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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 122 of the Rules of Procedure

on North Caucasus, in particular the case of Oleg Orlov

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on behalf of the S&D Group

European Parliament resolution on North Caucasus, in particular the case of Oleg Orlov

The European Parliament,

having regard to its previous resolutions on Russia, and in particular to those of 25 October 2006 on the murder of the Russian journalist Anna Politkovskaya, of 18 December 2008 on attacks on human rights defenders in Russia and the Anna Politkovskaya murder trial and of 17 September 2009 on the on the murder of human rights activists in Russia,

- having regard to the Partnership and Cooperation Agreement between the European Union and the Russian Federation, which entered into force in 1997 and has been extended pending its replacement by a new agreement,
 - having regard to the ongoing negotiations for a new agreement providing a new comprehensive framework for EU-Russia relations,
 - having regard to the resolution of 22 June 2010 (no. 1738) on the Legal remedies for human rights violations in the North Caucasus region of the Parliamentary Assembly of the Council of Europe,
 - having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms, the UN Declaration on Human Rights Defenders and the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas, as a member of the Council of Europe and of the Organisation for Security and Cooperation in Europe, Russia has committed itself to the protection and promotion of human rights, fundamental freedoms and the rule of law,
- B. whereas the conclusion of a Strategic Partnership Agreement between the EU and the Russian Federation remains of the utmost importance for a further development and intensification of the cooperation between the two partners, in particular with regard to matters of political, security, economic and energy cooperation but also with regard to the respect for democratic principles and procedures and for basic human rights,
- C. whereas enhanced cooperation and good-neighbourly relations between the EU and Russia are of key importance to the stability, security and prosperity of the whole of Europe,
- D. whereas there has been an alarming deterioration of the situation of human rights defenders, particularly in the North Caucasus,
- E. whereas the work of human rights organisations such as the Sakharov Prize winner

"Memorial" are essential for the creation of a stable and free society, whereas the Governments of the North Caucasus Republics and of the Russian Federation should therefore be proud of the important role played by such institutions,

- F. whereas Natalia Estemirova, head of Memorial in Chechnya, was abducted, on 15 July 2009 in Grozny and found dead in neighbouring Ingushetia; whereas the European Parliament held a minute's silence in memory of Natalia Estemirova in its session on 16 July 2009,
- G. whereas the ongoing trial for defamation on the basis of a complaint lodged by Chechen President Ramzan Kadyrov against Oleg Orlov, Chairman of the Memorial Human Rights Centre, for slander following Mr Orlov's statement published on Memorial's website on 15 July 2009 in which he accused President Kadyrov of being involved in Natalia Estemirova's killing,
- H. whereas numerous complaints have been lodged by Russian citizens at the European Court of Human Rights in Strasbourg,

1. 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 our 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 the human rights NGOs, whether the dialogue takes place in Russia or in an EU Member State; calls on the Russian authorities to ensure the safety of the human rights defenders;

2. Emphasizes, however, that the current situation in North Caucasus, particularly in the Chechen Republic, Ingushetia and Dagestan, gives rise to concern in terms of respect for human rights, democracy, freedom of expression and the rights of civil society and individuals to challenge authorities and hold them accountable for their actions; underlines the importance of NGOs which are independent of national governments for the development of civil society;

3. Takes note of the very numerous judgments of the European Court of Human Rights – over 150 decisions to date – finding grave and repeated violations of fundamental rights in the region, notably in the Chechen Republic;

4. Notes that in Ingushetia, since the appointment of the new president, constructive dialogue has grown between the ruling power and civil society; expresses concern with regard to the alarming upsurge of violence since 2009;

5. Notes with concern that Dagestan also underwent a fresh outbreak of terrorist acts, unfortunately prompting responses from the security forces which are not always lawful and productive; expresses concern that the admirable age-old tradition of peaceable cohabitation of the Muslim, Christian and Jewish communities based on mutual tolerance is likely to be imperiled by the rise of extremism and the inappropriate official reactions to it;

6. Condemns any act of terrorism and underlines that there can be no justification whatsoever for having recourse to acts of indiscriminate violence against the civil population; expresses its compassion and solidarity for the friends and families of all victims of violence, including

those of the recent Moscow Metro bombings, as well as those of the countless attacks continually made on the population of the Caucasian republics;

7. Notes with concern the allegations related to the bureaucratic harassment and unfounded criminal lawsuits aimed at intimidating nongovernmental organizations, journalists, and activists working on controversial issues;

8. Expresses its deep concerns with regard to the ongoing process against Mr Oleg Orlov (head of the Council of the Human Rights Centre Memorial and Sakharov Prize winner 2010), which seems to merely aim at sanctioning him for exercising his legitimate right to freedom of expression and preventing him from carrying out his human rights activities; recalls that statements like Orlov's are legitimate in a democracy and should be subject neither to civil-law nor to criminal-law sanctioning;

9. Calls upon authorities to put an end to the juridical process against Mr Oleg Orlov, and to conform in all circumstances with the United Nations Declaration on Human Rights Defenders, the Universal Declaration of Human Rights as well as international and regional human rights instruments ratified by the Russian Federation;

10. Reiterates its call on the Russian authorities to conduct an independent and efficient criminal investigation and solve the murders of "Novaya gazeta" journalists Anna Politkovskaya and Natalya Estemirova;

11. Calls for a stepping-up of the EU-Russia Human Rights Consultations and to open this process to an effective input from the European Parliament, the State Duma and civil society and human rights organizations; calls on Russia to fully respect its obligations as a member of the OSCE and of the Council of Europe, including respect for the right of associations and the right to peaceful demonstrations;

12. Instructs its President to forward this resolution to the Council, the Commission, the Parliaments and governments of the Member States, the government and Parliament of the Russian Federation, the OSCE and the Council of Europe.