Resolution on the rule of law in Russia

2011/2515(RSP) - 17/02/2011 - Text adopted by Parliament, single reading

The European Parliament on the rule of law in Russia.

The resolution had been tabled by the Greens/EFA, EPP, ALDE, ECR and S&D groups.

It notes that several trials and judicial proceedings over the last years have cast doubt on the **independence and the impartiality of the judicial institutions** of the Russian Federation, and cites particularly the second conviction of Mikhail Khodorkovsky and Platon Lebedev on 30 December 2010 in the second trail concerning Yukos assets, which has been questioned by the international community, including the EU. Parliament expresses concern over reports of politically motivated trials, unfair procedures and failures to investigate serious crimes such as killings, harassment and other acts of violence. It expresses serious concern at the verdict in the second trial and conviction of Michail Khodorkovsky and Platon Lebedev, and calls for an independent judicial review to be conducted in connection with the pending appeal against the verdict. Members demand that the Russian authorities do all in their power to improve the judicial system, in line with President Medvedev's pledges to ensure greater justice and transparency. They call on the Commission to urgently submit to Parliament an assessment of whether the judicial measures taken against Yukos and its executives are compatible with the requirements placed on Russia in connection with its ambition to become a full member of the WTO.

In addition, they urge the Ombudsman of the Russian Federation to commission a review of the charges and ongoing proceedings against the 2009 laureate of the European Parliament Sakharov Prize for Freedom of Thought, Mr Oleg Orlov. Members note that the cases of journalists Anna Politkovskaya, Natalia Estemirova and Anastasia Baburova and the death of lawyer Sergei Magnitsky have not yet been solved by the Russian authorities. They deplore the breaking up of peaceful rallies held on the last day of every second month in relation to Article 31 of the Russian Constitution, as well as the repeated arrests of opposition figures, as in the case of Boris Nemtsov. The Council and Commission as well as the High Representatives are encouraged to follow these cases closely and to raise these issues in different formats and meetings with Russia, in particular during the upcoming **EU-Russia Summit**. Parliament reminds the Council and the High Representative of the full array of appropriate measures they may bring to bear when faced with systematic human rights abuses and failures to uphold the rule of law. It also expresses concern over the considerable number of reported violations of human rights in Russia, including the right of peaceful assembly, and emphasises the importance of continuous dialogue on human rights as part of the EU-Russia human rights consultations, with a special focus on the steps taken by the Russian authorities with the aim of ensuring the safety of human rights defenders.

The resolution goes on to call on the EU and Russia to step up negotiations on a **new binding and comprehensive Partnership and Cooperation Agreement (PCA)**. Parliament reiterates its strong support for a broad agreement that includes the issues of democracy, the rule of law and human and fundamental rights; emphasises the importance of ensuring the effective functioning of the judiciary and strengthening the fight against corruption. It also stresses that full respect for human rights and the rule of law will improve Russia's image and credibility in the world, in particular with regard to its relations with the EU, which are important and should develop into a strategic partnership, given the two sides' mutual dependence and various shared interests. Members call on the Council and Commission to offer Russia practical assistance and expertise with a view to enhancing the independence of the judiciary and of law enforcement agencies and improving the ability of the judicial system to withstand political and economic pressure.

Lastly, Parliament strongly condemns the terrorist attack at Moscow's Domodedovo airport and expresses its condolences to the families of the victims and its solidarity with those wounded in the attack. It underlines the need for the Russian authorities to respond to this attack in a lawful and measured way and to allow the Russian judicial system to work freely and independently to prosecute and convict those responsible for the attack.