

Situation in Russia

European Parliament resolution of 16 February 2012 on the upcoming presidential election in Russia (2012/2505(RSP))

The European Parliament,

- having regard to the Partnership and Cooperation Agreement between the European Union and the Russian Federation, which entered into force in 1997 and has been extended pending its replacement by a new agreement,
 - having regard to the ongoing negotiations for a new agreement providing a new comprehensive framework for EU-Russia relations, as well as to the Partnership for Modernisation initiated in 2010,
 - having regard to its resolutions on Russia, in particular its resolutions of 14 December 2011 on the upcoming EU-Russia Summit on 15 December 2011 and the outcome of the Duma elections on 4 December 2011¹ and of 7 July 2011 on preparations for the Russian State Duma elections in December 2011²,
 - having regard to the OSCE/ODIHR Final Observation Report of 12 January 2012 on the State Duma elections of 4 December 2011,
 - having regard to the Council of Europe Parliamentary Assembly's (PACE) final observation report of 23 January 2012 on the Russian parliamentary elections and to its statement on the post-election delegation visit to Russia of 21 January 2012,
 - having regard to the EU-Russia Consultations on Human Rights, in particular the latest meeting held in this context on 29 November 2011,
 - having regard to the statement of 6 December 2011 by EU High Representative Catherine Ashton on the Duma elections in the Russian Federation, and to her speeches of 14 December 2011 in Strasbourg on the EU-Russia Summit and of 1 February 2012 on the political situation in Russia,
 - having regard to the statement made on 15 December 2011 by the President of the European Council, Herman Van Rompuy, following the EU-Russia Summit,
 - having regard to Rule 110(4) of its Rules of Procedure,
- A. whereas enhanced cooperation and good-neighbourly relations between the EU and Russia are of crucial importance for the stability, security and prosperity of Europe; whereas the development of a strategic partnership between the EU and the Russian Federation can only be founded on shared values;
- B. whereas there remains concern about developments in the Russian Federation with regard to

¹ Texts adopted, P7_TA(2011)0575.

² Texts adopted, P7_TA(2011)0335.

compliance with and protection of human rights and compliance with commonly agreed democratic principles, electoral rules and procedures; whereas the Russian Federation is a full member of the Council of Europe and the Organisation for Security and Cooperation in Europe (OSCE) and has therefore committed itself to upholding the principles of democracy and human rights;

- C. whereas on 12 April 2011 the European Court of Human Rights ruled against the cumbersome registration procedures for political parties in Russia, which do not comply with the election standards set by the Council of Europe and the OSCE; whereas limiting the registration of political parties and candidates restricts political competition and pluralism in Russia;
- D. whereas, despite the recent limited steps to improve election laws, the general rules remain overly complex, and whereas inconsistent application of the rules discriminates against the opposition;
- E. whereas on 22 December 2011, in an address to the Duma, President Medvedev announced a number of changes to the political system, including the formation of a new independent public television service, simplified procedures for parties and presidential candidates, the reintroduction of direct elections for regional governors, and an investigation into electoral fraud;
- F. whereas, according to the OSCE/ODIHR final observation report, the Duma elections of 4 December 2011 did not fully comply with free and fair election standards and were marked by the convergence of the state and the governing party and by a lack of independence of the election administration, partiality of the media and state interference at different levels; whereas, according to the report, the Duma elections were characterised by a high number of procedural violations, instances of apparent manipulation and serious cases of ballot box stuffing;
- G. whereas the domestic election observation organisation Golos stated in its final report that ‘the election [...] was neither free nor fair, nor did it meet the demands of the Russian electoral code and international electoral standards’ and that ‘the fundamental principles of elections were not adhered to, namely true competition and the equal rights of all sides involved, a neutral administration, independent election commissions, a vote conforming to the law and a correct vote-counting process’;
- H. whereas in a number of mass demonstrations since the Duma elections of 4 December 2011 the Russian people have expressed their desire for more democracy including free and fair elections and a comprehensive reform of the electoral system, particularly the ‘white ribbon’ demonstrators;
- I. whereas political pluralism is a cornerstone of democracy and modern society and a source of political legitimacy; whereas the preparations for presidential elections need to guarantee a free and fair process with equal opportunities for all candidates; whereas the registration procedures once again prevented certain candidates from taking part in the elections;
- J. whereas relations between the EU and Russia have been developing over the past decades, leading to a deep and comprehensive interdependence which is bound to increase still further in the future; whereas the conclusion of a Strategic Partnership Agreement between the EU and the Russian Federation remains of the utmost importance for the further

development and intensification of cooperation between the two partners;

- K. whereas Russia has twice prevented the UN Security Council from adopting a resolution on the Syrian crisis calling for support for the Arab League plan which also has the backing of the EU;
1. Notes the OSCE/ODIHR and PACE reports on the Duma elections, which state that the elections did not meet election standards as defined by the OSCE and were marked by the convergence of the state and the governing party, by procedural violations, apparent manipulation and a lack of independence of the election administration;
 2. Is concerned that the outcome of the elections (the composition of the Duma) will not bring improvements as regards the role and influence of the Duma within Russia's political system;
 3. Calls on its Delegation to the EU-Russia Parliamentary Cooperation Committee to consistently raise the issue of democracy, fundamental rights and the rule of law with the Russian counterparts; calls, furthermore, for an assessment of the activities of the EU-Russia Parliamentary Cooperation Committee, and the intensification of the dialogue with the non-parliamentary opposition and civil society;
 4. Notes the recent calls for the annulment of the State Duma elections, and calls on the Russian authorities to continue to investigate comprehensively and transparently all reports of fraud and intimidation, with a view to punishing those found responsible, and to rerun the voting where irregularities are proven; stresses that Russia's electoral legislation provides for appeal and rectification; points out, however, that the handling of complaints by the Central Election Committee has lacked transparency and has not addressed complaints effectively and in a timely manner; regrets the fact that almost 3000 challenges regarding cases of electoral malfeasance, fraud and violations in individual districts have been rejected by the relevant courts and a few are still pending;
 5. Notes President Medvedev's announcement of comprehensive changes to the political system, including a much-needed simplification of the rules governing the registration of political parties; calls for a serious commitment also to be made to addressing the problems of media freedom and freedom of assembly and expression; reiterates the EU's readiness to cooperate with Russia, including within the framework provided by the Partnership for Modernisation, in order to improve compliance with human and fundamental rights and the effectiveness of an independent rule of law system in Russia;
 6. Calls on the Russian Government to introduce a package of legislative proposals, in compliance with the OSCE recommendations, aimed at developing a truly democratic political system and including reforms to facilitate registration for both political parties and presidential candidates, and to address the restrictive application of registration rules, so as to allow genuinely free and fair elections as soon as possible;
 7. Stresses that the peaceful demonstrations in Russia are an expression of the Russian people's desire for free and fair elections; calls on the Russian authorities to view the recent rallies as an opportunity to take steps to bring about the reforms required for more democracy, political involvement and the rule of law, including the reform of electoral laws, in compliance with Council of Europe and OSCE standards; urges the Russian authorities to comply with those standards in practice, in order to guarantee free and democratic

presidential elections in March with equal opportunities for all candidates;

8. Condemns the crackdown by the police on peaceful demonstrations held in protest at election irregularities and fraud reported by international observers and documented by videos recorded by ordinary citizens; calls on the Russian authorities to fully uphold freedom of assembly and freedom of speech in compliance with the constitution of the Russian Federation;
9. Recalls that the restrictions on political pluralism during the preparations for the Duma elections was one of the key flaws of those elections; expresses its concern regarding the barring of opposition candidates from standing in the presidential elections on 4 March 2012, which is once more undermining political competition and pluralism;
10. Urges the Russian authorities to engage in dialogue with the opposition, and regrets the decision to deny registration for the presidential election campaign to Grigory Yavlinsky, which is also preventing his party from fielding observers;
11. Calls on the OSCE, the Council of Europe and the High Representative of the European Union for Foreign Affairs and Security Policy to follow up on the investigations into irregularities, as well as to closely monitor the preparations for the presidential elections and enforcement of the electoral rules, as already agreed by the Russian authorities;
12. Notes that some 600 international observers are expected to monitor the Russian presidential election (there will be observers from the OSCE/ODIHR, the PACE, the Shanghai Cooperation Organisation and the CIS); stresses that international and national election observation missions should be fully deployed, in order to ensure efficient monitoring of the electoral process, in accordance with OSCE/ODIHR and Council of Europe standards; calls on the Russian authorities to avoid the interference and hindrance that was reported in the case of the Duma elections;
13. Reiterates its call on the Investigative Committee to lead a comprehensive and thorough investigation into the death of Sergei Magnitsky, with no taboo areas, to promptly present concrete conclusions and to take all steps required to bring those responsible to justice; calls, in the event of further inaction by the Russian authorities, for the Council to take into consideration actions such as an EU-wide travel ban and a freeze on the financial assets of those found guilty of the torture and death of Sergei Magnitsky, as well as of covering up the case;
14. Expresses its deep concern about the misuse of anti-extremism legislation involving the illegal implementation of criminal laws against civil society organisations such as Memorial and religious minorities such as Jehova's Witnesses and Falun Dafa and the improper banning of their materials on grounds of extremism;
15. Strongly condemns the adoption by the Legislative Assembly of St Petersburg of a law against propaganda on sexual orientation; equally condemns similar laws adopted in the Ryazan, Arkhangelsk and Kostroma regions; calls on all Russian authorities to stop restricting freedom of expression in relation to sexual orientation or gender identity, in line with the European Convention on Human Rights and the International Covenant on Civil and Political Rights; calls on the Vice-President of the Commission/High Representative to convey the European Union's opposition to these laws;

16. Strongly urge Russia to join the international consensus to and to allow the Security Council to act on the basis of the Arab League proposals with a view to solving the Syrian crisis; stresses that, as a Permanent Member of the UN Security Council, Russia needs to take its responsibility for international peace and security seriously; calls on Russia immediately to halt all arms and military equipment sales to the Syrian Government;
17. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Government and Parliament of the Russian Federation, the Council of Europe and the Organisation for Security and Cooperation in Europe.