



Plenary sitting

8.9.2015

B8-0852/2015

MOTION FOR A RESOLUTION

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

pursuant to Rule 135 of the Rules of Procedure

on Russia in particular the case of Eston Kohver, Oleg Sentzov, and Alexander Kolchenko
(2015/2838(RSP))

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on behalf of the ALDE Group

European Parliament resolution on Russia in particular the case of Eston Kohver, Oleg Sentsov, and Alexander Kolchenko (2015/2838(RSP))

The European Parliament,

- having regard to its previous resolutions on the situation in Russia; in particular those dealing with the rule of law and breaches of fundamental rights;
 - having regard to the Statement by High Representative/Vice-President Federica Mogherini of 19 August 2015 on the verdict against Estonian police officer Kohver;
 - having regard to the Statement by High Representative/Vice-President Federica Mogherini of 25 August 2015 on the sentencing by a Russian court of Ukrainian citizens Oleg Sentsov and Alexander Kolchenko
 - having regard to Rule 135 of its Rules of Procedure;
- A. whereas the Estonian security official Eston Kohver was abducted by the Russian security services on 5 September 2014, from Estonian territory, and then taken over the Estonian-Russian border to the Russian side;
- B. whereas the Pskov Oblast's regional court convicted him on 19 August 2015 to 15 years imprisonment in a high security prison, on charges of espionage but without any public hearing of the case; whereas the Estonian consul was not allowed to be present at the hearings and had limited access to Mr Kohver; whereas Mr Kohver did not receive adequate legal assistance by the lawyer appointed by the Russian authorities;
- C. whereas Mr Kohver so far has been refused visits of his wife and had limited and delayed access to medical services and care despite his deteriorating health;
- D. whereas Oleg Sentsov and Alexander Kolchenko, both Ukrainian citizens, were arrested in May 2014, following the Russian annexation of Crimea;
- E. whereas On Tuesday 25 August, a Russian military court sentenced Oleg Sentsov to 20 years in prison, on charges of carrying out arson attacks on pro-Kremlin party offices in Crimea and of plotting further attacks, including blowing up a statue of Lenin in the city of Simferopol;
- F. whereas Alexander Kolchenko, a political activist, was sentenced to 10 years after he too was found guilty of taking part in these attacks;

- G. whereas other Ukrainian citizens imprisoned in Russia include Nadiya Savchenko, a Ukrainian pilot, captured by pro-Russia rebels in eastern Ukraine and handed over to Russia, where she has been charged with the killing of two Russian journalists;
- H. whereas these cases are only the last indications of the political use of the judiciary in Russia and the failure to adhere to Russia's own constitution and legal order, and to implement and meet the obligations from being a member of the Council of Europe;
- I. whereas the Package of Measures for the implementation of the Minsk Agreements envisaged to ensure release and exchange of all hostages and unlawfully detained persons, based on the principle "all for all";
- J. whereas several trials and judicial proceedings over the last few years, such as the Magnitsky, Khodorkovsky and Politkovskaya cases, have cast doubt on the independence and impartiality of the judicial institutions of the Russian Federation;
- K. whereas such high-profile cases are merely the most well-known cases outside Russia of what amounts to a systematic failure of the Russian state to uphold the rule of law and to deliver justice to its citizens;
1. deplores the abduction, detention and sentencing of Eston Kohver and calls for his immediate release and safe return to Estonia;
 2. equally deplores the unlawful sentences passed against Oleg Sentsov and Alexander Kolchenko and calls for their immediate release;
 3. calls on the Russian Federation to fulfil its Minsk commitments, in particular, regarding the release of all hostages and illegally detained persons based on "all for all" principle (para 6 of the "Package of measures");
 4. underlines that Russian courts are not competent to judge acts committed outside the internationally recognised territory of Russia and points out that the judicial proceedings in all three cases should not be regarded as legitimate; calls on the Council and Commission to address these cases in contacts with the Russian authorities and on the EU Member States to do the same in bilateral meetings;
 5. underlines that the Russian authorities and judicial personnel bear full responsibility for the safety and well-being of the detained persons and that their right to family visits, to adequate medical assistance and to judicial and consular counsel must be fully respected;

6. underlines that those in Russia responsible for illegal detention and sentencing of Eston Kohver, Oleg Sentsov and Alexander Kolchenko, as well as Nadiya Savchenko and other Ukrainian citizens, may face international sanctions or legal proceedings for their actions;
7. calls for permanent monitoring of human rights violation in Russia and in the territories currently occupied by Russia; expresses its deep concern at the deteriorating state of human rights, including the rights of freedom of expression, association and assembly and the rule of law in Russia and in Crimea following its illegal annexation; Russia thus continues to breach the European Convention on Human Rights;
8. strongly condemns the government's continued crackdown on dissent by targeting independent NGOs through the so-called "foreign agents law" and the persistent and multiform repression of activists, political opponents and critics of the regime;
9. demands that all assassinations of political activists, journalists and whistleblowers be investigated properly and independently, that those responsible be brought to justice as a sign of the uncompromising fight against impunity,
10. is alarmed by the growing atmosphere of hatred directed against opposition activists, human rights defenders, minorities and neighboring nations, and the deterioration in the situation of human rights and rule of law in Russia; condemns the intimidation of critical voices through violence, trials, imprisonments and other measures used by the state;
11. Stresses the importance of continued political support for independent civil society activists, human rights defenders, bloggers, independent media, outspoken academics and public figures and NGOs, with a view to promoting democratic values, fundamental freedoms and human rights in Russia;
12. urges the President of the European Council and the High Representative/Vice President to come up with a comprehensive policy strategy which would enable the EU to regain initiative and pursue a pro-active policy towards Russia;
13. asks its President to forward this resolution to the Estonian and Ukrainian authorities and to the President, Parliament and the highest judicial organs in the Russian Federation, as well as to the EU Member States and to the Council of Europe.