



Plenary sitting

B8-0190/2016

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

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on behalf of the ALDE Group

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

The European Parliament,

- having regard to the Association Agreement and the Deep and Comprehensive Free Trade Area between the European Union and the European Atomic Energy Community and their Member States, on the one part, and Ukraine, on the other;
 - having regard to its previous resolutions on the European Neighbourhood Policy, on the Eastern Partnership, in particular its resolution of 21 January 2016 on the Association Agreements and the Deep and Comprehensive Free Trade Areas with Georgia, Moldova and Ukraine;
 - having regard to the Reports of the Human Rights Assessment Mission on Crimea conducted by the OSCE Office for Democratic Institutions and Human Rights (ODIHR);
 - having regard to the reports by the OSCE High Commissioner on National Minorities (HCNM);
 - having regard to the Human Rights Watch World Report 2016 published on 27th January 2016,
 - having regard to the Minsk Protocol of 5 September 2014 and the Minsk Memorandum of 19 September 2014 on the implementation of a 12-point peace plan,
 - having regard to the Council decision of 21 December 2015, continuing the sanctions imposed on the Russian Federation as a follow-up to the illegal annexation of Crimea,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas the annexation of Crimea by the Russian Federation is illegal and in violation of international law and European agreements signed by both the Russian Federation and Ukraine, notably the UN Charter, the Helsinki Final Act and the Budapest Memorandum;
- B. whereas during the time of annexation the Russian authorities, are to be held responsible for the protection of the people and citizens of Crimea, through the de-facto authorities present in the region;
- C. whereas there are serious and credible reports of widespread abuses of human rights in Crimea, in particular allegations of intimidation and disappearances of Crimean Tatars and systematic legal problems over property rights and registration;
- D. whereas Crimean Tatar leaders, in particular Mustafa Dzhemilev and Refat Chubarov, have been banned from entering into Crimea, sharing the same fate as numerous other displaced persons;
- E. whereas the entire population of Crimean Tatars, indigenous people of Crimea, was forcibly deported to the other parts of then USSR in 1944 with no right to return until 1989;
1. reiterates its commitment to the independence, sovereignty and territorial integrity of Ukraine and the need to maintain full respect for the inviolability of borders in Europe; welcomes the Council's

decision of 21 December 2015 to extend economic sanctions against the Russian Federation following the non-fulfilment of the Minsk Agreements; expresses its great concern over on-going militarisation of occupied peninsula;

2. reminds the Russian authorities that despite the illegality of the annexation of Crimea, Russia is, in a de-facto capacity, fully responsible for upholding the legal order in Crimea and protecting Crimean citizens from arbitrary judicial or administrative measures and rulings thus keeping up to its own commitments as a member of the Council of Europe;
3. supports the EU's decision to prohibit imports originating from Crimea unless accompanied by a certificate of origin from the Ukrainian authorities as well as restrictive measures towards Russia following the illegal annexation of Crimea, related to export of certain goods and technologies, investment, trade and services; underlines the EU's determination to continue with these sanctions until after Crimea's full reintegration into the jurisdiction of Ukraine;
4. expresses strong concern over the many credible reports of cases of disappearances, torturing and systemic intimidation of local citizens opposed to the annexation and in opposition to the new de facto local authorities and urges the occupational power to properly investigate these cases; underlines that the Crimean Tatars, as an indigenous people of the peninsula, and their cultural heritage seem to be a prime target for repressions;
5. deplores the campaign by the Russian authorities for forcing the residents of Crimea to take Russian citizenship and to hand over their Ukrainian passports; underlines that this action is contrary to international humanitarian law, equally condemns the penalties imposed on those failing to disclose dual citizenship;
6. underlines that Crimean Tatars have encountered additional difficulties as many of them have only recently returned to Crimea from deportation, and for this primary reason may face additional administrative and legal hurdles to prove their place of residence;
7. deplores the acts of de facto administration to hinder the functioning of the Mejlis of the Crimean Tatar People, the highest executive-representative body of the Crimean Tatars, including by banning two of its leaders and some members from entering Crimea, seizing and closing Mejlis' headquarters and arresting some of its properties and by other acts of intimidation;
8. deplores the closing of the Crimea Tatar media outlet ATR as this closure deprives the Crimean Tatar community of a vital instrument to maintain its cultural and linguistic identity and calls for the European Commission to extend the needed financial assistance in order to secure functioning of this and other media in exile, in Ukraine; equally condemns decisions restricting education in the Crimean Tatar language and in Ukrainian by the local authorities;
9. calls for unrestricted access to Crimea by international institutions and independent experts from the OSCE, the United Nations and the Council of Europe; points out that such visits so far have been either fully or partially restricted and therefore were impeded from monitoring the human rights situation; underlines that it is the responsibility of the Russian Federation, as an occupational power in effective control over the Crimean peninsula, bound by international humanitarian law and international human rights law to grant unimpeded access to Crimea for such visits;
10. equally underlines the need for Ukraine to ensure the protection of the rights and needs of displaced Ukrainian citizens, including their right to vote and to enjoy full legal and administrative protection in their country;
11. expresses grave concern regarding the situation of LGBTI people in Crimea, which has substantially worsened following the Russian annexation; 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 the de facto authorities and paramilitary groups;

12. calls on the Russian Federation to unconditionally release prisoners, such as Oleh Sentsov and Oleksandr Kolchenko, as well as other activists arrested in Crimea for their protest against the occupation; condemns their subsequent transfer to Russia and the forcible attribution of Russian citizenship upon them;
13. calls on the Russian authorities to investigate all cases of torture of prisoners illegally apprehended in Crimea, who continue to be detained in Crimea or have been transferred to Russia;
14. instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Member States, the President of Ukraine, the governments and parliaments of Ukraine and of the Russian Federation, the Parliamentary Assemblies of the Council of Europe and the Organisation for Security and Cooperation in Europe.