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Plenary sitting

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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 122 of the Rules of Procedure

on Russia: sentencing of demonstrators involved in Bolotnaya Square events (2014/2628(RSP))

Cristian Dan Preda, Bernd Posselt, Filip Kaczmarek, Tunne Kelam, Elena Băsescu, Monica Luisa Macovei, Eduard Kukan, Inese Vaidere, Philippe Boulland, Jean Roatta, Roberta Angelilli, Petri Sarvamaa, Eija-Riitta Korhola, Giovanni La Via, Sergio Paolo Francesco Silvestris, Sari Essayah, Krzysztof Lisek, Davor Ivo Stier, Jarosław Leszek Wałęsa, Dubravka Šuica
on behalf of the PPE Group

European Parliament resolution on Russia: sentencing of demonstrators involved in Bolotnaya Square events (2014/2628(RSP))

The European Parliament,

- having regard to its previous reports and resolutions on Russia, in particular its resolution on the rule of law in Russia of 13 June 2013,
 - having regard to the Constitution of Russia, in particular Article 118 thereof, which states that justice in the Russian Federation shall be administered by courts alone, and Article 120 thereof, which provides that judges are independent and are subordinate only to the Russian Constitution and the federal law,
 - having regard to the statement by the Spokesperson of the Vice-President of the European Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) of 24 February 2014 on the sentencing of demonstrators involved in the Bolotnaya Square events,
 - having regard to Rule 122 of its Rules of Procedure,
- A. whereas the Russian Federation, as a full member of the Council of Europe and the Organisation for Security and Cooperation in Europe (OSCE) and a signatory of the United Nations declarations, has committed itself to the principles of democracy, the rule of law and respect for human rights and fundamental freedoms;
- B. whereas several trials and judicial proceedings over the last years have cast doubt on the independence and the impartiality of the judicial institutions of the Russian Federation; whereas those most well-known cases outside Russia are portrayed with what amounts to a systematic failure of the Russian state to uphold the rule of law and to deliver justice to its citizens;
- C. whereas on 6 May 2012, on the eve of President Vladimir Putin's inauguration, several dozen of the estimated tens of thousands of protesters clashed sporadically with police leading to minor injuries at the Bolotnaya Square; whereas on 24 February 2014, a Russian court handed down a guilty verdict against eight of those demonstrators; whereas the prosecution for "mass riots", the trial and the verdict of the "Bolotnaya Square" case were internationally portrayed as being politically motivated and disproportionate in the light of the events and offenses they were accused of;
- D. whereas a large number of detentions were made during peaceful demonstrations in support of the defendants in the Bolotnaya square case on February 21st and 24th 2014; whereas over 200 people who gathered outside the Zamoskvoretsky district court on February 24th 2014 to hear the verdict case were detained over several hours; whereas opposition leaders Boris Nemtsov and Aleksei Navalny were subsequently convicted to 10 days jail terms; whereas Aleksei Navalny has been placed under house

arrest for the next two months and on March 5th, 2014 was fitted with an electronic bracelet to monitor his activities;

- E. whereas there are a multitude of other judicial cases where politically constructed reasons are being used to eliminate political competition, threaten civil society and discourage citizens from participating in public protests;
 - F. whereas the human rights situation in Russia has deteriorated drastically in the last years and the Russian authorities have adopted a series of laws which contain ambiguous provisions and could be used to further restrict opposition and civil society actors and hinder freedom of expression and assembly; whereas such aspects haven't been so far addressed as a priority issue, in particular during EU-Russia bilateral meetings and negotiations;
 - G. whereas the new NGO legislation and the legislation on the right to freedom of assembly could be used to suppress civil society, stifle opposing political views and harass NGOs, democratic opposition and the media; whereas the Russian Parliament adopted a bill in July 2012 granting the status of 'foreign agent' to Russian non-commercial organisations engaged in political activities and financed from abroad;
1. Reminds the importance of Russia's full compliance with its international legal obligations, as member of the Council of Europe and the Organisation for Security and Cooperation in Europe, and with the fundamental human rights and the rule of law enshrined in the European Convention on Human Rights and the International Covenant on Civil and Political Rights (ICCPR); points out that recent developments have moved in the opposite direction to the reforms necessary to improve democratic standards, the rule of law and the independence of the judiciary in Russia;
 2. Expresses its serious concerns about the recent repressive laws and their arbitrary enforcement by the Russian authorities, often leading to harassment of NGOs, civil society activists, opposition activists, human rights defenders and minorities;
 3. Concludes that Russia's failure to observe its international legal obligations to protect freedom of association, expression, and assembly threatens both the viability of Russia's vibrant civil society and its cooperation with the EU and other international organisations;
 4. Expresses, in the case of demonstrators of the Bolotnaya Square, its deep disappointment with the politically motivated and disproportionate verdict for mass rioting and violence against police, given the procedural shortcomings and long unjustified pre-trial detention;
 5. Equally expresses its deep concern for the detention of large number of peaceful protesters following the Bolotnaya verdicts and calls on the Russian government to respect the rights of all citizens to exercise their fundamental freedoms and universal human rights;
 6. Notes with concern that this case adds to the recent upsurge in the politically motivated intimidation and prosecution of opposition activists in the Russian Federation, a trend that is of growing concern to the European Union;

7. Urges the Russian judicial and law enforcement authorities to carry out their duties in an effective, impartial and independent manner and to reconsider in the appeal process the sentences handed down in the case of demonstrators of the Bolotnaya Square in line with Russia's international commitments;
8. Underlines that such verdicts question the foundations of the state of the rule of law and negatively impacts on the exercise of freedom of expression and assembly in Russia;
9. Encourages the Presidents of the Council and Commission, as well as the VP/HR to continue to closely follow these cases and to raise these issues in different formats and meetings with Russia and to report back to the Parliament on the exchanges with the Russian authorities;
10. Instructs its President to forward this resolution to the VP/HR, 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.