



Plenary sitting

B8-0173/2016

2.2.2016

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 the Human rights situation in Crimea, in particular of the Crimean Tatars (2016/2556(RSP))

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European Parliament resolution on the Human rights situation in Crimea, in particular of the Crimean Tatars (2016/2556(RSP))

The European Parliament,

- having regard to its previous resolutions on the Eastern Partnership (EaP), Ukraine, and the Russian Federation,
- having regard to its resolution on the Associations Agreements/DCFTAs with Georgia, Moldova and Ukraine of 26 January 2016,
- having regards to the Reports of the Human Rights Assessment Mission on Crimea conducted by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE High Commissioner on National Minorities (HCNM),
- having regards to the European Council decision (21 March, 27 June, 16 July 2014) imposing sanctions on the Russian Federation as a follow-up to the illegal annexation of Crimea,
- having regard to the Human Rights Watch World Report 2016 published on 27th January 2016,

A. whereas the Russian Federation has illegally annexed Crimea and Sevastopol in open violation of international law including the UN Charter, the Helsinki Final Act, the 1994 Budapest Memorandum and the Treaty of Friendship, Partnership and Cooperation between Russia and Ukraine of 1997,

B. whereas continued pressure is being exerted by de facto authorities in Crimea on Crimean Tatars, particularly through applying Russia's vague and overly broad "anti-extremist" legislation to intimidate or silence critics,

C. whereas severe restrictions on freedom of media and association are in place, through authorities' implementing restrictive re-registration requirements for NGOs and media outlets; whereas as a result, independent and critical voices were not able to re-register under Russian law and were forced to cease operating like, for example, last year Crimean Tatar TV channel ATR that was not able to re-register under Russian law and had to stop broadcasting,

D. whereas people in Crimea who declined Russian citizenship and retained their Ukrainian citizenship face enormous difficulties and discrimination in accessing education, work, or social security entitlements,

E. whereas there have been no effective investigations into abuses committed during and immediately after Russia's occupation of Crimea, including abuses which implicated the so-called "self-defense" units, paramilitary groups operating in Crimea at the time; whereas, in particular, the 2014 enforced disappearances of Crimean Tatars and pro-Ukrainian activists

were not investigated,

F. whereas the Crimean Tatar leaders, such as Mustafa Dzemilev and Refat Chubarov, were from the outset banned from entering into Crimea and now are allowed to, however under threat of arrest,

G. whereas any group which is in opposition to the so-called local authorities is under constant threat, including religious minorities which are facing severe difficulties in performing their missions, due to restriction of freedom of association, expropriation of the property, non-prolongation of documents, regular searches conducted in the remaining premises of the religious organizations,

H. whereas de-facto authorities of Crimea are going to confiscate a cathedral in Simferopol from the Ukrainian Orthodox Church; whereas Archbishop of Simferopol and Crimea of the Ukrainian Orthodox Church (Kyiv Patriarchate) Clement stated that, despite the court ruling, the religious community will stay in the cathedral and will continue struggling for it,

J. whereas Russia has been restricting access to Crimea for the OSCE, the UN, and the Council of Europe, not to mention human rights NGOs and independent journalists; whereas the lack of access makes human rights monitoring and reporting in Crimea very difficult; whereas the last report on human rights in Crimea, by OSCE ODIHR and the OSCE High Commissioner on National Minorities, released in September 2015, was based on findings from mainland Ukraine, because the mission could not get access to Crimea,

K. whereas the Ukrainian film-maker Oleg Sentsov and the civic activist Olexandr Kolchenko, who opposed the illegal annexation of the Crimean Peninsula by Russia, were arrested in May 2014 in relation to alleged activities conducted in Crimea; whereas they were treated as Russian citizens despite holding Ukrainian citizenship,

L. Whereas on 12 November, 2015, the Verkhovna Rada of Ukraine adopted a resolution in which it recognized the deportation of the Crimean Tatars in 1944 as genocide and established the 18th of May as a Day of Remembrance,

1. Condemns the discriminatory policies imposed by the so-called authorities against, in particular, Crimea's ethnic Tatar minority, the infringement of their property rights, the increasing intimidation of this community and the lack of the freedom of expression and association in the peninsula;

2. Calls upon the Russian Federation, as an occupational power in effective control over the Crimean peninsula and which is bound by the international humanitarian law and international human rights law, to grant unimpeded access to Crimea for international institutions and independent experts of the OSCE, the United Nations and the Council of Europe, as well as for any human rights NGO or news media outlets that wish to visit, assess and report on the situation in Crimea;

3. Urges Russia and the de facto authorities to ensure prompt, effective and impartial investigations into all allegations of human rights abuses by the police, the so-called "self-defense" units and other auxiliary forces that have been operating in the region since February

2014;

4. Urges de facto authorities to cease all actions that target members of the Crimean Tatar community under the pretext of combating extremism;

5. Calls on Russia to reverse the process whereby Ukrainian citizens were required to choose between Russian and Ukrainian citizenship and ensure that no Ukrainian citizen is pressured, directly or indirectly, into accepting Russian citizenship and that there are no adverse, including discriminatory, consequences for those who retain Ukrainian citizenship;

6. Urges Russia to avoid any action, including forceful passportisation, that would deprive Crimea residents who retain Ukrainian citizenship of the rights they enjoyed prior to March 2014;

7. Looks forward to the findings of the mission of the Council of Europe that on 25 January was allowed to visit the peninsula in order to assess the human rights situation;

8. Welcomes the ongoing discussions in different international fora with regard to ensuring unimpeded access to Crimea in order to set up there human rights situation monitoring mechanisms and the development of new platforms for discussion on the de-occupation of Crimea;

9. Reiterates EU's commitment to the independence, sovereignty, territorial integrity of Ukraine within its internationally recognized borders, and its free and sovereign choice to pursue a European path;

10. Reminds of the EU's decision to prohibit imports originating from Crimea unless accompanied by a certificate of origin from the Ukrainian authorities as well as of restrictive measures towards Russia following the illegal annexation of Crimea, related to export of certain goods and technologies, investment, trade and services;

11. Calls upon the Russian Federation to release prisoners, such as Sentsov and Kolchenko, as well as other activists arrested in Crimea for their protest against the occupation; condemns their subsequent transfer to Russia and forcible attribution of Russian citizenship;

12. Expresses grave concern regarding the situation of LGBTI people in Crimea, which has worsened tremendously following the Russian occupation; strongly regrets that all LGBTI organisations and facilities in Crimea had to cease their activities, due to the Russian federal law banning 'homosexual propaganda' as well as repression and threats from occupation authorities and paramilitary groups; expresses its concern about the widespread hate speech and hate violence against LGBTI people, as engaged in and encouraged by the occupation authorities, the media and the Russian Orthodox Church;

13. Instructs its President to forward this resolution to the Council, the EEAS and the Commission, to the President and the government of Ukraine and the Verhovna Rada, to the President and the government of the Russian Federation and the Duma, to the OSCE and the Council of Europe.