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*Plenary sitting*

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**B8-0290/2018**

12.6.2018

## **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, notably the case of Ukrainian political prisoner Oleg Sentsov (2018/2754(RSP))

**Elena Valenciano, Victor Boștinaru, Soraya Post, Liisa Jaakonsaari**  
on behalf of the S&D Group

**European Parliament resolution on Russia, notably the case of Ukrainian political prisoner Oleg Sentsov (2018/2754(RSP))**

*The European Parliament,*

- having regard to its previous reports and resolutions on Russia, in particular its resolution on Russia - in particular the case of Eston Kohver, Oleg Sentsov, and Olexandr Kolchenko of 9 September 2015, the one on Russia, the arrest of Alexei Navalny and other protestors of 6 April 2017 and the one on Russia, the case of Oyub Titiev and the Human Rights Center Memorial of 8 February 2018,
- having regard to its previous resolutions on Ukraine and on Crimea, on the European Neighbourhood Policy and on the Eastern Partnership, and in particular to its resolution of 21 January 2016 on the Association Agreements and the Deep and Comprehensive Free Trade Areas with Georgia, Moldova and Ukraine, its resolution of 4 February 2016 on the human rights situation in Crimea, in particular of the Crimean Tatars, its resolution of 12 May 2016 on the Crimean Tatars, its resolution of 16 March 2017 on the Ukrainian prisoners in Russia and situation in Crimea and its resolution on the cases of Crimean Tatar leaders Akhtem Chiygoz, Ilmi Umerov and the journalist Mykola Semena
- having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to the European Convention of Human Rights and the Protocols thereto,
- having regard to the Constitution of the Russian Federation, in particular Chapter 2 on the Rights and Freedoms of Man and Citizen,
- 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 the statement by the Spokesperson on the cases of several detainees in or from the illegally-annexed Crimea and Sevastopol of 25 May 2018,
- 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 Action Plan on Human Rights and Democracy 2015-2019,

- having regard to its resolution on the EU's Annual Report on Human Rights and Democracy in the world in 2016,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. 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; whereas the Russian Federation is a full member of the Council of Europe and the Organisation for Security and Cooperation in Europe and has therefore committed itself to the principles of democracy and respect for human rights;
  - B. whereas several international organisations and human rights groups denounce the fact that human rights protection in Crimea has been severely curtailed since the illegal annexation of the Crimean peninsula by the Russian Federation in early 2014;
  - C. whereas the Russian authorities and the de facto authorities of Crimea misuse the anti-extremism legislation in order to target individuals and organisations who express publicly their opinion about the occupation status of Crimea; whereas Oleg Sentsov and Oleksandr Kolchenko were illegally detained by the occupying authorities in Crimea, then transferred to the Russian Federation and sentenced to serve for twenty and ten years in prison, respectively, for alleged participation in a terrorist organization, but in fact because of their protest against Russia's illegal annexation of Crimea; whereas the Russian authorities are refusing to transfer back them to Ukraine on the grounds that they are now considered to be Russian citizens;
  - D. whereas Oleg Sentsov was on hunger strike since 14 May 2018, announcing that the only and categorical condition for its termination is the release of all Ukrainian political prisoners held in Russian jails; whereas after four years of imprisonment in punitive conditions and 3 weeks of hunger strike Oleg Sentsov health has significantly deteriorated and due to the threat to his life, he ended the hunger strike on the 7th of June 2018;
  - E. whereas, according to human rights organisations and public sources, at least 71 Ukrainian citizens have been illegally prosecuted for political reasons on the part of the Russian law enforcement agencies; whereas the number of Ukrainian political prisoners in Russia has constantly increased since 2014;
  - F. whereas arbitrary arrests, enforced disappearances, censorship and bans on peaceful gatherings have become an everyday reality in Crimea; whereas several Crimean Tatars have been arrested, are under investigation or prosecuted; whereas Crimean lawyers who provide legal assistance to them and human rights defenders who report cases of politically-motivated enforced disappearance in Crimea, as well as journalists who report on the situation of Crimean Tatars, have also been targeted;
  - G. whereas Oyub Titiev was arrested on 9 January 2018 in the town of Kurchaloi and whereas his arrest was extended successively till the 9th of July 2018; whereas significant doubts have been raised about the legitimacy of Mr Titiev's incarceration;
  - H. whereas the arrest of Oyub Titiev is part of a worrying trend of arrests, attacks,

intimidations and discrediting of independent journalists and human rights defenders working in Chechnya;

1. Urge the Russian authorities to ensure full respect for Mr Oleg Sentsov's human rights, including access to a lawyer, consular assistance and medical care and the rights to physical integrity and dignity and to swiftly release him;
2. Urge the Russian authorities to immediately release or facilitate the release of all the Ukrainian citizens illegally detained in the non-government controlled areas in the Eastern Ukraine and those held for political reasons in occupied Crimea and in Russia, with special attention to the urgent cases in which there is a threat for life and health;
3. Call on the Council and Commission to initiate together with the Russian authorities a negotiation platform which would focus on the humanitarian issues (conditions of detention, medical assistance etc.) related to those arrested by both sides in connection with the international armed conflict on the territory Ukraine, namely those held in occupied Crimea and in Russia; call on the HR/VP to address the Russian Federation authorities regarding the necessity to initiate a negotiation process concerning the Ukrainian citizens detained for political reasons by Russia in occupied Crimea and in Russia;
4. Call on the Council to create a legal frame in the EU, which would allow to impose personal targeted sanctions against those responsible for severe human rights violations, torture or for assisting in such practices in connection with the armed conflict in Ukraine;
5. Calls for the release of Oyub Titiev and all the political prisoners currently held in Russian prisons immediately and unconditionally;
6. Expresses its deep concern regarding the worrying trend of arrests, attacks, intimidations and discrediting of independent journalists and human rights defenders working in Russia, and particularly in Chechnya; highlight the significance of civil society and organisations such as Memorial and the message that civil society activists everywhere must be free to exercise their most basic rights of freedom of thought and freedom of expression; calls on the Chechen authorities and those of the Russian Federation to abide by domestic legislation and international commitments and uphold the rule of law;
7. Expresses serious concern about the climate of impunity which allows these acts to take place and calls for the development of legal and other measures to prevent, monitor and effectively prosecute perpetrators of such violence in cooperation with civil society; underlines that Russia and its government carries the ultimate responsibility for investigating these acts, bringing perpetrators to justice and protecting all Russian citizens from unlawful abuse;
8. Calls on Russia to fully comply with its international legal obligations, as a member of the Council of Europe and the Organisation for Security and Cooperation in 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);

9. Calls on the Presidents of the Council and the Commission, as well as the VP/HR to continue to follow such cases of non-compliance of international legal obligations 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;
10. Calls on the European Union's Special Representative for Human Rights to pay continuous attention to the human rights situation in the Crimean peninsula and in the non-government controlled areas in the Eastern Ukraine; underlines the overall need for the European Union to play a more visible, effective, pro-active role in promoting a lasting peaceful solution;
11. 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; to the Council and the Commission, to the UN High Commissioner for Human Rights and to the governments of the Russian Federation and of the Republic of Chechnya.