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*Plenary sitting*

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**B8-0288/2018**

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## **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, notably the case of Ukrainian political prisoner Oleg Sentsov (2018/2754(RSP))

**Charles Tannock, Karol Karski, Roberts Zile, Anna Elżbieta Fotyga, Ruža Tomašić, Jan Zahradil, Jadwiga Wiśniewska**  
on behalf of the ECR Group

**European Parliament resolution on Russia, notably the case of Ukrainian political prisoner Oleg Sentsov (2018/2754(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Russia, temporarily occupied Crimea in Ukraine and on Eastern Ukraine,
  - having regard to the Council decisions continuing the sanctions imposed on the Russian Federation in relation to the illegal annexation of the Crimean peninsula,
  - having regard the Geneva Convention relative to the Prosecution of Civilian Persons in Time of War,
  - having regard to the Report ‘Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)’ of 25 September 2017 of the Office of the United Nations High Commissioner for Human Rights,
  - having regard to article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment and to which Russian Federation is a party,
  - having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas in 2008 and 2014 during or immediately after the Olympic Games in Beijing and Sochi, respectively, Russia intervened militarily against Georgia and Ukraine, respectively, to create facts on the ground to prevent their euroatlantic integration;
- B. whereas President of Russia Vladimir Putin on June 7, 2018 warned Kiev of “very serious consequences for Ukrainian statehood” if it were to launch military action against pro-Russian rebels in the occupied Eastern Ukraine during the soccer World Cup, which will take place from June 14 to July 15 in 11 Russian cities, including Rostov-on-Don, some 100 km from the border with Ukraine;
- C. whereas days after Ukrainian president Victor Yanukovich fled the capital of Kiev and the end of Sochi Winter Olympic Games in late February 2014, Russian unmarked special forces called “little green men” began to take control of the Crimean Peninsula, part of Ukraine;

- D. whereas Oleg Sentsov born in Simferopol, Crimea, Ukrainian SSR, is an ethnic Russian who holds Ukrainian citizenship, he is film director and was activist of Euromaidan; whereas during the 2014 crisis Sentsov helped to deliver food and supplies to Ukrainian servicemen trapped by Russian forces in their Crimean bases;
- E. whereas Sentsov was arrested on 11 May 2014 in Crimea, together with Alexander Kolchenko and others, and accused of being “part of a terrorist community, to carry out explosion with home-made devices on May 9, 2014 near the Eternal Flame memorial and Lenin monument in Simferopol and to set fire to the offices of the Russian Community of Crimea and the United Russia party”;
- F. whereas Sentsov was transferred from Crimea to Russia where he was sentenced 20 years in prison, which he serves in Russia’s northernmost prison in the Yamalo-Nenets Autonomous Okrug; whereas in October 2016 Russia refused to extradite Sentsov to Ukraine, claiming that he is a Russian citizen; whereas Russian Human Rights Center Memorial has declared that Sentsov and Kolchenko are political prisoners in Russia;
- G. whereas Sentsov, who is forty-one, has been on hunger strike since May 14<sup>th</sup>; whereas he is demanding that Russia release all 70 Ukrainian political prisoners; whereas Sentsov’s hunger strike appears to be timed for the World Cup, which begins in Russia on June 14; whereas before Sochi Olympics Russia released Mikhail Khodorkovsky and other political prisoners; whereas on June 7 Putin refused to release Sentsov even in prisoners swap procedure; whereas on June 9 Putin admitted that talks are under way, but said it is “too early to discuss details of a possible exchange of prisoners with Kyiv, including Sentsov”; whereas Oleg Sentsov’s family asked Putin to free him before the World Cup;
- H. whereas Soviet dissidents used the hunger strike as means of protest, which meant, largely, a means of attracting the world’s attention; to go on hunger strike, one had to be prepared die and, worse, to face the torture of being force-fed; whereas the best-known Soviet hunger strike was undertaken by Anatoly Marchenko, a dissident who had spent most of his adult life behind bars; whereas in 1986, halfway through a ten-year sentence, he stopped eating and demanded that the Soviet Union release all political prisoners a demand that seemed utterly unrealistic at the time; whereas his hunger strike lasted a hundred and seventeen days, for about half of which he was forcibly fed; whereas in December 1986, a few days after ending his hunger strike, Marchenko died; whereas within few months, all Soviet political prisoners were released; whereas Marchenko become one of the first two recipients (along with Nelson Mandela) of the Sakharov Prize for Freedom of Thought of the European Parliament when it was awarded to him posthumously in 1988;
- I. whereas activists in dozen countries joined on June 2 a global campaign to free Sentsov; whereas Human Rights organizations observe that the FIFA World Cup “will take place during the worst human rights crisis in Russia since the Soviet era”; whereas UK, Poland and Iceland and other countries informed that their leaders will not attend the opening ceremony and the World Cup in Russia;

- J. whereas in a letter to all EU governments, 60 MEPs from 16 member states and 5 different political groups called “to join the governments of Iceland and the UK in not attending the 2018 FIFA World Cup in Russia”; whereas the letter states that “the Salisbury attack was just the latest chapter in Vladimir Putin’s mockery of our European values: indiscriminate bombings of schools, hospitals and civilian areas in Syria, the violent military invasion in Ukraine; systematic hacking; trying to destabilize our societies and to weaken and divide the EU – all this doesn’t make for a good World Cup host”; whereas it states further “as long as Putin is illegally occupying Crimea, holding Ukrainian political prisoners and supporting the war in Eastern Ukraine we cannot pretend that this tournament’s host is our welcoming neighbour. And as long as political dissidents and free press are in constant danger in Russia, we cannot turn our backs on them to shake Putin’s hand in a football stadium. Three days after the 2014 Winter Olympics in Sochi, Putin invaded Ukraine, and the world watched in dismay. This time, we can make things right by not cheering at his grave violations of human rights at the 2018 World Cup” reads MEP letter;
- K. whereas according to official Russian statistics, some 247,000 Russians have moved to Crimea since annexation; whereas at the same time, about 140,000 people have left, mostly Ukrainians and Crimean Tatars who moved to the Ukrainian mainland; whereas forcibly shifting the demographic composition of an occupied territory is a war crime under the 1949 Geneva Conventions; whereas art. 49 of the fourth Geneva Convention states that “the Occupying Power shall not deport or transfer parts of its own population into the territory it occupies”;
- L. whereas on 23 November 2017 four elderly Crimean Tatar activists Bekir Dehermendzhi, Asan Chapukh, Ruslan Trubach, Kazim Ametov were detained by the police of Russian occupation authorities in Crimea; whereas the fifth elderly activist Vedzhi Kashka died as a consequence of the security forces’ actions; whereas credible reports from human rights organizations indicate that severe damage to health of Bekir Dehermendzhi and Asan Chapukh was caused as a consequence of inappropriate detention conditions and failure to provide adequate medical treatment; whereas Bekir Dehermendzhi’s life was endangered as a result of the above-mentioned factors; whereas occupation authorities in Crimea refused to prosecute those responsible for Vedzhi Kashka’s death;
- M. whereas occupation authorities in Crimea have been systematically and deliberately suppressing freedom of speech in Crimea, pushing out independent media and creating obstacles for professional journalists’ work; whereas on 22 March 2018 a citizen journalist and Crimean Tatar activist Nariman Memedeminov, who covered wrongdoings of occupation authorities, was detained by Russian security forces and arrested on the grounds of wrongful accusations; whereas on 21 May 2018 Russian security forces similarly detained another citizen journalist Server Mustafaiev after a search in his house in Russia-occupied Crimea, in particular on religious grounds;
- N. Whereas on 26 April 2018 Russian security forces on the illegally-occupied Crimean peninsula detained prominent Crimean Tatar businessman Resul Velilyaev, who is a widely acclaimed in Crimea *maecenas* helping especially indigenous Crimean Tatar people; whereas his retail stores were raided and closed because of an alleged criminal violation regarding the sale and storage of spoiled products; whereas Ali Bariev was

detained along with him; whereas after detention on accusations that would normally lead to investigation and trial in Crimea they were sent to Lefortovo – a so-called “private prison of FSB” in Moscow; whereas they were denied lawyers for a long time and are likely to be accused of far more serious crimes; whereas since the beginning of illegal occupation of Crimea Russia systematically violates Article 76 of Geneva Convention IV, moving accused and convicted individuals outside occupied Crimea;

- O. Whereas Russian security forces on 2 October 2017 detained Taliat Abdurakhmanov, Arsen Kubedinov, Seiran Mustafaiev, Renat Suleimanov, on 11 October 2017 detained Ernest Ametov, Marlen Asanov, Memet Belialov, Server Zekiriaiev, Timur Ibragimov, Seiran Saliiev, on 21 May 2018, along with Server Mustafaiev, detained Edem Smailov; whereas Russia prosecuting these and other individuals on accusations that completely lack credibility extends its penal law to the occupied territory in clear violation of international humanitarian law;
- P. Whereas according to credible reports from human rights organizations Volodymyr Balukh is in custody and is prosecuted on fabricated charges because of his views and opposition to Russian occupation of Crimea; whereas Russian-controlled courts in Crimea sentenced him to 3 years and 5 months of imprisonment on fabricated charges; whereas he is prosecuted now on new questionable allegations; whereas on 19 March 2018 began a hunger strike;
- Q. Whereas according to reports from human rights defenders in 2017 in Crimea occupation authorities also imprisoned Seiran Muradosilov and Fevzi Sagandzhi on false accusations; whereas on 23 January 2018 Ismail Ramazanov was detained on grounds of unlawfully applied Russian penal law; whereas on 1 February 2018 Yevgenii Karakashev, a repeated participant of protests in Crimea, was detained is prosecuted with gross violations of his right to a fair trial;
- 1. Demands immediate and unconditional release of Oleg Sentsov and Alexander Kolchenko as well as all other Ukrainians that are illegally detained and imprisoned for political reasons in Russia or the occupied Crimea, including Teimur Abdullaiev, Uzeir Abdullaiev, Taliat Abdurakhmanov, Rustem Abiltarov, Zevri Abseitov, Muslim Aliiev, Refat Alimov, Kiazim Ametov, Ernes Ametov, Ali Asanov, Marlen Asanov, Volodymyr Balukh, Ali Bariev, Enver Bekirov, Memet Belialov, Oleksii Bessarabov, Rustem Vaitov, Resul Velilyaev, Valentyn Vygovskii, Pavlo Hryb, Mykola Dadeu, Bekir Dehermendzhi, Mustafa Dehermendzhi, Emil Dzhemadenov, Arsen Dzheparov, Dmitrii Dolgoplov, Volodymyr Dudka, Andriy Zakhtei, Ruslan Zeitullaiev, Server Zekiriaiev, Timur Ibragimov, Rustem Ismailov, Yevgenii Karakashev, Mykola Karpiuk, Stanislav Klykh, Andriy Kolomiets, Oleksandr Kostenko, Emir-Usein Kuku, Hennadii Limeshko, Serhii Litvinov, Enver Mamutov, Nariman Memedeminov, Remzi Memetov, Emil Minasov, Igor Movenko, Seiran Muradosilov, Seiran Mustafaiev, Server Mustafaiev, Yevhen Panov, Nuri Primov, Volodymyr Prisich, Ismail Ramazanov, Fevzi Sagandzhi, Ferat Saifullaiev, Aider Saledinov, Seiran Saliiev, Enver Seitosmanov, Oleksii Sizonovich, Vadym Siruk, Edem Smailov, Oleksandr Steshenko, Oleksii Stohniy, Renat Suleimanov, Anna Sukhonosova, Roman Sushchenko, Roman Ternovsky, Ruslan Trubach, Asan

Chapukh, Oleksii Chirni, Hlib Shablii, Mykola Shiptur, Dmytro Shtyblikov, Oleksandr Shumkov, Viktor Shur;

2. Strongly condemns illegal annexation and temporary occupation by Russia of Ukrainian territories of the Autonomous Republic of Crimea and the city of Sevastopol;
3. Confirms in this regard full support to Ukraine's sovereignty and territorial integrity in its internationally recognised borders; calls the EU Member States to promote respect to Ukrainian sovereignty over Crimea by its citizens, notably politicians;
4. Strongly condemns ongoing Russian aggression in the east of Ukraine and to urge Russia as the side of the military conflict in the Donbas to implement fully the Minsk arrangements;
5. Condemns violations by Russia of international law in the occupied Crimea, including enforcement of Russian legislation, heavy militarisation of the Crimean peninsula, which threatens the regional security, as well as massive and systematic human rights violations in Crimea, foremost against ethnic Ukrainians and Crimean Tatars.
6. Calls the EU officials and the leadership of the EU Member States to boycott visiting the 2018 FIFA Football World Cup in Russia;
7. Supports the continuation of the EU sanction policy against Russia in response to the illegal annexation of Crimea and aggression in the east of Ukraine and recall that they can only be reconsidered only after restoration of full Ukrainian territorial integrity and complete implementation of the Minsk arrangements.
8. Calls the EU Council to consider introduction of the 12-months cycle of the sanctions' rolling-over with regard to the Russian aggression against Ukraine and extension of the personal sanctions against those, responsible for the human rights violations in occupied territories of the occupied Crimea.
9. Acknowledges Russian presidential elections on 18 March 2018 on the territory of the occupied Crimea as null and void; calls on the EU Council to introduce personal sanctions against those, involved into organisation of the Russian presidential elections in the occupied Crimea;
10. Supports the establishment of international negotiation platform on Crimea aimed at de-occupation of the peninsula.
11. Call on Russia to support the ongoing international efforts on establishment of the international peacekeeping mission in the Donbas with a robust executive mandate and covering whole conflict area, including the uncontrolled part of Ukrainian-Russian border; Takes note in this regard that Russia and its military allies cannot be part of such mission;

12. Calls on Putin regime to cease attacking Russian human rights defenders, especially Memorial Human Rights Defenders as well as its activists of the historical and educational society and stop prosecution against them, especially free Oyub Titiev;
13. Condemns Russia's refusal to cooperate with the investigation on MH17; calls on Russia to cooperate with the investigation in order to identify those responsible and bring them to justice;
14. Condemns continuous use by Russia of its gas supplies as a political tool of influence against the EU and its neighbours; calls in this regard the Council, the EC and the Member States for prevention of the constriction of the Nord Stream 2 gas route, as politically motivated project, contrary the EU energy regulations and the EU energy security strategy;
15. Deplores recent decision of Russian Gazprom company to sharply stop pre-paid gas supplied to Ukraine in violation of bilateral contract and the international arbitration decisions as well as intention of the Russian side to withdraw unilaterally from the contract with Ukrainian Naftogaz company; Calls on Gazprom to fully implement the decision of the international arbitration decision on the gas supplies to and transit via Ukraine as well as engage into constructive trilateral negotiations with Ukraine and EC on future gas supplies to and via Ukraine;
16. Express concern regarding the intentions to restore the rights of the Russian parliamentary delegation to the PA of the CoE (PACE) without prior implementation by Russia of the respective demands of the PACE; Notes in this regard that such developments could significantly undermine the credibility of CoE and weaken value-based principles of the CoE activity;
17. Recognises that in current conditions it is impossible to re-establish the parliamentary dialogue with Russia, which can be only possible after fundamental change of Russia's internal politics, cease of its aggressive international activities and its return into the framework of the international law;
18. Underlines that alongside the above-mentioned Russia's violations of human rights and the rule of law by practice of fabricating cases against dissidents, civil activists and journalists, similar violations occur systematically in the territories illegally occupied by Russia, such as Crimea, in blatant violation of international humanitarian law; in this regard vigorously condemns the new wave of repression against indigenous Crimean Tatar people in Crimea which appears to aim to cause hate against the whole people picturing them as extremists and criminals, what could lead to ethnic cleansing of Crimea;
19. In this regard, strongly condemns the unlawful prosecution on false accusations of Crimean Tatar activists Bekir Dehermendzhi, Asan Chapukh, Ruslan Trubach, Kazim Ametov; recalls other instances of such trumped-up charges exercised by Russia, such as the case of Oyub Titiev; is profoundly concerned over inhumane treatment of the detained Crimean Tatar activists, which considering circumstances is likely to constitute a torture being committed by Russia; urges the Russian Federation to immediately release them; denounces excessive use of force by Russian security

forces during their arrest which directly caused death of another activist Vedzhie Kashka; calls on Russia to investigate her death and to bring those responsible to justice;

20. Expresses its deepest concern over the fact that, after Russia has been continuously suppressing independent media in occupied Crimea, it's government is also increasing pressure on citizen journalists who are trying to collect and disseminate information about the real situation in Crimea, which is reflected by arrests of Nariman Memedeminov and Server Mustafaiev;
21. Strongly condemns the new component of Russia's repressions and intimidation in Crimea directed against businessmen and economic life of indigenous Crimean Tatars, such as prosecution of Ali Bariev and maecenas Resul Velilyaev; denounces continuing Russia's practice of moving individuals detained or convicted in occupied Crimea to its own territory in violation of international humanitarian law;
22. Strongly condemns continuing persecution by Russia on religious grounds which takes place in occupied Crimea, particularly persecution of Muslims, notably prosecution of Taliat Abdurakhmanov, Arsen Kubedinov, Seiran Mustafaiev, Renat Suleimanov, arrests of Ernest Ametov, Marlen Asanov, Memet Belialov, Server Zekiriaiev, Timur Ibragimov, Seiran Saliiev, and the recent arrest of Edem Smailov, as well as Christians – members of other Churches, notably Ukrainian Orthodox Church of the Kyivan Patriarchate, such as illegal confiscation of property and dispossession, hate speech, searches, fines;
23. Deplores the continuing unfair trials of Volodymyr Balukh, who, like Oleg Sentsov, is on hunger strike, for almost three months, because of inherent unfairness of justice system imposed by Russia on Crimea and because of his disdain for the occupation authorities; expresses strong concern over other unlawful prosecutions by Russia in occupied Crimea, such as cases of Seiran Muradosilov, Fevzi Sagandzhi, Ismail Ramazanov, Yevgenii Karakashev;
24. Expresses its strong believe that in view of Russia's systematic serious violations of norms of international law, that affect the interests of the international community as a whole and threaten the peace, security and well-being of the world, development of cooperation of the European Union and Russia in economic and other spheres is impossible until the full return of Russia into the framework of international law, including, but not limited to, ending its occupation of Crimea, Donbass, Abkhazia, South Ossetia;
25. In this regard regrets the aspirations of some actors inside the European Union to expand economic cooperation with Russia, while the government of the Russian Federation continues to commit violations of freedom of speech and other human rights, pursues a non-democratic policy inconsistent with the European values and the standards for human rights achieved by humanity; calls on the Commission to adopt measures for a stricter control of possibilities to expand economic cooperation with Russia;

26.

27. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, the Organisation for Security and Cooperation in Europe, and the President, Government and Parliament of the Russian Federation, and the Ukrainian authorities.