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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Toomas Savi, Marios Matsakis, Henrik Lax, Jeanine Hennis-Plasschaert, Marco Cappato, Marielle De Sarnez

on behalf of the ALDE Group

on on Russia, attacks on human rights defenders, and the trial against the alleged killers of Anna Politkovskaya

European Parliament resolution on on Russia, attacks on human rights defenders, and the trial against the alleged killers of Anna Politkovskaya

The European Parliament,

- having regard to the Partnership and Cooperation Agreement between the European Union and the Russian Federation, which entered into force in 1997 and which has been extended until a new agreement replaces it,
 - having regard to the on-going negotiations for a new agreement providing a new comprehensive framework for EU-Russia relations, and the re-launch of these negotiations during the last EU-Russia summit in November 2008;
 - having regard to the EU-Russia human rights consultation and the lack of tangible results so far;
 - having regard to Russia's membership in the Council of Europe and the obligation for the Russian government and authorities to respect and uphold domestic laws and meet international obligations;
 - having regard to the European Parliament's previous reports and resolutions on EU-Russia relations and on the state of democracy and human rights within the Russian Federation;
- A. whereas Russia as member state of the Council of Europe has committed itself to fully respecting human rights and to abiding by and upholding domestic laws and meet Council of Europe standards in dealing with human rights abuses;
- B. whereas there are abundant signs that the Russian authorities fail to fully protect their citizens from human rights abuses, and that the police, law enforcement agencies and the judiciary fail in their duty towards the Russian citizens;
- C. whereas the Russian government and President have expressed their determination to strengthen the rule of law in Russia, but so far with limited or no results;
- D. whereas numerous complaints by Russian citizens have been addressed to the European Court of Human Rights in Strasbourg;
- E. whereas on October 28 Otto Messmer, leader of the Russian Jesuit order, and Victor Betancourt, an Ecuadorean priest, were brutally murdered in their Moscow apartment;
- F. whereas a leading Russian human rights lawyer, Karinna Moskalenko, who has successfully represented the cases of 30 Russian citizens in the Strasbourg human rights court, found mercury deposited in her car in Strasbourg;
- G. whereas on August 31, 2008, the owner of an Ingush independent website, Magomed Evloev was killed while in police custody;

H. whereas numerous attempts on the lives of human rights defenders have been registered from July to October 2008, including the Ingush opposition leader Akhmed Kotiev, human rights defender Zurab Tsechoev from Ingushetia, human rights activist Dmitrii Kraiukhin from Orel city, human rights activist Stanislav Dmitrievski from Nizhni Novgorod;

I. whereas on December 3, 2008, the St. Petersburg offices of the Research and Information Centre "Memorial", which for 20 years has conducted the research of Stalinist repressions in the Soviet Union, were raided by masked men from the Russian General Prosecutor's Office and as a result of this raid, hard drives and CDs containing the entire database about thousands of victims were taken away with no inventory of the confiscated documentation having been trail made;

J. whereas the trail against the suspected murderers of Anna Politkovskaya, had yet to be concluded;

K. whereas the Russian authorities remain uncooperative in the investigation of the murder of Aleksander Litvinenko in London by radioactive polonium poisoning;

L. whereas there are reports of a deteriorating situation in north Caucasus, in particular in Ingushetia, with growing repression of media, persecution of opposition parties and human rights groups;

M. whereas in most of these cases, the police investigators and judicial authorities of the Russian Federation fail to demonstrate their full commitment to identifying the perpetrators and in bringing them to justice;

1. expresses its grave concern about numerous attacks on the lives of human rights defenders in Russia, including lawyers, journalists and opponents to the regime and of the systematic failures of the Russian authorities to prevent these acts, or to conduct proper investigations and bring the perpetrators to justice;
2. reminds the Russian authorities of their obligation to protect the citizens in accordance with domestic laws and international standards;
3. points out that human rights, the rule of law and democracy must remain core issues for the further development of EU-Russia relations, calls on the Russian authorities and on the European Commission to jointly identify possible areas of co-operation where EU support and assistance could strengthen the judicial system in Russia and increase the independence of the courts and law enforcement agencies;
4. calls on the Council and the Commission to work with the Russian authorities for an extension of the current format of the EU-Russia human rights consultation, so that relevant ministries, the judiciary and representatives of Russian civil society are involved;
5. calls on the Russian authorities and the St. Petersburg Public Prosecutor's Office to return to "Memorial" the material that was taken from the Centre during the police raid on 3 December 2008 and which contains invaluable data about more than 50 000 victims of Stalinist era repressions;
6. notes with concern the development of an official campaign to re-write Soviet

history and, in fact, rehabilitate the Stalinist regime and underlines that only by coming to terms with its tragic past can a true democratic culture be established in Russia;

7. points out that human rights lawyers, representing those who have suffered alleged human rights abuses and who take great personal risks in continuing their work should be granted the protection of the state and support from the international community;

8. deplores the homophobic statements of Yuri Luzhkov, mayor of Moscow, and his continuing ban on GLBT manifestations in the city; underlines that his actions contribute to a climate of intolerance in Russia;

9. deplores the continuing and large scale abuses against conscripts in the Russian armed forces and calls on the Russian authorities to investigate and prosecute those responsible and to uproot abusive practices within the armed forces and demonstrate determination to modernise the prevailing culture;

10. reminds Russia of its obligations under the Council of Europe Human Rights Charter and that its membership of the Council of Europe entails respect for, and implementation of the principles of the Charter;

11. instructs its President to forward this resolution to the Council and the Commission, the State Duma, the Federation Council, the government and the President of the Russian Federation and to the Council of Europe.