Resolution on the political use of justice in Russia

2012/2789(RSP) - 13/09/2012 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on the political use of justice in Russia.

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

It notes that the human rights situation in Russia **has deteriorated drastically** in the last few months and the Russian authorities have recently adopted a series of laws that contain ambiguous provisions and could be used to further restrict opposition and civil society actors and hinder freedom of expression and assembly. Parliament states that such aspects should be addressed in due course as a priority issue, in particular during **EU-Russia bilateral meetings and negotiations**.

It takes the view that Russia, as a member of the Council of Europe and the Organisation for Security and Cooperation in Europe, should meet the obligations it has signed up to. However, it points out that **recent developments have moved in the opposite direction** to the reforms necessary to improve democratic standards, the rule of law and the independence of the judiciary in Russia.

The resolution cites several recent cases in Russia, including:

- the case of Sergei Magnitsky which is only one of several cases of abuse of power by the Russian law enforcement authorities, strongly violating the rule of law and leaving those guilty of causing his death still unpunished;
- the sentencing of the members of the Russian punk group Pussy Riot to two years' imprisonment for a protest performance against President Vladimir Putin in a Moscow Orthodox cathedral which is disproportionate, and Parliament reaffirms its belief that this sentence will be reviewed and reversed in line with Russia's international commitments;
- the parliamentary political procedure to strip Gennady Gudkov, a member of the opposition Just Russia party, of his parliamentary mandate which is widely perceived as intimidation targeting the legitimate political activity of an opposition party supporting demands by the protest movement.

Parliament calls on Russia to **refrain from using laws arbitrarily for the purpose of clamping down on Members of the opposition**.

It calls on the HR/VP and the Commission to offer consistent, deep support to civil society activists and representatives of the new grassroots social movement. Furthermore, Members call on the EU to **exert constant pressure on the Russian authorities** to meet the OSCE standards of human rights, democracy, the rule of law and the independence of the judiciary. They underline the importance of the continuous exchange of views on human rights with Russia within the EU-Russia Human Rights Consultations as a way to consolidate interoperability in all the fields of cooperation, and demand **an improvement in the format of these meetings** in order to gain effectiveness, with special attention for common action against racism and xenophobia. This process **must be opened to effective input from the European Parliament** , the State Duma and the human rights NGOs. Parliament expects the dialogue to take place alternately in Russia and in an EU Member State.

Parliament express its concern about the deteriorating climate for the development of civil society in Russia, in particular with regard to the recent adoption of a series of laws governing demonstrations, NGOs, defamation and the internet which contain ambiguous provisions and could lead to arbitrary enforcement. It calls on Russia to **amend the new laws on NGOs** so as to safeguard citizens' associations that receive financial support from reputable foreign funds from political persecution.

Members also express concern about the **law on extremism** in terms of the wide discretion in the interpretation of its basic notions on ‘extremist actions’ and ‘extremist organisations’, which, according to the Venice Commission of the Council of Europe, could lead to arbitrariness and restriction of the freedoms of association, expression and belief. They call on the Russian authorities to address these concerns by amending the law.