



Plenary sitting

B9-0018/2019

16.7.2019

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 144 of the Rules of Procedure

on Russia, notably the situation of the environmental activists and the Ukrainian prisoners
(2019/2734(RSP))

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on behalf of the S&D Group

B9-0018/2019

European Parliament resolution on Russia, notably the situation of the environmental activists and the Ukrainian prisoners (2019/2734(RSP))

The European Parliament,

- having regard to its previous resolutions on the matter, in particular its resolutions of 16 March 2017 on the Ukrainian political prisoners in Russia and the situation in Crimea and of 14 June 2018 on Russia, the case of Ukrainian political prisoner Oleg Sentsov,
 - having regard to the statements by the EEAS Spokesperson of 25 May 2018 on the cases of several detainees in or from the illegally annexed Crimea and Sevastopol, of 10 January 2019 on the cases of illegally detained Ukrainian citizens, of 17 January 2019 on the continued illegal detention of Ukrainian servicemen by Russia, of 22 March 2019 on the sentencing of Pavlo Hryb, and of 17 April 2019 on the extended illegal detention of Ukrainian servicemen,
 - having regard to Article 9 of the Universal Declaration of Human Rights which provides that no one shall be subjected to arbitrary arrest, detention or exile, as well as to Articles 19 and 20 which provide for the freedom of opinion and expression and the freedom of peaceful assembly and association,
 - having regard to the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms,
 - having regard to the resolution of the Parliamentary Assembly of the Council of Europe of 28 June 2018 on Ukrainian citizens detained as political prisoners by the Russian Federation,
 - having regard to the Order of the International Tribunal for the Law of the Sea of 25 May 2019 on the case concerning the detention of three Ukrainian naval vessels,
 - having regard to the European Union Guidelines on Human Rights Defenders,
 - having regard to Rule 135(5) of its Rules of Procedure,
- A. whereas the Russian Federation, as a signatory to the Universal Declaration of Human Rights and the European Convention on Human Rights, has committed itself to the principles of democracy, rule of law and respect for fundamental freedoms and human rights;

- B. whereas the exercise of the freedoms of opinion and expression, association and peaceful assembly are fundamental human rights enshrined in the Russian constitution as well as in the Universal Declaration of Human Rights;
- C. whereas the European Union expects the Russian Federation to abide fully by the international commitments it has made, as a signatory to the Universal Declaration of Human Rights and the European Convention on Human Rights, and as a member of the Council of Europe, the Organisation for Security and Cooperation in Europe (OSCE) and the United Nations Security Council;
- D. whereas the Russian Federation has illegally detained numerous Ukrainian citizens in the Crimean peninsula or in the Russian Federation on politically motivated or fabricated charges;
- E. whereas the European Union does not recognize the enforcement of Russian legislation in Crimea and Sevastopol and expects all illegally detained Ukrainian citizens to be released immediately;
- F. whereas the European Union and Ukraine in their joint statement following the latest EU-Ukraine summit on 8 July 2019 call for the immediate release of all illegally detained and imprisoned Ukrainian citizens in the Crimean peninsula and in Russia, including Crimean Tatar activists;
- G. whereas on 25 November 2018 24 Ukrainian sailors were captured and their vessels seized near the Kerch Strait by the Russian Federation using military force with no justification; whereas these Ukrainian servicemen have been illegally detained since 25 November 2018;
- H. whereas, as a response to escalation in the Kerch Strait and the Sea of Azov, including the illegal detention of 24 Ukrainian servicemen, the European Union on 15 March 2019 added eight Russian officials to its list of persons and entities subject to restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine;
- I. whereas on 25 May 2019 the International Tribunal for the Law of the Sea inter alia prescribed that the Russian Federation shall immediately release the 24 detained Ukrainian servicemen and allow them to return to Ukraine;
- J. whereas Russian authorities are arbitrarily arresting and imposing disproportionately heavy fines onto peaceful protesters raising environmental concerns as well as fabricating criminal cases against representatives of prominent environmental organisations such as the director of “Ecodefence”, Aleksandra Korolyova;
- K. whereas 49 Russian NGOs have filed complaints to the European Court of Human Rights claiming that the 2012 Russian Foreign Agents Law for Non-Commercial Organisations (‘Foreign Agents Law’) violates several universally recognised human rights and that the ‘political activity’ criteria in the law is arbitrarily implemented;

1. Calls on the Russian Federation to release without further delay the more than 90 illegally and arbitrarily detained Ukrainian citizens in the Crimean peninsula and in Russia and to provide for their safe return, including Crimean Tatars, Ukrainian citizens detained under politically motivated charges and the 24 crew members of the Ukrainian naval vessels seized by Russia on 25 November 2018;
2. Points, as an example, to the case of Ukrainian film director Oleg Sentsov, who was convicted to 20 years in prison on 24 November 2015 and who received the European Parliament's Sakharov Prize in 2018 in solidarity with his struggle for the release of political prisoners in Russia and worldwide, and calls for his immediate and unconditional release;
3. Condemns the unlawful convictions of illegally detained Ukrainian citizens, some of whom were sentenced to long years in prison and were sent to far-away penal colonies which effectively prevent their families to visit them;
4. Urges the Russian Federation to end its practice of illegally and arbitrarily arresting Ukrainian citizens - whether in Ukraine, on the Crimean peninsula, in the Russian Federation or in other countries - as a means to suppress public dissent over the occupation and annexation of the Crimean peninsula or the situation in the occupied parts of the Ukrainian regions of Donetsk and Luhansk;
5. Expresses its concern about reports on the conditions of detention, including allegations of torture and ill-treatment as well as denial of access to essential health care, and therefore reiterates its call on the Russian authorities to ensure full respect of the rights of all detained persons, in particular to respect the right to legal representation and unhindered access by consular authorities and to ensure access to appropriate medical treatment of all persons detained;
6. Urges the Russian Federation to implement the decisions of the European Court of Human Rights on the violation of the human rights of persons detained in the Crimean peninsula and in the Russian Federation;
7. Calls on the Russian Federation to respect its citizens' right to freedom of opinion and expression as well as to freedom of peaceful assembly and association and thus to refrain from using arbitrary interpretation of legal provisions such as in the "Foreign Agents Law" for judicial harassment against human rights organisations and activists, including organisations and activists raising awareness for environmental concerns;
8. Urges the Russian authorities to stop curtailing peaceful and legitimate activities of environmental organisations by fabricating criminal cases against local environmental activists, arresting participants of local peaceful protests or imposing disproportionately heavy fines on them, such as recently used to eradicate local protest against landfill construction projects raising environmental concerns in the Arkhangelsk or Moscow regions;
9. Calls on the Russian Federation to protect all its citizens in full respect of their human rights and to honour its international commitments to respect the rule of law and the

fundamental freedoms and human rights of its citizens, including of those that dedicate their time, resources and work at defending their fellow citizens' rights;

10. Reiterates that international human rights observers must be granted full, free and unhindered access to the Crimean peninsula to monitor the human rights situation and calls for all human rights violations to be investigated; in this regard expresses its strong support for a visit to the Crimean peninsula by the Human Rights Commissioner of the Council of Europe;
11. Calls on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the President of the European Council and the President of the European Commission to regularly address the issue of Ukrainian political prisoners in the Crimean peninsula and in the Russian Federation as well as the general human rights situation in the country, including in all high-level meetings with Russian representatives;
12. Repeats its call on the Commission, the EEAS and the Member States to continue closely monitoring the human rights situation in the Russian Federation and in the Crimean peninsula and calls on the EU Delegation to Russia and the embassies of the EU Member States to continue monitoring and attending the trials of human rights activists and against Ukrainian political prisoners;
13. 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, the Government and Parliament of the Russian Federation and the Government and Parliament of Ukraine.