

Thursday 5 October 2017

P8_TA(2017)0382

The cases of Crimean Tatar leaders Akhtem Chiygoz, Ilmi Umerov and the journalist Mykola Semena

European Parliament resolution of 5 October 2017 on the cases of Crimean Tatar leaders Akhtem Chiygoz, Ilmi Umerov and the journalist Mykola Semena (2017/2869(RSP))

(2018/C 346/12)

The European Parliament,

- having regard to the EU-Ukraine Association Agreement and the Deep and Comprehensive Free Trade Area,
 - having regard to its previous resolutions on Ukraine and on Crimea, on the European Neighbourhood Policy and on the Eastern Partnership, and in particular to its resolution of 21 January 2016 on the Association Agreements and the Deep and Comprehensive Free Trade Areas with Georgia, Moldova and Ukraine ⁽¹⁾, its resolution of 4 February 2016 on the human rights situation in Crimea, in particular of the Crimean Tatars ⁽²⁾, its resolution of 12 May 2016 on the Crimean Tatars ⁽³⁾ and its resolution of 16 March 2017 on the Ukrainian prisoners in Russia and the situation in Crimea ⁽⁴⁾,
 - having regard to the report of the Office of the United Nations High Commissioner for Human Rights of 25 September 2017 on the ‘Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)’,
 - having regard to UN General Assembly Resolution 68/262 of 27 March 2014 entitled ‘Territorial integrity of Ukraine’ and to the UN General Assembly Resolution 71/205 of 19 December 2016, entitled ‘Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)’,
 - having regard to the Council decisions continuing the sanctions imposed on the Russian Federation in relation to the illegal annexation of the Crimean peninsula,
 - having regard to international humanitarian law and, in particular, to its provisions on occupied territories and the treatment and protection of civilians,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas numerous credible reports, including the most recent by the United Nations High Commissioner for Human Rights, offer evidence of the increasing abuse of human rights in Crimea affecting representatives of the Crimean Tatars, journalists, media workers, bloggers and ordinary people who speak up against the Russian occupation or simply try to document the atrocities of the *de facto* authorities;
- B. whereas the report of the UN Office for Human Rights of 25 September 2017 on the ‘Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)’ states that ‘grave human rights violations, such as arbitrary arrests and detentions, enforced disappearances, ill-treatment and torture, and at least one extra-judicial execution were documented’;
- C. whereas Ilmi Umerov, Crimean Tatar Leader and Deputy Chair of the Mejlis, was sentenced to a period of two years in prison for voicing dissent against the illegal annexation of the Crimean peninsula under Article 280.1 of the Russian criminal code on ‘public calls to action aimed at violating Russia’s territorial integrity’;

⁽¹⁾ Texts adopted, P8_TA(2016)0018.

⁽²⁾ Texts adopted, P8_TA(2016)0043.

⁽³⁾ Texts adopted, P8_TA(2016)0218.

⁽⁴⁾ Texts adopted, P8_TA(2017)0087.

Thursday 5 October 2017

- D. whereas Akhtem Chiygoz, Deputy Chair of the Mejlis, was sentenced to eight years of imprisonment for ‘organising mass disturbances’ on 26 February 2014;
- E. whereas journalist Mykola Semena received a suspended prison sentence for a period of two-and-a-half years and a three-year ban on conducting journalistic work on the basis of Article 280.1 of the Russian criminal code on ‘public calls to action aimed at violating Russia’s territorial integrity’;
- F. whereas the recent court rulings prove that the judicial system is being instrumentalised as a political tool to repress those opposed to the Russian annexation of the Crimean peninsula;
- G. whereas abductions, enforced disappearances, as well as the use of torture and cruel and degrading treatment in detention facilities, have been reported in various cases; whereas torture has been used to obtain false evidence of guilt; whereas these allegations have not been appropriately investigated to date;
- H. whereas in Crimea large-scale expropriation of public and private property has been conducted without compensation or regard for international humanitarian law provisions protecting property from seizure or destruction;
- I. whereas the space for civil society to operate in Crimea has been considerably diminished as media outlets have been shut down, disproportionately affecting the Crimean Tatar community, their right to information and their right to maintain their culture and identity;
- J. whereas the annexation of Crimea by the Russian Federation is illegal and in violation of international law and European agreements signed by both the Russian Federation and Ukraine, notably the UN Charter, the Helsinki Final Act and the 1994 Budapest Memorandum and the 1997 Treaty of Friendship, Cooperation and Partnership between Ukraine and the Russian Federation;
- K. whereas throughout the duration of the annexation the Russian Federation is to be held responsible for the protection of the people and citizens of Crimea, through the *de facto* authorities present in the region;
1. Condemns the sentencing of Ilmi Umerov, Crimean Tatar Leader and Deputy Chair of the Mejlis, Akhtem Chiygoz, Deputy Chair of the Mejlis, and journalist Mykola Semena; demands that these convictions be reversed and that Mr Umerov and Mr Chiygoz are immediately and unconditionally released and all charges against Mr Semena are immediately and unconditionally dropped;
 2. Strongly condemns the harsh sentences handed out to leaders of the Crimean Tatar community and others opposing the Russian annexation, such as Uzair Abdullaev, Teymur Abdullaev, Zevri Absoutov, Rustem Abiltarov, Muslim Aliyev, Refat Alimov, Ali Asanov, Volodymyr Balukh, Enver Bekirov, Oleksiy Bessarabov, Hlib Shablii, Oleksiy Chirniy, Mustafa Degermenji, Emil Dzhemadenov, Arsen Dzheparov, Volodymyr Dudka, Pavlo Gryb, Rustem Ismailov, Mykola Karpyuk, Stanislav Klykh, Andriy Kolomiyets, Oleksandr Kolchenko, Oleksandr Kostenko, Emir-Usein Kuku, Sergey Litvinov, Enver Mamutov, Remzi Memethov, Yevhen Panov, Yuri Primov, Volodymyr Prisich, Ferat Sayfullayev, Eider Saledinov, Oleg Sentsov, Vadym Siruk, Oleksiy Stogniy, Redvan Suleymanov, Roman Sushchenko, Mykola Shiptur, Dmytro Shtyblikov, Viktor Shchur, Rustem Vaitov, Valentyn Vygovsky, Andriy Zakhthey and Ruslan Zeytullaev, following farcical court proceedings and questionable charges; demands the repeal of their court rulings and the immediate release of those detained;
 3. Condemns the discriminatory policies imposed by the so-called authorities against, in particular, the indigenous Crimean Tatar community, the infringement of their property rights, the increasing intimidation in political, social and economic life of this community and of all those who oppose the Russian annexation;
 4. Considers that the rights of the Crimean Tatars have been gravely violated through the banning of the activities of the Mejlis and declaring it an extremist organisation on 26 April 2016, and through the ban on their leaders re-entering the peninsula; strongly reiterates its call for the immediate reversal of the related decisions and their effects and for compliance with the International Court of Justice Order on provisional measures in proceedings brought by Ukraine against the Russian Federation, issued on 19 April 2017, which concludes that the Russian Federation must ‘refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis’;

Thursday 5 October 2017

5. Recalls that the reality of repression and the application of legislation on extremism, terrorism and separatism has led to a severe deterioration in the human rights situation on the Crimean peninsula and to the widespread violation of freedom of speech and association, and that forced imposition of Russian citizenship has become systematic and fundamental freedoms are not guaranteed on the Crimean peninsula; demands that discriminatory legislation is revoked and emphasises the urgent need for accountability for human rights violations and abuses in the peninsula;
6. Strongly condemns the prevailing practice of transferring detainees to distant regions of Russia, as this severely hinders their communication with their families and friends and the ability of human rights organisations to monitor their wellbeing; underlines that this practice is in breach of the Russian legislation in force, in particular Article 73 of the Criminal Enforcement Code, according to which sentences should be served in the region in which convicts reside or in which the court sentence was handed down;
7. Calls on the EEAS and the EU Delegation in Russia to closely follow the ongoing trials and to pay attention to the treatment of those detained; expresses particular concern over reports of the use of punitive psychiatric treatments; expects the EU Delegation, the EEAS and Member States' embassies to closely follow these proceedings and to seek access to those detained before, during and after their trials;
8. Calls on the European Court of Human Rights to consider all applications for redress from Crimea with the highest priority possible, as the Russian domestic judicial system cannot and does not provide legal remedies in these cases;
9. Condemns the repression of independent media outlets representing minority communities and urges the Russian authorities to refrain from placing legal and administrative obstacles to their operation;
10. Calls for international human rights observers, including specialised structures of the UN, OSCE and Council of Europe, to have unhindered access to the Crimean peninsula in order to investigate the situation on the peninsula, and for the establishment of independent monitoring mechanisms; supports the initiatives led by Ukraine with a view to addressing these issues within the Human Rights Council and the General Assembly; calls on the EEAS and the European Union's Special Representative for Human Rights to pay constant attention to the human rights situation in the Crimean peninsula and to keep Parliament informed;
11. Calls on the Commission to support projects and exchanges aimed at improving people-to-people contacts, as well as those promoting peace-building, conflict resolution, reconciliation and intercultural dialogue, including within Crimea; encourages the avoidance of bureaucratic obstacles and encourages more flexible approaches that will allow easier access of international observers in the peninsula, including parliamentarians, with the agreement of Kiev and without this being interpreted as recognition of the annexation;
12. Underlines that restrictive measures should be imposed on all individuals responsible for gross human rights violations, including those Crimean and Russian officials directly responsible for charging and sentencing Akhtem Chygoz, Mykola Semena and Ilmi Umerov, and these should include the freezing of assets in EU banks and travel bans; reiterates its support for the EU's decision to prohibit imports from Crimea and the export of certain goods and technologies, investment, trade and services to Crimea;
13. Deplores the plight of Crimean children growing up without their fathers who have been illegally deprived of their liberty as *de facto* political prisoners, including those transferred to distant parts of the Russian Federation; considers this to be a blatant violation of international human rights, children's rights and the international obligations of the Russian Federation, such as the UN Convention on the Rights of the Child; calls on the Russian authorities and the *de facto* Crimean authorities to allow the abovementioned persons regular contact with members of their families, particular the minors;
14. Reminds the Russian authorities that in their *de facto* capacity as an occupational power exercising effective control over Crimea, they are fully responsible for the protection of Crimean citizens from arbitrary judicial or administrative measures, and in the same capacity they are bound by international humanitarian law to ensure the protection of human rights on the peninsula;

Thursday 5 October 2017

15. Supports the sovereignty, independence, unity and territorial integrity of Ukraine within its internationally recognised borders and reiterates its condemnation of the illegal annexation of the Autonomous Republic of Crimea and the City of Sevastopol by the Russian Federation; supports the policy of the EU and its Member States not to recognise the illegal annexation of the Crimean peninsula and to impose restrictive measures taken in this respect; expresses deep concern about the ongoing large-scale militarisation of the Crimean peninsula by Russia, which threatens regional and pan-European security;

16. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Member States, the President of Ukraine, the governments and parliaments of Ukraine and of the Russian Federation, the Parliamentary Assemblies of the Council of Europe and the Organisation for Security and Cooperation in Europe, the Mejlis of the Crimean Tatar People and the Secretary General of the United Nations.
