. Calls on the EU, its Member States and the international community to work towards the imposition of appropriate export control mechanisms to deny China access to technologies used to violate basic rights;
 7. Recalls the importance for the EU to raise the issue of human rights violation in China, in particular the case of minorities in Tibet and Xinjiang, at every political and human rights dialogue with the Chinese authorities, in line with the EU's commitment

to project a strong, clear and unified voice in its approach to the country; it further reminds that in its ongoing reform process and increasing global engagement China has opted into the international human rights framework by signing up to a wide range of international human rights treaties, therefore it calls on pursuing dialogue with China to live up to these commitments;

8. 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 Government and Parliament of the People's Republic of China;