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TEXTS ADOPTED

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**P8\_TA(2016)0446**

**The case of Ildar Dadin, prisoner of conscience in Russia**

**European Parliament resolution of 24 November 2016 on the case of Ildar Dadin, prisoner of conscience in Russia (2016/2992(RSP))**

*The European Parliament,*

- having regard to its previous reports, recommendations and resolutions on Russia, in particular its recommendation to the Council of 23 October 2012 on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case<sup>1</sup>; its resolutions of 13 June 2013 on the rule of law in Russia<sup>2</sup> and of 13 March 2014 on Russia: sentencing of demonstrators involved in the Bolotnaya Square events<sup>3</sup>; its recommendation to the Council of 2 April 2014 on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case<sup>4</sup>; and its resolutions of 23 October 2014 on the closing-down of the NGO ‘Memorial’ (winner of the 2009 Sakharov Prize) in Russia<sup>5</sup>, of 12 March 2015 on the murder of the Russian opposition leader Boris Nemtsov and the state of democracy in Russia<sup>6</sup>, of 10 June 2015 on the state of EU-Russia relations<sup>7</sup>, and of 10 September 2015 on Russia, in particular the cases of Eston Kohver, Oleg Sentsov and Olexander Kolchenko<sup>8</sup>,
  - having regard to the results of the EU-Russia Summit of 3 and 4 June 2013 and the human rights consultations of 19 May 2013,
  - having regard to the Russian Constitution, and in particular to its Article 29, which protects freedom of speech, and Article 31, which includes the right to peaceful assembly,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas in early December 2015 the Russian opposition activist Ildar Dadin was sentenced to three years in jail after organising a series of peaceful anti-war protests and assemblies, being the first person in Russia to be convicted under a tough public assembly

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<sup>1</sup> OJ C 68 E, 7.3.2014, p. 13.

<sup>2</sup> OJ C 65, 19.2.2016, p. 150.

<sup>3</sup> Texts adopted, P7\_TA(2014)0253.

<sup>4</sup> Texts adopted, P7\_TA(2014)0258.

<sup>5</sup> OJ C 274, 27.7.2016, p. 21.

<sup>6</sup> OJ C 316, 30.8.2016, p. 126.

<sup>7</sup> OJ C 407, 4.11.2016, p. 35.

<sup>8</sup> Texts adopted, P8\_TA(2015)0314.

law adopted in 2014;

- B. whereas Ildar Dadin was sentenced to three years' imprisonment, in excess of the prosecution's recommended sentence of two years; whereas the sentence was reduced on appeal to two and a half years;
- C. whereas during his ongoing imprisonment Mr Dadin has reportedly suffered repeated torture, beatings, inhumane treatment and threats of murder at the hands of the Russian authorities, in penal colony number 7 in Karelia;
- D. whereas the European Court of Human Rights (ECHR) approved the request of Mr Dadin's lawyer and obliged the Russian Federation to ensure an effective investigation, move Mr Dadin to a different penitentiary and ensure his communication with his legal representative;
- E. whereas the case of Ildar Dadin is not isolated, and credible human rights reports point to the systematic use of torture, ill-treatment and inhumane treatment in the Russian penal system; whereas those committing and responsible for the torture and abuse of those in prison or in penal and detention facilities often enjoy impunity;
- F. whereas on 3 November 2016 Thorbjørn Jagland, the Secretary-General of the Council of Europe, expressed his concern at the allegations of ill-treatment of Mr Dadin to Alexander Kononov, Minister of Justice of the Russian Federation;
- G. whereas the number of political prisoners in Russia has significantly increased in recent years, now standing, according to the Memorial Human Rights Centre, at 102, among them Alexander Kostenko Fedorovic, Ivan Nepomnyaschih, Dmitry Buchenkov, Vladimir Ionov, Maxim Panfilov and others; whereas in 2015 Russia was found to have violated the European Convention on Human Rights 109 times, in other words more than any other country;
- H. whereas 197 deaths in police custody were recorded in 2015, including 109 from a 'sudden deterioration in health conditions' and 62 suicides, suggestive of widespread abuse, torture and mistreatment of detainees in the penitentiary system of the Russian Federation;
- I. whereas on 26 October 2016 a Moscow court imposed a fine of 300 000 roubles on the Yuriy Levada Analytical Centre (Levada Centre), one of the three main organisations studying public opinion in Russia, because it had failed to register as a 'foreign agent';
- J. whereas President Putin has recently signed an order under which Russia henceforth refuses to participate in the Rome Statute of the International Criminal Court (ICC); whereas in a statement, the Russian Foreign Ministry described the ICC's work as 'inefficient and one-sided' and expressed concern over its investigation of the August 2008 events in South Ossetia; whereas ICC prosecutors have posted a report on the court's website that finds that 'the Russian occupation has been accompanied by the harassment and intimidation of the Crimean Tatars';
- K. whereas in October 2016 the United Nations Human Rights Council decided not to re-elect Russia as a member, after over 80 human rights and international aid organisations had signed a letter urging UN members to block Russia's election to that body;

1. Calls for the immediate and unconditional release of Ildar Dadin and all those detained on false or unsubstantiated charges or for using their right of freedom of expression and assembly;
2. Is profoundly concerned that the Criminal Code of the Russian Federation has been amended by an article that places new restrictions on public gatherings and provides for such gatherings to be considered a criminal act;
3. Urges the Russian authorities to conduct a thorough and transparent investigation of the allegations made by Ildar Dadin of torture and ill-treatment, with the participation of independent human rights experts; calls for an independent investigation into the allegations of torture, abuse and degrading and inhumane treatment on the part of state officials in Russian detention facilities, labour camps and prisons;
4. Calls on the Russian Federation, in this regard, to carry out a thorough review of its penitentiary system with a view to undertaking a deep reform of the system, and to fully implement the standards agreed under the relevant international conventions;
5. Expresses its solidarity with those arrested in Russia and in the temporarily occupied territories of Ukraine, including Crimean Tatars, on false and unsubstantiated charges, and calls for their immediate release;
6. Reminds Russia of the importance of full compliance with its international legal obligations, as a member of the Council of Europe and the Organisation for Security and Cooperation in Europe, and with fundamental human rights and the rule of law as enshrined in various international treaties and agreements that Russia has signed and is party to; underlines that the Russian Federation can be considered a reliable partner in the sphere of international cooperation only if it keeps up its obligations under international law; in this regard, expresses its concern over the presidential decree withdrawing Russia from the Rome Statute of the ICC;
7. Calls on the Government of Russia to take concrete and immediate steps to comply with all ECHR judgments against Russia; in this regard, regrets the fact that the Russian Federation, in new legislation adopted in December 2015, has empowered its Constitutional Court to overturn ECHR judgments;
8. Urges the Council to develop a unified policy towards Russia that commits the 28 EU Member States and the EU institutions to a strong common message concerning the role of human rights in the EU-Russia relationship and respect for international law; calls on the VP/HR, together with the EEAS and the Commission, to develop a substantive and concrete strategy supporting Russian civil society and organisations, making use of the European Instrument for Democracy and Human Rights;
9. Calls on the Council to adopt a series of targeted sanctions to punish those responsible for the mistreatment of Ildar Dadin and other human rights activists;
10. Instructs its President to forward this resolution to the EEAS, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the Council of Europe, the Organisation for Security and Cooperation in Europe, and the President, Government and Parliament of the Russian Federation.