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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on North Caucasus, in particular the case of Yuri Orlov

Marie-Christine Vergiat

on behalf of the GUE/NGL Group

European Parliament resolution on North Caucasus, in particular the case of Yuri Orlov

The European Parliament,

- having regard to its previous resolutions on the Russian Federation, the murder of Russian journalist Anna Politkovskaya, the attacks on human rights defenders in Russia and the Anna Politkovskaya murder trial and the situation in the Caucasus,
 - having regard to the EU-Russia consultations on human rights,
 - having regard to the resolution 1738 (2010) Legal remedies for human rights violations in the North Caucasus region of the Council of Europe,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas widespread violence and terrorist attacks, the rise of extremist movements encompassed after the Chechen Republic other regions in the Northern Caucasus, especially Ingushetia and Dagestan,
- B. whereas the responses from the security forces are often disproportionate, not lawful and productive,
- C. whereas the ongoing attacks and fights left countless refugees and thousands of people dead or missing,
- D. whereas systematic human rights violations and a climate of complete impunity, indiscriminate killings, enforced disappearances of government opponents and human rights defenders, intimidation of media and civil society threaten the daily life of the people,
- E. whereas this situation seriously undermines the trust of the population in the security forces and the state institutions generally, creates new support for terrorist groups and the rise of extremism in the region and enhances the spiral of violence,
- F. whereas the European Court of Human Rights has stated in numerous cases that Russian authorities were directly responsible for breaches of the International Conventions on Human rights and on the prohibition of torture,
- G. whereas the activities of human rights organisations and courageous human rights defenders and independent journalists are under permanent risk, pressure and intimidation, even by highest regional state officials,
- H. whereas the case of Yuri Orlov of the human rights organisation Memorial in Russia, the 2009 EP Sakharov price winner, is a classic example of the situation,

- I. whereas after having expressed his opinion about the responsibility of the Chechen President Kadyrov in the killing of human rights advocate Natalia Estemirova in Chechnya on 15 July 2009, a civil suit was filed against him and the Memorial organisation for damages to "Honor and Dignity", in addition to a criminal complaint for slander against Orlov,
 - J. whereas a Moscow court ruled in October 2009 that Orlov's statement constituted libel against President Kadyrov and imposed fines of 20.000 roubles against Yuri Orlov and 50.000 roubles against Memorial,
 - K. whereas the investigation on criminal slander against Yuri Orlov is continuing and he could face a sentence of up to 3 years in prison if found guilty,
 - L. whereas the official investigation into the killing of Natalia Estemirova did not secure any tangible results as for the other 5 activists working on human rights abuses in North Caucasus, who were also killed,
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- 1. Unreservedly condemns and strongly deplores the killing of human rights activists in North Caucasus;
 - 2. Expects the federal and regional authorities to speed up their investigation into the killings, deliver clear results and bring those responsible to court;
 - 3. Demands that the impunity for human rights violations ends, that all harassment of human rights organisations and their activists, as well as journalists, stops;
 - 4. Notes that Yuri Orlov and Memorial lost an appeal to the October 2009 sentence of a Moscow court for libel and are to bring the case to the European Court for Human Rights;
 - 5. Notes that the investigation in Moscow against Yuri Orlov for criminal slander is ongoing and he can be sentenced to up to 3 years' imprisonment;
 - 6. Protests against the Russian authorities' efforts to criminalise the expression of opinion of Yuri Orlov and to silence human rights activists by court decisions;
 - 7. Notes the meeting of President Medvedev with non-governmental organisations to discuss the situation in North Caucasus in May 2010 but expects a concrete follow-up and especially support for human rights work;
 - 8. Recommends that a constructive dialogue be launched between civil society activists and the state authorities of federal, regional and local level so as to permit functioning democratic structures and the unhindered work of civil society and human rights organisations throughout Russia and especially in the North Caucasus;
 - 9. Demands that the authorities' fight against terrorist groups and activities in the regions has to be in full compliance with the international law, especially the Conventions on Human Rights and against torture;

10. Instructs its President to forward this resolution to the Commission, the Council, the Russian parliament and government, the Parliamentary Assemblies of the OSCE and the Council of Europe.