



Brussels,

20. 09. 2021

SGS 21 / 003889

Dear Honourable Members of the European Parliament,

A year after the imposition of the draconian National Security Law by Beijing the situation in Hong Kong remains high on the EU foreign policy agenda. Since its imposition, the National Security Law has been used by the Hong Kong and mainland authorities to stifle political pluralism and erode the exercise of human rights and fundamental freedoms that are protected under Hong Kong law and international law. These actions constitute a breach of international commitments, in particular of the Sino-British Joint Declaration which was registered with the UN as an international treaty. They have undermined EU-China relations by putting into question China's will to respect international commitments. They have also undermined Hong Kong's autonomy under the 'one country, two systems' principle and affect its business environment.

The EU stands by the people of Hong Kong and is committed to continue providing support to them. Following the imposition of the National Security Law, the Council of the EU in July of last year endorsed a comprehensive and coordinated response package, comprising actions to be taken at EU and/or Member State level. This includes considering the implications of the national security legislation for asylum, migration, visa and residence policy in accordance with the applicable law, and reviewing the implications of the national security legislation on the operation of Member States' extradition and other relevant agreements with Hong Kong. The EU will continue implementing this response.

While the EU stands ready to assist Member States with the implementation of extradition treaties, the decision to suspend any such treaty remains a matter of national competence. At EU level, Vice-President Schinas has repeatedly made clear that "Europe will remain an asylum destination for those fleeing persecution". The EU will continue to meet its obligations in this regard.


The EU will also increase its support to civil society – including outside Hong Kong - and media, promoting freedom of expression, facilitating mobility, as well as ensuring observation of the trials of pro-democracy activists. The EU Office based in Hong Kong as well as EU Member State and other like-minded missions are monitoring court proceedings. Moreover, the EU has stepped up coordination and consultation with international partners, including in multilateral fora. The EU is also committed to responding to any extraterritorial application of the National Security Law against any EU citizen or business.

We take good note of your call for the imposition of restrictive measures against officials responsible for the repression in Hong Kong. The EU showed on 22 March with the adoption of a package of listings under the EU's Global Human Rights Sanctions Regime that it is ready to react decisively to address serious human rights violations around the world. Any decision to designate persons or entities under an existing sanctions regime, or to amend an existing sanctions regime, or set up a new regime, is for the Council to make, acting by unanimity. EU Member States will keep developments under review.

The EU will continue to stand by the people of Hong Kong and promote universal values, human rights and respect for international commitments.

Yours sincerely,

For the European Council   For the European Commission   For the European External Action Service



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