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*Plenary sitting*

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**B8-0291/2018**

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, notable the case of Ukrainian political prisoner Oleg Sentsov (2018/2754(RSP))

**Cristian Dan Preda, Jaromír Štětina, Pavel Svoboda, Tomáš Zdechovský, Patricija Šulin, Ivan Štefanec, Marijana Petir, Eduard Kukan, Tunne Kelam, Csaba Sógor, Ramona Nicole Mănescu, Romana Tomc, David McAllister, Luděk Niedermayer, Agnieszka Kozłowska-Rajewicz, Milan Zver, Adam Szejnfeld, József Nagy, Bogdan Andrzej Zdrojewski, Brian Hayes, Giovanni La Via, Anna Maria Corazza Bildt, Deirdre Clune, Dubravka Šuica, Lars Adaktusson, Laima Liucija Andrikiienė, Ivana Maletić, Francisco José Millán Mon, Inese Vaidere, Ramón Luis Valcárcel Siso, Sandra Kalniete**  
on behalf of the PPE Group

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

*The European Parliament,*

- having regard to its previous resolutions on Russia, in particular its resolution of 16 March 2017 on the Ukrainian prisoners in Russia and the situation in Crimea,
  - having regard to the statement of 25 May 2018 by the Spokesperson of the European External Action Service (EEAS) on the cases of several detainees in or from the illegally-annexed Crimea and Sevastopol,
  - having regard to the Order of 19 April 2017 of the International Court of Justice on the request for the indication of provisional measures submitted by Ukraine in the case concerning Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation),
  - having regard to article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment and to which the Russian Federation is a party,
  - having regard to the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on 9 December 1998,
  - having regard to the Geneva Convention relative to the Protection of Civilian Persons in Time of War,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas the Ukrainian filmmaker Oleg Sentsov, who opposed the illegal annexation of the Crimean Peninsula by Russia, was arrested in May 2014 in relation to alleged activities conducted in Crimea; whereas he was treated as Russian citizen despite holding Ukrainian citizenship;
- B. whereas in the case of Oleg Sentsov there have been allegations of torture and severe mistreatment leading to the illegal extraction of depositions which have subsequently been given legal value;
- C. whereas Oleg Sentsov was sentenced by a court whose jurisdiction the EU does not recognise, in breach of international law and elementary standards of justice;
- D. whereas the number of political prisoners in the country has significantly increased in recent years; whereas the Human Rights Centre Memorial has published a list on 1

March 2018 with the names of 143 political prisoners;

- E. whereas Oyub Titiev, the Chechnya office director at the Human Rights Centre Memorial, was arrested on 9 January 2018 by Chechen police and charged with drug possession; whereas these charges have been denied by Mr Titiev and denounced as fabricated by NGOs and other human rights defenders;
  - F. whereas human rights defenders and civil society actors, particularly Crimean Tatars, have faced threats, intimidation and arrests; whereas Server Mustafayev, a Tatar human rights defender, was arrested and detained on 21 May 2018;
  - G. whereas the use of torture and cruel and degrading treatment has been reported in various cases; whereas these allegations have not been appropriately investigated to date; whereas torture has been used to obtain confessions and support false evidence of guilt;
  - H. whereas many of the prisoners and detainees have faced harsh and inhumane conditions in prisons, causing physical and psychological risks to their health; whereas there are prisoners who require urgent medical attention and treatment;
  - I. whereas restrictive Russian legislation regulating political and civil rights has been extended to Crimea, which has resulted in the freedoms of assembly, expression, association, access to information and religion being drastically curtailed, as well as credible reports of intimidation, enforced disappearances and torture;
  - J. whereas, in reaction to the illegal annexation of Crimea and the hybrid war launched against Ukraine by Russia, the EU has adopted a stage-by-stage series of restrictive measures;
1. Demands the Russian authorities to release Oleg Sentsov immediately and unconditionally, as well as all other illegally detained Ukrainian citizens in Russia and on the Crimean peninsula; reminds that currently that there are in total more than 60 (1) Ukrainian political prisoners in Russia and in the occupied Crimea;
  2. Demands the immediate and unconditional release of the Director of the Human Rights Centre Memorial in the Chechen Republic, Oyub Titiev, and all other political prisoners in Russia;

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<sup>1</sup> Teimur Abdullaiev, Uzeir Abdullaiev, Taliat Abdurakhmanov, Rustem Abiltarov, Zevri Abseitov, Muslim Aliiev, Refat Alimov, Kiazim Ametov, Ernes Ametov, Ali Asanov, Marlen Asanov, Volodymyr Balukh, Ali Bariev, Enver Bekirov, Memet Belialov, Oleksii Bessarabov, Rustem Vaitov, Resul Velilyaev, Valentyn Vygovskii, Pavlo Hryb, Mykola Dadeu, Bekir Dehermendzhi, Mustafa Dehermendzhi, Emil Dzhemadenov, Arsen Dzhapparov, Dmitrii Dolgopolov, Volodymyr Dudka, Andriy Zakhitei, Ruslan Zeitullaiev, Server Zekiriaiev, Timur Ibragimov, Rustem Ismailov, Yevgenii Karakashev, Mykola Karpiuk, Stanislav Klykh, Andriy Kolomiets, Oleksandr Kolchenko, Oleksandr Kostenko, Emir-Usein Kuku, Hennadii Limeshko, Serhii Litvinov, Enver Mamutov, Nariman Memedeminov, Remzi Memetov, Emil Minasov, Igor Movenko, Seiran Muradosilov, Seiran Mustafaiev, Server Mustafaiev, Yevhen Panov, Nuri Primov, Volodymyr Prisich, Ismail Ramazanov, Fevzi Sagandzhi, Ferat Saifullaiev, Aider Saledinov, Seiran Saliiev, Enver Seitosmanov, Oleg Sentsov, Oleksii Sizonovich, Vadym Siruk, Edem Smailov, Oleksandr Steshenko, Oleksii Stohniy, Renat Suleimanov, Anna Sukhonosova, Roman Sushchenko, Roman Ternovsky, Ruslan Ametov, Asan Chapukh, Oleksii Chirni, Hlib Shablii, Mykola Shiptur, Dmytro Shtyblikov, Oleksandr Shumkov, Viktor Shur.

3. Demands the Russian authorities to cease the intimidation and harassment of the Human Rights Centre Memorial and its staff and allow them to carry out their human rights work;
4. Stresses that the treatment of all prisoners must meet international standards, and that all detainees should have access to legal counsel, their families, and medical treatment;
5. Reminds Russia of the importance of full compliance with its international legal obligations, as a member of the Council of Europe and the Organization 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;
6. Expresses its solidarity with the Ukrainian filmmaker, political activist and political prisoner Oleg Sentsov who started a hunger strike on 14 May 2018, which aims to the release of illegally detained compatriots;
7. Is concerned about the reflection of the hunger strike on Oleg Sentsov's health; notes that another illegally detained Ukrainian citizen, Volodymyr Balukh, has also recently spent two months on hunger strike; calls on the responsible Russian authorities and medical services to give them proper medical attention and to respect medical ethics, including no imposing unwanted treatment or force feeding that may amount to torture and other ill treatment;
8. Reminds that Oleg Sentsov was arrested in Crimea shortly after Russia took control of the Black Sea peninsula in 2014, then was sentenced on testimony received under torture and is serving a 20 year sentence on multiple terrorism charges in a high security prison camp in the Yamal Nenets region in Russia's far North; recalls that another convict in the case, Oleksandr Kolchenko, was sentenced to 10 years in prison;
9. Expresses its deep concern that many of the Ukrainian political prisoners like Mykola Karpiyuk, Volodymyr Prysych and Oleksiy Chirniy have been seriously tortured;
10. Notes with concern that many of the Russian court judgements against Ukrainian political prisoners are related to espionage (Pavlo Gryb, Oleksiy Stogniy, Gleb Shabliy, Volodymyr Prysych, Volodymyr Dudka, Dmitry Shtyblikov, Yevlen Panov, Andriy Zakhthey, Valentyn Vygovskyi, Viktor Shur, Dmytro Dolgopolov), which reminds of the darkest times of the 1930s until the mid 1950s of the last century when many citizens of the then Soviet Union were detained and convicted on this ground;
11. Draws attention to the fact that Russian authorities in occupied Crimea detained several Crimean Tatars in May 2018, including Sever Mustafayev, Edem Smailov as well as members of political prisoner Nuri Primov's family;
12. Reminds the Russian authorities that in their de facto capacity as an occupational power exercising effective control over Crimea, they are fully responsible for the

protection of Crimean citizens from arbitrary judicial or administrative measures, and in the same capacity they are bound by international humanitarian law to ensure the protection of human rights on the peninsula;

13. Urges Russia to ensure unconditional and unimpeded access of international human rights observers and monitoring missions; calls on international organizations, such as the United Nations, the Council of Europe, the Organization for Security and Co-operation in Europe, to monitor the human rights situation in Crimea more closely and to take appropriate measures;
14. Underlines the importance of observation of trials of human rights defenders by the Delegation of the European Union to Russia and Embassies of EU Member States;
15. Reiterates its call on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, and the EEAS to ensure that all cases of persons prosecuted for political reasons are raised in EU-Russia human rights consultations, when resumed, and that Russia's representatives in these consultations are formally requested to respond in each case and to report back to Parliament on their exchanges with the Russian authorities;
16. Calls on EU Member States to remain firm and united in their commitment to the agreed sanctions against Russia and consider targeted measures on the individuals responsible for detention and trial of the political prisoners;
17. 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.