



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

12.3.2014

B7-0245/2014 }
B7-0246/2014 }
B7-0247/2014 }
B7-0248/2014 }
B7-0249/2014 }
B7-0250/2014 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rules 122(5) and 110(4), of the Rules of Procedure

replacing the motions by the following groups:

S&D (B7-0245/2014)
ALDE (B7-0246/2014)
Verts/ALE (B7-0247/2014)
ECR (B7-0248/2014)
PPE (B7-0249/2014)
GUE/NGL (B7-0250/2014)

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

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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, Davor Ivo Stier, Jarosław Leszek Wałęsa, Dubravka Šuica,
Bogusław Sonik**
on behalf of the PPE Group

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**Véronique De Keyser, Ana Gomes, Libor Rouček, Liisa Jaakonsaari,
Lidia Joanna Geringer de Oedenberg, Joanna Senyszyn, Mitro Repo,
Marc Tarabella, Silvia-Adriana Țicău**

on behalf of the S&D Group

**Kristiina Ojuland, Marietje Schaake, Sophia in 't Veld, Louis Michel,
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on behalf of the ALDE Group

**Werner Schulz, Barbara Lochbihler, Raül Romeva i Rueda, Ulrike Lunacek,
Iñaki Irazabalbeitia Fernández, Nikos Chrysogelos, Reinhard Bütikofer,
Nicole Kiil-Nielsen, Jean-Jacob Bicep, Tarja Cronberg, Hiltrud Breyer**

on behalf of the Verts/ALE Group

**Charles Tannock, Marek Henryk Migalski, Adam Bielan, Ryszard Antoni
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on behalf of the ECR Group

Marie-Christine Vergiat, Patrick Le Hyaric, Nikola Vuljanić

on behalf of the GUE/NGL Group

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

The European Parliament,

- having regard to its previous reports and resolutions on Russia, in particular its resolution of 13 June 2013 on the rule of law in Russia¹,
 - having regard to the statement by the Spokesperson of the Vice-President of the 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 the Constitution of Russia, in particular Article 118 thereof, which states that justice in the Russian Federation is to be administered by courts alone, and Article 120 thereof, which provides that judges are independent and are subordinate only to the Russian Constitution and federal law,
 - having regard to the EU-Russia human rights consultations of 28 November 2013,
 - having regard to the report of the Council of Europe’s Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of 17 December 2013 on its periodic visit to the Russian Federation,
 - having regard to the statement by the Human Rights Ombudsman of the Russian Federation, Vladimir Lukin, of 4 March 2014 on public demonstrations in Moscow and the steps taken by the law enforcement agencies,
 - having regard to Rules 122(5) and 110(4) 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, has committed itself to the principles of democracy, the rule of law and respect for human rights; whereas as a result of several serious violations of the rule of law and the adoption of restrictive laws during the past months, there are increasing concerns with regard to Russia’s compliance with international and national obligations;
- B. 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, in Bolotnaya Square;
- C. whereas around 600 activists were briefly detained and criminal proceedings were started against 28 individuals; whereas the authorities opened an investigation into the actions of the protestors, deeming them ‘mass riots’, which, under Russian law, are mass actions that

¹ Texts adopted, P7_TA(2013)0284.

involve ‘violence, pogroms, destruction of property, use of firearms, or armed resistance to the authorities’; whereas the authorities have alleged that the violence was planned and was part of a conspiracy to destabilise the country and overthrow the government;

- D. whereas several trials and judicial proceedings over the past years have cast doubt on the independence and impartiality of the judicial institutions of the Russian Federation;
- E. whereas numerous Russian and international human rights organisations reported that disproportionate measures and aggressive actions by the security forces as well as excessive use of violence led to the outbreak of violence followed by arbitrary arrests of the protesters; whereas the Human Rights Ombudsman of the Russian Federation confirmed in his assessment that accusations of mass riots were ungrounded;
- F. whereas on 24 February 2014 a Russian court handed down a guilty verdict against eight of those demonstrators, ranging from a suspended sentence to four years’ imprisonment, following three more severe prison sentences in 2013, as well as the forced psychiatric treatment of the activist Mikhail Kosenko;
- G. whereas a large number of detentions were made during peaceful demonstrations in support of the defendants in the Bolotnaya Square case on 21 and 24 February 2014; whereas over 200 people who had gathered outside the Zamoskvoretsky district court on 24 February 2014 to hear the verdict were detained over several hours; whereas opposition leaders Boris Nemtsov and Aleksei Navalny were subsequently sentenced to 10-day jail terms; whereas Aleksei Navalny has been placed under house arrest for the next two months, and on 5 March 2014 was fitted with an electronic bracelet to monitor his activities;
- H. whereas the Russian authorities are expanding their mass surveillance programmes; whereas these programmes, combined with anti-LGBT laws and laws restricting the freedom of NGOs, provide the Russian authorities with a very powerful tool to monitor and oppress opposition voices;
- I. whereas the human rights situation in Russia has deteriorated in recent years and the Russian authorities have adopted a series of laws containing ambiguous provisions and which could be used to place further restrictions on opposition and civil-society actors, and hinder the freedoms of expression and assembly; whereas this crackdown has involved actions such as police raids, confiscation of property, administrative fines and other measures aimed at preventing and dissuading civil society organisations from carrying out their work;
- J. whereas leaders of the opposition parties and movements are subject to harassment by the Russian authorities, with some being detained under various allegations, such as Ilya Yashin, leader of the Solidarity movement, Gleb Fetisov, the co-chair of the Alliance of Greens and Social Democrats, and Yevgeny Vitishko, ecological activist and pre-eminent member of Yabloko;
- K. whereas numerous accounts of ill-treatment and torture of prisoners by members of law enforcement agencies and the police were recorded by the Council of Europe’s anti-torture

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Committee in December 2013;

1. Expresses its deep concern over the proceedings against the Bolotnaya Square demonstrators, which were deeply flawed from the start, with politically motivated charges;
2. Believes that the charges brought against the demonstrators and their sentences seem disproportionate in the light of the nature of the events and the offences of which they are accused; considers that the outcome of the trial, given the procedural shortcomings and long pre-trial detention, once again raises questions about the state of the rule of law;
3. Calls on the Russian judicial authorities to reconsider the sentences in the appeal process and to release the eight demonstrators, as well as Bolotnaya prisoner Mikhail Kosenko, who was sentenced to forced psychiatric treatment;
4. Expresses, equally, its deep concern over the detention of a large number of peaceful protesters following the Bolotnaya verdicts and calls for the dropping of all charges against the protesters; calls, furthermore, on the Russian Government to respect the rights of all citizens to exercise their fundamental freedoms and universal human rights;
5. Recalls the importance of Russia's 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 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;
6. Expresses its concern over developments in the Russian Federation with regard to respect for and protection of human rights and respect for commonly agreed democratic principles, rules and procedures, in particular with regard to the law on foreign agents, the anti-LGBT legislation, the re-incrimination of defamation, the treason law and the legislation regulating public protests; urges Russia to abide by its international commitments as a member of the Council of Europe;
7. Calls on the Russian Government to take concrete steps to address the deterioration of human rights, in particular by ceasing the campaign of harassment against civil-society organisations and activists; calls on the Russian executive and legislature to reconsider and eventually repeal recently adopted legislative acts and measures that are in conflict with the country's stated commitments on human rights and fundamental freedoms as a member of the Council of Europe, and to take into account the proposals of its Human Rights Ombudsman and those of the Human Rights Council to the President of the Russian Federation;
8. Urges the Russian judicial and law enforcement authorities to carry out their duties in an impartial and independent manner;
9. Stresses that freedom of assembly in the Russian Federation is granted under Article 31 of the Russian Constitution and under the European Convention on Human Rights, to which

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Russia is a signatory, obliging the Russian authorities to respect it;

10. Calls on the Russian Federation to bring its surveillance programmes into line with the European Convention on Human Rights;
11. Regrets the continuous crackdown on citizens who voice criticism against the regime, and on the remaining independent media outlets, including TV Dozhd (Rain) and Ekho Moskvyy radio;
12. Calls on the High Representative and the European External Action Service (EEAS) to ensure that the cases of all persons prosecuted for political reasons are raised in EU-Russia human rights consultations, and that Russia's representatives in these consultations are formally requested to respond in each case;
13. Calls on the Presidents of the Council and the Commission, as well as the VP/HR to continue to follow these cases closely, to raise these issues in different formats and meetings with Russia, and to report back to Parliament on the exchanges with the Russian authorities;
14. Urges the Council to develop a unified policy towards Russia that commits the 28 EU Member States and EU institutions to a strong common message on the role of human rights in the EU-Russia relationship and the need to end the crackdown on freedom of expression, assembly and association in Russia; calls for this common message to be articulated in EU Foreign Affairs Council conclusions;
15. Urges the High Representative and the EEAS to ensure that the Union seeks every opportunity, within the boundaries of Russian domestic law, to continue to engage with and support Russian civil-society organisations, including those working to promote the values of democracy, human rights and the rule of law;
16. Urges the Commission and the EEAS, with regard to the ongoing programming phase of the EU financial instruments, to increase its financial assistance to Russian civil society through the European Instrument for Democracy and Human Rights and the civil-society organisations and local authorities funds, and to include the EU-Russia Civil Society Forum in the Partnership Instrument in order to ensure sustainable and credible long-term support;
17. 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, 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.

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