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*Plenary sitting*

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21.10.2014

B8-0170/2004

## 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))

**Josef Weidenholzer, Knut Fleckenstein, Richard Howitt, Ana Gomes,  
Liisa Jaakonsaari, Nicola Caputo, Krystyna Łybacka, Tonino Picula,  
Goffredo Maria Bettini, Andi Cristea, Vilija Blinkevičiūtė, Marc  
Tarabella, Hugues Bayet, Afzal Khan, Doru-Claudian Frunzulică**  
on behalf of the S&D Group

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

*The European Parliament,*

- having regard to its previous reports and resolutions on Russia, in particular its resolution of 23 October 2012 on common visa restrictions for Russian officials involved in the Sergei Magnitsky case, of 13 June 2013 on the rule of law in Russia, of 13 March 2014 on Russia: sentencing of demonstrators involved in the Bolotnaya Square events, and the European Parliament recommendation to the Council of 2 April 2014 on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case,
- having regard to its recommendation of 2 February 2012 to the Council on a consistent policy towards regimes against which the EU applies restrictive measures,
- having regard to its resolution of 11 December 2013 on the Annual Report on Human Rights and Democracy in the World 2012 and the European Union's policy on the matter ,
- having regard to the existing Agreement on partnership and cooperation establishing a partnership between the European Communities and their Member States, of one part, and the Russian Federation, of the other part (PCA) and, as well, the suspended negotiations for a new EU-Russia agreement,
- having regard to the 'Partnership for Modernisation' initiated in 2010 in Rostov-on-Don and to the commitment made by the Russian leadership to the rule of law as a fundamental basis for the modernisation of Russia,
- having regard to the EU-Russia human rights consultations of 28 November 2013,
- having regard to the statement by the President of the European Commission, and the remarks by the President of the European Council following the EU-Russia summit of 28 January 2014,
- having regard to the Constitution of Russia, in particular Article 118 thereof, which states that justice in the Russian Federation is to be administered by courts alone, and Article 120 thereof, which provides that judges are independent and are subordinate only to the Russian Constitution and federal law,
- having regard to the statement of the EU High Representative Catherine Ashton on the sentencing of demonstrators involved in the Bolotnaya Square events (24 February 2014)
- having regard to Rules 122(5) and 110(4) of its Rules of Procedure,

A. whereas Russia, as a member of several international organisations such as the Council of Europe, the Organisation for Security and Cooperation in Europe and the United Nations, has committed itself to the protection and promotion of human rights, fundamental freedoms and

the rule of law, and whereas the European Union has repeatedly offered additional assistance and expertise to help Russia to modernise and abide by its constitutional and legal order, in line with Council of Europe standards;

B. whereas there are concerns about developments in the Russian Federation with regard to respect for and the protection of human rights and respect for commonly agreed democratic principles and the rule of law;

C. whereas the Russian Parliament adopted a bill in July 2012 granting the status of a ‘foreign agent’ to Russian non-commercial organisations engaged in political activities and financed from abroad; whereas the last year NGO legislation and the legislation on the rights to freedom of assembly are used to suppress civil society, stifle opposing political views and harass NGOs, democratic opposition and media;

D. whereas the European Parliament awarded in 2009 the Sakharov Prize to Memorial, a historical and civil rights society that operates in a number of former soviet states, but particularly in Russia, on the values of safeguarding democracy, law, and fundamental human rights at the initiative of a group of Soviet-era dissidents, and under the auspices of the Nobel laureate Andrei Sakharov;

E. whereas on May 23, 2014, a Moscow court ordered Memorial Human Rights Center to be registered as a foreign agent for its “political activity” in the field of human rights work; whereas the NGO refused subsequently to register under this label and decided to liquidate its structure and continue its work without registration in the Russian Federation;

F. whereas on October 13, 2014 a law suit filed by Russia’s Justice Ministry aims to liquidate the Russian Memorial Society, reportedly on the grounds that it, and its affiliated associations, were improperly registered; whereas Memorial is now facing dissolution once Russia’s Supreme Court rules on the lawsuit on next November 13, 2014;

G. whereas there is an increasing need for a firm, coherent and comprehensive EU policy towards Russia, supported by all the Member States, with support and assistance backed up by firm and fair criticism;

H. whereas the European Union has important relations with the Russian Federation and stands ready to engage in a frank and open dialogue with it;

1. Stresses that Memorial, which is Russia’s oldest and best-known human rights organization, plays a crucial role in the development of democratic values and in the promotion of human rights in Russia; (by Caputo, MEP)
2. Calls on the Russian authorities to put an end to any act of harassment, including at the judicial level, against “Memorial” Society, the Human Rights Centre “Memorial”, their members, as well as all human rights defenders in the Russian Federation, and ensure in all circumstances that they are able to carry out their legitimate activities without any interference;

3. Expresses its deep concern over Russia's Justice Ministry appeal to the country's Supreme Court to close Memorial and the hearing scheduled for November 13;
4. Highlights that the Mikhail Fedotov, head of Russia's presidential Human Rights Council, clearly expressed that there are no legal grounds to close Memorial and that the Supreme Court hearing should be postponed until after a planned Memorial conference on 19 November, when it is expected to announce changes to its organisational structure;
5. Urges Russia to repeal the laws that contain provisions inconsistent with Russia's international and constitutional commitments on human rights , such as provisions of the "foreign agents" law requiring organisations that accept foreign funding and engage in "political activities" to register as "foreign agents";
6. Call on the Russian authorities to comply with the provisions of the international agreements that they have signed, such as 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 With 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;
7. Calls on the Presidents of the Council and the Commission, as well as the VP/HR to continue to follow such cases closely, to raise these issues in different formats and meetings with Russia, and to report back to Parliament on the exchanges with the Russian authorities;
8. Expresses its deep concern about the continuous wave of attacks against independent human rights organisations and civil society groups in Russia; (by Caputo, MEP)Urges the Commission and the EEAS, with regard to the ongoing programming phase of the EU financial instruments, to increase its financial assistance to Russian civil society through the European Instrument for Democracy and Human Rights and the civil-society organisations and local authorities funds, and to include the EU-Russia Civil Society Forum in the Partnership Instrument in order to ensure sustainable and credible long-term support;
9. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, the Organisation for Security and Cooperation in Europe, and the President, Government and Parliament of the Russian Federation.