



EUROPEAN PARLIAMENT

2014 - 2019

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*Plenary sitting*

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21.10.2014

B8-0169/2014

## **MOTION FOR A RESOLUTION**

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

pursuant to Rule 135 of the Rules of Procedure

on Closing down of Memorial (Sakharov Prize 2009) in Russia  
(2014/2903(RSP))

**Helmut Scholz, Marie-Christine Vergiat, Patrick Le Hyaric**  
on behalf of the GUE/NGL Group

**B8-0169/2014**

**European Parliament resolution on Closing down of Memorial (Sakharov Prize 2009) in Russia (2014/2903(RSP))**

*The European Parliament,*

- having regard to the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, especially:
  - its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels”,
  - and Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
- having regard to the Declaration of the Committee of Ministers of the Council of Europe on the protection of human rights defenders and the promotion of their activities, and in particular to Article 2.i), in which the Committee calls on member States to “create an environment conducive to the work of human rights defenders, enabling individuals, groups and associations to freely carry out activities, on a legal basis, consistent with international standards, to promote and strive for the protection of human rights and fundamental freedoms without any restrictions other than those authorized by the European Convention on Human Rights”;
- having regard to the opinion on Federal Law OPINION N. 121-FZ on non-commercial organisations ("Law on Foreign Agents"), on Federal Laws N 18-FZ and N. 147-FZ and on federal Law N. 190-FZ on making Amendments to the Criminal Code "Law in Treason") of the Russian Federation, adopted by the Venice Commission at its 99th Plenary Session (Venice, 13-14 June 2014)
- having regard to Rule 122 of its Rules of Procedure,

A. Whereas on September 24, 2014, a lawsuit was filed before the Supreme Court of the Russian Federation by the Ministry of Justice against the renowned Historical, Educational, Human Rights and Charitable Society “Memorial” (Society “Memorial”), of which the Human Rights Centre (HRC) “Memorial” is a member;

B. Whereas in its complaint, the Ministry of Justice requests the closure of the Society “Memorial”, citing “infringements” in its organizational structure; whereas the

accuses the society for failing to have a clear vertical structure, with headquarters and departments in other regions; whereas the first hearing in this case has been set for November 13, 2014, a few days before a Conference of members of the Society “Memorial” planned for November 19, 2014, which was notified to the Ministry of Justice, and was precisely aimed at determining what changes shall be brought to the organizational structure of the society, so as to conform with new Russian law;

- C. whereas the adoption of new laws on the registration of political parties, NGO financing, the right of assembly, extremism, defamation and internet filtering restrictions after the increased mobilization of parts of civil society critical towards the current governmental structures as well as mass demonstrations in 2011/2012 has significantly contributed to a serious deterioration in the climate as regards the development of an open, plurilateral and diversified civil society in Russia; whereas the authorities have inspected hundreds of non-governmental initiatives and groups across Russia as part of a massive campaign to identify “foreign agents” and to force these organizations to register as “foreign agents”;
- D. whereas the on-going political and military crisis in Ukraine aggravated this problematic development; whereas Russia experiences a preoccupying nationalistic atmosphere in which citizens are harassed and intimidated who oppose official policies and insist on their political human and democratic rights guaranteed by the constitution. ;
- E. Whereas independent internet news outlets had their sites blocked under new amendments to the Law on Information, Information Technologies and Protection of Information adopted in February: whereas this includes Grani.ru, Kasparov.ru, EJ.ru, the blog of the opposition activist Aleksei Navalny on the Moscow Echo radio station website and the Livejournal.com; whereas the independent outlet, the opposition cable TV channel Dozhd (Rain), was taken off the air in some areas after it invited a public debate about military decisions made during World War II;
- F. whereas as a member of the Council of Europe since 1996 and party to the European Convention on Human Rights (ECHR) since 1998, also the Russian Federation has strict and clear obligations to respect the right to freedom of association;
1. Strongly criticizes the trial against the Historical, Educational, Human Rights and Charitable Society “Memorial” and strongly calls on the Russian authorities to put an end to any act of politically motivated harassment, against the society, the Human Rights Centre “Memorial and its members;
  2. Expresses its sympathy with the Russian citizens who exercise their right to critically monitor the policy of the government, the parliament and other authorities as well as of diverse economic oligarchic structures at all levels; expresses deep concern at the worsening condition of the critical civil society in Russia, in particular those organizations who work on human rights and democratic freedoms and express criticism on state policies; strongly calls on Russia to reverse the current trend, to ensure that these citizens and organizations are able to carry out their legitimate activities without any hindrance and to engage in promoting the engagement of a critical civil society;

3. Expresses deep concern at the evolving Great-Russian nationalistic atmosphere in Russia, the growing number of nationalist, racist, homophobic and right wing-forces in Russia and their cooperation with structures in the European Union;
4. Is deeply preoccupied at the propaganda war between Russia, Ukraine and the West, namely EU Member States, the US, Canada, Japan and Australia and the implications it has for media pluralism in Russia, but also in Ukraine and within the EU Member States itself;
5. Deeply deplores that Russian authorities did not respond to the criticism of both inside the Russian Federation and on the international scene of the Law on Foreign Agents, but contrary adopted amendments which even more tighten the possibilities for non-commercial organisations to act and are discriminatory by their nature; strongly calls on Russia to review the relevant legislation with a view to meet its international obligations in the area of human rights and democratic freedoms;
6. Calls on Russia to fully respect its obligations as a member of the OSCE and of the Council of Europe, including respect for the right of association, press and media freedom and the right to peaceful demonstrations;
7. Stresses that the EU policies of sanctions against and isolation of Russia is contributing and promoting to an ideological and political based re-interpretation of human rights as field of power struggle, therefore is counterproductive and should be reversed; reiterates that the Russian Federation remains to be a strategic partner for the EU and its Member States namely to answer the growing number of global as well as European challenges and common efforts for keeping world peace, detente and prevention of a new round of Rama race; urgently calls for the restart of the political dialogue with a view to find solutions to the controversial questions;
8. Instructs its President to forward this resolution to the President, the Government and Parliament of the Russian Federation, the Council, the Commission, the parliaments and governments of the Member States, the OSCE and the Council of Europe.