



Plenary sitting

B8-0582/2016

10.5.2016

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 the Human rights situation in Crimea, in particular of the Crimean Tatars (2016/2692(RSP))

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European Parliament resolution on the Human rights situation in Crimea, in particular of the Crimean Tatars (2016/2692(RSP))

The European Parliament,

- having regard to its previous resolution on the Human rights situation in Crimea, in particular of the Crimean Tatars of 2 February 2016,
- having regard to its previous resolutions on the Eastern Partnership (EaP), Ukraine, and the Russian Federation,
- having regard to its resolution on the Associations Agreements/DCFTAs with Georgia, Moldova and Ukraine of 26 January 2016,
- having regards to the Reports of the Human Rights Assessment Mission on Crimea conducted by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE High Commissioner on National Minorities (HCNM),
- having regards to the European Council decision (21 March, 27 June, 16 July 2014) imposing sanctions on the Russian Federation as a follow-up to the illegal annexation of Crimea,
- having regard to the Human Rights Watch World Report 2016 published on 27th January 2016,
- having regard to the UN General Assembly Resolution 68/262 of 27 March 2014 on the “Territorial integrity of Ukraine”,
- regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas the Russian Federation has illegally annexed Crimea and Sevastopol in open violation of international law including the UN Charter, the Helsinki Final Act, the 1994 Budapest Memorandum and the Treaty of Friendship, Partnership and Cooperation between Russia and Ukraine of 1997,

B. whereas targeted abuses have been registered against the Tatar community, the majority of which opposed the Russian takeover and boycotted the so-called referendum on 16 March 2014, particularly through the enforcement of Russia’s vague and overly broad ‘anti-extremist’ legislation to intimidate or silence critics; whereas these abuses include abduction, forced disappearance, violence, torture and extrajudicial killings that the de facto authorities have failed to investigate and prosecute,

C. whereas On 18 April 2016, the Russian Justice Ministry included the Crimean Tatar self-styled government Majlis in the list of NGOs whose activity must be suspended

because of their extremist activity following the lawsuit filed by Crimean 'Prosecutor', Natalya Poklonskaya, to declare the Crimean Tatar Mejlis an extremist organization, and ban its activities in Russia; whereas the ban should apply to over 2,500 members of over 250 village and town Majlises in Crimea; whereas in the motivation of the decision to outlaw the Mejlis of the Crimean Tatar People as 'extremist' and ban its activities on the territory of the Russian Federation, Crimea's 'Supreme Court' argues that Mejlis justifies terrorism, violates human rights and impedes the legitimate activities of state bodies,

D. whereas severe restrictions on freedom of media and association are in place, through authorities' implementing restrictive re-registration requirements for NGOs and media outlets; whereas as a result, independent and critical voices were not able to re-register under Russian law and were forced to cease operating like, for example, last year Crimean Tatar TV channel ATR that was not able to re-register under Russian law and had to stop broadcasting,

E. whereas the Moscow-backed Crimean prosecutor's office is preparing materials to block the Krym.Realii website, a service of the Ukrainian office of RFE/RL, whose publications, it believes, "justify sabotage, extremism and constantly discredit the authorities in Crimea and fuel interethnic feud" according to prosecutor Natalya Poklonskaya,

F. whereas the Crimean Tatar leaders, such as Mustafa Dzemilev and Refat Chubarov, were from the outset banned from entering into Crimea and now are allowed to, however under threat of arrest; whereas Mustafa Dzemilev, leader of the Crimean Tatar people, has published the list of 14 Crimean Tatars who are political prisoners of Russian de-facto "authorities" of Crimea including Ahtem Çiygoz, the First Deputy Head of the Meclis,

G. whereas the entire population of Crimean Tatars, an indigenous people of Crimea, was forcibly deported to other parts of the then USSR in 1944 with no right to return until 1989; whereas the Verkhovna Rada of Ukraine adopted a resolution in which it recognized the deportation of the Crimean Tatars in 1944 as genocide and established the 18th of May as a Day of Remembrance,

1. Deplores the decision of the Russian Federation to designate the Crimean Tatars self-government body Mejlis as an "extremist" organisation; calls on the Russian authorities to overturn this ruling and recognise the full legitimacy of this organ thus allowing the democratic representation and expression of this historical indigenous population of the Crimean peninsula;

2. Condemns the discriminatory policies imposed by the so-called authorities against, in particular, Crimea's ethnic Tatar minority, the infringement of their property rights, the increasing intimidation of this community and the lack of the freedom of expression and association in the peninsula;

3. Condemns, in particular, the unjustified and selective criminal prosecutions against Crimean Tatar and pro-Ukrainian activists and organisations, including leaders Crimean Tatar people Mustafa Dzhemilev and Refat Chubarov, who were earlier expelled from Crimea by the Russian occupation authorities and urges Russia to stop politically motivated prosecution of the dissidents and civic activists;

4. Calls upon the Russian Federation, as an occupational power in effective control over the

Crimean peninsula and which is bound by the international humanitarian law and international human rights law, to grant unimpeded access to Crimea for international institutions and independent experts of the OSCE, the United Nations and the Council of Europe, as well as for any human rights NGO or news media outlets that wish to visit, assess, monitor and report on the situation in Crimea;

5. Urges the Russian authorities to allow all the activities related to the commemoration by Crimean Tatars of the important dates of their history, including anniversary of the deportation of the Crimean Tatars by Stalin's totalitarian regime of the Soviet Union; expresses, in this regard, its solidarity and deep sympathy with the Crimean Tatars that are commemorating in many Ukrainian cities this tragic event when in 1944 around 180,000 people were deported to various regions within the Soviet territory, in particular Siberia and Uzbekistan and almost half of the exiles, who endured long months of dire living conditions, are thought to have died of starvation and disease;

6. Calls on the Russian Federation, which bears responsibility for the human rights violations as the occupying state in Crimea, and the de facto local authorities to investigate effectively, impartially and transparently all cases of disappearances, torture and human rights abuses by the police and paramilitary forces active in the Crimean peninsula since February 2014;

7. Reiterates EU's commitment to the independence, sovereignty, territorial integrity of Ukraine within its internationally recognized borders, and its free and sovereign choice to pursue a European path;

8. Supports the extension and the enforcement of the EU's decision to prohibit imports originating from Crimea unless accompanied by a certificate of origin from the Ukrainian authorities as well as of restrictive measures towards Russia following the illegal annexation of Crimea, related to export of certain goods and technologies, investment, trade and services;

9. Calls upon the Russian Federation to release prisoners, such as Oleh Sentsov and Oleksandr Kolchenko, as well as Ahtem Chygoz, the Deputy Chairman of the Mejlis, Mustafa Degermendzhi and Ali Asanov, who were arrested in Crimea for their peaceful protest against the occupation and are currently facing imprisonment from 8 to 15 years; condemns their subsequent transfer to Russia and forcible attribution of Russian citizenship;

10. Stresses that those responsible for the illegal detention, imprisonment and sentencing of the above mentioned citizens of Ukraine may face international sanctions or legal proceedings for their actions, following an example of individual EU Member States, in particular Lithuania, which took a decision at a national level to blacklist a number of the Russian and Ukrainian officials for their role in cases of Nadiya Savchenko, Oleh Sentsov and Oleksandr Kolchenko;

11. Calls on the Council and the EEAS to step up the pressure on Russia to allow access of international organisations to Crimea for monitoring human rights situation in view of the ongoing gross violations of fundamental freedoms and human rights in the peninsula, establishing permanent international monitoring and conventional mechanisms; stresses that any international presence on the ground should be well coordinated and agreed with Ukraine and supported by the major human rights international organisations;

12. Points out that situation around Crimea requires establishment of the permanent international negotiations mechanism with participation of international guarantors of Ukraine's security, EU, as well as key regional partners in order to solve and to avoid uncontrollable escalation of the most pressing security-related, political, economic and humanitarian problems stemming from occupation and illegal annexation of the Autonomous Republic of Crimea and the City of Sevastopol by the Russian Federation and to coordinate the approaches towards de-occupation of the Crimean peninsula;

13. Reiterates its grave concern regarding the situation of LGBTI people in Crimea, which has worsened tremendously following the Russian occupation; strongly condemns that all LGBTI organisations and facilities in Crimea had to cease their activities, due to the Russian federal law banning 'homosexual propaganda' as well as repression and threats from occupation authorities and paramilitary groups; expresses its concern about the widespread hate speech and hate violence against LGBTI people, as engaged in and encouraged by the occupation authorities, the media and the Russian Orthodox Church;

14. Instructs its President to forward this resolution to the Council, the EEAS and the Commission, to the President and the government of Ukraine and the Verhovna Rada, to the President and the government of the Russian Federation and the Duma, to the OSCE and the Council of Europe and the Mejlis of the Crimean Tatar People.