



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Foreign Affairs

2012/2142(INI)

30.8.2012

AMENDMENTS

1 - 11

Draft report
Kristiina Ojuland
(PE492.835v01-00)

with a proposal for a European Parliament recommendation to the Council on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case
(2012/2142(INI))

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PE494.666v01-00

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United in diversity

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Amendment 1
Jacek Protasiewicz

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. Whereas the posthumous prosecution of Sergei Magnitsky is a violation of international and national laws, which clearly shows the malfunctioning of Russian criminal justice system;

Or. en

Amendment 2
Jacek Protasiewicz

Motion for a resolution
Recital C

Motion for a resolution

Amendment

C. whereas, despite the 2011 conclusions of the inquiry conducted by the Russian President's Human Rights Council on the illegality of Sergei Magnitsky's arrest, detention and being denied access to justice, the investigations are stalled and the officials involved have been exonerated and even assigned to the posthumous case;

C. whereas, despite the 2011 conclusions of the inquiry conducted by the Russian President's Human Rights Council on the illegality of Sergei Magnitsky's arrest, detention and being denied access to justice, the investigations are stalled and the officials involved have been exonerated and even assigned to the posthumous case; ***whereas such actions of the authorities demonstrate a politically motivated nature of Magnitsky's prosecution;***

Or. en

Amendment 3
Werner Schulz

Motion for a resolution
Recital C a (new)

Motion for a resolution

Amendment

Ca. whereas the European Union urged the Russian authorities on many occasions and formats from regular Human Rights consultations up to summit level to conduct thorough independent investigations in that special, well documented case and to put an end the current climate of impunity;

Or. en

**Amendment 4
Werner Schulz**

**Motion for a resolution
Recital C b (new)**

Motion for a resolution

Amendment

Cb. whereas the case of Sergei Magnitsky is only one but the most prominent and well documented case of abuse of powers by the Russian law enforcement authorities, heavily violating the rule of law; whereas a multitude of other juridical cases exist using systematically the pretext of economic crimes and alleged corruption for eliminating business competitors or political rivals;

Or. en

**Amendment 5
Werner Schulz**

**Motion for a resolution
Recital D a (new)**

Motion for a resolution

Amendment

Da. whereas EU sanctions related to the

Magnitsky case could urge the Russian authorities to make genuine and fresh efforts in order address more concretely and convincingly the question of the rule of law in Russia and the current impunity climate;

Or. en

Amendment 6
Werner Schulz

Motion for a resolution
Recital D b (new)

Motion for a resolution

Amendment

Db. whereas several national parliaments of EU member states such as Italy, the Netherlands, the United Kingdom, Sweden and Poland have already passed resolutions urging their governments to introduce sanctions on the Magnitsky case while several other parliaments such as Portugal, France, Spain and Latvia are at initial drafting stage for such resolutions;

Or. en

Amendment 7
Jacek Protasiewicz

Motion for a resolution
Paragraph 1 – point c

Motion for a resolution

Amendment

(c) to call on Russia to conduct a credible and independent investigation encompassing all aspects of this tragic case;

(c) to call on Russia to conduct a credible and independent investigation encompassing all aspects of this tragic case *and to bring all those responsible to justice;*

Amendment 8
Jacek Protasiewicz

Motion for a resolution
Paragraph 1 – point c a (new)

Motion for a resolution

Amendment

(ca) to urge the Russian authorities to put an end to a widespread corruption, to reform the judicial system and bring it in line with international standards by creating an independent, just and transparent system so that under no circumstances it could be misused for political reasons;

Or. en

Amendment 9
Werner Schulz

Motion for a resolution
Paragraph 1 – point c a (new)

Motion for a resolution

Amendment

(ca) to raise this issue during bilateral meetings with Russian authorities in a more determined, resolute and result-oriented manner as well as the question of intimidation and impunity regarding cases involving human rights defenders, journalists and lawyers;

Or. en

Amendment 10
Jacek Protasiewicz

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Encourages the Council to take a coherent and proactive stance on other serious human rights violations in Russia, on the basis of well documented, converging and independent sources, and to introduce similar restrictive measures against offenders;

Amendment

2. Encourages the Council to take a coherent and proactive stance on other serious human rights violations in Russia, on the basis of well documented, converging and independent sources, and to introduce similar restrictive measures against offenders ***as a last resort measure provided that there is a clear evidence of an offence or a crime committed;***

Or. en

Amendment 11
Jacek Protasiewicz

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

2a. Underlines that the commitment of the Russian authorities to the basic shared values, such as the rule of law, human rights and basic freedoms, remains the main prerequisite of EU-Russia relations and for the development of a stable and reliable partnership between them;

Or. en