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RUSSIA

EU-Russia relations have been strained since 2014 because of Russia's illegal annexation of Crimea, support for separatist groups in eastern Ukraine, destabilisation policies in the neighbourhood, disinformation and interference campaigns and internal human rights violations. After Russia launched its full-scale invasion of Ukraine on 24 February 2022, the remaining political, cultural and scientific cooperation was suspended.

LEGAL BASIS

- Title V of the <u>Treaty on European Union</u>: 'external action';
- Articles 206-207 (trade) and Articles 216-219 (international agreements) of the <u>Treaty on the Functioning of the European Union;</u>
- Partnership and Cooperation Agreement (PCA) (bilateral relations).

EU-RUSSIA RELATIONS

Until the Maidan movement protests in Ukraine in November 2013, the EU and Russia had been building a strategic partnership, covering, among other areas, trade, the economy, energy, climate change, research, education, culture and security, including counter-terrorism, nuclear non-proliferation and conflict resolution in the Middle East. The EU was a staunch supporter of Russia's World Trade Organization (WTO) accession (completed in 2012). The illegal annexation of Crimea by Russia in March 2014, the evidence that Russia was supporting separatist fighters in eastern Ukraine and its attempts to disrupt access to the Sea of Azov triggered the start of a major review of EU policy towards Russia.

Since March 2014 the EU, like the US, Canada, Australia and other Western countries, has progressively imposed restrictive measures against Russia. Initially, the 2014 EU sanctions against Russia included individual restrictive measures such as asset freezes and visa bans targeted at members of the Russian elite, Ukrainian separatists and the organisations associated with them, along with diplomatic sanctions, entailing the formal suspension of EU-Russia summits and the negotiations on the new EU-Russia cooperation agreement, as well as the suspension of Russia from the G8. Broader economic sanctions against Russia followed later, with the initial restrictions on trade with Crimea, and sectoral sanctions concerning the arms trade, energy and financial cooperation with Russia. In response, in August 2014 Russia adopted countersanctions, banning numerous EU agrifood products (representing 43 % of total EU



agrifood exports to Russia and 4.2 % of total EU agrifood exports to the world in 2013). In spite of the sanctions and counter-sanctions, the EU remained Russia's biggest trading partner, while Russia was the EU's fifth biggest trading partner until 2021.

Furthermore, the EU reassessed its relations with Russia through the 2016 EU global security strategy defining them as 'a key strategic challenge'. In March 2016, the Council established five guiding principles to be applied to the EU's relations with Russia: (1) implementation of the Minsk agreements on the eastern Ukraine conflict as the key condition for any substantial change in the EU's stance towards Russia; (2) strengthened relations with the EU's Eastern Partners and other neighbours, including Central Asia; (3) strengthening the resilience of the EU (e.g. energy security, hybrid threats or strategic communication); (4) selective engagement with Russia on issues of interest to the EU; (5) the need to engage in people-to-people contacts and support Russian civil society.

Since its full-scale invasion of Ukraine in February 2022, Russia has been considered as an aggressor against Ukraine and the EU has reoriented its strategy towards the Russian Federation.

In March 2022, the EU adopted its <u>Strategic compass for security and defence</u>, acknowledging that Russia represented 'a long-term and direct threat for European security', thereby marking a major shift in EU-Russia's relations since 2016. This approach was further underpinned in the NATO Strategic Concept, adopted in June 2022, which states 'the Russian Federation is the most significant and direct threat to Allies' security and to peace and stability in the Euro-Atlantic area'.

Consequently, since 2022 EU policies towards Russia have been designed with the following guiding principles: (1) Russia must be isolated internationally and sanctions imposed on it in order to prevent it waging war; (2) the international community must ensure accountability by holding Russia, individual perpetrators and accomplices responsible for violations of international law and war crimes committed in Ukraine; (3) the EU's neighbours must be supported, including through EU's enlargement policies, and partners worldwide helped to address the consequences of Russia's war of aggression against Ukraine; (4) close cooperation with NATO and partners worldwide should be supported to defend the rules-based international order; (5) the EU's resilience must be enhanced, in particular in energy security and critical infrastructure, and Russia's cyber and hybrid threats, information manipulation and interference countered; (6) civil society, human rights defenders and independent media must be supported inside and outside Russia, while addressing threats to security and public order in the EU.

After obtaining his fourth presidential term in 2018, Vladimir Putin orchestrated constitutional amendments, adopted in 2020, that will allow him to stay in power beyond 2024, the end of his current mandate (theoretically until 2036).

Under Vladimir Putin, particularly from 2012 onwards, the space for individual and collective action has diminished gradually but systematically, through legislative restrictions and targeted intimidation of critics. Over the years, the Russian authorities have introduced sweeping legal restrictions on 'foreign agents' and 'undesirable' and 'extremist' organisations, targeting hundreds of non-governmental organisations



(NGOs), while censorship of the media, the internet and social media has increased significantly. An increasing number of civil society actors, human rights defenders and independent journalists have been designated as 'foreign agents', harassed and imprisoned, human rights organisations have been shut down and the freedoms of expression, of peaceful assembly and of association have been curtailed. Investigative and data-driven journalism have also been targeted, while the state-controlled media has relentlessly promoted an image of a 'besieged fortress' under attack from 'the collective West'. In addition, the 2016 and 2021 parliamentary elections and the September 2022 regional and local elections were held in a restrictive political and media environment, resulting in a significant victory for Putin's United Russia party. Election observers and the independent media found that elections continued to fall short of international standards and were marred by fraud, workplace mobilisation, systematic exclusion of the opposition and other irregularities. Experts noted that the regional elections that took place in September 2023 were even less fair and free than the previous elections. Russian citizens' voting rights have deteriorated to the point where these elections can be considered devoid of any genuine democratic principles. Russia will hold its next presidential elections in March 2024.

In October 2020, based on a specific EU legal basis – the chemical weapons sanctions regime – six Russian individuals and one entity were added to the relevant travel ban and asset freeze list as a result of the August 2020 assassination attempt on opposition politician and anti-corruption activist Alexei Navalny using a military-grade toxic nerve agent. This is the same legal instrument that was used to sanction those responsible for the Skripal case in Salisbury (UK) in March 2018.

In March 2021, the Council made use of the newly adopted EU global human rights sanctions regime to sanction four Russian nationals over their roles in the arbitrary arrest, prosecution and sentencing of Navalny, as well as the repression of peaceful protests in connection with his unlawful treatment.

Russia has been retaliating against the EU sanctions since August 2014 by imposing counter-sanctions on agricultural goods, raw materials and food, alleging violations of food security standards. This has reinforced Russia's import substitution policy in the agricultural sector. Russia also applies a 'stop list' to EU and US nationals who have criticised its actions, denying them the right to enter Russian territory. This list is not officially published, which rules out any possible avenue for a legal appeal, as opposed to the EU's travel ban. The list included several MEPs and, as of 30 April 2021, the late European Parliament President David Sassoli's name also featured alongside that of European Commission Vice-President for Values and Transparency Věra Jourová, and six EU Member State officials.

On 21 February 2022, the State Duma of the Russian Federation officially recognised the independence of the self-proclaimed 'People's Republics' of Donetsk and Luhansk. On 24 February 2022, the Russian Federation launched its full-scale invasion of Ukraine.

Since the start of the invasion, the EU has condemned in the strongest possible terms Russia's illegal, unprovoked and unjustified military aggression against Ukraine and its attacks against civilians and civilian infrastructure, and has called for the



immediate and unconditional withdrawal of all Russian troops from the entire territory of Ukraine within its internationally recognised borders. It has pointed out that this war of aggression constitutes a blatant and flagrant violation of the UN Charter and of the fundamental principles of international law, and that the Russian Federation bears full responsibility for it. European Council President Charles Michel has also highlighted its repercussions on the world order, declaring on 1 March 2022: 'It is not only Ukraine that is under attack. International law, rules-based international order, democracy and human dignity are also under attack. This is geopolitical terrorism, pure and simple.' In addition, EU leaders have underlined that Russia, Belarus and all those responsible for war crimes and the other most serious crimes will be held to account for their actions in accordance with international law. The EU has also condemned Russia's weaponisation of food in the war against Ukraine and the global food security crisis Russia has thereby triggered. The EU also considered the sham referendums of September 2022 and the so-called 'elections' held in September 2023 by Russia in the occupied territories of Ukraine as illegal and illegitimate and strongly rejected this attempt by Russia to legitimise or normalise its illegal military control and attempted annexation of parts of Ukrainian territories.

In response to Russia's invasion, the EU Member States swiftly adopted unprecedentedly tough sanctions in close cooperation with partners, including the United States, the United Kingdom, Canada, Australia and Japan. Since 24 February 2022, the EU has massively expanded the restrictive sectoral measures through 11 successive sanctions packages (up to June 2023) and added a significant number of persons and entities to the sanctions list with the aim of further stepping up the pressure on Russia to end the war. The restrictive measures are intended to weaken Russia's economic foundation, depriving it of essential technologies and markets and greatly reducing its capacity to wage war.

The rapid succession of 11 packages of <u>EU sanctions</u>, in what has already been labelled a 'sanctions revolution', has resulted in an unparalleled set of measures targeting the key sectors of the Russian economy and the country's political elites. Each package has incrementally amended and broadened the scope of the sanctions regimes adopted from 2014 onwards, with the addition of a new regime banning imports of goods originating in the illegally annexed territories of Donetsk, Luhansk, Kherson and Zaporizhzhia to the EU. The sanctions packages are intended to be hard-hitting and have wide-ranging effects across the financial, energy transport, technology, consulting, broadcasting as well as the metal, luxury and other goods sectors.

In addition to the individual and economic sanctions, a number of subsequent diplomatic sanctions have been imposed, including the suspension of visa facilitation between the EU and Russia. Together with other World Trade Organization (WTO) members, the EU agreed to deny most-favoured-nation treatment for Russian products and services on EU markets.

As of the end of June 2023, the sanctions listings cover <u>1 572 individuals and 244 entities</u>. The sanctioned individuals include the President of the Russian Federation, Vladimir Putin, Russia's Foreign Affairs Minister, Sergey Lavrov, the 351 Members of the State Duma who endorsed the recognition of the temporarily occupied territories of Donetsk and Luhansk regions, high-ranking officials and military personnel,



disinformation actors, those responsible for missile strikes against civilians, critical civilian infrastructure and for the kidnappings and subsequent illegal adoptions of Ukrainian children, and many others. Several high-ranking members of the Wagner Group mercenary organisation were included on the sanction list, including its then leader Yevgeny Prigozhin. All sanction packages have been renewed in September by the Council until March 2024.

The 11th sanctions package focuses on stepping up the fight against the circumvention of restrictions on Russia through imports via third countries or shadow entities and includes an anti-circumvention tool specifically designed to curb sanctions circumvention through third countries. The individual sanctions (travel bans and asset freezes) target the people responsible for supporting, financing or implementing actions that undermine the territorial integrity, sovereignty and independence of Ukraine or who benefit from these actions. In this context, after adding the violation of restrictive measures to the list of 'EU crimes', the Council agreed, on 9 June 2023, to introduce criminal offences and penalties for the violation of EU sanctions and to make it easier to investigate, prosecute and punish the breaking of sanction measures throughout the EU.

In retaliation for the EU and international sanctions imposed against Russia after its invasion of Ukraine in February 2022, the Russian Government published a list of 'unfriendly' foreign countries, which includes EU Member States, the UK, the US and other nations with a sanctions scheme against Russia. People from these nations are now subject to a progressively more intricate system of retaliatory countersanctions, which affect various business and financial deals with a Russian connection. On 31 March 2022, the Russian authorities also decided to expand their 'stop list' significantly to encompass 'the top leadership of the EU, a number of European commissioners and heads of EU military bodies, as well as the overwhelming majority of members of the European Parliament'. The Russian blacklist also includes high-level officials from some EU Member States' governments and members of national parliaments, public and media figures.

The European Commission, while continuing to support the work of the International Criminal Court, indicated its readiness to work with the international community on setting up an ad hoc international tribunal or a specialised 'hybrid' tribunal to investigate and prosecute Russia's crimes of aggression against Ukraine, perpetrated by the political and military leadership of the Russian Federation and its allies, in particular Belarus. As of 30 May 2023, Eurojust has been equipped with new powers to preserve, analyse and store evidence in order to facilitate the further investigation of war crimes, genocide and crimes against humanity committed on the territory of Ukraine. It is supporting the EU Joint Investigation Team set up with Poland, Latvia, Estonia, Slovakia, Romania, Lithuania and Ukraine.

Following a decade of a shrinking public sphere under Vladimir Putin, a new spiral of domestic political repression commenced after Alexei Navalny's return to Russia in January 2021, and has increased dramatically since the outset of Russia's full-scale invasion of Ukraine in February 2022. Any dissent or deviation from the official

version of events is subject to sanctions and critical voices in society have been further marginalised.

Since 24 February 2022, 20 000 anti-war protestors have been detained in Russia. The EU has condemned the systematic crackdown on NGOs, civil society organisations, human rights defenders and independent journalists both within and outside of Russia and continues to support Russians who have been speaking out or protesting against the war in Ukraine. On 5 June 2023 the Council sanctioned nine individuals for sentencing the Russian opposition politician, democracy activist and Kremlin critic Vladimir Kara-Murza to 25 years' imprisonment on the basis of politically motivated charges and false allegations. The EU has repeatedly reaffirmed its solidarity with Vladimir Kara-Murza, Alexei Navalny, Ilya Yashin and all Russians who have been prosecuted, imprisoned or intimidated for continuing to fight for human rights and speaking the truth about the regime's illegal actions.

While on 12 September 2022, the EU Member States fully <u>suspended</u> the 2007 EU-Russia visa facilitation agreement, the Commission has adopted <u>guidelines</u> to ensure this suspension does not negatively impact those in need of protection and people travelling to the EU for essential purposes, such as journalists, dissidents and civil society representatives.

AGREEMENTS IN FORCE

The legal basis for EU-Russia relations is the June 1994 PCA. Initially valid for 10 years, it has been renewed automatically every year. It sets the principal common objectives and establishes the institutional framework for bilateral contacts – including regular consultations on human rights and twice-yearly presidential summits – which are currently frozen.

At the 2003 St Petersburg summit, the EU and Russia reinforced their cooperation by creating four 'Common Spaces': an economic space; a freedom, security and justice space; an external security space; and a research, education and culture space. At regional level, the EU and Russia, along with Norway and Iceland, set up the new Northern Dimension policy in 2007, focusing on cross-border cooperation in the Baltic and Barents regions. In July 2008, negotiations were initiated for a new EU-Russia agreement to include 'legally binding commitments' in areas such as political dialogue, justice, liberty, security, economic cooperation, research, education, culture, trade, investment and energy. A 'Partnership for Modernisation' was launched in 2010. Negotiations on a visa facilitation agreement were concluded in 2011. However, Russia's intervention in Crimea led to the suspension of all these talks and processes. In 2014, the European Council froze cooperation with Russia (except on cross-border cooperation and people-to-people contacts), as well as new EU financing for the benefit of the country through international financing institutions. Relations between the EU and Russia have been strained since the illegal annexation of Crimea and the city of Sevastopol by Russia in 2014 and its destabilising actions in eastern Ukraine. After Russia began its invasion of Ukraine on 24 February 2022, the remaining political, cultural and scientific cooperation was suspended.

ROLE OF THE EUROPEAN PARLIAMENT

The European Parliament endorsed the PCA in 1997 under the 'assent procedure'.

Parliament has adopted a series of resolutions on Ukraine condemning Russia's illegal annexation of Crimea and its role in destabilising eastern Ukraine. Parliament adopted resolutions on the state of EU-Russia relations in June 2015 and March 2019, backing the EU sanctions and emphasising the need to provide more ambitious EU financial assistance to Russian civil society and to promote people-to-people contacts despite difficult relations. The 2019 resolution expresses great concern over Russia's international behaviour, particularly in the Eastern Partnership countries. The resolution also criticises the deterioration of human rights and fundamental freedoms in Russia and proposes that Russia no longer be considered a 'strategic partner' of the EU. In September 2021, Parliament adopted a recommendation on the direction of EU-Russia political relations requiring the EU to 'ensure that any further engagement with the Kremlin will depend on the latter's promise to end its domestic aggression against its own people, to stop systemic repressions of the opposition and ... political prisoners, civil society organisations, to repeal or amend all laws that are incompatible with international standards, such as the ones on "foreign agents" ... and to end its external aggression against neighbouring countries'. It calls for the EU to have clearly defined red lines and must refrain from pursuing cooperation with Russia only for the sake of maintaining dialogue channels open. It also calls for a vision and a strategy on the future of EU relations with a free, prosperous, peaceful and democratic Russia.

Before 2014, Parliament had favoured a new comprehensive agreement with Russia based on common values and interests. However, Parliament has repeatedly expressed strong concerns about respect for human rights, the rule of law and the state of democracy in Russia, for example concerning the laws against LGBTI 'propaganda', decriminalising non-aggravated domestic violence, the crackdown on independent NGOs or those receiving funding from outside Russia, etc. Parliament has particularly condemned the unprecedented levels of human rights abuses perpetrated against residents of Crimea, most notably Tatars. In 2018, it demanded the release of Ukrainian film director Oleg Sentsov, who opposed the illegal annexation of Crimea, and awarded him the Sakharov Prize. Sentsov was released in 2019 as part of an exchange of prisoners between Russia and Ukraine. Parliament strongly condemned the attempted assassination of Alexei Navalny in 2020.

Since the start of Russia's war of aggression against Ukraine, Parliament has adopted numerous resolutions condemning Russia's aggression and the crimes perpetrated in its wake and expressed its staunch support for Ukraine's independence, sovereignty and territorial integrity within its internationally recognised borders.

Over the last year and a half, <u>Parliament has been a staunch supporter of strong and effective EU sanctions</u> as a key instrument against the Russian Federation, Belarus and allies of the Russian Federation. It has called for the confiscation of Russian assets frozen by the EU and for their use to address the reconstruction of Ukraine and compensation for the victims of Russia's aggression. As regards the cooperation on sanctions across the world, the European Parliament has called on partners to align



with these sanctions and is concerned that several third countries are collaborating with Russia to help it circumvent sanctions.

In its <u>resolution of 23 November 2022</u>, Parliament recognised Russia as a state sponsor of terrorism and as a state that uses means of terrorism, calling on the international community to be united in establishing accountability for war crimes, crimes against humanity and the crime of aggression. In several resolutions, Parliament has called for President Putin, other Russian leaders and their Belarusian allies to be held accountable for the crime of aggression they have committed. In this context, Parliament supports the creation of a special international tribunal to prosecute the crime of aggression against Ukraine perpetrated by the political and military leadership of the Russian Federation and its allies, in particular Belarus. It also fully supports the ongoing investigation by the Prosecutor of the International Criminal Court (ICC) into the situation in Ukraine and alleged war crimes, crimes against humanity and genocide. In March 2023, when it was announced that ICC arrest warrants had been issued for Vladimir Putin and Maria Lvova-Belova, the Children's Rights Commissioner for the President of Russia, due to the unlawful deportations of Ukrainian children to Russian territory, the European Parliament welcomed the decision during a plenary debate.

In its recommendation of 8 June 2022 on 'The EU's Foreign, Security and Defence Policy after the Russian war of aggression against Ukraine', Parliament urged the Vice-President of the Commission and EU High Representative for Foreign Affairs and Security Policy Josep Borrell to pursue a holistic approach towards the Russian Federation and abandon any selective engagement with Moscow in the face of the atrocities and war crimes orchestrated by Russian political elites and committed by Russian troops, their proxies and mercenaries in Ukraine and elsewhere.

In its <u>resolution of 16 February 2023</u>, Parliament acknowledged that the Russian war of aggression had fundamentally changed the geopolitical situation in Europe, and therefore called for the EU to take bold, brave and comprehensive political, security and financial decisions and continue the international isolation of the Russian Federation.

At the same time, Parliament also believes that the Commission, the European External Action Service and the Member States should start reflecting on how to engage with Russia in the future and how to assist it with a successful transition from an authoritarian regime to a democratic country that renounces revisionist and imperialistic policies, as stated in its resolution of 6 October 2022.

Before the war of aggression began, Parliament had already for years been condemning the Russian regime's domestic repression and the increasing deterioration of the human rights situation. When Russia launched its war of aggression against Ukraine, Parliament reiterated its strongest condemnation, in particular of the severe restrictions placed on the freedom of opinion and expression, the right to peaceful assembly and association, and the systematic crackdowns on civil society organisations, human rights defenders, the independent media, lawyers and the political opposition. Parliament has also deplored the sweeping repressive Russian legislation, including on 'foreign agents' and 'undesirable organisations', the changes to the Criminal Code and the Mass Media Law, which are used to engage in judicial harassment against dissenting voices in the country and abroad and to undermine



the independent media. It has furthermore denounced the continuous and increasing censorship in Russia.

In particular, Parliament has repeatedly condemned Russia for the sentencing of Alexei Navalny who was awarded the European Parliament Sakharov Prize in 2021. As more activists were arrested and jailed, Parliament adopted two resolutions – on 7 April 2022 and 20 April 2023 respectively – condemning the increasing repression in Russia, in particular the cases of Vladimir Kara-Murza and Alexei Navalny. As part of the 'Free Navalny Campaign', on 26 to 30 June 2023 Parliament installed a full-size replica of the punishment cell (Shizo) where Alexei Navalny is serving his 9.5 years sentence in front of the Parliament building in Brussels. The event, organised in the framework of activities of the Democracy Support and Election Coordination Group, meant to draw attention to the plight of Alexei Navalny and to inform the public about repression against political opposition in Russia. On September 2023, in a joint statement by the Chair of the Subcommittee on Human Rights, the chair of the Delegation for relations with Russia and the European Parliament's Standing Rapporteur on Russia expressed their concern for Vladimir Kara-Murza, who had been transferred to solitary confinement in a maximum security prison in Siberia.

In its resolution of <u>5 October 2023</u>, <u>Parliament expressed concern for Zarema Musaeva</u>, a human rights defender from Chechnya. Human rights violations in Chechnya have been consistently and strongly condemned by Parliament.

Parliament has expressed its solidarity and support for the people in Russia and Belarus protesting against Russia's war of aggression against Ukraine and has demanded that Member States protect and grant asylum to Russians and Belarusians being persecuted for speaking out against the war, as well as Russian and Belarusian deserters and conscientious objectors. It has also called for the EU institutions to engage with Russian democratic leaders and civil society and supports the creation of a democracy hub for Russia, hosted by the European Parliament. The President of the European Parliament met with some representatives of the Russian opposition in 2022, the subcommittee on Human Rights is holding regular exchanges of views with Russian independent journalists, civil society and opposition representatives. Individual MEPs also organised a roundtable on the future of a democratic Russia on 5 and 6 June 2023 gathering representatives of the EU Institutions, MEPs and prominent representatives of all streams of the Russian free media and political opposition.

Relations with Russian legislators were mostly developed in the Parliamentary Cooperation Committee (PCC), an inter-parliamentary forum established by the EU-Russia PCA. Between 1997 and 2014, the PCC served as a stable platform for developing cooperation and dialogue between delegations from Parliament and the Russian Federal Assembly. Since March 2014, however, Parliament has discontinued these inter-parliamentary meetings in accordance with the EU's restrictive measures taken in response to the Ukrainian crisis. Nevertheless, Parliament's Delegation to the EU-Russia PCC continues to meet regularly to analyse and hold debates on the impact of Russia's war of aggression against Ukraine on the world and domestically, and in particular on the escalating crackdown on Russian civil society by the Russian authorities. In this context, the delegation holds regular exchanges of views with representatives of the Russian opposition, human rights defenders, civil society, non-



governmental organisations and independent journalists, as well as with international experts.

Parliament has not been invited by Russia to observe elections since 1999.

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