



Plenary sitting

B9-0022/2019

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 environmental activists and Ukrainian political prisoners
(2019/2734(RSP))

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on behalf of the PPE Group

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

The European Parliament,

- having regard to its previous resolutions, in particular those of 11 June 2015 on the strategic military situation in the Black Sea Basin following the illegal annexation of Crimea by Russia, of 10 September 2015 on Russia, in particular the cases of Eston Kohver, Oleg Sentsov and Alexander Kolchenko; of 4 February 2016 on the human rights situation in Crimea, in particular of the Crimean Tatars, of 12 May 2016 on the Crimean Tatars, of 16 March 2017 on the Ukrainian prisoners in Russia and the situation in Crimea, of 5 October 2017 on the cases of Crimean Tatar leaders Akhtem Chiygoz, Ilmi Umerov and the journalist Mykola Semena, of 14 June 2018 on Russia, notably the case of Ukrainian political prisoner Oleg Sentsov, of 25 October 2018 on the situation in the Sea of Azov, of 12 December 2018 on the implementation of the EU Association Agreement with Ukraine and of 12 March 2019 on the state of EU-Russia political relations,
- having regard to the International Tribunal for the Law of the Sea Order of 25 May 2019 in the Case No. 26 concerning the detention of three Ukrainian naval vessels, Provisional Measures,
- having regard to the PACE resolution of 24 January 2019 on the escalation of tensions around the Sea of Azov and the Kerch Strait and threats to European security,
- having regard to UN General Assembly resolution 68/262 of 27 March 2014 entitled ‘Territorial integrity of Ukraine’ and to UN General Assembly resolution 71/205 of 19 December 2016 entitled ‘Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)’,
- 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 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 the Russian Federation is a party,
- having regard to the Geneva Convention relative to the Protection of Civilian Persons in Time of War,
- having regard to Rule 144 of its Rules of Procedure,

- A. whereas the use of torture and cruel and degrading treatment has been reported in various cases; whereas these allegations have not been appropriately investigated to date; whereas torture has been used to obtain confessions and support false evidence of guilt; whereas Crimean lawyers who provide legal assistance to these people and human rights defenders who report cases of politically motivated enforced disappearance in Crimea, as well as journalists who report on the situation of the Crimean Tatars, have also been targeted;
- B. whereas many of the prisoners and detainees have faced harsh and inhumane conditions in prisons, causing physical and psychological risks to their health; whereas there are prisoners who require urgent medical attention and treatment;
- C. whereas Moscow has held three Ukrainian ships and 24 sailors since capturing them in the Kerch Strait in November 2018 and whereas in its Order of 25 May 2019 the ITLOS by 19 votes to 1 prescribed that the Russian Federation “shall immediately release the Ukrainian naval vessels *Berdyansk*, *Nikopol* and *Yani Kapu*, and return them to the custody of Ukraine” and “shall immediately release the 24 detained Ukrainian servicemen and allow them to return to Ukraine”, and that both parties “shall refrain from taking any action which might aggravate or extend the dispute”; whereas the ITLOS also decided on a date, 25 June 2019, by which the parties shall each submit their initial reports on compliance with the provisional measures prescribed;
- D. whereas according to the OHCHR report, on 27 March 2019 Russia conducted 26 house searches and subsequently arrested 24 people, most of whom are Crimean Tatar activists and who now face unlawful prison terms of up to 20 years; whereas at least 37 Ukrainian citizens were unlawfully arrested by Russia in illegally occupied Crimea within the first 6 months of 2019; whereas nearly all of them are representatives of the indigenous Crimean Tatar people;
- E. whereas as of March 2019 nearly 200 people are currently being held as political prisoners in Russia according to estimations of the Memorial Human Rights Center;
- F. whereas attacks on environmental activists and organizations like “Greenpeace”, “EcoVachta for Northern Caucasus” or “Stop GOK” or Environmental Watch for the North Caucasus (ENWC) in Russia continue while the authorities pretend that these attacks do not happen or ignore them not producing tangible results although existing substantive evidence at their disposal;
- G. whereas in December 2017 Andrey Rudomakha, the head of the NGO Environmental Watch for the North Caucasus (ENWC) and his colleagues Victor Chirikov, Aleksandr Savelyev and Vera Kholodnaya were brutally attacked by masked men and after this Rudomakha has been diagnosed with a brain concussion and multiple facial fractures;

- H. whereas one of the oldest and most prominent environmental defenders in the country Alexandra Koroleva, head of the NGO Ekozaschita! (Ecodefence!) had to flee the country and seek asylum abroad in light of criminal charges against her for failure to pay fines in connection with the group's continued refusal to register as a "foreign agents";
- I. whereas four Ukrainian political prisoners - Oleg Sentsov - a laureat of 2018 Sakharov Prize for Freedom of Thought, Oleksandr Kolchenko, Oleksandr Shumkov and Volodymyr Balukh - have been on hunger strike in June 2018 in protest against Russia's continued detention of Ukrainian political prisoners;
- J. whereas PACE has allowed the delegation of the Russian Federation to return to the Council of Europe and reinstalled on June 25, 2019 its right to vote and demand that this re-engagement is matched with compliance with the values and norms of Council of Europe, the leading European human rights organisation;
1. Calls on Russian authorities to release immediately and unconditionally all illegally and arbitrarily detained Ukrainian citizens¹, both in Russia and in the temporarily occupied territories of Ukraine, and to provide for their safe return;
 2. Strongly condemns Russia's continuous violations of fundamental principles and norms of international law, particularly its refusal to comply with the decisions of the international tribunals and courts; calls for the immediate change of such destructive behaviour that erodes the international rule of law and necessitates an adequate response;
 3. Calls on the Russian authorities to take the appropriate legal steps and use all the legal tools to prevent and stop the attacks against environmental activists and hold appropriate investigations in cases of violence against them;
 4. Notes with concern that there is a huge increase of political prisoners in Russia

¹The non-exhaustive list includes: Oleh Sentsov, Oleksandr Kolchenko, Oleksiy Chyrnyy, Mykola Karpyuk, Stanislav Klykh, Valentyn Vyhivskiy, Yuriy Primov, Rustem Vaitov, Ruslan Zeytullayev, Ferat Sayfullayev, Viktor Shur, Andriy Kolomyiets, Roman Sushchenko, Pavlo Hryb, Oleksiy Syzonovych, Enver Mamutov, Rustem Abiltarov, Zevri Abseitov, Remzi Memetov, Henadii Lymeshko, Yevhen Panpv, Hlib Shablii, Volodymyr Prisch, Ihor Kyiashko, Teimur Abdillaiev, Uzeir Adsullaiev, Rustem Ismailov, Aider Saledinov, Emil Dzhemadenov, Volodymyr Balukh, Dmytro Shtyblikov, Muslim Aliyev, Emir Usein Kuku, Vadym Siruk, Inver Bekirov, Refat Alimov, Arsen Dzepparov, Oleksandr Shumkov, Tofik Abdulgaziev, Izzet Abdullaev, Vladlen Abdulkadyrov, Mejit Abdurakhmanov, Bilyal Adilov, , Osman Arifmemetov, Farkhod Bazarov, , Servet Gaziev, Dzhemil Gafarov, Reza Izetov, Alim Karimov, Seyran Murtaza, Yashar Muedinov, Erfan Osmanov, Seytveli Sietabdiev, Rustem Siethalilov, Ruslan Suleymanov, Shaban Umerov, Marlen Asanov, Seiran Sakiiiev, Memet Belialov, Tymur Ibrahimov, Server Zekiriaiev, Ernes Ametov, Oleksiy Bessarabov, Volodymyr Dudka, Oleksii Stohnii, Mykola Shyptur, Eyhen Karakashev, Nariman Memedeminov, Oleksandr Steshenko, Enver Seitosmanov, Server Mustafaiev, Edem Smailov, Edem Bekirov, Diliaver Gafarov, Renat Suleimanov, Eskender Abdulganiev, Rustem Emiruseinov, Arsen Abkhairov, Raim Aivazov, Aider Dzepparov, Taliat Abdurakhmanov, Seiran Mustafaiev, Arsen Kubedinov, Mustafa Dehermendzhi, Ali Asanov, Arsen Yunusov, Eskender Kantemyrov, Eskender Emirvaliev, Suleiman Kadyrov, Taliat Yunusov, Mykola Semena, Musa Abkerimov, Vitaliy Kuharenko Asan Chapukh, Bekir Dehermendzhi, Kiazim Ametov, Ruslan Trubach, Shaban Umerov, Rustem Seytkhalilov, Riza Izetov, Farid Bazarov, Dzemil Gafarov, Seyran Murtazi, Alim Kerimov, Tofik Abdulgariev, Bilyala Adilov, Medzhit Abdurakhmanov, Rustem Sheykhaliev, Alim Sheykhaliev, Seytveli Seytabdiev, Yashar Muedinov, Asan Yanikov, Enver Ametov, Ruslan Suleymanov, Akim Bekirov, Erfan Osmanov, Server Gaziev, Remzi Bekirov, Osman Arifmetov, Vlaslen Abdulkadyrov, Izzet Abdullaiev, Tair Ibragimov, Ayder Dzepparov, Eldar Kantermirov, Ruslan Mesutov, Ruslan Nagaiev, Enver Omerov, Riza Omerov, Eskander Suleymanov, Lenur Khalilov

and illegally occupied Crimea from 117 in 2017 to nearly 200 people currently, according to the Memorial Human Rights Center, and warns that the real number is likely to be very much higher;

5. Calls on the Russian Federation to guarantee unhindered access to the occupied Ukrainian territories of Crimea and Donbas for international intergovernmental organizations, in particular, the UN Human Rights Monitoring Mission, the OSCE Human Rights Assessment Mission on Crimea, the Council of Europe Commissioner for Human Rights, other conventions and institutional mechanisms of the Council of Europe, as well as for international humanitarian organizations, in particular the International Committee of the Red Cross;
6. Points out that human rights defenders in the Russian Federation, including environmental activists, are often subject to acts of harassment, surveillance, physical attacks, threat, raids and searches on their offices and homes, slander and smear campaigns, judicial harassment, arbitrary detention, and ill-treatment, as well as violations of the rights to freedom of expression, association, and assembly;
7. Proposes the European Union to consider the establishment of a permanent monitoring of the trials of victims of political persecution in the Russian Federation and the occupied Crimea, as well as to continue the practice of the participation of diplomats of the European Union member states in court hearings that take place in the territory of the Russian Federation, and to organize missions involving independent physicians to Ukrainian citizens who are held politically motivated in the Russian Federation and the occupied Crimea to monitor their detention conditions and state of health;
8. Calls on the responsible Russian authorities and medical services to ensure proper medical attention and treatment for all the prisoners and to respect medical ethics, including no imposing unwanted treatment or force-feeding in cases of hunger strikes that may amount to torture and other ill treatment;
- 9.. Welcomes the Council decisions to prolonge the restrictive measures; reconfirms its strongest believe that the EU sanctions shall not be lifted until Russia complies with its international obligations; calls on EU Member States to remain firm and united in their commitment to the agreed sanctions against Russia and to consider targeted measures on the individuals responsible for detention and trial of the political prisoners; calls on the international community to intensify its pressure in order to save all political prisoners from the Russia captivity;
10. Reiterates its believe that meaningful dialogue requires firmer unity among Member States and clearer communication of the red lines on the EU side; stresses, therefore, that the EU should stand ready to adopt further sanctions, including targeted personal sanctions, and limiting access to finances and technology if Russia's violation of international law continues;

11. Supports the process of adopting the European legislation like the Magnitsky Act, as well as adopting national laws that impose personal sanctions on people who are involved in gross human rights violations around the world, in particular, political persecutions in the Russian Federation and in the occupied Ukrainian territories of Crimea and Donbas, and reiterates the utmost importance of the policy of no recognition of the illegal annexation of Crimea;
12. Reiterates its strong condemnation of the act of aggression committed by the Russian Federation against Ukraine on 25 November 2018 near the Kerch Strait off the coast of illegally occupied Crimea; underlines that the ITLOS ordered Russia to release the vessels and the servicemen immediately and unconditionally; underscores that failure to implement the ITLOS Order constitutes another gross violation of international obligations; considers the Russia's "conditions" for releasing the vessels and the servicemen outlined in its note to Ukraine of 25 June 2019 to be in clear contradiction to the Order, possibly additionally violating it by aggravating or extending the dispute;
13. Calls on the Russian Federation to implement to their full the resolutions of the UN General Assembly "Territorial integrity of Ukraine" of 27 March 2014, "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)" of 19 December 2016, 19 December 2017 and 22 December 2018, and as well as the order of the International Court of Justice regarding provisional measures in the in the case of Ukraine vs Russia regarding the application of the International Convention on the Elimination of All Forms of Racial Discrimination;
14. Recalls with concern that many of the Russian court judgements against Ukrainian political prisoners are related to espionage (Pavlo Gryb, Oleksiy Stogniy, Gleb Shabliy, Volodymyr Prysyk, Volodymyr Dudka, Dmitry Shtyblikov, Yevlen Panov, Andriy Zakhtey, Valentyn Vygovskyi, Viktor Shur, Dmytro Dolgopolov), which reminds of the darkest times of the 1930s until the mid-1950s of the last century when many citizens of the then Soviet Union were detained and convicted on this ground;
15. 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 President, Government and Parliament of Ukraine.