



EUROPEAN PARLIAMENT

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*Plenary sitting*

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13.1.2015

B8-0049

## 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 Russia, in particular the case of Alexey Navalny  
(2015/2503(RSP))

**Ignazio Corrao; Fabio Massimo Castaldo, Laura Agea, Valentinas Mazuronis**

on behalf of the EFDD Group

**European Parliament resolution on Russia, in particular the case of Alexey Navalny (2015/2503(RSP))**

*The European Parliament,*

- Having regard to its previous resolutions on Russia, in particular those of 17 February 2011 on the rule of law in Russia, of 13 September 2012 on the political use of justice in Russia , of 13 June 2013 on the rule of law in Russia , and of 23 October 2014 on the closing-down of the NGO "Memorial"
  - Having regard to the Statement by the Spokesperson of EEAS on the sentencing of Alexey Navalny and his brother Oleg Navalny, 30 December 2014
  - Having regard on the 18th round of the EU-Russia human rights consultations of 28 November 2013
  - Having regard to the results of the EU-Russia Summit of 3-4 June 2013 and the human rights consultations of 19 May 2013
  - Having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms, the UN Declaration on Human Rights Defenders and the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms,
  - Having regard to the Constitution of Russia, in particular Article 118 thereof, which states that justice in the Russian Federation shall be administered by courts alone, and Article 120 thereof, which provides that judges are independent and are subordinate only to the Russian Constitution and the federal law,
  - Having regard to the International Covenant of Economic, Social and Cultural Rights and to the International Covenant on Civil and Political Rights , both ratified by Russia in 1973
- A. Whereas Alexey Navalny has long been a thorn in President Putin's side, and he has consistently argued that his legal troubles are Kremlin reprisals for spearheading protests

- B. Whereas Navalny's rise as a force in Russian politics began in 2008 when he started blogging about alleged malpractice and corruption at some of Russia's big state-controlled corporations
  - C. Whereas when he was jailed in July 2013 for embezzlement in the city of Kirov, the five-year sentence was widely seen as political
  - D. Whereas he was unexpectedly allowed out of prison to campaign for the Moscow mayoral elections, in which he was runner-up with 27% of the vote, behind Putin-ally Sergei Sobyenin; whereas that was considered a dramatic success as he had no access to state TV, relying only on the internet and word of mouth; whereas Alexey Navalny is the most high-profile opposition figure in Russia
  - E. Whereas Alexei Navalny's second court verdict had been due on 15 January 2015, but inexplicably the court brought the date forward to 30 December, when most Russians were focused on the new year holiday ; whereas the same technique , forwarding the date, was used with Mikhail Khodorkovsky
  - F. Whereas Alexei Navalny was arrested after breaking house arrest to join an opposition rally in Moscow, hours after a court gave him a suspended sentence for fraud
  - G. Whereas the guilty verdict delivered on Tuesday 30 December, by the Zamoskvoretsky Court against Alexey Navalny appears to be politically motivated; Aleksei Navalny was given a suspended sentence of three-and-a-half-years and he remains under house arrest until the sentence enters into force
  - H. Whereas the charges have not been substantiated during the trial; whereas with the exception of a few selected representatives of the media, no public and international observers were allowed into the court building for the reading of the verdict
  - I. Whereas the day after, 31 December , demonstrations in support of the convicted Navalny brothers were held in St Petersburg, Ekaterinburg, Tomsk, Voronezh, and outside the Russian consulates in New York and Prague whereas In Moscow more than 250 people were detained after this demonstrations
- 1. Expresses its concerns about the on-going actions of the Russian authorities against Alexey Navalny and his brother
  - 2. Condemns the continuing violation of human rights including political intimidation, harassment and arbitrary arrest of political opposition activists

3. Stresses the importance of judicial decisions to be free from political interference, independent, and in full compliance with the rule of law.
4. Calls on the Russian authorities to release the 250 protestors detained, to annul the judgment against Alexey Navalny and re-try in line with international standards, including the right to a defence and proportionality
5. Calls on the Russian government, without delay, to stop using violence against civilians participating in peaceful public protests and media campaigns in support of Alexey Navalny
6. Call on Russia to honour its international obligations, in particular the right to a fair trial for all, and the respect of freedoms of expression, assembly and association
7. Calls on Russian government to respect and promote media freedom and pluralism and to ensure the right to freedom of peaceful assembly to all persons within its jurisdiction without discrimination, in accordance with international human rights law and standards, and the Russian Constitution;
8. Calls on Russian government to bring national legislation governing public assemblies in compliance with international standards, in particular:
  - remove criminal responsibility for repeated violation of the rules governing public assembly;
  - to ensure that other relevant penalties do not, due to their severity, serve as a deterrent to public protest
  - that public assemblies do not require the permission of authorities, and that the requirement of prior notification is not applied in practice as an authorization procedure;
  - effectively investigate all allegations of human rights violations by police officials during public assemblies, including unlawful use of force, arbitrary arrest and detention, and bring all those found responsible to account
  - ensure that essential fair trial guarantees are respected in administrative proceedings relating to violations of the Law on Assemblies;
  - ensure that the right to freedom of peaceful assembly and expression can be exercised by any individuals and groups in Russia, without discrimination on the grounds of political views, sexual orientation, or other grounds;
9. Urges the Russia authorities to respect the right to freedom of association and expression and to stop the persecution of opposition activists
10. Urges the government of Russia to take all necessary measures to stop, without delay, any form of politically motivated violence or detention

11. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member states, the President and the Government and the Parliament of the Russian Federation, the EEAS, the OSCE and the Council of Europe