



Plenary sitting

B9-0391/2021

6.7.2021

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

on Hong Kong, notably the case of Apple Daily
(2021/2786(RSP))

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on behalf of the PPE Group

B9-0391/2021

European Parliament resolution on Hong Kong, notably the case of Apple Daily (2021/2786(RSP))

The European Parliament,

- having regard to its resolutions of 21 January 2021 on the crackdown on the democratic opposition in Hong Kong, of 19 June 2020 on the PRC national security law for Hong Kong and of 18 July 2019 on the situation in Hong Kong, to its resolutions 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, and to its previous recommendations relating to Hong Kong, in particular the recommendation of 13 December 2017 on Hong Kong, 20 years after handover,
- having regard to its previous resolutions on China, in particular those of 12 September 2018 on the state of EU-China relations and of 16 December 2015 on EU-China relations,
- having regard to the declaration by the High Representative on behalf of the EU on the mass arrest of people involved in the July 2020 pro-democracy primary elections in Hong Kong of 7 January 2021, to the statement by the High Representative of 9 June 2021 on the changes to Hong Kong's electoral system, to the statement of the Spokesperson of the EEAS on the trial of 10 Hong Kongers of 29 December 2020, 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, to the statement by the Spokesperson of the EEAS on the arrest of several pro-democracy lawmakers and former lawmakers in Hong Kong of 2 November 2020, to the statement by the Spokesperson of the EEAS on the arrest of Joshua Wong and other pro-democracy activists of 24 September 2020, to the statement by the Spokesperson of the EEAS on recent arrests and raids under the National Security Law in Hong Kong of 10 August 2020, to the declaration of the High Representative on behalf of the EU on the postponement of the Legislative Council elections in Hong Kong of 4 August 2020, and to the declaration of the High Representative on behalf of the European Union on the adoption by China's National People's Congress of a National Security Legislation on Hong Kong of 1 July 2020,
- having regard to the declaration of the High Representative on behalf of the EU of 2 May 2021 on the occasion of the World Press Freedom Day,
- having regard to the statement by the spokesperson of 23 June 2021 on the closure of Apple Daily's Hong Kong operations,
- having regard to the European Parliament Conference of Presidents' press statement of 6 July 2020,
- having regard to the adoption of the National Security Law (NSL) in Hong Kong by the Standing Committee of the China's National People's Congress on 30 June 2020,

- having regard to the G7 Summit Communiqué of 13 June 2021 and to the G7 Foreign Ministers’ Statement on Hong Kong of 17 June 2020,
 - having regard to the Basic Law of the Hong Kong Special Administrative Region (HKSAR) 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 communication from the Commission and the VP/HR to the European Parliament and the Council of 12 March 2019 entitled ‘EU-China – A strategic outlook’ (JOIN(2019)0005),
 - having regard to Rule 144 of its Rules of Procedure,
- A. whereas the media mogul and founder of the pro-democratic Hong Kong media organisation Apple Daily, Jimmy Lai was arrested and charged under the National Security Law in August 2020 on the same day as a previous police raid on Apple Daily’s offices;
 - B. whereas in the week of 14 June 2021, the Hong Kong authorities froze HK\$18 million (EUR 1.95 million) of assets owned by companies linked to Apple Daily, leaving it unable to pay staff and forcing its closure;
 - C. whereas on 17 June 2021 500 police officers raided the premises of Apple Daily, taking away computers and documents, including some containing journalistic materials and arresting five newspaper executives; whereas all were charged with “colluding with a foreign country or with external elements to endanger national security” under Hong Kong’s National Security Law;
 - D. whereas on 23 June 2021, police also arrested Apple Daily’s China Beat editorial writer Yeung Ching-kee (also known as Li Ping) and charged him with “conspiracy to collude with foreign forces” and former senior editorial writer at Apple Daily Fung Wai-kwong (also known as Lo Fung) was arrested on 27 June for the same offence;
 - E. whereas on 23 June 2021 Apple Daily announced the termination of its operation after 26 years;
 - F. whereas the NSL is in clear violation of the 1984 Sino-British Joint Declaration and the 1990 Basic Law of the Hong Kong Special Administrative Region (HKSAR) guaranteeing the autonomy and the independence of the executive, legislative and the

judiciary, as well as basic rights and freedoms like freedom of speech assembly, association and press for 50 years after handover of sovereignty; whereas the NSL also prevents Hong Kong from abiding by its international human rights obligations, including the International Covenant of Civil and Political Rights (ICCPR);

- G. whereas between 1 July 2020 and 29 June 2021, police arrested or ordered the arrest of at least 118 people in relation to the NSL; whereas as of 29 June 2021, 64 people have been formally charged, of whom 47 are presently in pre-trial detention;
 - H. whereas the Human Rights Watch' annual report states that China is in the midst of its darkest period for human rights since the Tiananmen Square massacre;
 - I. whereas the European Union continues to have deep concerns regarding the PRC NSL for Hong Kong; whereas this is a sensitive issue, with far-reaching consequences for Hong Kong and its people, for EU and foreign citizens, for EU and international civil society organizations, as well as for business confidence in Hong Kong; whereas the entry into force of the NSL would increase the risks for the EU citizens in Hong Kong;
 - J. whereas the EU has always strongly supported the "One Country Two Systems" principle and the preservation of Hong Kong's high degree of autonomy in line with the Basic Law and international commitments; whereas under the current situation those principles are on the verge of being irreversibly undermined;
1. Condemns the forced closure of Apple Daily newspaper and the continued freezing of its assets by the Hong Kong national security police.
 2. Calls on the Hong Kong government to release all media workers arrested under the National Security Law and to drop all criminal charges against them and release those who have simply exercised their right to freedom of expression or other human rights, and end the practice of bringing such charges in future;
 3. Urges 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 line with domestic and international obligations;
 4. Stresses that the introduction of the national security legislation is a breach of the PRC's commitments and obligations under international law, namely the Sino-British Joint Declaration, and prevents a relationship of trust between China and the EU, and undermines their future cooperation;
 5. Calls for the full withdrawal of the law 'Decision of the National People's Congress on

Establishing and Completing the Hong Kong's Special Administrative Region's Legal System and Implementation Mechanisms for the Preservation of National Security', which damages Hong Kong's international status by eroding its autonomy, democracy, the independence of the justice system and its respect of human rights; underlines that the people of Hong Kong should enjoy the freedoms and high degree of autonomy under both the Basic Law and ICCPR to which Hong Kong is party;

6. Urges the Commission to consider issuing emergency travel documents for media workers in Hong Kong who are at risk of arrest under the National Security Law;
7. Welcomes the decisions by EU Member States and other international partners to suspend extradition treaties with Hong Kong; highlights the importance of continuing trial observations and to continue assessing and preparing responses to the possible extraterritoriality implications of the NSL; reiterates its call on the Member States to suspend their extradition treaties with the People's Republic of China, to prevent the extradition of, for example - Uyghurs, citizens of Hong Kong, Tibetans, or Chinese dissidents in Europe - to stand political trial in the People's Republic of China;
8. Urges the Council to promptly consider the introduction of targeted sanctions against individuals in Hong Kong and China, including Carrie Lam, Teresa Yeuk-wah Cheng, Xia Baolong, Xiaoming Zhang, Luo Huining, Zheng Yanxiong, Ping-kien Tang, Wai-Chung Lo and Ka-chiu Lee, under the EU human rights global sanction regime;
9. Calls on the Commission to undertake an audit of the long-term commercial impact for EU firms operating in Hong Kong in light of the implementation of Hong Kong's National Security Law, with reference to the changing rule of law and free flows of information and capital in the city;
10. Calls on the EU to advocate with the UN Secretary-General and the UN High Commissioner for Human Rights for the appointment of an UN Special Envoy on the situation in Hong Kong, joining in with the initiative by the Chairs of the UK, Canadian, Australian, and New Zealand Foreign Affairs Committees; calls on the Council and the VP/HR to work with the international community to establish an international contact group on Hong Kong;
11. Observes that the PRC's policy of abandoning the 'One Country, Two Systems' approach has greatly alienated the people of Taiwan, and emphasises its willingness to cooperate with international partners in order to help securing democracy in Taiwan;
12. 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, and the Chief Executive and the Assembly of the Hong Kong Special Administrative Region.

