

Thursday 4 February 2016

P8_TA(2016)0045

The case of the missing book publishers in Hong Kong

European Parliament resolution of 4 February 2016 on the case of the missing book publishers in Hong Kong (2016/2558(RSP))

(2018/C 035/10)

The European Parliament,

- having regard to its previous resolutions on the situation in China, in particular those of 16 December 2015 on EU-China relations ⁽¹⁾ and of 13 March 2014 on EU priorities for the 25th session of the UN Human Rights Council ⁽²⁾,
- having regard to the statement of 7 January 2016 by the European External Action Service (EEAS) spokesperson on the disappearance of individuals associated with the Mighty Current publishing house in Hong Kong,
- having regard to the EEAS statement of 29 January 2016 on EU concerns about the human rights situation in China,
- having regard to the Commission's 2014 Annual Report on the Hong Kong Special Administrative Region, published in April 2015,
- having regard to the establishment of diplomatic relations between the EU and China as of 6 May 1975,
- having regard to the EU-China Strategic Partnership launched in 2003,
- having regard to the EU-China 2020 Strategic Agenda for Cooperation agreed on 21 November 2013,
- having regard to the negotiations for a new Partnership and Cooperation Agreement which have been suspended,
- having regard to the adoption of the new national security law by the Standing Committee of the Chinese National People's Congress of 1 July 2015, and the publication of the second draft of a new Foreign NGO Management Law on 5 May 2015,
- having regard to the EU-China dialogue on human rights launched in 1995 and the 34th round held in Beijing on 30 November and 1 December 2015,
- having regard to the International Covenant on Civil and Political Rights of 16 December 1966,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the United Nations Human Rights Committee's concluding observations on the third periodic report of Hong Kong, China, adopted by the Committee at its 107th session (11-28 March 2013),
- having regard to the United Nations Committee against Torture's concluding observations on the fifth periodic report of China adopted at its 1 391st and 1 392nd meetings, held on 2 and 3 December 2015,
- having regard to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (hereinafter 'the Basic Law'), in particular the articles on personal freedoms and freedom of the press, and to the Hong Kong Bill of Rights Ordinance,

⁽¹⁾ Texts adopted, P8_TA(2015)0458.

⁽²⁾ Texts adopted, P7_TA(2014)0252.

Thursday 4 February 2016

— having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

- A. whereas, over the last four months, five booksellers (Lui Bo, Gui Minhai, Zhang Zhiping, Lin Rongji and Lee Po), four of them resident in Hong Kong and one non-resident, associated with the publishing house Mighty Current and its bookstore, who sold literary works critical of Beijing, have gone missing under mysterious circumstances; whereas two of them are EU citizens — Gui Minhai, a Swedish national, and Lee Po, a British national; whereas in January 2016 confirmation was received that both EU citizens were in mainland China, and, whereas there are suspicions that the remaining three are also there; whereas Lee Po was temporarily reunited with his wife on 23 January 2016 in an undisclosed location in mainland China; whereas the continuing lack of information about their well-being and whereabouts is extremely worrying;
- B. whereas there have been persuasive media allegations, and concerns on the part of lawmakers, human rights organisations and numerous civilians, that the five booksellers were abducted by China's mainland authorities; whereas, in particular, Lee Po was abducted from Hong Kong and Gui Minhai vanished from his home in Thailand;
- C. whereas on 10 January 2016 thousands of protesters in Hong Kong gathered in the streets to demand action from the city government to explain the disappearance of the five booksellers; whereas these disappearances follow a series of violent attacks in 2013 and 2014 against Hong Kong journalists critical of Beijing;
- D. whereas Hong Kong upholds and protects the freedom of speech, expression and publication; whereas the publication of any material critical of Chinese leadership is legal in Hong Kong, although banned in mainland China; whereas the 'one country, two systems' principle guarantees Hong Kong's autonomy from Beijing with respect to such freedoms as are enshrined in Article 27 of the Basic Law;
- E. whereas revelations have been published that 14 publishers and 21 publications in Hong Kong were identified as targets in an internal document of the Communist party of April 2015, in which a strategy to 'exterminate' banned books at their sources in Hong Kong and Macau was divulged; whereas the fear of reprisals has led some booksellers in Hong Kong to remove books critical of China from their shelves;
- F. whereas mainland China's government tightly restricts and criminalises freedom of expression, particularly through censorship; whereas China's internet 'Great Firewall' allows the government to censor any politically unacceptable information; whereas China maintains strict curbs on freedom of expression, and the popularity of books critical of China with readers in mainland China is considered a threat to social stability;
- G. whereas on 17 January 2016 Gui Minhai released a media statement in mainland China, maintaining that he travelled voluntarily to mainland China and admitting in what appeared to be a forced confession to an earlier drunk driving conviction;
- H. whereas both the Swedish and the British authorities have asked for the Chinese authorities' full support in protecting the rights of their two citizens as well as the other 'disappeared' individuals;
- I. whereas the UN Committee Against Torture has reported its serious concerns over consistent reports from various sources about a continuing practice of illegal detention in unrecognised and unofficial detention places, the so-called 'black jails'; whereas it has also expressed serious concerns over consistent reports indicating that the practice of torture and ill-treatment is still deeply entrenched in the criminal justice system, which places over-reliance on confessions as the basis for convictions;
- J. whereas China has, officially and nominally, accepted the universality of human rights and in the past three decades has opted into the international human rights framework by signing a wide range of human rights treaties, and has thus become part of the international legal and institutional human rights framework;

Thursday 4 February 2016

- K. whereas Article 27 of the Basic Law, Hong Kong's de facto constitution, guarantees 'freedom of speech, of the press and of publication, freedom of association, of assembly, of procession and of demonstration'; whereas the Basic Law, negotiated between China and the United Kingdom, guarantees these rights for a 50-year period ending in 2047;
- L. whereas the 17th EU-China Summit, of 29 June 2015, lifted bilateral relations to a new level, and whereas in its strategic framework on human rights and democracy the EU pledges that it will place human rights at the centre of its relations with all third countries, including its strategic partners;
- M. whereas the EU and China have engaged in human rights dialogues since 1995, and whereas both sides consider human rights to be an important part of their bilateral relations;
- N. whereas according to the 21st annual report (July 2014) of the Hong Kong Journalists Association, 2014 has been the darkest year for press freedom in Hong Kong for several decades; whereas some journalists have been physically attacked or sacked while others expressing critical views have been moved to less sensitive areas;
1. Expresses its grave concern over the lack of knowledge about the whereabouts and well-being of the five missing booksellers; calls for the immediate publication of detailed information on the whereabouts and well-being of Lee Po and Gui Minhui, and calls for their immediate safe release and for them to be given the right of communication; calls for the immediate release of all other persons arbitrarily arrested for exercising their right to freedom of expression and publication in Hong Kong, including the three other booksellers;
 2. Calls on the Chinese Government to report without delay any information relating to the missing booksellers, and to engage in immediate inclusive and transparent dialogue and communication on the matter between the mainland authorities and those in Hong Kong; notes as a positive development the communication from Lee Po and his reunification with his spouse;
 3. Calls on the relevant authorities in China, Hong Kong and Thailand to investigate and clarify the circumstances surrounding the disappearances, in accordance with the rule of law, and, as far as possible, to assist in bringing the publishers home safely;
 4. Expresses its concerns over allegations of mainland China's law enforcement agencies operating in Hong Kong; recalls that it would be a violation of the Basic Law if mainland law enforcement agencies had been operating in Hong Kong; believes this would be inconsistent with the 'one country, two systems' principle; calls on China to respect the guarantees of autonomy granted to Hong Kong in the Basic Law;
 5. Strongly condemns all cases of human rights violations, in particular arbitrary arrests, rendition, forced confessions, secret detention, incommunicado custody and violations of the freedom of publication and expression; recalls that the independence of book editors, journalists and bloggers must be safeguarded; calls for an immediate end to human rights violations and political intimidation;
 6. Condemns restrictions and the criminalisation of freedom of expression, and deplores the tightening of restrictions on freedom of expression; calls on the Chinese Government to stop suppressing the free flow of information, including by restricting the use of the internet;
 7. Expresses its concern at the imminent adoption of the draft Foreign NGO Management Law, given that in its current state it would drastically hamper the activities of Chinese civil society and would severely restrict the freedoms of association and expression in the country, including by banning overseas NGOs that are not registered with the Chinese Ministry of Public Security and prohibiting provincial public security departments from funding any Chinese individual or organisation, and Chinese groups from conducting 'activities' on behalf of, or with the authorisation of, non-registered overseas NGOs, including those based in Hong Kong and Macao; calls on the Chinese authorities to substantially revise this draft law in order to bring it into line with international human rights standards, including international commitments made by the People's Republic of China;

Thursday 4 February 2016

8. Expresses its concern at the new draft law on cybersecurity, which would bolster and institutionalise the practices of cyberspace censorship and monitoring, and at the adopted national security law and the draft law on counter-terrorism; notes the fears of Chinese reformist lawyers and civil rights defenders that these laws will further restrict freedom of expression and that self-censorship will grow;
 9. Believes that strong ongoing EU-China relations must provide an effective platform for a mature, meaningful and open human rights dialogue based on mutual respect;
 10. Underlines the European Union's 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;
 11. 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.
-