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Murder of Boris Nemtsov and the state of democracy in Russia

Greens/EFA motion for resolution

Tabled by ***Tamás Meszerics, Rebecca Harms, Heidi Hautala, Peter Eriksson, Helga Trüpel, Bart Staes, Ernest Urtasun, Barbara Lochbihler, Reinhard Bütikofer, Indrek Tarand, Michèle Rivasi, Bronis Ropė*** *on behalf of the Greens/EFA Group*

The European Parliament,

– having regard to its previous reports and resolutions on Russia, in particular its resolutions of 23 October 2012 on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case(1), of 13 June 2013 on the rule of law in Russia(2), of 13 March 2014 on Russia: sentencing of demonstrators involved in the Bolotnaya Square events(3), of 23 October 2014 on the closing-down of the NGO 'Memorial' (winner of the 2009 Sakharov Prize) in Russia(4), and of 15 January 2015 on Russia, in particular the case of Alexei Navalny(5),

– having regard to the statement of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) of 28 February 2015 on the murder of Boris Nemtsov,

– having regard to the statement by the spokesperson for the VP/HR of 3 March 2015 on the refusal to allow MEP Sandra Kalniete to enter the territory of the Russian Federation,

– having regard to the statement by the VP/HR on the continued detention of Nadiia Savchenko,

– having regard to Rule 123(2) of its Rules of Procedure,

A. whereas on 27 February 2015 Boris Nemtsov, the former Deputy Prime Minister of the Russian Federation and subsequently one of the leaders of the opposition, was shot dead by an unknown assailant near the Kremlin on Bolshoy Moskvoretsky Bridge, which is normally closely observed by police and by video cameras;

B. whereas the murder took place shortly after Mr Nemtsov had spoken on the independent Ekho Moskvy radio station, urging people to join a rally scheduled for 1 March 2015 against the economic crisis, widespread corruption and the war in Ukraine; whereas according to his collaborators Mr Nemtsov had been compiling a file of evidence about allegations that Russia's troops are backing separatist forces in

Ukraine's eastern regions of Donetsk and Luhansk and was reportedly intending to publish the report at some point in March 2015;

C. whereas on 1 March 2015 tens of thousands of people marched in Moscow and other Russian cities to pay tribute to and honour the opposition politician, carrying portraits of Mr Nemtsov and banners saying 'I am not afraid';

D. whereas on 2 March 2015 the Russian authorities barred entry to Bogdan Borusewicz, the speaker of Poland's upper house, and to MEP Sandra Kalniete on account of her 'anti-Russian activities', as they had done with MEP Rebecca Harms in September 2014, thus confirming the existence of a blacklist of Western figures drawn up in retaliation for the travel bans imposed on some Russian citizens imposed by the EU and the USA;

E. whereas since Russia's aggression against Ukraine the Russian authorities and the state media have increased their pressure on and intimidation of the opposition, dissidents and independent voices, creating a climate of fear for all critics of the Kremlin, who are portrayed as traitors;

F. whereas on 4 March 2015 a Moscow court rejected another appeal from Ukrainian MP Nadiia Savchenko, who has been on hunger strike for more than 80 days against her illegal detention by the Russian Federation;

G. whereas the Nemtsov killing is the latest in a series of high-profile murders of anti-corruption activists and human rights campaigners, including Aleksei Devotchenko, Natalia Estemirova, Aleksandr Litvinenko, Sergei Magnitskii, Stanislav Markelov and Anna Politkovskaia; whereas in none of these cases have the culprits been brought to justice;

H. whereas the human rights situation in Russia has been constantly deteriorating in recent years, and whereas the Russian authorities have adopted a series of laws containing ambiguous provisions that are used to place further restrictions on opposition and civil society actors, and to hinder the freedoms of expression and assembly;

I. whereas the Russian law on 'foreign agents' requires NGOs that receive foreign funding and are engaged in 'political activity' to apply for inclusion in a special government list of foreign agents, and whereas in the meantime they are often classed as 'foreign agents' directly by the government, thus being subjected to additional close government scrutiny and required to state in all their publications, press releases and reports that these have been produced by a foreign agent;

J. whereas the implementation of this law has involved severe actions, such as raids by the public prosecutor's office, the confiscation of property, administrative fines and other measures aimed at preventing and dissuading civil society organisations from carrying out their work; whereas the Justice Ministry has used newly introduced powers to brand 42 groups as 'foreign agents', including the country's most expert and authoritative human rights organisations, and has used bureaucratic pretexts to try to close down several other groups;

K. whereas in January 2015 the Duma took the first step towards approving a new law that would prohibit the activities of 'undesirable' foreign organisations viewed as a threat to national security, public order or public health, and would allow the authorities to freeze an organisation's assets and penalise its employees with fines or up to eight years in prison;

L. whereas the Russian Federation, as a full member of the Council of Europe and the Organisation for Security and Cooperation in Europe (OSCE), has committed itself to the principles of democracy, the rule of law and respect for human rights; whereas continued serious violations of the rule of law and the

adoption of restrictive laws in recent months are increasingly calling into question Russia's compliance with its international and national obligations;

1. Firmly condemns the murder of Boris Nemtsov and extends its condolences to the victim's family, and expresses all its sympathy and support for all the Russian people who in recent days have rallied in the squares of the country's main cities to defend democracy and stop Russian aggression against Ukraine;

2. Calls for a quick, transparent and impartial investigation into the circumstances of the assassination in order to bring the culprits to justice;

3. Takes the view that this killing is once again the sign and the result of the climate of fear and intimidation affecting the political system of the Russian Federation, which has taken a dramatically authoritarian turn in recent years; strongly criticises the fact that, only hours after the killing of Boris Nemtsov, accusations were spread in the Russian media to the effect that this murder could only be in the interests of the USA, Ukraine or Islamists;

4. Calls on the Russian authorities to stop all pressure, repressive acts and intimidation – both political and judicial – against opposition leaders, civil society representatives and independent media, allowing them to act freely in line with the basic principles of the Russian constitution;

5. Urges the Russian judicial and law enforcement authorities to carry out their duties in an impartial and independent manner, free of political interference;

6. Calls on the Russian authorities to put an end to all acts of harassment, together with verbal and physical attacks, against all human rights defenders across the territory of the Russian Federation, and to ensure in all circumstances that they are able to carry out their legitimate activities without hindrance;

7. Reiterates its serious concerns about the 'foreign agents' law and the way it is being implemented, and calls for its revision; considers that the definition of 'political activity' carried out by NGOs that accept foreign funding is so broad as to allow, in practice, government control over just about any organised activity relating to public life;

8. Welcomes the Supreme Court's decision of 28 January 2015 to reject the complaint filed by the Ministry of Justice requesting the closure of the 'Russian Memorial Society' and alleging infringements within its organisational structure, and calls for the other NGOs on the 'foreign agents' list to be removed from it;

9. Calls on Russia to repeal fully the federal law on 'propaganda for non-traditional sexual relations' and similar regional anti-propaganda laws, which are being used to curtail human rights, in particular freedom of expression and assembly in relation to sexual orientation and gender identity; expresses its sincere concern about the negative consequences of these laws on society, which are creating an environment in which discrimination, hate speech and hate violence against LGBTI individuals go unpunished; calls on the VP/HR, the EU Delegation to Russia and the EU Member States to condemn acts of violence against LGBTI people and human rights defenders, to raise the issue with the relevant Russian officials and to support civil society and government initiatives aimed at monitoring cases of violence and educating law enforcement personnel;

10. Recalls the importance of Russia's full compliance with its international legal obligations as a member of the Council of Europe and the OSCE, and with fundamental human rights and the rule of law, as enshrined in the European Convention on Human Rights and the International Covenant on Civil and Political Rights (ICCPR);

11. Calls on the VP/HR and the European External Action Service (EEAS) to ensure that the cases of all those prosecuted for political reasons are raised in EU-Russia human rights consultations when the latter resume, and that Russia's representatives in these consultations are formally requested to respond in relation to each case;

12. Calls on the respective Presidents of the Council and the Commission, together with the VP/HR, to continue to follow these cases closely, to monitor the trials, to raise these issues in different formats and meetings with Russia, and to report back to Parliament on their exchanges with the Russian authorities;

13. Urges the Council to develop a unified policy towards Russia that commits the 28 EU Member States and the EU institutions to a strong common message concerning 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;

14. Urges the VP/HR 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;

15. Urges the Commission and the EEAS, with regard to the ongoing programming phase of the EU financial instruments, to increase the EU's financial assistance to Russian civil society through the European Instrument for Democracy and Human Rights and the funding for civil society organisations and local authorities, and to include the EU-Russia Civil Society Forum in the Partnership Instrument and in European Neighbourhood Instrument cross-border and multilateral programmes with a view to ensuring sustainable and credible long-term support;

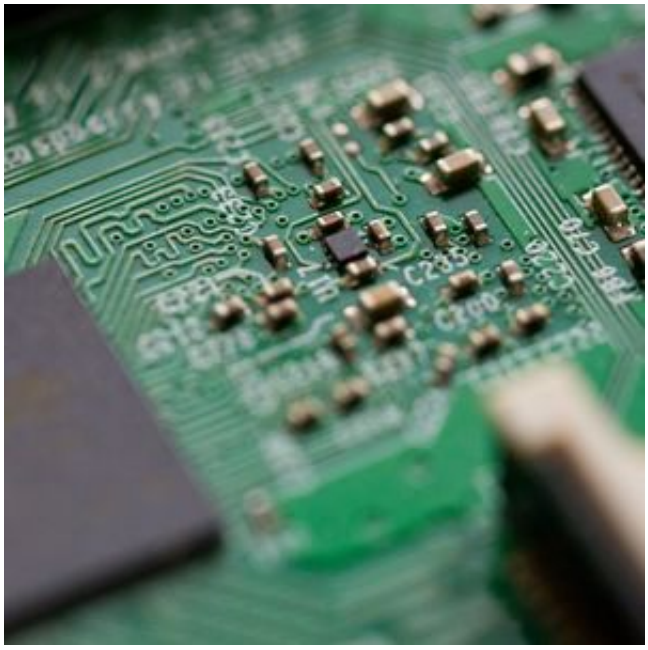
16. Calls for the immediate release of Nadiia Savchenko and to respect her immunity as a full member of the Parliamentary Assembly of the Council of Europe; expresses its deep concern about her health condition and urges the Russian judicial authorities to apply humanitarian law;

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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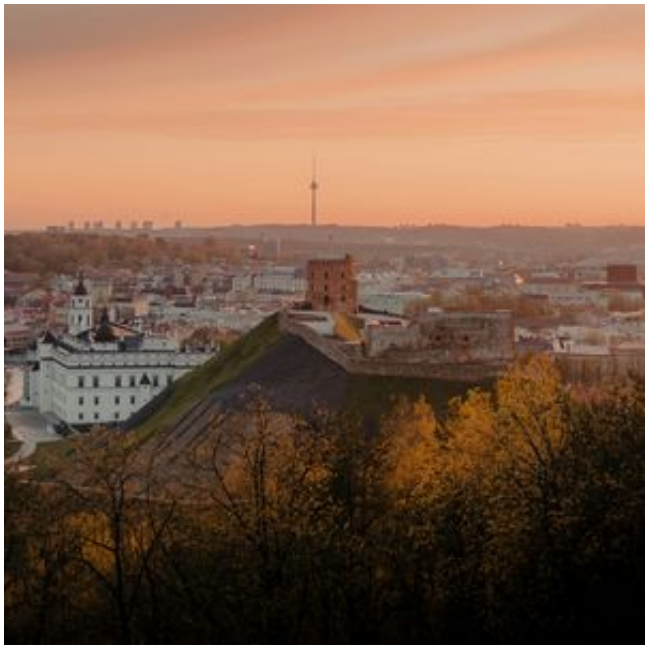
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