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*Plenary sitting*

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**B8-1273/2016**

22.11.2016

## **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 case of Ildar Dadin, jailed publisher in China  
(2016/2990(RSP))

**Johannes Cornelis van Baalen, Ramon Tremosa i Balcells, Izaskun Bilbao Barandica, Ilhan Kyuchyuk, Pavel Telička, Marietje Schaake, Beatriz Becerra Basterrechea, Petras Auštrevičius, Dita Charanzová, Fredrick Federley, Marielle de Sarnez, Gérard Deprez, Martina Dlabajová, José Inácio Faria, María Teresa Giménez Barbat, Nathalie Griesbeck, Marian Harkin, Ivan Jakovčić, Petr Ježek, Louis Michel, Urmas Paet, Maite Pagazaurtundúa Ruiz, Carolina Punset, Frédérique Ries, Jasenko Selimovic, Hannu Takkula, Hilde Vautmans, Paavo Väyrynen, Cecilia Wikström, Valentinas Mazuronis**  
on behalf of the ALDE Group

**European Parliament resolution on the case of Ildar Dadin, jailed publisher in China (2016/2990(RSP))**

*The European Parliament,*

- having regard to the Universal Declaration of Human Rights
- having regard to United Nations Human Rights Council resolution 15/21
- 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 European Convention on Human Rights and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of the Council of Europe
- having regard to the International Covenant on Civil and Political Rights
- having regard to the intervention made by Council of Europe Secretary General Thorbjørn Jagland to Alexander Kononov, Minister of Justice of the Russian Federation on allegations of ill-treatment of human rights activist Ildar Dadin on 3 November 2016;
- having regard to the European Union Guidelines on Human Rights Defenders and on torture and other cruel treatment;
- having regard to the Russian Constitution, in particular article 29 which protects the freedom of speech and article 31 which includes the right to assemble peacefully;
- having regard to Rule 123 of its Rules of Procedure;

A. whereas in early December 2015, Russian opposition activist, Ildar Dadin, was sentenced to three years in jail after organising a series of peaceful anti-government protests and assemblies;

B. whereas Ildar Dadin was the first to be sentenced under the new article 212.1 of the Russian Criminal Code, for “repeated violation of the established order of organizing or holding meetings, rallies, demonstrations, marches and pickets” whereas Ildar Dadin in fact mostly organized peaceful one-man street protests for which no prior authorisation is needed; Whereas two other protesters, Mark Galperin and Irina Kalmykova will also be put on trial under the same article and law;

C. whereas the Russian authorities are abusing this law to harass protestors as part of the worsening climate for peaceful activists in Russia; whereas this law is part of other legislative changes containing ambiguous provisions which aim to restrict and suppress opposition and civil-society actors, and which are contrary to the freedoms of expression and assembly;

D. whereas in a letter to his wife, smuggled out of prison by his lawyer, Ildar Dadin claims he has been tortured and threatened with rape; whereas this inhumane treatment

followed Ildar Dadin's hunger strike to protest all his belongings being taken from him upon arrival at Penal Colony No. 7 in Segezha village;

E. whereas the case of Ildar Dadin is not an isolated case and credible human rights reports points to a systematic use of torture and ill and inhumane treatment as being widely used in the Russian penal system; whereas those committing and responsible for the torture and abuse of those in prison, penal and detention facilities often enjoy impunity;

F. whereas the case of Ildar Dadin and others also signal a worrying politicisation and decreasing impartiality and independence of the Russian judiciary and the failure of the authorities to adhere to Russia's own constitution and legal order including the right of physical and human integrity, freedom of speech and freedom of assembly, and to implement and meet the obligations that arise from being a member of the Council of Europe;

G. whereas Russia violated the European Convention for Human Rights (ECHR) 109 times in 2015, which is more than any other country; whereas on 15 December 2015, President Putin signed a new law under which the Constitutional Court can pronounce the European Court of Human Rights' and other international courts' decisions unimplementable if they violate the Russian Constitution's supremacy;

H. whereas the European Parliament, on numerous occasions, has expressed its concern over the state of democracy in Russia, the systematic failure to uphold democracy the rule of law and respect for fundamental rights and principles;

1. Calls for the immediate and unconditional release of Ildar Dadin and all those detained on the basis of false or unsubstantiated charges or for using their right of freedom of expression and assembly;

2. Calls for an independent investigation into allegations of torture, abuse and degrading and inhumane treatment by state officials in Russian detention facilities, labour camps and prisons; underlines that perpetrators should be held to account;

3. Reiterates its grave concerns about the systematic deterioration of the rule of law and democracy in Russia and the systemic violations of human rights and the efforts of state authorities to silence free speech, stifle civil society and obstruct opposition activities; condemns the intimidation of critical voices, through violence, unfair trials, imprisonments and other illegitimate measures used by the state as well as the restrictions to press freedom and internet freedom;

4. Regrets that the Russian judicial system is being misused as a power instrument to covers up politically motivated arrest, trials and imprisonments with a notion of legality, to block the right to a fair trial and to uphold the impunity of those in power;

5. Calls on the regime of President Putin to end the atmosphere of hatred against opposition activists, human rights defenders, which has been cultivated in Russia in recent years, as part of the government's strategy to shore up its grip on power through authoritarian means;

6. Expresses its deepest sympathies with those arrested on the basis of false and unsubstantiated charges and those who have become victims of torture and ill-and inhumane

treatment in Russian prisons, labour camps and detention facilities;

7. Underlines that the Russian authorities and judicial personnel bear full responsibility for the safety and well-being of those arrested and detained and reiterates that their right to family visits, adequate medical assistance and that judicial and consular counsel must be fully respected;

8. Urges the VP/HR, supported by the EEAS and the Commission to develop a strategy of deeper engagement with the Russian population and civil society with a stronger emphasis on democracy, the rule of law and the human rights of the people in Russia and to develop a substantive and concrete strategy to support to Russian civil society and organisations;

9. Strongly believes that the increasing authoritarianism in Russian politics must not be interpreted as the inability of the country to develop democratic values and institutions and expresses its full support to the democratic forces in Russia, committed to an open society and seeking for more freedoms and an economy not plagued by the Kremlin-fostered corruption;

10. Instructs its President to forward this resolution to the Commission, the Council, and the High Representative/Vice President and to the Member States as well as to the Russian State Duma and Federation Council and to the Russian government and President.