Resolution on the situation in Hong Kong

2019/2732(RSP) - 18/07/2019 - Text adopted by Parliament, single reading

The European Parliament adopted the resolution on the situation in Hong Kong.

The text adopted in plenary had been tabled as a joint resolution by the EPP, S&D, Renew, Greens/EFA and ECR groups.

As a reminder, the Government of the Hong Kong Special Administrative Region (HKSAR) has proposed the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 to amend the Fugitive Offenders Ordinance (FOO) and the Mutual Legal Assistance in Criminal Matters Ordinance (MLAO).

Hong Kong's leader Carrie Lam announced on 9 July 2019 that the widely loathed legislation was 'dead'. She stopped short of announcing that the bill would be withdrawn.

The proposed bill could facilitate the rendition to China of people for political reasons and their exposure to a judicial system with serious human rights failings. Under the proposed amendments, the Hong Kong court would not have the clear, explicit jurisdiction and legal obligation to examine the various human rights involved in cases being handled by the courts in mainland China or in other countries.

Mainland China's judiciary lacks independence from the government and the Chinese Communist Party and is characterised by arbitrary detention, torture and other ill-treatment, serious violations of the right to a fair trial, enforced disappearances and various systems of incommunicado detention without trial.

The people of Hong Kong have taken to the streets in unprecedented numbers, peacefully exercising their fundamental right to assemble and to protest. 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 peaceful vast majority, including tear gas, rubber bullets, beanbags and pepper spray, labelled the incident a riot and hence proceeded to make several dozen arrests.

Parliament called on the HKSAR Government to:

- withdraw the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019;
- ensure an independent, impartial, effective and prompt investigation into the use of force by Hong Kong police against protesters;
- immediately release and drop all charges against peaceful protesters and all those detained for the peaceful exercise of their freedom of expression during or in the lead-up to protests.

Members stressed that although the rights of Hong Kong citizens have generally been upheld in Hong Kong, they are concerned by the unprecedented pressure on journalists and their increasing self-censorship with regard, in particular, to coverage of sensitive issues on mainland China or those concerning the HKSAR Government.

They called for the EU, its Member States and the international community to work towards the imposition of appropriate export control mechanisms to deny China, and in particular Hong Kong, access to technologies used to violate basic rights.

Parliament also urged the systematic reform to implement direct elections for the position of Chief Executive and to the Legislative Council, as enshrined in the Basic Law, and called for agreement on an electoral system that is overall democratic, fair, open and transparent and that it grants the people of the HKSAR the right to elect candidates and to stand for election in the selection process for all leadership positions.