



Plenary sitting

B8-0545/2017

3.10.2017

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 cases of Crimean Tatar leaders Akhtem Chygoz and Ilmi Umerov and journalist Mykola Semena
(2017/2869(RSP))

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on behalf of the Verts/ALE Group

European Parliament resolution on the cases of Crimean Tatar leaders Akhtem Chiyo and Ilmi Umerov and journalist Mykola Semena (2017/2869(RSP))

The European Parliament,

- having regard to its previous resolution on the Human rights situation in Crimea, in particular of the Crimean Tatars of 2 February 2016, the one of 12 May 2016 on the Crimean Tatars and the one on the Ukrainian political prisoners in Russia and the situation in Crimea of 16 March 2017
- having regard to its previous resolutions on the Eastern Partnership (EaP), Ukraine and the Russian Federation,
- having regard to the European Council decisions of 21 March, 27 June and 16 July 2014 imposing sanctions on the Russian Federation as a follow-up to the illegal annexation of Crimea and to the Council decision of 19 June 2017 to extend these restrictive measures until 23 June 2018,
- having regard to the Declaration by the High Representative for Common Foreign and Security Policy on behalf of the EU on Crimea of 22 March 2017,
- having regard to the Statements by the Spokesperson of the High Representative/Vice President of the Commission for Common Foreign and Security Policy on Recent developments in Crimea of 11 September 2017, on the Sentencing of journalist Mykola Semena of 22 September 2017 and on the Sentencing of Crimean Tatar Leader and Deputy Chair of the Mejlis Ilmi Umerov of 29 September 2017,
- having regard to the European Convention on Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP),
- having regard to UN General Assembly resolution 68/262 of 27 March 2014 entitled ‘Territorial integrity of Ukraine’,
- having regard to the UN General Assembly resolution of 19 December 2016 that recognizes Crimea as "temporarily occupied" by Russia and condemns the "abuses" and "discrimination" against Crimean Tatars, ethnic Ukrainians, and other groups on the peninsula,
- having regard to the ruling of the so-called Crimean Supreme Court of 26 April 2016, which found the Mejlis of the Crimean Tatar People to be an extremist organisation and banned its activity in the Crimean peninsula,
- 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 Rules 135(5) and 123(4) of its Rules of Procedure,

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 since the occupation and illegal annexation of Crimea by the Russian Federation the Crimean Tatar community has been subjected to systematic persecution by the Russian authorities,

C. whereas the report of the UN Office for Human Rights on the “Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)” of 25 September 2017 states that “Grave human rights violations, such as arbitrary arrests and detentions, enforced disappearances, ill-treatment and torture, and at least one extra-judicial execution were documented”,

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 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,

F. 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,

G. whereas according to the annual report "Freedom of the Press-2017" by Freedom House, Crimea is one of the top ten countries and territories with the worst rating of media freedom in the world and since the occupation of the peninsula, the number of Crimean Tartar mass media has significantly decreased,

H. whereas on 11 September 2017 a court in the regional capital, Simferopol, sentenced Akhtem Chygoz, the deputy chairman of the Majlis., the Crimean Tatar assembly that was outlawed by Russia, to eight years in prison after finding him guilty of organizing an illegal demonstration there in February 2014,

I. whereas on September 22 a court in Crimea found Radio Free Europe/Radio Liberty contributor Mykola Semena guilty on a charge of separatism and handed him a 2 1/2 year suspended sentence; whereas Semena was also barred from public activities including journalism for three years,

J. whereas on 27 September a court in Simferopol convicted prominent Crimean Tatar leader Ilmi Umerov of separatism sentencing him to two years in a colony settlement, a penitentiary in which convicts usually live near a factory or farm where they are forced to work,

K. whereas on 4 August 2017 a Crimean Court passed a sentence on Volodymyr Balukh, a Ukrainian activist whose house was illegally searched by the police many times after he hanged the Ukrainian flag on the roof of his house in the village of Serebrianka, handing him

to a three-year and seven-month sentence in the penal colony settlement as well as imposing a fine of RUR10,000.00,

L. whereas these recent cases constitute further the blatant evidence of the ongoing repression in Crimea against all critics of Russian action in the peninsula and the persecution of those that peacefully oppose the occupation of a part of the Ukrainian territory,

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 for the immediate release of Akhtem Chiygoz, Ilmi Umerov and Volodymyr Balukh and for all the charges against them and Mykola Semena to be dropped;
3. Reminds the Russian Federation, as an occupational power in effective control over Crimea bound by the international humanitarian law and international human rights law, of its obligation to ensure the protection of the human rights in the peninsula and calls on the Russian authorities 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 there;
4. Reiterates its support to the territorial integrity of Ukraine and non-recognition of the annexation of Crimea, condemns the clear violation of Ukrainian sovereignty and territorial integrity by Russia; expresses deep concerns with the continuous large-scale militarisation of the Crimean peninsula by Russia, which threatens regional and all-European security;
5. Welcomes the fact that the EU's policy of non-recognition has remained firm and unchanged since the illegal annexation of Crimea and of the City of Sevastopol by the Russian Federation and calls on all EU political actors to refrain from engaging in any initiatives undermining the policy of non-recognition;
6. Calls on the Council to adopt individual sanctions against those involved in the illegal, politically motivated criminal prosecution of Tatar leaders, journalists, bloggers and human rights defenders in the Crimean peninsula;
7. Calls on the EEAS and the EU delegation in Russia to closely follow the on-going trials paying attention to the treatment of those detained; expresses particular concern over reports of punitive psychiatric treatments being used; expects the EU delegation, EEAS and Member States' embassies to closely follow these proceedings and to seek access to those detained, before, during and after their trials;
8. Urges on the European Union's Special Representative for Human Rights to continue to pay attention to the human rights situation in the Crimean peninsula; underlines the overall need for the European Union to play a more visible, effective, pro-active role in promoting a lasting peaceful solution;
9. Calls for EU support for Ukrainian and Crimean Tatar media projects for Crimea as well as

those initiated by European Endowment for Democracy and Radio Free Europe/Radio Liberty as well as in defence of Ukrainian and Crimean Tatar schools and other initiatives to protect their cultural heritage;

10. Urges the Council to find ways to support Ukraine at the International Court of Justice in the case to hold the Russian Federation accountable for its support for terrorism in the east of Ukraine and acts of discrimination of ethnic Ukrainians and Crimean Tatars in occupied Crimea;

11. 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.