



Plenary sitting

B9-XXXX/2021

12.5.2021

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 132(2) of the Rules of Procedure

Chinese countersanctions on EU entities and MEPs and MPs
(2021/XXXX (RSP))

Reinhard Bütikofer, Hannah Neumann, Markéta Gregorová, Viola Von Cramon-Taubadel, Sara Matthieu, Francisco Guerreiro, Alice Kuhnke, Bas Eickhout, Pär Holmgren, Jakop Dalunde, Anna Cavazzini
on behalf of the Verts/ALE Group

B9-XXXX/2021

European Parliament resolution on Chinese countersanctions on EU entities and MEPs and MPs (2021/XXXX (RSP))

The European Parliament,

- having regard to its previous resolutions and reports on the situation in China and EU-China Relations in particular those of 21 January 2021 on the crackdown on the democratic opposition in Hong Kong and of 17 December 2020 on forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region (XUAR),
- having regard to its previous recommendations relating to Hong Kong, in particular that 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 (VP/HR) on Hong Kong, 20 years after handover,
- having regard to the Statement by leading MEPs following the decision by Chinese authorities to sanction the Subcommittee on Human Rights and other European entities and officials of 23 March 2021,
- having regard to the Joint Statement on Chinese sanctions against Members of the Parliament by the Presidents of the European Parliament, of the Belgian House of representatives, of the Dutch House of Representatives and of the Seimas of the Republic of Lithuania of 29 March 2021,
- having regard to Council Implementing Regulation (EU) 2021/478 of 22 March 2021 implementing Regulation (EU) 2020/1998 concerning restrictive measures against serious human rights violations and abuses and to Council Decision (CFSP) 2021/481 of 22 March 2021 amending Decision (CFSP) 2020/1999 concerning restrictive measures against serious human rights violations and abuses,
- having regard to the G7 statement on electoral changes in Hong Kong of 12 March 2021,
- having regard to the G7 Foreign and Development Ministers' communiqué of 5 May 2021,
- having regard to the statement by the Spokesperson on the sentencing of pro-democracy activists in Hong Kong of 16 April 2021,
- having regard to the statement by the Spokesperson on the detention of human rights lawyer Li Yuhan of 21 December 2020,
- having regard to the statement by the Spokesperson on sentencing of journalists, lawyers and human rights defenders of 29 December 2020,
- having regard to the announcement by the Spokesperson of the PRC's Foreign Affairs Ministry on Sanctions on Relevant EU Entities and Personnel of 22 March 2021,
- having regard to the joint statement of President Michel and President von der Leyen on

defending EU interests and values in a complex and vital partnership following the 22nd EU-China summit that took place on 22 June 2020,

- having regard to the joint statement of the 21st EU-China summit of 9 April 2019,
 - having regard to the Joint Communication from the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy of 12 March 2019 entitled ‘EU-China – A strategic outlook’ (JOIN(2019)0005),
 - having regard to Article 36 of the Constitution of the People’s Republic of China, which guarantees all citizens the right to freedom of religious belief, and to Article 4 thereof, which upholds the rights of minority ethnicities,
 - having regard to the UN experts’ call of 26 June 2020 for decisive measures to protect fundamental freedoms in China,
 - having regard to the International Covenant on Civil and Political Rights of 16 December 1966, which China signed in 1998, but which it has never ratified,
 - having regard to the Protocol of 2014 to the International Labour Organization (ILO) Forced Labour Convention of 1930, which has not been signed by China,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to Rule 132 of its Rules of Procedure,
- A. whereas on 22 March 2021, the EU Foreign Affairs Council adopted restrictive measures under the EU Global Human Rights Sanctions Regime on Zhu Hailun former Deputy Head of the 13th People’s Congress of the Xinjiang Uyghur Autonomous Region (XUAR), Wang Junzheng Party Secretary of the Xinjiang Production and Construction Corps (XPCC) and Deputy Secretary of the Party Committee of China’s XUAR, Wang Mingshan Member of the Standing Committee of the Party Committee of the XUAR and Secretary of the Political and Legal Affairs Committee of the XUAR, Chen Mingguo Director of the Xinjiang Public Security Bureau (XPSB) and Vice-Chairman of the XUAR People’s Government, and on the XPCC Public Security Bureau which runs the detention centres in Xinjiang; whereas these four individuals and one entity are responsible for serious human rights violations, including the large-scale arbitrary detentions and degrading treatment of Uyghurs and people from other Muslim ethnic minorities in XUAR;
- B. whereas, according to the adopted measures, the listed individuals and entities will be subject to an asset freeze in the EU, as well as a travel ban in Europe and EU individuals and entities are prohibited from making funds available to them;
- C. whereas, just few moments after the approval of the EU list, the Spokesperson of the Foreign Ministry of the PRC announced the adoption of sanctions on five MEPs, Reinhard Bütikofer, Michael Gahler, Raphaël Glucksmann, Ilhan Kyuchyuk and Miriam Lexmann, the Parliament’s Subcommittee on Human Rights, 3 MPs from EU Member States (Sjoerd Wiemer Sjoerdsma Samuel Cogolati, Dovile Sakaliene) the

Political and Security Committee of the Council of the EU, two scholars (Adrian Zenz and Björn Jerdén) and two think tanks (Mercator Institute for China Studies (MERICS) in Germany, and the Alliance of Democracies Foundation in Denmark) for “severely harming China's sovereignty and interests and maliciously spreading lies and disinformation”;

- D. whereas, according to the Spokeperson’s press release, the individuals concerned and their families are prohibited from entering the mainland, Hong Kong and Macao of China, and whereas they and companies and institutions associated with them are also restricted from doing business with China;
- E. whereas, a few days after, China adopted sanctions against MPs, entities and think tanks in the UK, Canada and the US, which had also introduced measures against human rights abuses in Xinjiang;
- F. whereas the Chinese measures constitute an attack against the whole Parliament as the heart of European democracy and values, as well as an attack against freedom of research;
- G. whereas, while the EU has sanctioned human rights violations based on legitimate and proportionate measures embedded in international law, the PRC sanctions the criticism of such human rights violations;
- H. whereas the Chinese sanctions are not based on any legal text, are totally arbitrary and are a clear example of a system entirely subordinated to the supremacy of the Chinese Communist Party (CCP); whereas the sanctions are clearly an attempt to deter the EU from continuing its work and action against human rights abuses in China;
- I. whereas China has regularly submitted resolutions at the UNHRC whose objective is to make “sovereignty, non-interference, and mutual respect” fundamental non-negotiable principles, and the promotion and protection of human rights individuals rendered an afterthought;
- J. Whereas the Parliament’s Subcommittee on Human Rights has a duty to monitor the human rights situation across the world and to promote and protect these rights in accordance with the values and objectives on which the European Union is founded, notably, the principle of universality of human rights; whereas the Chinese measures are a deliberate attempt to undermine such work by preventing the subcommittee from relying on external expertise on China as well as to engage in a dialogue with Chinese stakeholders;
- K. whereas this is the last episode of a gradual move of the CCP leadership towards a confrontational approach, including by targeting the EU with disinformation actions and cyber-attacks, while the gap in the bilateral relation is widening even further with the actions against the Uyghurs and other ethnic minorities, the crackdown on democracy in Hong Kong and the increasingly confrontational approach in the Taiwan Strait; whereas EU-China relations may not continue business as usual;
- L. whereas human rights and the economy together are two dimensions of the EU-China relation; whereas it is inadmissible to deal with trade and investment relations outside the general context of human rights issues and the broader political relations;

M. whereas the Council Conclusions on the Gender Action Plan (GAP) III, on gender equality and women's empowerment in EU external action, of 20 December 2021 were supported by 24 EU Member States;

1. Condemns in the strongest terms the baseless and arbitrary sanctions imposed by the Chinese authorities which amount to an attack on the heart of European democracy, on freedom of speech, academic freedom and on the international commitment to and understanding of universal human rights; stands in full solidarity with all the parliamentarians, think tanks and academics that have been targeted by the sanctions;
2. Re-emphasises its solidarity with those sanctioned including with non-elected individuals and non-political entities, such as MERICS, Adrian Zenz and Björn Jerdén and expresses its gratitude over the messages of solidarity that the sanctioned MEPs have received including from more than 280 Members of the German Bundestag and from several EU MS Governments;
3. Reaffirms that freedom of expression, parliamentary freedom, academic freedom and the defence of human rights are pillars of our democracies and that these values will never be compromised in the EU-China relation; stresses that intimidation attempts are futile and that, as elected Members of the European Parliament, we will continue to actively and unabatedly denounce and work on human rights violations and breaches of international law, and to urge the EU to keep the respect of human rights at the core of all its external policies; considers these attacks from China as part of the systemic rivalry dimension of the relation; shows full solidarity with MPs from other countries that have been sanctioned, such as in the UK, Canada, the US, Australia;
4. Identifies the sanctions as part of an effort to police speech about China world-wide as well as to determine what kind of speech and discussions would be allowed globally and sees this effort as part of a totalitarian threat;
5. Reiterates its strongest concern at human rights abuses in China, in particular the persecution of the Uyghur people, Tibetans, Mongols and other ethnic minorities, human rights defenders, social activists, religious groups, journalists, petitioners or protesters against injustices, as well as at the ever-increasing repression of all dissenting and opposition voices, especially in Hong Kong;
6. Recalls its position that violations in Xinjiang amount to crimes against humanity and highlights the increasing amount of evidence of such crimes; urges the EU and its Member States to intensify efforts to reach enough international support for an independent UN investigation on Xinjiang;
7. Expresses its full support to those companies that have already decided to cut supply-chain ties with Xinjiang, notably in the apparel and textiles sector, and strongly condemns the aggressive political coercion exercised against them by the Chinese government; calls on the EU and Member States to support the establishment of a UN database of business entities involved in activities related to or benefiting from the mass abuse of the Uyghur people and in the interim, encourages the Commission to draw up its own list of such entities and enterprises; reiterates its request to the Commission and the EEAS to swiftly finalise a supply chain business advisory guiding companies on the

exposure to risk of using Uyghur forced labour and providing support in urgently identifying alternative sources of supply;

8. Is concerned that the retaliatory measures against the EU and MS institutions and their work on human rights makes part of a deliberate strategy to weaken human rights internationally and redefine those rights in a way so that they would not provide for any individual protections, and would ultimately empty out their original meaning;
9. Considers that the Chinese sanctions are an important backsliding in EU-China relation; Considers it crucial for the EU and all its institutions to stand united against such attack against European democracy and considers it appropriate and necessary that all EU Member States raise this issue in all bilateral exchanges with Chinese counterparts at all levels;
10. Takes the firm position that any consideration of the EU-China Comprehensive Agreement on Investment (CAI), as well as any discussion on ratification by the Parliament, remain frozen as long as the Chinese sanctions are in place; expects the Commission to consult with the Parliament before taking any steps towards conclusion and signature of CAI;
11. Highlights the urgency to re-balance EU-China relations through the adoption of a toolbox of autonomous measures such as: legislation against distortive effects of foreign subsidies on the internal market; an international procurement instrument; supply chain legislation with mandatory due diligence requirements which also provide for an import ban on forced labour goods; an enhanced and strengthened EU Foreign Investment Screening Regulation; an effective anti-coercion instrument; additional measures under the EU Global Human Rights Sanction Regime, as necessary, in order to continue addressing violations in Xinjiang and Hong Kong and aiming at China putting an end to all the violations; adequately address China's cybersecurity threats and the civil-military fusion programme; enhanced action in support of Chinese human rights defenders and dissenting voices, including through facilitating access to emergency visas;
12. Recalls the importance of China ratifying ILO fundamental Conventions, in particular Conventions 29 and 105 on forced labour;
13. Deplores the lack of unity in the Council of the EU over the adoption of measures to address the crackdown on democracy in Hong Kong; considers that further delay in the adoption of the measures will seriously undermine the credibility of the EU as an international actor; urges the HRVP and the Council to propose and adopt Conclusions on Hong Kong irrespective of lack of unanimous support;
14. Expresses its deep concern at recent sentences against pro-democracy activists such as Joshua Wong, Martin Lee, Jimmy Lai and Lester Shum for their peaceful involvement in protests, and in some cases even with no evidence of any active role in the riots; deeply regrets the changes recently introduced to the Hong Kong's electoral system in March, which have added a requirement of patriotism to the mainland, in what is the most significant alteration to Hong Kong's political system; demands that Member State's extradition treaties with China be suspended;
15. Remains particularly outraged at the continuing detention of Gui Minhai, a Hong Kong resident and Swedish citizen; reiterates its call for his immediate release and urges

steady intervention by EU and its member states at the highest level;

16. Insists on the introduction of a circumspect procurement policy that takes human rights concerns duly into account at all levels, aiming at avoiding procurement of exploitative technology which is deployed in situations of violations of human rights; calls on the EU institutions to improve the transparency of their procurement activities;
17. Requests that the European Council take a firm stance against the Chinese sanctions and that it adopt Conclusions on the matter; takes the view that such sanctions, as well as the negative evolution and deteriorations within China and of China as an international actor should be adequately reflected and responded to in the ongoing review of the Joint Communication “EU-China - A Strategic Outlook”;
18. Expects that all these issues feature on the future agenda of the EU-US Transatlantic Dialogue on China and requests that such Dialogue provide for a strong parliamentary dimension;
19. 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, and the Government and Parliament of the People’s Republic of China.