

Resolution adopted as amended

POSSIBLE EU SANCTIONS ON RUSSIA FOR THE NEGLECT OF HUMAN RIGHTS (especially the Magnitsky case and Pussy Riot)

- A. whereas following several serious violation of basic freedoms, human rights and the rule of law in the course of recent months, there are increasing concerns with regards to Russia's compliance with international and national obligations;
 - B. whereas the Russian Federation, as a member of the Council of Europe and of the Organisation for Security and Cooperation in Europe, has committed itself to fully respecting fundamental rights, the rule of law and respect for human rights;
 - C. whereas these incidents indicating systematic neglect of human rights in Russia, and in particular the arrest, conditions of detention and subsequent death in custody of Sergei Magnitsky represent well documented and substantial evidence of violation of fundamental human rights;
 - D. whereas, despite the 2011 conclusions of the inquiry conducted by the Russian President's Human Rights Council on the illegality of Sergei Magnitsky's arrest, detention and subsequent denial of access to justice, the investigations are stalled and the officials involved have been exonerated and even assigned to the posthumous case; whereas such actions on the part of the authorities demonstrate the politically motivated nature of Magnitsky's prosecution;
 - E. whereas the European Union as well as many international and Russian NGOs have urged the Russian authorities on many occasions and formats, from regular human rights consultations to summit-level meetings, to conduct thorough independent investigations specifically on this well-documented case, and to put an end to the current climate of impunity;
 - F. whereas in addition to the most prominent case of Sergei Magnitsky, a multitude of other juridical cases exist documenting abuse of powers by the Russian law enforcement authorities, heavily violating the rule of law, and using systematically the pretext of economic crimes and alleged corruption for eliminating business competitors or political rivals;
 - G. whereas visa restrictions and other restrictive measures constitute a political signal of the EU's concern to a larger target audience and thus remain a necessary and legitimate foreign policy tool;
 - H. whereas EU sanctions on the Magnitsky case could prompt the Russian authorities to make genuine and fresh efforts to address, in a more concrete and convincing manner, the broader question of the rule of law in Russia and the current climate of impunity;
 - I. whereas several national parliaments of EU Member States – among them Italy, the Netherlands, the United Kingdom, Sweden and Poland – have already passed resolutions urging their governments to introduce sanctions on the Magnitsky case, while several other national parliaments, such as those in Portugal, France, Spain and Latvia, are at the initial drafting stage for such sanctions;
- I. Calls on the EU:
- (a) to impose sanctions on Russian authorities for disregard of human rights and basic freedoms, in particular in relation to the well-documented Magnitsky case;
 - (b) to establish a common EU list of officials responsible for the death of Sergei Magnitsky, for the subsequent judicial cover-up and for the ongoing and sustained harassment of his mother and

widow; to implement an EU-wide visa ban on the responsible officials and to freeze any financial assets they or their immediate family may hold inside the European Union;

- (c) to remind the Russian authorities that a modern and prosperous society needs to recognise and protect the individual and collective rights of all its citizens;
- (d) to urge the Russian authorities to guarantee systematic safeguard of human rights and basic freedoms, to put an end to the widespread corruption and to reform the judicial system, and bring it into line with international standards, by creating an independent, just and transparent system that cannot, under any circumstances, be misused for political reasons;
- (e) to urge Russia to conduct a credible and independent investigation encompassing all aspects of this tragic case, and to bring all those responsible to justice, and conduct transparent and thorough investigations of all murder cases of Russian activists and lawyers linked to the democratic opposition as for instance the disappearing and murder of several prominent figures like the double homicide of Stanislav Markelov and Anastasia Baburova or the Nataliya Estemirova case;
- (f) to systematically raise, in the course of bilateral meetings with Russian authorities, the issue of rampant neglect of human rights, as well as the issue of intimidation and impunity in cases involving human rights defenders, journalists and lawyers, in a more determined, resolute and result-oriented manner.

2. Calls on the Green Members of all European national parliaments that have not yet done so:

- (a) to table resolutions urging their governments to impose sanctions (e.g. freezing financial assets) to Russia for the neglect of human rights and basic freedoms, in particular in relation to the Magnitsky case;
- (b) to remind the Russian authorities that a modern and prosperous society needs to recognise and protect the individual and collective rights of all its citizens;
- (c) to urge the Russian authorities to guarantee systematic safeguard of human rights and basic freedoms, to put an end to the widespread corruption and to reform the judicial system, and bring it into line with international standards, by creating an independent, just and transparent system that cannot, under any circumstances, be misused for political reasons.

3. Takes the view that the recent sentencing of three members of the feminist punk collective Pussy Riot to two years in a penal colony for "hooliganism motivated by religious hatred" is part of a clampdown on political dissent and opposition forces that further shrinks Russian democratic space and deeply undermines the credibility of Russia's judicial system; strongly condemns this politically-motivated verdict and expects this conviction to be overturned in appeal with the release of all three Pussy Riot members, and all other prisoners of conscience as for instance Michail Khodorovsky.

4. Underlines that the commitment of the Russian authorities to basic values such as the rule of law, and respect for human rights and basic freedoms, remains the main prerequisite for EU-Russia relations and for the development of a stable and reliable partnership between the two parties.

5. Urges the Council of Europe to make Russia, as a full member of the Council of Europe and therefore committed to the principles of democracy, the rule of law and respect for human rights, accountable for its behaviour; to make clear to the Russian authorities that the recent worrying developments taking place in Russia are incompatible with the fundamental values upon which this organisation is based and to take in due account, therefore, the possibility to suspend the participation of the Russian Federation in the activities of this body until these questions are fully addressed in a satisfactory manner.

6. The EGP will present this resolution to the Russian EU-Embassy in Brussels.