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*Plenary sitting*

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**B9-0185/2019**

25.11.2019

## **MOTION FOR A RESOLUTION**

to wind up the debate on the statements by the Council and the Commission  
pursuant to Rule 132(2) of the Rules of Procedure

on recent actions by the Russian Federation against Lithuanian judges,  
prosecutors and investigators involved in investigating the tragic events of  
13 January 1991 in Vilnius  
(2019/2938(RSP))

**Kati Piri, Birgit Sippel, Raphaël Glucksmann, Juozas Olekas,  
Vilija Blinkevičiūtė**  
on behalf of the S&D Group

**B9-0185/2019**

**European Parliament resolution on recent actions by the Russian Federation against Lithuanian judges, prosecutors and investigators involved in investigating the tragic events of 13 January 1991 in Vilnius (2019/2938(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Russia and on EU-Russia relations,
  - having regard to the exchanges of views held in its Committee on Civil Liberties, Justice and Home Affairs with the Lithuanian Justice Minister on 12 November 2019;
  - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas on 27 March 2019, the Vilnius Regional Court issued a judgment in the so-called ‘13 January’ case, in which Dmitry Yazov, former Defence Minister of the Soviet Union, Vladimir Uschopchik, the Soviet army’s former Vilnius garrison commander, Mikhail Golovatov, former commander of the KGB’s special forces, and 64 Russian, Belarussian and Ukrainian citizens were found guilty of war crimes and crimes against humanity for their involvement in the Soviet attack of 13 January 1991 in Vilnius; whereas these judgments are currently under appeal;
- B. whereas all perpetrators of this attack were on trial *in absentia*, except two, Yuri Mel and Gennady Ivanov, former Soviet army officers, and the defendants received sentences of up to 14 years in prison; whereas the judgments delivered in spring 2019 concern the tragic events following the Lithuanian declaration of independence of 11 March 1990 and the Soviet attempts to revoke said independence, which started with an economic blockade in the autumn of 1990 and culminated in a brutal effort to overthrow the Lithuanian Government in January 1991;
- C. whereas 14 civilians were killed in these events and over 800 were injured while they were peacefully trying to defend the Vilnius TV tower; whereas the suppressive actions of the Soviet armed forces continued until the attempted coup that took place in August 1991 in Moscow;
- D. whereas the Lithuanian efforts to investigate and bring the suspects to trial constituted a lengthy process and were obstructed by the refusal of the Russian and Belarussian authorities to cooperate, as they either ignored or denied requests from Lithuania for legal assistance, with the last partially answered request dating back to 2008;
- E. whereas the initial Russian reaction to the court ruling was negative, with the Russian State Duma claiming the trial to be ‘politically motivated’, ‘an attempt to rewrite history’ and the Russian Foreign Ministry announcing ‘not to leave it without further reactions’;
- F. whereas between July 2018 and April 2019 the Investigative Committee of the Russian Federation initiated several criminal proceedings against Lithuanian judges,

prosecutors, and investigators involved in investigating or ruling on the so-called '13 January' case, based on Articles 299 and 305 of the Criminal Code of the Russian Federation, which provides for criminal liability for 'knowingly bringing an innocent person to criminal responsibility' and for the 'delivery by a judge (judges) of a knowingly unjust judgment, decision or any other juridical act';

- G. whereas Russia may attempt to seek international arrest warrants against the Lithuanian officials involved in this process;
- H. whereas the rule of law is one of the common values on which the EU is founded; whereas the Commission, together with Parliament and the Council, is responsible under the Treaties for guaranteeing respect for the rule of law as a fundamental value of the Union and for making sure that EU law, values and principles are respected;
- I. whereas those principles include: legality, which implies a transparent, accountable, democratic and pluralistic process for enacting laws; legal certainty; prohibition of arbitrariness of the executive powers; independent and impartial courts; effective judicial review, including full respect for fundamental rights; and equality before the law;
  - 1. Condemns the criminal proceedings initiated by the Russian authorities against the Lithuanian officials involved in the so-called '13 January' case; condemns the actions carried out by the Russian authorities as illegitimate and in clear breach of the rule of law;
  - 2. Expresses its solidarity with the Lithuanian officials and judges indicted by Russia in this case and with the efforts of the Lithuanian Government to bring this case to light and to limit the harm and danger facing those wrongfully accused by the Russian authorities;
  - 3. Calls on the Russian authorities to drop these charges and to refrain from seeking any international arrest warrants in this case, whether via Interpol or bilaterally; calls on the Russian authorities to stop obstructing the investigation process and to fully cooperate with the Lithuanian authorities in solving the case and sanctioning the perpetrators;
  - 4. Calls on the Presidents of the Council and the Commission, and the VP/HR to continue to follow such cases closely, to raise these issues in different formats and meetings with Russia, and to report back to Parliament on exchanges held with the Russian authorities, while making the latter fully aware of the unity and solidarity of the European Union in this case, as in other related cases; urges the Member States to raise this case when communicating with the Russian authorities;
  - 5. Calls on all Member States and other signatories of the ICPO-Interpol Constitution to ignore any international arrest warrant against the accused Lithuanian officials; calls on Interpol to ignore any Russian requests for such warrants;
  - 6. 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 and Commission, the Secretary-General of the Council of Europe, the President, Government and the State Duma of the Russian Federation, Europol and

Interpol.