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Committee on Foreign Affairs

2014/2016(INI)

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DRAFT REPORT

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
(2014/2016(INI))

Committee on Foreign Affairs

Rapporteur: Kristiina Ojuland

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PROPOSAL FOR A EUROPEAN PARLIAMENT RECOMMENDATION TO THE COUNCIL

on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case (2014/2016(INI))

The European Parliament,

- having regard to Article 215 TFEU,
 - having regard to the proposal for a recommendation to the Council by Guy Verhofstadt and Kristiina Ojuland, on behalf of the ALDE Group, on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case (B7-0473/2013),
 - having regard to its recommendation of 2 February 2012 to the Council on a consistent policy towards regimes against which the EU applies restrictive measures¹,
 - having regard to its recommendation of 23 October 2012 to the Council on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case²,
 - having regard to the decisions by the United States to impose travel restrictions on a number of officials involved in the Sergei Magnitsky case and to similar considerations in a number of other countries,
 - having regard to its recommendation of 11 December 2013 on the Annual Report on Human Rights and Democracy in the World 2012 and the European Union's policy on the matter³,
 - having regard to Rule 121(3) of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A7-0000/2014),
- A. whereas the arrest and subsequent death in custody of Sergei Magnitsky represent a well-documented and significant case of disrespect for fundamental human rights in Russia and serve as a chilling reminder of the many documented shortcomings in respect for human rights and fundamental freedoms inside Russia;
- B. whereas Russia, as a member of several principles-based international organisations such as the Council of Europe, the Organisation for Security and Cooperation in Europe and the United Nations, has committed itself to fully respecting fundamental rights and the rule of law, and whereas the European Union has repeatedly offered additional assistance and expertise to help Russia to modernise and abide by its constitutional and legal order, in line with Council of Europe standards;

¹ OJ C 239 E, 20.8.2013, p. 11.

² Texts adopted, P7_TA(2012)0369.

³ Texts adopted, P7_TA(2013)0575.

- C. whereas there is an increasing need for a firm and comprehensive EU policy towards Russia, supported by all the Member States, with support and assistance backed up by firm and fair criticism, including sanctions and restrictive measures where necessary;
 - D. whereas visa restrictions and other restrictive measures are not traditional judicial sanctions per se but nevertheless constitute a political signal of the EU's concern to a greater target audience and thus remain a necessary and legitimate foreign-policy tool;
 - E. whereas the High Representative has failed to place this issue on the agenda of the Foreign Affairs Council and whereas the recommendation by the European Parliament of 26 October 2012 has not received any official follow-up;
- 1. Addresses the following recommendations to the Council:
 - a. to establish a common EU list of officials responsible for the death of Sergei Magnitsky, for the subsequent judicial cover-up and for the ongoing and continuing harassment of his mother and widow;
 - b. to impose and implement an EU-wide visa ban on these officials and to freeze any financial assets that they, or their immediate family, may hold within the European Union;
 - c. to allow for regular revision of the proposed visa ban list;
 - d. to place the following Russian citizens on an EU-wide visa ban list and to seize any financial assets that they may hold within the EU:

ALISOV, Igor, born 11 March 1968;

DROGANOV, Aleksey (a.k.a. DROGANOV, Alexei), born 11 October 1975;

EGOROVA, Olga, born 29 June 1955;

GAUS, Alexandra, born 29 March 1975;

GERASIMOVA, Anastasia, born 22 January 1982;

GRIN, Victor, born 1 January 1951;

KARPOV, Pavel, born 27 August 1977;

KHIMINA, Yelena (a.k.a. KHIMINA, Elena), born 11 February 1953;

KLYUEV, Dmitry (a.k.a. KLYUEV, Dmitriy or KLYUEV, Dmitri), born 10 August 1967;

KOMNOV, Dmitriy (a.k.a. KOMNOV, Dmitri), born 17 May 1977;

KRIVORUCHKO, Aleksey (a.k.a. KRIVORUCHKO, Alex or KRIVORUCHKO, Alexei), born 25 August 1977;

KUZNETSOV, Artem (a.k.a. KUZNETSOV, Artyom), born 28 February 1975;

LOGUNOV, Oleg, born 4 February 1962;

MAYOROVA, Yulya (a.k.a. MAYOROVA, Yulia), born 23 April 1979;

PAVLOV, Andrey (a.k.a. Pavlov, Andrei), born 7 August 1977;

PECHEGIN, Andrey (a.k.a. PECHEGIN, Andrei), born 24 September 1965;

PODOPRIGOROV, Sergei, born 8 January 1974;

PONOMAREV, Konstantin, born 14 August 1971;

PROKOPENKO, Ivan Pavlovitch, born 28 September 1973;

REZNICHENKO, Mikhail, born 20 February 1985;

SAPUNOVA, Marina, born 19 June 1971;

SHUPOLOVSKY, Mikhail, born 28 September 1983;

SILCHENKO, Oleg, born 25 June 1977;

STASHINA, Yelena (a.k.a. STASHINA, Elena or STASHINA, Helen), born 5 Nov 1963;

STEPANOVA, Olga, born 29 July 1962;

STROITELEV, Denis, born 23 January 1973;

TAGIEV, Fikhret, born 3 April 1962;

TOLCHINSKIY, Dmitry (a.k.a. TOLCHINSKY, Dmitriy or TOLCHINSKIY, Dmitri), born 11 May 1982;

UKHNALYOVA, Svetlana (a.k.a. UKHNALEV, Svetlana or UKHNALEVA, Svetlana V.), born 14 March 1973;

URZHUMTSEV, Oleg, born 22 October 1968;

VINOGRADOVA, Natalya, born 16 June 1973;

VORONIN, Victor, born 11 February 1958;

2. Instructs its President to forward this resolution to the Council and the Commission, to the governments of the Member States, and to the State Duma and the Government of Russia.

16.10.2013

PROPOSAL FOR A RECOMMENDATION TO THE COUNCIL B7-0473/2013

pursuant to Rule 121(1) of the Rules of Procedure

on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case

Guy Verhofstadt, Kristiina Ojuland

on behalf of the ALDE Group

European Parliament recommendation to the Council on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case

The European Parliament,

- having regard to Article 215 TFEU,
 - having regard to the European Parliament recommendation of 2 February 2012 to the Council on a consistent policy towards regimes against which the EU applies restrictive measures, when their leaders exercise their personal and commercial interests within EU borders¹,
 - having regard to the European Parliament recommendation of 23 October 2012 to the Council on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case²,
 - having regard to the decisions by the United States to impose travel restrictions on a number of officials involved in the Sergei Magnitsky case and similar considerations in a number of other countries,
 - having regard to Rule 121(1) of its Rules of Procedure,
- A. whereas the arrest and subsequent death in custody of Sergei Magnitsky represents a well-documented and significant case of disrespect for fundamental human rights in Russia and serves as a chilling reminder of the many documented shortcomings in the respect of human rights and fundamental freedoms in Russia;
- B. whereas Russia, as a member of the Council of Europe, has committed itself to full respect of fundamental rights and the rule of law; whereas the European Union has repeatedly offered additional assistance and expertise to help Russia to modernise and abide by its constitutional and legal order, in line with Council of Europe standards;

¹ OJ C 239 E, 20.8.2013, p. 11.

² Texts adopted, P7_TA(2012)0369.

- C. whereas there is an increasing need for a firm, robust and comprehensive EU policy towards Russia, with support and assistance backed up by firm and fair criticism, including sanctions and restrictive measures where necessary;
- D. whereas visa restrictions and other restrictive measures are not traditional judicial sanctions per se but nevertheless constitute a political signal of the EU's concern to a greater target audience and thus remain a necessary and legitimate foreign policy tool;
- E. whereas the High Representative has failed to place this issue on the agenda of the Foreign Affairs Council and whereas Parliament has not received any official answer to its initial recommendation;

1. Addresses the following recommendations to the Council:

- (a) to establish a common EU list of officials responsible for the death of Sergei Magnitsky, for the subsequent judicial cover-up and for the ongoing and continuing harassment of his mother and widow;
- (b) to impose and implement an EU-wide visa ban on these officials and to freeze any financial assets that they, or their immediate family, may hold within the EU;
- (c) to allow for regular revision of the proposed visa ban list;
- (d) To place the following Russian citizens on an EU-wide visa ban list and to seize any financial assets that they may hold within the EU:

ALISOV, Igor, born 11 March 1968;

DROGANOV, Aleksey, born 11 October 1975;

EGOROVA, Olga, born 29 June 1955;

GAUS, Alexandra, born 29 March 1975;

GERASIMOVA, Anastasia, 22 January 1982;

GRIN, Victor, born 1 January 1951;

KARPOV, Pavel, born 27 August 1977;

KHIMINA, Yelena, born 11 September 1953;

KLYUEV, Dmitry, born 10 August 1967;

KOMNOV, Dmitriy, born 17 May 1977;

KRIVORUCHKO, Aleksey (a.k.a. KRIVORUCHKO, Alex or KRIVORUCHKO, Alexei), born 25 August 1977;

KUZNETSOV, Artem (a.k.a. KUZNETSOV, Artyom), born 28 February 1975;

LOGUNOV, Oleg, born 4 February 1962;
MAIOROVA, Yulia, born 23 April 1979;
PAVLOV, Andrei, born 7 August 1977;
PECHEGIN, Andrey, born 24 September 1965;
PODOPRIGOROV, Sergei, born 8 January 1974;
PONOMAREV, Konstantin, born 14 July 1971;
PROKOPENKO, Ivan Pavlovitch, born 28 September 1973;
REZNICHENKO, Mikhail, born 20 February 1985;
SAPUNOVA, Marina, 19 June 1971;
SHUPOLOVSKY, Mikhail, born 28 September 1983;
SILCHENKO, Oleg, born 25 June 1977;
STASHINA, Yelena (a.k.a. STASHINA, Elena or STASHINA, Helen), born 5 November 1963;
STEPANOVA, Olga, born 29 July 1962;
STROITELEV, Denis, born 23 January 1973;
TAGIEV, Fikhret, born 3 April 1962;
TOLCHINSKIY, Dmitri M. (a.k.a. TOLCHINSKY, Dmitry), born 11 May 1982;
UKHNALYOVA, Svetlana (a.k.a. UKHNALEV, Svetlana or UKHNALEVA, Svetlana V.), born 14 March 1973;
URZHUMTSEV, Oleg, born 22 October 1968;
VORONIN, Victor, born 11 February 1958;

2. Instructs its President to forward this recommendation to the Council and the Commission, to the governments of the Member States, and to the State Duma and the Government of Russia.