

## Texts adopted

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EU-Russia summit

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### ►European Parliament resolution of 14 December 2011 on the upcoming EU-Russia Summit on 15 December 2011 and the outcome of the Duma elections on 4 December 2011

*The European Parliament,*

- having regard to its previous resolutions on Russia, in particular its resolutions of 9 June 2011<sup>(1)</sup> on the EU-Russia summit on 9-10 June 2011 and of 17 June 2010<sup>(2)</sup> on the EU/Russia Summit,
- having regard to its previous resolutions on EU/Russia relations, including the resolution of 7 July 2011 on the preparations for the Russian State Duma elections in December 2011<sup>(3)</sup>, in addition to its resolution of 16 December 2010 on the Annual Report on Human Rights in the World 2009 and the European Union's policy on the matter,<sup>(4)</sup>
- having regard to the Partnership and Cooperation Agreement (PCA) between the EU and the Russian Federation<sup>(5)</sup>, and the negotiations initiated in 2008 on a new EU-Russia agreement, as well as to the 'Partnership for Modernisation' initiated in 2010,
- having regard to the objective shared by the EU and Russia, set out in the joint statement issued following the 11th EU-Russia Summit held in St Petersburg on 31 May 2003, of creating a common economic space, a common space of freedom, security and justice, a common space of cooperation in the field of external security and a common space of research and education, including cultural aspects (the 'four common spaces'),
- having regard to the joint Final Statement and Recommendation of the EU-Russia Parliamentary Cooperation Committee meeting of 19-20 September 2011 in Warsaw,
- having regard to the joint statement of the Russia-EU Permanent Partnership Council on Freedom, Security and Justice meeting on 11 October 2011 in Warsaw,
- having regard to the remarks of VP/HR Catherine Ashton at the 8th meeting of the EU-Russia Permanent Partnership Council of 17 November 2011 in Moscow,
- having regard to the latest EU-Russia Human Rights Dialogue of 29 November 2011,
- having regard to the Statement by VP/HR Catherine Ashton on the Duma elections in the Russian Federation of 6 and 7 December 2011,
- having regard to the preliminary conclusions of 5 December presented by the OSCE, Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the OSCE Parliamentary Assembly (OSCE PA) and the Parliamentary Assembly of the Council of Europe (PACE) following the international election observation for the State Duma elections on 4 December 2011,
- having regard to the agenda of the EU-Russia Summit in Brussels on 15 December 2011,
- having regard to Rule 110(4) of its Rules of Procedure,

A. whereas the EU and Russia are mutually interdependent both economically and politically; whereas therefore enhanced cooperation and good-neighbourly relations between the EU and Russia are of major importance for the stability, security and prosperity of Europe and beyond; whereas the European Union continues to be committed to further deepen and develop relations between itself and Russia, based on a deep commitment to democratic principles; whereas the conclusion of a Strategic Partnership Agreement between the EU and the Russian

Federation remains of the utmost importance for building a genuine strategic partnership;

B. whereas security of energy supply is one of the biggest challenges for the EU and one of the major fields of cooperation with Russia; whereas it is of the utmost importance for the EU to speak with one voice and to show strong internal solidarity;

C. whereas Russia as a permanent member of the UN Security Council has joint responsibility with the other members for maintaining global stability; whereas many challenges at international level – in particular those in the common neighbourhood (South Caucasus and Republic of Moldova), in North Africa, Syria, the Middle East and Iran, terrorism, energy security, climate change and the financial crises – can be met only through a coordinated approach which includes Russia;

D. 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 fundamental rights; whereas concerns remain regarding the human rights situation, the rule of law, independence of the judiciary and the repressive measures taken against journalists and the opposition;

E. whereas 2011 represents the 20th anniversary of the dissolution of the USSR, which was a major milestone for European history; whereas the contribution to these events by those who actively opposed totalitarianism and who contributed to the liberation from it should be recognised;

F. whereas on 12 April 2011 the European Court of Human Rights expressed its criticism of the cumbersome registration procedures for political parties in Russia, which do not comply with the election standards set by the Council of Europe and the OSCE; whereas serious concerns remain regarding the difficulties faced by political parties in taking part in elections, which effectively constrain political competition and pluralism in Russia and undermine the legitimacy of elections;

G. whereas numerous irregularities were reported on election day, including multiple voting (so-called ‘bus carousels’), obstruction of party observers, and ballot box stuffing; whereas the police detained hundreds of opposition activists who attempted to hold rallies on 4 December and the following days in Moscow, St Petersburg and other Russian cities to protest against the running of the elections;

H. whereas on 10 December at least 50 000 people rallied in Bolotnaya Square in Moscow calling for the cancellation of the results of the 4 December elections, new elections, the resignation of the Electoral Commission chief, an investigation into the alleged ballot-rigging and the immediate release of arrested protesters; whereas similar demonstrations took place in other Russian cities;

I. whereas one year has passed since the European Parliament called on the Council, ‘in the absence of positive moves from the Russian authorities to cooperate and investigate the case of Sergei Magnitsky, to insist that the Russian authorities bring those responsible to justice and to consider imposing an EU entry ban’, and also encouraged ‘EU law enforcement agencies to cooperate in freezing bank accounts and other assets of the Russian officials in all EU Member States’;<sup>(6)</sup>

1. Reaffirms its belief that Russia remains one of the European Union's most important partners in building strategic cooperation, sharing not only economic and trade interests but also the objective of acting closely together at global level;

2. Calls on the EU and Russia to take the opportunity of the upcoming summit to speed up the negotiations on a new Partnership and Cooperation Agreement; reiterates its support for a comprehensive, legally binding agreement that covers political, economic and social issues and which includes all areas related to democracy, the rule of law and respect for human rights; reiterates its view that democracy and human rights must be an integral part of this agreement with regard, in particular, to the definition and inclusion of an effective and operative human rights clause;

3. Calls for greater effort to be made to progress the EU-Russia Partnership for Modernisation; underlines its confidence that the Partnership for Modernisation will promote reform and give renewed momentum to the EU-Russia relationship and develop the mutually beneficial cooperation on trade, the economy and energy security, while contributing to the global economic recovery; takes the view that the Partnership for Modernisation must go hand in hand with an ambitious process of domestic reforms that include the consolidation of democratic institutions and of a reliable legal system; calls in this regard on the EU and the Russian Government to define the necessary steps to be taken in order to achieve these goals;

4. Welcomes the completion of the negotiations on Russia's accession to the WTO, which will help to create a more level playing field for business communities on both sides and will facilitate and liberalise trade in the global economy; stresses that, with accession, Russia has the legal obligation to fulfil all WTO rules including the renunciation of protectionist measures; expresses in this context its concern regarding the Russia-Kazakhstan-Belarus customs union, which has led to higher consolidated tariffs; expresses its conviction that Russia's membership of the WTO will also prove an important stepping stone for deepening bilateral economic integration, including through the conclusion of the ongoing negotiations on the New Agreement;

5. Stresses the importance of intensifying the energy partnership with Russia; reiterates that the supply of natural resources must not be used as a political tool; underlines the mutual importance of collaboration in the field of energy, which represents an opportunity for further trade and economic collaboration in an opened and transparent market with full understanding for the EU's need for diversification of channels of transportation and energy providers; stresses that the principle of interdependence and transparency should be the basis of such cooperation together with equal access to markets, infrastructure and investment and a legally binding energy framework which guarantees reliable and secure energy supply based on equal standards to all EU Member States;

6. Calls on the Council and the Commission to ensure that the principles of the Energy Charter Treaty and the Transit Protocol annexed thereto are included in a new Partnership Agreement between the EU and Russia; welcomes the signature in February 2011 of an updated Early Warning Mechanism to further improve coordination in case of supply or demand emergencies;

7. Underlines that the EU should broaden its cooperation with Russia in the field of energy to areas such as energy efficiency and research into renewable energy technologies; reiterates that intergovernmental and commercial agreements in the field of energy between Russia and entities in the EU have to conform to the legal obligations of both sides;

8. Urges the Russian Federation to step up its contribution to addressing climate change, through domestic greenhouse gas reductions and its participation in the international negotiations for a comprehensive post-2012 climate policy framework under UNFCCC and the Kyoto Protocol; in this context stresses that, to achieve the necessary reductions by 2020 compared to 1990 emissions for Annex I countries, all industrialised countries need to commit themselves to targets that represent significant reductions from current emission levels and increasing carbon capture in forests;

9. Calls on Russia to ratify and comply immediately with the UNECE (Espoo) Convention and recalls Russia's commitment to develop unified standards for environmental impact assessments on transboundary projects;

10. Acknowledges the joint conclusions of 11 October 2011 announcing the finalisation of the list of Common Steps towards visa-free regimes and supports its official approval and subsequent implementation; recalls the importance of ensuring regional coherence in the approach adopted towards visa liberalisation with Russia and the Eastern Partnership countries; welcomes the finalisation of the negotiations on amendments to the existing 2006 Russia-EU Visa Facilitation Agreement and the establishment of the EU-Russia Migration Dialogue; stresses the importance of the effective implementation of the Russia-EU readmission agreement; calls for further cooperation on illegal immigration, improved controls at cross-border checkpoints and information exchange on terrorism and organised crime;

11. Welcomes the proposal to simplify local border traffic in the Region of Kaliningrad Oblast and outlines that this will contribute to further promoting the strategic partnership between the EU and Russia, in line with the priorities set out in the Roadmap of the Common Space on Freedom, Security and Justice;

12. Takes note of the result of the Duma election on 4 December 2011; stresses that the running of the election showed that Russia does not meet election standards as defined by the OSCE; expresses its deep concern with regard to reports of fraud and the preliminary findings of the OSCE/ODIHR report on procedural violations, lack of media impartiality, harassment of independent monitors and lack of separation between party and state;

13. Reiterates that the cumbersome registration process led to the exclusion of several opposition parties and has seriously undermined freedom of association, political competition and pluralism from the beginning;

14. Condemns actions taken by the Russian authorities against 'Golos', a Russian monitoring group, after it established a special website for registering election fraud and irregularities;

15. Welcomes the demonstrations in Russia as an expression of the will of the Russian people for more democracy; condemns the crackdown by the police on peaceful demonstrations protesting about election

irregularities and fraud reported by international observers; urges the Russian authorities to respect freedom of assembly and expression, to leave peaceful demonstrators unharmed and to release immediately and unconditionally all peaceful demonstrators that have been arrested in the context of the elections; calls for an immediate and full investigation of all reports of fraud and intimidation, and penalties for those found responsible, and hopes that President Medvedev's order to investigate this proves substantial and transparent;

16. Notes the recent calls for an annulment of the 4 December 2011 State Duma elections; calls on the Russian authorities to address thoroughly all cases of electoral malfeasance with a view to penalising the officials involved and rerun the voting where irregularities have occurred;

17. Calls for new free and fair elections to be held after registration of all opposition parties;

18. Calls on the President of the European Council, the President of the Commission and the VP/HR to raise the elections of 4 December at the summit, urging Russia to respect its international obligations stemming, in particular, from Russia's membership of the Council of Europe and the OSCE; calls on the Council of Europe and the OSCE to make an assessment of Russia's compliance with the obligations stemming from its membership of these organisations;

19. Urges the Russian authorities to address the findings of the OSCE/ODIHR observation report, to reform electoral laws in line with OSCE and Council of Europe standards in cooperation with the Venice Commission and to comply with those standards in practice in order to guarantee free and democratic presidential elections in 2012 with equal opportunities for opposition candidates; calls on Russia to create the possibility for sufficient and efficient observation of the elections, in accordance with the OSCE/ODIHR and Council of Europe standards;

20. Reiterates its concern over the human rights situation in Russia and the lack of rule of law and an independent judiciary; expresses serious concern especially with regard to the case of Sergei Magnitsky, including the failure to punish those proven guilty of his death; takes note of the report released in July 2011 by President Medvedev's Human Rights Council which provided evidence that Sergei Magnitsky's arrest was unlawful and that his detention was marked by beatings and torture aimed at extracting a confession of guilt; notes that the US State Department, the UK Foreign Office and the Dutch Parliament decided in 2011 to impose visa bans on some 60 Russian officials believed to be connected to the death of Sergei Magnitsky as a result of the Russian authorities' inaction;

21. Calls on the Investigative Committee to lead a comprehensive and thorough investigation without taboo, to promptly present concrete conclusions and to take all actions necessary to bring those responsible to justice; calls in case of further inaction by the Russian authorities for the Council to take into consideration actions such as an EU-wide travel ban and a freeze on the financial assets of those found guilty of the torture and death of Sergei Magnitsky as well as covering up the case;

22. Underlines the importance of the continuous exchange of views on human rights with Russia within the EU-Russia Human Rights Consultations as a way to consolidate the parties' interoperability in all the fields of cooperation and demands an improvement in the format of these meetings in order to gain effectiveness, with special attention for common action against racism and xenophobia, and to open this process to an effective input from the European Parliament, the State Duma and human rights NGOs, whether the dialogue takes place in Russia or in an EU Member State;

23. Condemns the recent proposals to criminalise public information about sexual orientation and gender identity in various Russian regions and at federal level;

24. Calls on the Vice-President/High Representative and the Commission to pursue joint initiatives with the Russian Government aimed at strengthening security and stability in the common neighbourhood; calls on Russia to actively contribute to the solving of the 'frozen conflicts' in its neighbourhood and to respect the sovereignty and territorial integrity of all states involved in 'frozen conflicts';

25. Reiterates Russia's obligation to fully implement the Six-point Ceasefire Agreement, including respect for Georgia's sovereignty and territorial integrity; welcomes Russian readiness to move forward on a framework agreement in the field of crisis management operations; calls, in this respect, on the Russian authorities to be consistent and allow, therefore, the EU Monitoring Mission in Georgia to have access to the occupied territories of Abkhazia and South Ossetia in compliance with the 2008 Ceasefire Agreement;

26. Supports the OSCE Minsk Group and its Co-Chair in its efforts with regard to the resolution of the conflict in Nagorno-Karabakh;

27. Welcomes the restarting of negotiations within the 5+2 format with regard to the Transnistrian conflict and takes note of the first official meeting on 1 December 2011, which, it is to be hoped, will be the start of a solution to the conflict;

28. Considers that Russia, which has veto power in the UN Security Council, must live up to its responsibilities in international crises; stresses that challenges on an international level, in particular with regard to Syria and Iran, cannot be solved without a coordinated approach which includes Russia; calls on Russia to take a more constructive approach, especially with regard to UN Security Council resolutions; calls on Russia to join the global efforts to block Iran's attempts to enrich uranium and other nuclear activities aiming at building nuclear weapons; calls on the Russian authorities to endorse the international sanctions against Iranian entities in response to the storming of the British Embassy;

29. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Government and Parliament of the Russian Federation, the Council of Europe and the Organisation for Security and Cooperation in Europe.

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(1) Texts adopted, P7\_TA(2011)0268.

(2) OJ C 236 E, 12.8.2011, p. 101.

(3) Texts adopted, P7\_TA(2011)0335.

(4) Texts adopted, P7\_TA(2010)0489.

(5) OJ L 327, 28.11.1997, p. 1.

(6) Texts adopted, P7\_TA(2010)0489.

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