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Attacks on human rights defenders in Russia and the trial on the assassination of Anna Politkovskaya

Greens/EFA motion for a resolution

Tabled by ***Bart Staes, Hélène Flautre, Rebecca Harms, Milan Horá?ek***

on behalf of the Greens/EFA Group

The European Parliament,

- having regard to the Universal Declaration of Human Rights,
- having regard to the International Covenant on Civil and Political Rights and the two optional protocols thereto,
- having regard to International Covenant on Economic, Social and Cultural Rights,
- having regard to the European Convention on Human Rights and the protocols thereto,
- having regard to its previous resolutions on the Russian Federation with regard, in particular, to its resolution of 25 October 2006 on the murder of Anna Politkovskaya and its resolutions of 13 March 2008 and 19 June 2008,
- having regard to the declaration of the Presidency of the European Union on the search of the offices of the Memorial organisation of 4 December 2008,
- having regard to the declaration of the Committee of Ministers on Council of Europe action to improve the protection of human rights defenders and promote their activities of 6 February 2008,
- having regard to the United Nations Declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognised human rights and fundamental freedoms of 9 December 1998,
- having regard to the ODIHR's 2008 report on Human Rights Defenders,
- having regard to the EU-Russia consultation on Human Rights,
- having regard to Rule 115 of its Rules of Procedure,

A. whereas over the last month numerous attacks on human rights defenders have taken place in the Russian Federation and in particular the ones on the Ingush opposition leader Akhmed Kotiev and on human rights activists Zurab Tsechoev from Ingushetia, Dmitrii Kraiukhin in the Central Russia Federal district and Stanislav Dmitrievskii from Nizhni Novgorod,

B. whereas on November 13, 2008, several defenders of economic, social and environmental rights have been assaulted and beaten, such as Carine Clément, Mikhail Beketov and Sergueï Fedotov,

C. whereas a leading Russian human rights lawyer, Karinna Moskalenko, who has successfully represented the cases of 30 Russian citizens in the Strasbourg human rights court, fell victim in mid-October to an attempted poisoning by mercury in her car in Strasbourg,

D. whereas on December 3, 2008, the St. Petersburg offices of the Memorial Research and Information Centre, which has for 20 years gathered information on the victims of Stalin's regime and conducted researches on Soviet repression, were raided by masked men of the Russian General Prosecutor's Office armed with batons and as a result of this raid, hard drives and CDs containing the entire database about thousands of victims were taken away with no inventory of the confiscated documentation made; whereas Memorial's lawyers were blocked from entering the premises,

E. whereas the conduct of the trial of the three men accused of being involved in the murder of Anna Politkovskaya has been contradictory and chaotic with the judge first allowing reporters into the trial, then banning them, then announcing a 10-day adjournment, then resuming the trial a few days later, and allowing journalists in once again,

F. whereas according to watchdog groups like the Committee to Protect Journalists and Reporters Without Borders Russia is now the third most dangerous place in the world to be a journalist with cases of reporters beaten or sent to psychiatric hospitals and increasing efforts to step up pressure and control over media,

G. whereas freedoms of expression, association and assembly in Russia have been curtailed and threatened in recent years and human rights defenders, independent civil society organizations, political opponents, and ordinary citizens have all been victims of this rollback on civil and political rights,

H. whereas in many cases police investigators and judicial authorities of the Russian Federation have failed to demonstrate a full commitment to identifying the perpetrators of offences against human rights defenders and bringing them to justice,

I. whereas numerous complaints have been lodged by Russian citizens by the European Court of Human Rights in Strasbourg symbolizing the growing mistrust of Russian public opinion in the judicial system of the federation,

J. whereas the Russian Federation is a member of the OSCE and whereas the issue of human rights defenders forms an integral part of OSCE commitments that contain an obligation for states to "respect the right of their citizens to contribute actively, individually or in association with others, to the promotion and protection of human rights and fundamental freedoms,

K. whereas on 10 November 2008 the Council decided to resume the negotiations with Russia on a new partnership and cooperation agreement; whereas the EU is supposed to share with Russia a strategic partnership based on the values of democracy, human rights and the rule of law,

L. whereas the European Union Guidelines on Human Rights Defenders of 2004 and the review of their implementation in 2006 and 2008 contain suggestions for practical measures by EU member states and other states willing to implement them, to support and protect human rights defenders,

- 1. Expresses its firm condemnation of the attacks on human rights defenders in Russia, including lawyers who are representing citizens' rights, and calls on the Russian authorities at all levels protect and guarantee their physical integrity;

- 2. Urges the Russian authorities to put an end to the ongoing and widespread impunity for violence against human rights defenders and media and show a clear determination in bringing those responsible of criminal acts to justice;

- 3. Calls on the Russian authorities and the St. Petersburg Public Prosecutor's Office to return to the Memorial Research and Information Centre without delay all the material confiscated during the raid that contain invaluable data about more than 50.000 victims of Stalinist era repressions;

- 4. Takes the view that the respect for human rights, democracy and the rule of law should be an integral part of the new comprehensive partnership and cooperation agreement that is now being negotiated;

- 5. Expresses its deep concern at the growing control by the Kremlin of major broadcast media and at the creeping erosion of freedom of speech and access to broadcast media of opposition members and human rights activists;

- 6. Remains extremely concerned about the legislation on extremism, which can have an effect on the free flow of information and can lead the Russian authorities to further restrict the right to free expression of human rights defenders;

- 7. Calls on the Russian authorities to comply with all the rulings of the European Court of Human Rights and to ratify the protocol on the reform of this body without delay; urges the Russian Federation also to ratify Additional Protocol 14 to the European Convention on Human Rights;

- 8. Welcomes the establishment in 2006 of the ODIHR's focal point for human rights defenders which monitors the situation of defenders throughout the OSCE region in coordination with the Council of Europe and the UN Office of the High Commissioner for Human Rights as well as the UN special rapporteur on human rights defenders; strongly encourages the EU Institutions to put in practice their support for human rights defenders by setting up a focal point for defenders in all three institutions so as to better coordinate their actions with the other International and European organisations;

- 9. Regrets that at the last EU-Russia summit that took place in Nice the issue of respect for the basic freedoms and the attacks on human rights defenders was not duly raised and addressed;

- 10. Asks the Russian president, Alexander Medvedev, to reassess the treatment of imprisoned opposition personalities (like Michail Chodorkovski and Platon Lebedev); underlines that this would facilitate the elaboration of a closer partnership between the Russian Federation and the European Union;

- 11. Instructs its President to forward this resolution to the Council, the Commission and the Member States and the Government and the Parliament of the Russian Federation.

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