



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

13.1.2015

B8-0055/2015

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))

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on behalf of the S&D Group

European Parliament resolution on on Russia, in particular the case of Alexey Navalny (2015/2503(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, and the European Parliament resolution of 23 October 2014 on the closing-down of the NGO ‘Memorial’ (winner of the 2009 Sakharov Prize) in Russia (2014/2903(RSP))
- having regard to the statement of EEAS of 30 December 2014 on the sentencing of Alexey Navalny and his brother Oleg Navalny,
- 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 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 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 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 freedom of the press and media, both online and offline, is a crucial aspect of a democratic and open society, as well as being fundamental in countering corruption and safeguarding human rights and the rule of law; whereas the independent press, as a collective manifestation of free expression, is one of the key actors in the media landscape, acting as a watchdog of democracy;

E. whereas several trials and judicial proceedings over the last few years, such as the Magnitsky, Khodorkovsky and Politkovskaya cases, have cast doubt on the independence and impartiality of the judicial institutions of the Russian Federation; whereas the high profile cases cited above are merely just the most well-known cases outside Russia of what amounts to a systematic failure of the Russian state to uphold the rule of law and to deliver justice to its citizens;

F. whereas on 30 December 2014 the political activist and anti-corruption campaigner Alexey Navalny and his brother Oleg Navalny were convicted to three and a half year suspended prison and, respectively, three and a half year imprisonment, based on allegations of defrauding a company; whereas the Court also fined each of them about \$8,800 US and ordered them to pay some \$77,000 in damages;

G. whereas the guilty verdict delivered on 30 December, by the Zamoskvoretsky Court against Alexey Navalny and his brother Oleg Navalny appears to be politically motivated;

H. 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;

I. 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. Reminds Russia of the importance of full compliance with its international legal obligations, as a member of the Council of Europe, and with the fundamental human rights and the rule of law enshrined in the European Convention on Human Rights and the International Covenant on Civil and Political Rights (ICCPR);
2. Is deeply worried by Russia's failure to observe its international legal obligations to protect freedom of association, expression and assembly, which is posing a threat to both the viability of Russia's vibrant civil society and its cooperation with the EU;
3. Condemns the campaign against Alexey Navalny and express his deep discontent with his and his brother condemnation, which appears to be politically motivated; stresses

the importance of judicial decision to be free from political interference, independent, and in full compliance with the rule of law;

4. Fully backs the campaign against corruption in Russia initiated by Alexey Navalny and supports Russian people in finding a settlement to ensure democracy, political pluralism, unity and the respect of human rights;
5. Calls on the Russian authorities to put an end to any act of harassment, including at the judicial level, against political opponents and 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;
6. 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;
7. Expresses its deep concern about the continuous wave of attacks against independent human rights organisations and civil society groups in Russia; 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;
8. 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.