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EU-Russia Summit in Brussels on 14/15 December 2011

Greens/EFA motion for a resolution

The European Parliament,

- having regard to its previous resolutions on Russia with regard, in particular, to the one on the on the conclusions of the on the EU-Russia Summit in Nizhny Novgorod on 9-10 June 2011, the one on Preparations for the Russian State Duma elections in December 2011 of 7 July 2011 and the one on the Rule of Law in Russia of 17 February 2011,
- 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 initiated in 2008 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 the EU-Russia Consultations on Human Rights and in particular to the latest meeting held in Brussels on 29 November 2011,
- having regard to the Council of Europe Parliamentary Assembly resolution 1728 of 29 April 2010 on Discrimination on the basis of sexual orientation and gender identity, and the Committee of Ministers recommendation CM/Rec(2010)5 of 31 March 2010 on measures to combat discrimination on grounds of sexual orientation or gender identity,
- having regard to the final statement and recommendations issued at the close of the 14th meeting of the EU-Russia Parliamentary Cooperation Committee, held on 19-20 September 2011 in Warsaw,
- having regard to the meeting of the EU-Russia Civil Society Forum held in Warsaw on 1./2. December 2011,
- having regard to Rule 110(2) of its Rules of Procedure,

A. whereas the recent agreement reached by Georgia and the Russian Federation paves the way for Russia's accession to the World Trade Organisation and removes the main obstacle to the deepening of

economic and trade relations between the EU and Russia; whereas in spite of the growing trade and economic interdependence political relations are not moving forward due to misunderstanding and mistrust on fundamental issues that have prevented the parties from building a genuine strategic partnership,

B. whereas enhanced cooperation and good-neighbourly relations between the EU and Russia are of crucial 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 built on shared common values; whereas it is of the utmost importance to step up cooperation at international level between the two partners in all institutions, organisations and forums with a view to improving global governance and address common challenges,

C. whereas on 27 November United Russia party congress endorsed formally the candidature of former president Putin for the presidential elections scheduled for March 2012; whereas during his speech present prime minister Putin warned Western countries not to interfere in Russian elections and to stop providing financial aid to NGOs and critics of the Kremlin,

D. whereas the fairness of the elections held on 4 December was gravely put into question since some of the basic conditions for holding elections such as public debate, a free press and equal conditions for all political forces in the country were not respected and, furthermore, serious obstacles were registered as regards the nomination of delegates and registration of parties, as well as lack of equal opportunities to campaign,

E. whereas on 1st December 2011 the Prosecutor's Office in Moscow opened an administrative case and fined Association Golos, Russian most experienced election monitoring group, charging that the organization has violated election laws by establishing a website for registration of election fraud and irregularities,

F. whereas as regards the election day the OSCE/ODIHR stated that the "quality of the process deteriorated considerably during the count, which was characterised by frequent procedural violations and instances of apparent manipulation, including several serious indications of ballot box stuffing"; whereas the police detained hundreds of opposition activists who attempted to hold rallies on 4th Dec and the following days in Moscow, St. Petersburg and other Russian cities to protest against the running of the elections,

G. whereas in June 2010 the EU and Russia adopted a joint declaration on the priorities of the new Partnership for Modernisation aimed at modernising the economies and the societies of both parties; whereas, in this regard, the parts of the work plan including concrete proposals and projects for cooperation and assistance in the field of human rights and rule of law had little substantial follow-up,

H. whereas energy is a key instrument of Russian foreign policy and continues to play a central and strategic role in EU-Russia relations; whereas the EU's strong dependency on fossil fuels undermines the development of a balanced, coherent and value-driven European approach vis-à-vis Russia; whereas the competition between the EU and Russia on energy matters is increasing in areas of common interest like the South Caucasus and Central Asia; whereas it is of the utmost importance for the EU to speak with one voice and show strong internal solidarity,

I. whereas several areas of cooperation with mutual benefit in the field of energy between the EU and Russia are currently neglected, as for example on energy efficiency or research in renewable energy technologies,

J. whereas freedoms of expression, association and assembly in Russia are still threatened and the initiatives and activities of human rights defenders, independent civil society organisations, political

opponents, independent media and ordinary citizens are often restricted or hindered and are of particular concern in the North Caucasus and other parts of the Russian Federation,

K. whereas the European Parliament resolution on Human Rights in the World 2009 and EU policy on the matter of 21 October 2010 called on the EU Council to consider an entry ban and asset freeze for those Russian officials involved in the death of Sergey Magnitsky,

L. whereas, as a member of the Organisation for Security and Cooperation in Europe and the Council of Europe, the Russian Federation is committed to respecting democratic principles and human rights with regard, in particular, to freedom of speech and of assembly,

M. whereas good-neighbourly relations, peace and stability in the common neighbouring countries are in the interest of both Russia and the EU; whereas an open, frank and result-oriented dialogue should develop on the crises in these countries with regard, in particular, to the frozen conflicts with a view to strengthening security and stability, supporting the territorial integrity of the countries concerned and develop joint mechanisms of crisis management,

N. whereas security in Europe is still a highly sensitive and divisive issue and the EU and Russia should spare no efforts so as to overcome the existing differences and diverging views and enhance dialogue and cooperation in this field,

1. Takes the view that the Brussels summit could create the momentum for a substantial improvement of the EU-Russia relations that correspond to the ambitions of both sides only if the rule of law and democratic values are fully respected and put at the centre of these relations; stresses that the new agreement that is now being negotiated by the parties should be legally binding and should encompass in a comprehensive manner all aspects of relations; reiterates its view that democracy and human rights must be an integral part of this agreement with regard, in particular, to the definition and inclusion of an effective and operational human rights clause;

2. Condemns the crackdown of the police on peaceful demonstrations protesting election irregularities and frauds reported by international observers and documented by recorded videos of average citizens; calls on the Russian authorities to fully respect freedom of assembly and freedom of speech and to address thoroughly all the cases of electoral malfeasance with a view to sanctioning the officials involved and rerun eventually the voting where irregularities have occurred; calls for the immediate release of all the demonstrators;

3. Calls on the President of the Council, the President of the Commission, the HR/VP and the EU presidency to raise firmly the question of 4 December elections at the summit urging Russia to respect its international obligations stemming, in particular, from Russia's membership of the Council of Europe and the OSCE; calls for a deep review of the electoral process with a view to paving the way for real free and fair presidential elections in March 2012;

4. Points out that common challenges facing both the EU and Russia such as the economic and financial slump, effective multilateral institutions, energy and energy-security related issues, the democratic transition in the Arab world and the frozen conflicts in the common neighbourhood require common enhanced cooperation and a better collaboration in crisis management; calls, in this regard, on Russia to ratify the Rome statute of the International Criminal Court;

5. Takes the view that the Partnership for Modernisation cannot be limited to economic cooperation and technological innovation but must go along with an ambitious process of domestic reforms that include the consolidation of democratic institutions and of a reliable legal system, the respect of the rule of law and the unhindered development of a genuine civil society; calls, in this regard, on the Commission and the

Russian Government to define the necessary steps to be taken in order to achieve these goals;

6. Points out that the EU-Russia Civil Society Forum could be a key player in boosting up the Partnership for Modernisation in the fields of human and civil rights, fight against corruption, rule of law, welcomes, in this regard, the constructive spirit and working atmosphere at the summit in Warsaw and the adopted recommendations;

7. Stresses that at present the relations with Russia can only be of a pragmatic nature; welcomes the agreement reached between Georgia and the Russian Federation on Russian accession to the WTO and expects Russia's future membership of this organisation to speed up talks on the new partnership agreement;

8. Welcomes the finalisation of the list of Common Steps towards visa free short term travel for Russian and EU citizens and hopes that their implementation will pave the way for the negotiation of a visa waiver agreement; points out, nevertheless, that visa facilitation and visa liberalisation with the Russian Federation should in no way privilege the holders of Russian passports living in the frozen conflicts regions at the expense of citizens of Moldova and Georgia;

9. Points out that energy cooperation and in particular the Energy Dialogue represents one of the fundamental elements of EU-Russia relations; underlines the necessity for the EU to reduce its dependence on fossil fuels in line with its objectives; stresses that the principles of interdependence, transparency and the respect for EU laws should be the basis of such cooperation, together with equal access to markets, infrastructure, investment and a reliable juridical framework; looks forward the definition of a long term road map with the aim to discuss the role of Russian energy resources for the EU energy mix until 2050;

10. Calls on the Council and the Commission to ensure that the principles of the Energy Charter Treaty and the Transit Protocol annexed thereto are included in a new Partnership Agreement between the EU and Russia;

11. Stresses that diversification of energy sources and supply routes is a strategic element of EU energy security policy; regrets, in this respect, the objections raised by Russia to the forthcoming negotiations between the EU, Azerbaijan and Turkmenistan on the building of a Trans-Caspian pipeline system;

12. Urges the Russian Federation to step up its contribution to addressing climate change, through domestic greenhouse gas reductions and its participation in the international negotiations for a comprehensive post 2012 climate policy framework under UNFCCC and Kyoto Protocol; in this context stresses that to achieve the necessary reductions by 2020 compared to 1990 emissions for Annex I countries, all industrialised countries need to commit to targets that represent significant reductions from current emission levels and increasing carbon capture in forests;

13. Underlines that the EU should broaden its cooperation with Russia in the field of energy to other areas of mutual benefit, as, for example, energy efficiency or research in renewable energy technologies; reminds that intergovernmental agreements as well as commercial agreements in the field of energy between Russian and European entities have to be in conformity with the laws and regulations of both sides;

14. Recalls that Chernobyl-type nuclear reactors are still located nearby the EU borders as well as other first generation nuclear reactors and calls on Russia to shut them down immediately; urges, in the meantime, the EU and its Member States to ban imports of nuclear power which do not meet the highest nuclear security and safety standards;

15. Expresses its deep concern at nuclear power plants projects in Kaliningrad Oblast and Sosnovyi Bor;

calls, in this regard, on Russia to ratify and comply immediately with the UNECE (Espoo) convention and reminds Russian commitment to develop unified standards for environmental impact assessments on trans-boundary projects;

16. Deeply regrets the further deterioration of the overall human rights situation in Russia and the absence of any evolution on the modalities of the EU-Russia Human Rights consultations; expresses its concern regarding this dialogue which has become a process rather than a means to achieve measurable and tangible results; insists once more on the necessity to include public indicators of progress into these human rights consultations, to improve the modalities for the dialogue such as alternating the location of the consultations, the interaction between Russian NGOs and Russian authorities on the occasion of this process and on the composition of the Russian delegation, and to issue public assessments of progress on the occasion of EU-Russia Summits and following the Partnership Council meetings;

17. Regrets Russian continued opposition to the involvement of ministries and agencies other than the Ministry of Foreign Affairs (like, for example, the Ombudsman), the holding of the consultations alternatively in Russia and the EU and meeting with Russian and international NGOs;

18. Calls on the President of the Council and the Commission to highlight EU's concern about the persistently hostile human rights climate in Russia with regard, in particular, to the need for space for civil society in order for it to function without undue restrictions, the safety of human rights defenders and the urgency to tackle rampant impunity for ongoing torture, enforced disappearances and other serious abuses in the North Caucasus; stresses, furthermore, the importance of Russia's full implementation of European Court of Human Rights judgments as a means to address these abuses;

19. Condemns recent legal proposals to criminalise public information about sexual orientation and gender identity in St Petersburg; equally regrets similar existing provisions in the Arkanghelsk and Ryazan region, and possible future proposals in Moscow and at the federal level; calls on all political authorities in Russia to refrain from limiting freedom of expression, and stop conflating sexual orientation and gender identity with paedophilia; calls on the External Action Service to mark the EU's strong opposition to these proposals;

20. Reminds the Russian Federation of its obligations under the European Convention on Human Rights to uphold the human rights of lesbian, gay, bisexual and transgender (LGBT) people; calls on Russia to follow the Recommendation of the Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity, and safeguard LGBT people's right to freedom of expression and right to freedom of assembly;

21. Takes the view that the lack of independence of the judicial institutions is at the core of the impunity in Russia and expresses concern over reports of politically motivated trials, unfair procedures and failures to investigate serious crimes such as killings, harassments and other violence;

22. Deplores that, two years since Sergei Magnitsky's death, the promised investigation by Russian authorities has not been concluded by the end of November and has been further extended until 2012; takes note of the report released in July 2011 by President Medvedev's Human Rights Council which provided evidence that Sergei Magnitsky's arrest was unlawful and that his detention was marked by beatings and torture aimed at extracting a confession of guilt;

23. Notes that the US State Department and the UK Foreign Office decided in 2011 to impose visa bans on some 60 Russian officials believed to be connected to the death of Sergei Magnitsky as a result of Russian authorities' inaction; in the absence of positive moves towards the investigation of the case of Sergei Magnitsky, calls once again on the Council to insist on the fact that the Russian authorities bring those responsible to justice and urges at the same time the Council to immediately impose in all EU

Member States visa bans and asset freezes on the Russian government officials who were involved in the tax fraud and on those who played a role in Magnitsky's false arrest, torture, denial of medical care and murder in custody as well as the cover up of the crime;

24. Regrets the refusal of Russia to support a resolution at the UNSC condemning the ongoing brutal repression in Syria thus preventing the international community from exerting the necessary political and economic pressure on the Assad's regime and avoid further violence and military escalation;

25. Welcomes Russian readiness to move forward on a framework agreement in the field of crisis management operations; calls, in this respect on the Russian authorities to be consistent and allow, therefore, the EU Monitoring Mission in Georgia to have access to the breakaway territories of Abkhazia and South Ossetia in compliance with the 2008 ceasefire agreement;

26. Calls on the Russian authorities to step up efforts with a view to making concrete progress as regards the settlement of the Transnistrian conflict and welcomes, in this respect, the decision to resume the official 5+2 negotiations with the aim to come to a comprehensive solution in the nearest future;

27. Regrets that no progress has been made as to the resolution of the conflict in Nagorno-Karabakh; expresses its concern at the ongoing military build-up in the region and urges the Russian government to stop all the deliveries of weapons to the conflicting parties in order to defuse tension and pave the way for a lasting and comprehensive settlement;

28. Regrets the recent deployment of an early warning nuclear missile radar in Kaliningrad and the recent statements of the Russian leadership regarding Russia's possible withdrawal from the Strategic Arms Reduction Treaty (START) in response to the US project of a missile shield; calls for a constructive engagement between the US, NATO, and Russia on security issues including data-sharing and information exchange;

29. Reminds the crucial role of OSCE in fostering security in Europe; calls for the revival of the process for conventional arms limitation and disarmament in the OSCE; is in favour of opening negotiations on further steps to reduce forces and arms (CFE II); urges the Government of the Russian Federation to cancel the suspension of its compliance obligations under the original CFE Treaty and to meet also the 1999 Istanbul Commitments; urges NATO member states to ratify and implement the Adapted CFE Treaty without further delay;

30. Instructs its President to forward this resolution to Vice President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the OSCE, the Council of Europe and the President, Government and Parliament of the Russian Federation.

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