



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

13.1.2015

B8-0059/2015

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 PPE Group

European Parliament resolution 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 on the rules of law in Russia¹ and on the political use of justice in Russia²,
 - 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 its Resolution of 13 March 2014 on Russia on the sentencing of demonstrators involved in the Bolotnaya Square events³,
 - having regard to its Resolution of October 2014 on closing down of Memorial (Sakharov Prize 2009) in Russia⁴,
 - having regard to the statement by the Spokesperson of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) of 30 December 2014 on the sentencing of Alexey Navalny and his brother Oleg Navalny by the Zamoskvoretsky Court,
 - having regard to the EU-Russia human rights consultations of 28 November 2013,
 - having regard to the Rule 135 of its Rules of Procedure
- A. Whereas the Russian Federation, as a full member of the Council of Europe and the Organisation for Security and Cooperation in Europe (OSCE) and a signatory of UN declaration, has committed itself to the principles of democracy, the rule of law and respect for fundamental freedoms and human rights;
- B. Whereas there are a multitude of judicial cases where politically constructed reasons are used to eliminate political competition and threaten civil society as well as to discourage citizens from participating in public rallies and public protest opposing the current leadership of the country;
- C. Whereas Navalny has consistently exposed massive corruption within the highest

¹ P7_TA(2011)0066

² P7_TA(2012)0054

³ P7_TA(2014)0253

⁴ P8_TA(2014)0039

levels of the Russian state apparatus, whereas his first court five - years verdict in July 2013 was seen as political and in February 2014 he has been placed under house arrest for the next two months and in March 2014 was fitted with an electronic bracelet to monitor his activities,

- D. Whereas Alexey Navalny gained 27% of the vote at the Moscow mayoral elections in September 2013 thus confirming himself as one of the most prominent faces of the Russian opposition to Kremlin;
- E. Whereas the human rights situation in Russia has deteriorated dramatically in the last years and the Russian authorities have adopted a series of laws which contain ambiguous provisions and could be used to further restrict opposition and civil society actors;
- F. Whereas authorities used the specious mask of application the laws and in particularly the modification of the “foreign agents” law in May 2014, to close down the independent rights organisation Memorial, which is known for providing legal aid to victims of political manipulation of justice; persecuted civil society activists; peaceful protesters and victims of police violence;
- G. Whereas at the end of December 2014 the Justice Ministry of the Russian Federation had announced a list of several non-profit organisations, including the Sakharov Centre, which had been added to the list of “foreign agents”;
- H. Whereas the high profile cases as the one of Alexey Navalny are 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; whereas the current court decision represents a politically motivated attempt to punish him as one of the most prominent opponents of the government;
 - 1. Expresses its deepest concern that in Russia, law is being used as a political instrument; underlines that law recently served to condemn the prominent lawyer, anti-corruption campaigner and social activist Alexey Navalny with 3.5 years suspended sentence; stresses that it was equally used to condemn Alexey Navalny brother, Oleg Navalny, to 3.5 years in prison; strongly deplores the allegedly politically motivated nature of the prosecution;
 - 2. Notes with concern that, even though Alexey Navalny is kept out of prison, his brother Oleg Navalny is currently imprisoned, fact that is raising concerns related to the possible political use of a family member in the battle of the Russian opposition leader, Alexey Navalny, with Kremlin;
 - 3. Urges the Russian authorities to ensure that the judiciary proceedings on Navalny cases, as well as all the other investigations and trials against opposition activists,

meet the internationally accepted standards;

4. Stresses that the judiciary process should be independent of the political one; strongly underlines that judicial decisions need to be impartial, in full compliance with the law and based on justified evidences; takes the view that the Russian Federation, as a member of the Council of Europe and the Organisation for Security and Cooperation in Europe, should meet the obligations it has signed up to; points out that the recent developments have moved in the direction opposite to the rule of law and the independency of the judiciary in the country;
5. Notes with concern that this case adds to the recent upsurge of the politically motivated intimidation and prosecution of opposition activists in the Russian Federation and represents another sign of crackdown on independent voices, a trend that is of growing concern to the European Union;
6. 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