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## **Attacks on human rights defenders in Russia and the Anna Politkovskaya murder trial**

P6\_TA(2008)0642

### **European Parliament resolution of 18 December 2008 on attacks on human rights defenders in Russia and the Anna Politkovskaya murder trial**

(2010/C 45 E/17)

*The European Parliament,*

- having regard to its previous resolutions on Russia, and in particular to that of 25 October 2006 on EU-Russia relations following the murder of the Russian journalist Anna Politkovskaya <sup>(1)</sup> and that of 19 June 2008 on the EU-Russia Summit of 26-27 June 2008 in Khanty-Mansiysk <sup>(2)</sup>,
  - 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, and to the re-launch of those negotiations during the last EU-Russia Summit held in Nice on 14 November 2008,
  - having regard to the declaration by the Presidency on behalf of the European Union on the search of the offices of the Memorial organisation in St Petersburg on 4 December 2008,
  - having regard to the 2008 report of the Office for Democratic Institutions and Human Rights (ODIHR) on human rights defenders,
  - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas Russia is a member of the Council of Europe and of the Organization for Security and Cooperation in Europe (OSCE) and, as such, has committed itself to fully respecting human and citizens' rights,
- B. whereas there are serious concerns about the situation of human rights defenders and about difficulties faced by non-governmental organisations active in the promotion of human rights,
- C. whereas numerous complaints by Russian citizens have been addressed to the European Court of Human Rights in Strasbourg, whose rulings substantiate the complaint that there are serious breaches of human rights in a number of cases, as well as arbitrariness by the Russian state authorities,
- D. whereas on 28 October 2008 Otto Messmer, leader of the Russian Jesuit order, and Victor Betancourt, an Ecuadorean priest, were brutally murdered in their Moscow apartment,
- E. whereas in mid-October 2008 a leading Russian human rights lawyer, Karinna Moskalenko, who has successfully represented 30 Russian citizens in the European Court of Human Rights, was the victim of an attempt to poison her by placing mercury in her car in Strasbourg,
- F. whereas on 31 August 2008 Magomed Evloyev, the owner of an Ingush independent website, was killed while in police custody,

<sup>(1)</sup> OJ C 313 E, 20.12.2006, p. 271.

<sup>(2)</sup> Texts Adopted, P6\_TA(2008)0309.

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- G. whereas numerous attempts on the lives of human rights defenders, including the Ingush opposition leader Akhmed Kotiev, the human rights defender Zurab Tsechoev from Ingushetia, the human rights activist Dmitrii Kraiukhin from Orel and the human rights activist Stanislav Dmitrievski from Nizhni Novgorod, were recorded between July and October 2008,
- H. whereas on 4 December 2008 the St Petersburg offices of the Memorial Research and Information Centre, which, for the past 20 years, has been conducting research into Stalinist repression in the Soviet Union, were raided by masked men from the Russian Prosecutor-General's Office; whereas during the raid hard drives and CDs containing the entire database covering thousands of victims were taken away; whereas no inventory of the confiscated documentation exists; whereas Memorial's lawyers were prevented from entering the premises,
- I. whereas the criminal investigation and trial following the murder of the journalist Anna Politkovskaya raise serious concerns with regard to transparency and respect for the rule of law; whereas this brutal killing has not yet been fully investigated and solved in a satisfactory way,
- J. whereas the Russian authorities remain uncooperative in the investigations into the murder of Alexander Litvinenko in London by poisoning with radioactive polonium,
- K. whereas the police brutally thwarted an anti-Kremlin protest demonstration organised by Garry Kasparov's opposition group Other Russia on 14 December 2008 in Moscow, seizing demonstrators and dragging them into trucks; whereas some 100 of the demonstrators were arrested,
- L. whereas on 3 December 2008 17 Russian human rights groups called on the EU in Vienna not only to further enhance the role of EU-Russia human rights consultations as a matter of urgency, but also to raise the most urgent cases at EU-Russia summit meetings,
1. Vehemently condemns the attacks on human rights defenders in Russia, including lawyers who are representing citizens' rights, and calls on the Russian authorities at all levels to protect and guarantee their physical integrity;
  2. Points out that human rights, the rule of law and democracy must remain core issues for the further development of EU-Russia relations; stresses the importance of the continuous exchange of views on human rights with Russia as part of the EU-Russia human rights consultations, and calls for the format of such meetings to be improved so as to involve relevant ministries, the judiciary and representatives of Russian civil society;
  3. Takes the view that respect for human rights, democracy and the rule of law should be an integral part of the new framework agreement now being negotiated;
  4. 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 Court's reform without delay; urges the Russian Federation also to ratify Additional Protocol 14 to the European Convention on Human Rights;
  5. Condemns the search of the offices of the Memorial organisation in St Petersburg on 4 December 2008; asks the Russian authorities and the St Petersburg Public Prosecutor's Office to return without delay to the Memorial Research and Information Centre eleven hard drives and CDs that were taken from the centre during a police raid on 4 December 2008 and that contain invaluable data on more than 50 000 victims of Stalinist-era repression;

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6. Draws attention to the growing trends of violence which, according to the Moscow Bureau for Human Rights, have resulted in more than 100 people being killed in 2008 on the basis of their race, nationality, religion or sexual orientation, and to the absence of effective condemnation of such hate crimes by Russian authorities;
  7. Notes with concern recent moves to rehabilitate the Stalinist regime, and stresses that it is only by coming to terms with its tragic past that Russia can establish a true democratic culture;
  8. Is alarmed at the attempt made in October 2008 on the life of human rights lawyer Karinna Moskalenko and her family, and appeals to both the French and Russian authorities to identify the perpetrators and their motives;
  9. Is convinced that the activities of human rights lawyers acting in cases involving alleged human rights abuses, who have to take great personal risks in continuing their work, should be afforded the highest respect, protected by the state and supported by the international community;
  10. 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 further to restrict human rights defenders' right to free expression;
  11. Notes that it has been two years since the Russian independent journalist Anna Politkovskaya, who has become a symbol for freedom of the press, was murdered; draws attention to its abovementioned resolution of 25 October 2006 and pays tribute to the courage and work of this symbol of honesty and conscientiousness, whose life work needs continued support and acknowledgement;
  12. Expresses its dismay at the trial being open only to a limited number of journalists, and closed to television journalists; calls on the court fully to respect the jury's decision and to open the proceedings to all journalists and media; expects the court to establish not only who committed and assisted in the murder of Anna Politkovskaya but also who ordered it;
  13. Welcomes the establishment in 2006 of the ODIHR's focal point for human rights defenders, which monitors the situation of defenders throughout the territory covered by the OSCE; strongly encourages the EU institutions to give practical expression to their support for human rights defenders by setting up a focal point for defenders in all three institutions, so as better to coordinate their actions with the other international and European organisations;
  14. Expresses its concern at the continuing large-scale abuses against conscripts in the Russian armed forces, and calls on the Russian authorities to investigate and prosecute those responsible and to uproot abusive practices within the armed forces and demonstrate a determination to modernise the prevailing culture;
  15. 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 OSCE and the Council of Europe.
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