MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 132(2) of the Rules of Procedure

on the arrest of Alexei Navalny in Moscow
(2021/2513(RSP))

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on behalf of the Verts/ALE Group
European Parliament resolution on the arrest of Alexei Navalny in Moscow (2021/2513(RSP))

The European Parliament,

– having regard to its previous resolutions on Russia and on EU-Russia relations, in particular that of 17 September 2020 entitled ‘the situation in Russia: the poisoning of Alexei Navalny’¹,

– having regard to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR),

– having regard to the statement of 18 January 2021 by the President of the European Commission following the detention of Alexei Navalny the day before in Moscow,

– having regard to the declaration of 18 January 2021 by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on behalf of the EU on the arrest of Alexei Navalny upon his return to Russia,

– having regard to the judgments of the European Court of Human Rights (ECtHR) in the cases of Navalnyye v Russia of 17 October 2017, Navalnyy v Russia of 15 November 2018, and Navalnyy v Russia (No. 2) of 9 April 2019,

– having regard to Rule 132(2) of its Rules of Procedure,

A. whereas Alexei Navalny, as a lawyer, politician and anti-corruption activist, has uncovered numerous corruption affairs involving business enterprises and Russian politicians, led public protests all over Russia and has become one of the few effective leaders of the Russian opposition;

B. whereas Navalny has been detained, arrested and sentenced previously, in attempts to stop his political and public activities; whereas the ECtHR has declared a number of those procedures abusive and contrary to the principle of the right to a fair trial and the principle of ‘no punishment without law’ (Articles 6 and 7 of the ECHR), including the conviction relating to his current detention and which the Russian authorities are now seeking to convert from a suspended sentence into imprisonment; whereas, on 29 December 2020, the Russian Investigative Committee levelled new charges against Navalny, accusing him of allegedly embezzling RUB 356 million in donations to his Anti-Corruption Foundation and affiliated non-profit organisations;

C. whereas there have been several attempts on Navalny’s life, most recently on 20 August 2020 when he was poisoned with a Novichok-class nerve agent; whereas in neither of these cases were the perpetrators brought to justice; whereas a joint investigative

¹ Texts adopted, P9_TA(2020)0232.
journalist network project involving the Bellingcat Investigation Team managed to identify several of the perpetrators involved in the poisoning, all of them agents associated with the secret security services;

D. whereas Navalny arrived in Russia on 17 January 2021 and was detained by the Russian authorities before passing through border control; whereas his flight had been re-routed to Moscow Sheremetyevo Airport from Moscow Vnukovo Airport, where hundreds of people had gathered in support of him; whereas police detained a large number of people who were waiting for Navalny to arrive at Vnukovo Airport, including journalists and staff from Navalny’s Anti-Corruption Foundation;

E. whereas, according to the Russian Federal Penitentiary Service, Navalny is being held because of ‘multiple violations’ of the conditions of his suspended sentence relating to a 2014 fraud conviction and for evading criminal inspectors, and will be held until there is a court ruling on the matter; whereas the alleged violations of these conditions took place due to Navalny’s need to stay in Germany while receiving medical treatment at the Charité Hospital in Berlin and recuperating from his poisoning; whereas there are no grounds for his 30-day detention under Russian law;

F. whereas the rights to freedom of thought and speech, association, and peaceful assembly are enshrined in the constitution of the Russian Federation; whereas the Russian Federation is a signatory to the Universal Declaration of Human Rights and the ECHR, and is a member of the Council of Europe, and has therefore committed to complying with international standards and the principles governing the rule of law, human rights and fundamental freedoms; whereas these principles are crucial pillars of a resilient and pluralistic society; whereas the free and independent work of the opposition, civil society organisations and the media is a cornerstone of a democratic society based on the rule of law;

G. whereas the situation of human rights and the rule of law continues to deteriorate in Russia, with systematic efforts by the authorities to silence free speech, limit the freedom of assembly, obstruct opposition activities, react with repression to any activities aimed at exposing corruption, and stifle the activities of Russian civil society; whereas this ongoing repression of social dissent is reinforced by the impunity of police and security forces as well as the unwillingness of the courts to prosecute the real perpetrators of these crimes; whereas representatives of the opposition are systematically subjected to verbal attacks, ad hominem campaigns and dehumanisation by the government or pro-government media;

H. whereas Parliament has, on numerous occasions, expressed its concern about the state of democracy in Russia, the systematic failure to uphold the rule of law and respect for fundamental rights and principles, and the shrinking space for independent and dissident actors in the country; whereas the Russian authorities are creating an atmosphere of fear through the current crackdown on the opposition, civil society and any critical voices, in anticipation of the upcoming Duma elections in September 2021;

I. whereas European gas consumption has peaked and the full capacity of the current Nord Stream pipeline is not being used at the moment; whereas the divisive decision by certain Member States to build Nord Stream 2 is incompatible with the values of
solidarity and trust of the Energy Union; whereas Nord Stream 2 is incompatible with the goals of the European Green Deal of reducing EU greenhouse gas emissions by at least 55% by 2030 and eliminating net emissions of greenhouse gases by 2050;

1. Strongly condemns the detention of Alexei Navalny by the Russian authorities upon his return to Russia on 17 January 2021;

2. Demands that the Russian authorities immediately release him and ensure his safety, and also release those detained at Moscow’s Vnukovo Airport on 17 January 2021;

3. Recalls that the detention of political opponents is against Russia’s international commitments, and insists that the judiciary be depoliticised and the rights to a fair trial and access to legal counsel be upheld; calls on the Committee of Ministers and the member states of the Council of Europe to use the powers enshrined in Article 46(4) of the ECHR to submit an infringement case against the Russian Federation to the ECtHR;

4. Reiterates its call for an independent international investigation into the poisoning of Alexei Navalny with the Organisation for the Prohibition of Chemical Weapons, the United Nations and the Council of Europe; urges the Russian authorities to fully cooperate with international actors in a transparent and impartial way and to hold the perpetrators accountable;

5. Expresses its solidarity with the democratic forces in Russia, which are committed to an open and free society, as well as its support for all individuals and organisations who are targets of attacks and repression;

6. Urges the Russian authorities to stop their harassment and intimidation of and attacks on the opposition, civil society, the media, human rights defenders and other activists, and to instead allow the Russian people to exercise their basic freedoms and pursue legitimate political and civil society activities; condemns the Russian authorities’ failure to protect these actors against attacks, harassment and intimidation and to impartially investigate such attacks against them;

7. Calls on the Russian Government and State Duma to revise the legal framework for elections and the legislation on foreign agents and undesirable organisations in order to facilitate pluralism and free and fair elections in accordance with international standards and create a level playing field for opposition candidates; demands that the Russian Government guarantees all democratic parties equal access and equal chances during the upcoming Duma elections, as non-registration of parties is an abuse of the registration procedure that destroys political competition and pluralist democracy;

8. Calls on the VP/HR and the Council to devise a new strategy for the EU’s relations with Russia, which must better support civil society organisations that promote democratic values, the rule of law, fundamental freedoms and human rights in Russia, including Navalny’s Anti-Corruption Foundation, and to strengthen people-to-people contacts with the citizens of Russia;

9. Asks the Council and the VP/HR to adopt targeted sanctions, as soon as possible, against individuals or entities found to be in grave breach of human rights or essential freedoms – particularly related to the repression of civil society, opposition activists and
journalists – as well as their corrupt associates and propagandists, possibly including Roman Abramovich, Denis Bortnikov, Andrey Kostin, Mikhail Murashko, Dmitry Patrushev, Igor Shuvalov, Vladimir Solovyov and Alisher Usmanov;

10. Urges the EU institutions and all the Member States to stop the completion of the Nord Stream 2 pipeline, and urges the Commission to use all legal and political means available to prevent its completion, in order to avoid increasing Europe’s dependency on Russian energy supplies; calls for a systematic review of similar bilateral projects in the EU that undermine the principle of solidarity, support corruption or lead to human rights violations, including the foundation that was recently established by the state government of Mecklenburg-Western Pomerania to help finalise Nord Stream 2;

11. Encourages the EU to continuously call on Russia to repeal or amend all laws that are incompatible with international standards; underlines that any dialogue with Russia must be based on respect for international law;

12. Reiterates its call on the European External Action Service and the Member States to continue closely monitoring the human rights situation in the Russian Federation and calls on the EU Delegation in Russia and the embassies of the Member States to continue monitoring court cases involving civil society organisations, opposition politicians and activists, including the case of Alexei Navalny;

13. Instructs its President to forward this resolution to the Council, the Commission, the VP/HR, the governments and parliaments of the Member States, the Secretary-General of the Council of Europe, and the President, Government and State Duma of the Russian Federation.