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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

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on behalf of the UEN Group

on Russia, attacks on human rights defenders, and the trial

European Parliament resolution on Russia, attacks on human rights defenders, and the trial

The European Parliament,

- having regard to the Partnership and Cooperation Agreement between the European Union and Russia, 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 Partnership Agreement and the re-launch of these negotiations during the last EU-Russia summit in November 2008;
 - having regard to the EU-Russia human rights consultations;
 - having regard to its previous reports and resolutions on EU-Russia relations and on the state of democracy and human rights within the Russian Federation;
 - having regard to the declaration of the presidency of the Council of the European Union on the house search of the premises of the organisation Memorial in St. Petersburg on 4 December 2008;
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas the Russian Federation is a member of the Council of Europe and thus has committed itself to that body's shared values, objectives and commitments, as laid down in its Statute and conventions, and in particular to promoting democracy and respecting human and citizens' rights;
- B. whereas reports have emerged on the progressive deterioration of the situation of human rights defenders as state authorities selectively implement the NGO law to harass human rights organizations that work on issues that are considered controversial, that may be capable of galvanizing public dissent, or that receive foreign funding;
- C. whereas the state authorities often use the provisions of the Law on Countering Extremist Activity (2002), which allow any politically or ideologically motivated crime to be designated as extremist, to harass and intimidate human rights defence organizations;
- D. whereas on August 31, 2008, the owner of an Ingush independent website, Magomed Yevloev, was killed while in police custody after he was arrested in the airport of Ingushetia;
- 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 at the European Court of Human Rights in Strasbourg, fell victim in mid-October to an attempted poisoning by mercury deposited in her car in Strasbourg;
- G. whereas numerous attempts on the life 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;
- H. whereas on December 3, 2008, the St. Petersburg offices of the Research and Information Centre "Memorial", which has for 20 years 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 on thousands of victims were taken away; whereas no inventory of the confiscated documentation exists;
- I. whereas the police brutally thwarted an anti-Kremlin protest demonstration organized by Garry Kasparov's opposition group "Other Russia" on December 14 2008 in Moscow, seizing demonstrators and dragging them into trucks, with around 100 demonstrators arrested;
- J. whereas October 2008 was the second anniversary of the murder of the widely respected independent investigative journalist Anna Politkovskaya, whose brutal killing has not yet been fully investigated or solved in a satisfactory way;
- K. whereas investigations into the murder of Aleksander Litvinenko by using radioactive polonium have been blocked by the uncooperative attitude of the Russian authorities;
- L. whereas in these cases police investigators and the judicial authorities of the Russian Federation failed to demonstrate a full commitment to identifying the perpetrators and in bringing them to justice;
1. Expresses its grave concern about numerous cases of harassment, beatings, threats, enforced disappearances, illegal detentions and attacks on the lives of human rights defenders in Russia, including lawyers, journalists and opponents to the regime; considers that the practice of the above-mentioned and other abuses perpetrated, in particular by Russian security services, military, and law-enforcement agencies, has to be immediately stopped;
 2. Emphasises once again that the current situation in Russia remains a matter of serious concern as regards respect for human rights, democracy, freedom of expression, the independence of NGOs and the rights of civil society and individuals; regrets therefore that the EU-Russia human rights consultations have brought about no progress in these areas;
 3. Stresses its previous position that the human rights situation in Russia should be an integral and equally important part of the EU - Russia political agenda;

4. Calls, therefore, on the Council to introduce strict human rights criteria and to insist on concrete reforms to be carried out in Russia before the new EU - Russia Partnership and Cooperation Agreement is signed; regrets that the improvement of the human rights situation in Russia was not set as one of the key preconditions for resuming negotiations on the partnership agreement suspended in September this year;
5. Invites Russia to respect the legal obligations it undertook on becoming a member of the Council of Europe in 1996, including the standards for best practices for the regulation of NGOs as well as the European Convention on Human Rights;
6. Is alarmed about the attempt in October on the life of human rights lawyer Karinna Moskalenko; urges French prosecutors to speed up and to conclude satisfactorily the investigation which has been opened and appeals to both the French and Russian authorities to identify the perpetrators and their motives;
7. Asks the Russian authorities and the St. Petersburg Public Prosecutor's Office to return to the Research and Information Centre "Memorial" without delay eleven hard drives and CDs that were taken from the Centre during a police raid on December 3th, 2008 and that contain invaluable data about more than 50,000 victims of Stalinist era repressions;
8. On the second anniversary of the murder of the Russian independent journalist Anna Politkovskaya, reminds the Parliament of its resolution of October 25, 2006 and pays tribute to the courage and mission of this symbol of honesty and conscientiousness whose life work needs continuous support and acknowledgement;
9. Underlines that the investigation of killing of Anna Politkovskaya has to be continued and completed with transparent and publicly open trials not only of those directly accused of murder but also of those who ordered the killing;
10. Notes with concern the development of an official campaign in Russia to re-write Soviet history and, in fact, to rehabilitate the Stalinist regime, as well as the "compatriot-support policy" seeking to "protect the life and dignity of Russian citizens wherever they are", announced by Russian President few months ago, as these are clear indicators of Russia's policy to consolidate its influence and control over those EU Member States that are ex-USSR countries;
11. Instructs its President to forward this resolution to the Council, the Commission, the Parliaments and Governments of the Member States, the Parliament and the Government and of the Russian Federation, the OSCE and the Council of Europe.