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*Plenary sitting*

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**B9-0069/2021**

19.1.2021

## **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

the crackdown on the democratic opposition in Hong Kong

(2021/2505(RSP))

**Anna Fotyga, Raffaele Fitto, Hermann Tertsch, Charlie Weimers,  
Bert-Jan Ruissen, Assita Kanko, Ryszard Antoni Legutko, Elżbieta Kruk,  
Valdemar Tomaševski, Ruža Tomašić, Adam Bielan, Bogdan Rzońca,  
Elżbieta Rafalska, Veronika Vrecionová, Alexandr Vondra, Evžen  
Tošenovský, Witold Jan Waszczykowski**  
on behalf of the ECR Group

**B9-0069/2021**

**European Parliament resolution on the crackdown on the democratic opposition in Hong Kong**

**(2021/2505(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Hong Kong, in particular its resolution of 15 June 2020 on the PRC national security law for Hong Kong and the need for the EU to defend Hong Kong’s high degree of autonomy
- having regard to the 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,
- having regard to its resolution of 12 September 2018 on the state of EU-China relations,
- having regard to the Declaration of the High Representative on behalf of the EU on Hong Kong: the mass arrest of people involved in the July 2020 pro-democracy primary elections of 7 January 2021 and to the Declaration by the High Representative on behalf of the EU on the disqualification of Members of the Hong Kong Legislative Council of 12 November 2020,
- having regard to the statement of 9 January 2021 by the Foreign Ministers of Australia, Canada and the United Kingdom, and the United States Secretary of State on arrests of 55 politicians and activists in Hong Kong,
- having regard to the EU-China Leaders’ Meeting of 14 September 2020,
- having regard to the UN independent experts’ statement on the situation in Hong Kong of 26 June 2021; having regard to the Comment by the UN Human Rights Office spokesperson on the Hong Kong Special Administrative Region of 7 January 2021,
- 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 (PRC) on the Question of Hong Kong of 19 December 1984, also known as the Sino-British Joint Declaration, registered by the Chinese and British governments at the United Nations on 12 June 1985

- having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to the International Covenant on Civil and Political Rights (ICCPR) of 1966
  - having regard to Rule 144 of its Rules of Procedure,
- A. Whereas on 6 January 2021, over 50 people were arrested in Hong Kong under the new National Security Law, including the organisers and candidates in last July’s democratic primaries where over 600,000 Hong Kongers voted for pro-democracy candidates for the upcoming Legislative Council elections; whereas and all but three have been released on bail, pending further investigation;
  - B. Whereas six of the organisers of last year’s primary were charged with “organising subversion” and the other candidates were charged with “participating in subversion” under the National Security Law;
  - C. Whereas numerous pro-democracy figures have been subject to politically motivated disqualifications from elected offices, leading to the resignation of opposition members from the Legislative Council;
  - D. Whereas the recent wave of arrests is an unprecedented crackdown on human rights and fundamental freedoms in Hong Kong and a breach of China’s commitments under the Sino-British Joint Declaration;
  - E. Whereas Hong Kong’s previously independent judiciary is increasingly coming under attack by the Chinese Communist Party and the state-controlled press;
  - F. Whereas the continued detention of the owner of Apple Daily, Jimmy Lai, is an attack on the free press in Hong Kong;
  - G. Whereas on 8 December the police raided the Good Neighbour North District church, followed by the freezing of the bank accounts of the church and its pastor;
  - H. Whereas European based banks aid the Chinese authorities use of the National Security Law by the freezing of assets and bank accounts belonging to former pro-democracy lawmakers and religious leaders;
  - I. Whereas in December 2020 10 Hong Kong activists in Shenzhen were sentenced to between 7 months and 3 years in jail;

- J. whereas Article 27 of the Basic Law guarantees freedom of speech, of the press and publication, and of association, assembly, procession and demonstration;
- K. whereas the European Union has a strong stake in the continued stability and prosperity of Hong Kong under the ‘One Country Two Systems’ principle and attaches great importance to the preservation of Hong Kong’s high degree of autonomy, in line with the Basic Law and with international commitments;
- L. whereas the US and UK adopted special legal tools to counteract Beijing’s crackdown on the autonomy of Hong Kong, e.g. the U.S. Hong Kong Human Rights and Democracy Act of 2019; whereas the EU still lacks such comprehensive solutions;
- M. whereas in December 2020 the EU and China concluded the EU-China Investment Agreement (CAI);

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1. Strongly condemns the recent arrest of pro-democracy figures in Hong Kong under the National Security Law; calls for the immediate release of those still under arrest, including the 10 Hong Kong citizens that were arrested and sentenced in Shenzhen in December 2020, and to drop all charges against them;
2. Strongly condemns all cases of human rights violations in Hong Kong, in particular arbitrary arrests, rendition, forced confessions, incommunicado custody and violations of the freedoms of publication and of expression and freedom of religion or belief; calls for an immediate end to human rights violations and political intimidation;
3. Reiterates its calls on the authorities to respect Hong Kong’s rule of law, human rights, democratic principles and high degree of autonomy under the ‘One Country, Two Systems’ principle, as enshrined in the Hong Kong Basic Law and in the Sino-British Joint Declaration and in line with domestic and international obligations;
4. Stresses that if Beijing does not respect international law, standing agreements and its own commitments regarding Hong Kong this would erode trust and would lead to the further erosion of Beijing’s credibility on the world stage, which should have also implications on the EU-China relations, including trade and investments cooperation and agreements
5. Calls on China to revoke the National Security Law that is in blatant contravention of the Basic Law, and release all individuals that have been arrested under the law;

6. Encourages the Council to use the recently adopted Global Human Rights Sanctions regime to impose Magnitsky-style sanctions on the leaders who conduct this crackdown on Hong Kong and its people and are responsible for serious human rights abuses;
7. Calls on the VP/HR to cooperate closely with like-minded countries and partners, including the US, UK, Australia, Japan, New Zealand, Canada, South Korea and Taiwan, to halt the erosion of Hong Kong's freedoms and induce the CCP to abide its promises made under 'One Country, Two Systems' and to follow its commitments under international law and regulations; such cooperation should include that at the United Nations forum which is used by the PRC as a political tool;
8. Calls on the EU to defend Hong Kong's high degree of autonomy and to underline its commitment to strengthening democracy, including the rule of law, the independence of the judiciary, fundamental freedoms and rights, transparency, and freedom of information and expression in Hong Kong;
9. Calls on the Member States to consider suspending extradition treaties with the PRC, to prevent the extradition of Hong Kongers and European citizens to stand political trial in the PRC;
10. Calls on the Council and Commission to announce a timeline for implementing the package of measures agreed in July for Hong Kong, including the creation of a 'lifeboat scheme' for citizens of Hong Kong following a further deterioration of human rights and fundamental freedoms;
11. Supports calls for the inclusion of enforceable human rights clauses in the EU-China Investment Agreement; regrets that the CAI was concluded at a time when the Chinese government continues to breach international agreements and its own commitments on Hong Kong's autonomy; is of the opinion that this undermines EU efforts to hold China to account for its violations of international law in Hong Kong and erodes EU credibility as a leading global human rights advocate;
12. Instructs its President to forward this resolution to the Council, the European External Action Service, the Commission, the governments and parliaments of the Member States and the accession and candidate countries, the Government and Parliament of the People's Republic of China, and the Chief Executive and the Assembly of the Hong Kong Special Administrative Region.