

Recommendation to the Council and Commission on the new EU-Russia agreement

2011/2050(INI) - 13/12/2012 - Text adopted by Parliament, single reading

The European Parliament adopted by 530 votes to 33, with 39 abstentions, a recommendation to the Council, the Commission and the European External Action Service on the new EU-Russia agreement.

Parliament recalls the existence of the Agreement on partnership and cooperation establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, which entered into force on 1 December 1997. It also recalls the objective shared by the EU and Russia, set out in the joint statement issued following the 11th EU-Russia Summit held in St Petersburg on 31 May 2003, of creating a **common economic space**, a common space of freedom, security and justice, a common space of cooperation in the field of external security, and a common space of research and education, including cultural aspects (the 'four common spaces'). This demonstrates that the economic interdependence of the EU and Russia is constantly growing. Members stress that enhanced cooperation and good-neighbourly relations between the EU and Russia are of major importance for the stability, security and prosperity of both parties.

Parliament highlights the fact that Russia, under the presidency of Vladimir Putin, is showing only selective interest in developing common policies and no real intention to develop a genuine and far-reaching strategic partnership for the implementation of international law and conflict prevention. It underlines that despite the present lack of enthusiasm on the Russian side, **an ambitious, comprehensive and legally binding new Partnership and Cooperation Agreement**, covering the most important areas of cooperation and founded on common values of democracy, respect for human rights and the rule of law, **could provide the basis for a genuine strategic partnership**.

Parliament addresses a series of recommendations to the Council, the Commission and the European External Action Services which may be summarised as follows:

Conduct of negotiations: Parliament considers that the new agreement must, above all, strengthen cooperation in all areas in which EU and Russian interests are likely to coincide and should be governed by a spirit of genuine reciprocity. Consensus must be found among the EU Member States on the objectives and conduct of the negotiations for a new agreement with Russia, so that the EU speaks with **a strong single voice** and Member States' interests in relation to Russia and vice versa are better promoted and protected at Union level. Close attention must be paid to the complete political reform of the country and the fight against corruption.

Political dialogue and cooperation: Parliament calls for support for Russian institution-building and the promotion of the principles of democracy, human rights and the rule of law and Russia's respect for its international obligations in terms of fundamental rights, as well as for it to take into account the needs of civil society. Parliament expresses its concern at the deteriorating climate for the development of **civil society** in Russia, in particular with regard to the recent adoption of laws on demonstrations, NGOs, defamation and the legal regulation of the internet which contain ambiguous provisions and entail the risk of arbitrary enforcement, and at the adoption by the Duma of a series of amendments to the law on treason and espionage which introduce new provisions in the Criminal Code that could potentially be used to target human rights defenders.

Parliament calls, in particular, on the Russian authorities to refrain from placing undue restrictions on peaceful assembly, ensure the protection of human rights defenders, end impunity for past abuses and to

create a climate in which civil society and NGOs can operate without undue restraints, fear of harassment or intimidation. Dialogue with Russia should also seek to put an **end to impunity** in the country, as well as to politically motivated persecutions, arrests and detentions. Parliament cites the many violations of human rights that have occurred, including the imprisonment of Mikhail Khodorkovsky and the deaths of Sergei Magnitsky, Alexander Litvinenko, Anna Politkovskaya, Natalya Estemirova and others, which have yet to be investigated in an impartial and independent fashion. It considers the sentencing of members of the Russian punk group **Pussy Riot** to two years in jail for a protest performance against President Vladimir Putin to be disproportionate, and a source of serious concern about the way the Russian legal system treats citizens. To this effect, Parliament supports the position of the Parliamentary Assembly of the Council of Europe regarding the politically motivated sentence against members of the Pussy Riot group, and calls for their immediate release. Plenary also raises the issue of freedom of expression and assembly including in relation to **sexual orientation** and gender identity and calls on the Duma, in conformity with the United Nations Human Rights Committee's ruling in *Fedotova v. Russia*, to refrain from adopting a federal ban on 'homosexual propaganda'.

Parliament insists that the Partnership and Cooperation Agreement includes clauses and benchmarks on the protection and promotion of human rights, as enshrined in the Russian Constitution and drawing to the fullest possible extent on the Council of Europe and OSCE frameworks to which Russia has committed itself, with a clear mechanism of suspension in case of serious violations or non-compliance. It should also include the necessary provisions concerning actions for the eradication of the endemic corruption in the country, the non-proliferation of nuclear arms, the fight against terrorism and the peaceful resolution of protracted conflicts (e.g. in Moldova and the southern Caucasus), as well as the full implementation of the common steps towards visa-free short-term travel. The Plenary emphasises, however, that EU moves to ease visa rules should not benefit criminals and human rights abusers.

Economic cooperation: noting Russia's accession to the WTO on 22 August 2012 constituted a positive incentive for Russia to meet the international rules and standards concerning trade, Members stress that full compliance by Russia with WTO rules is a necessary precondition and minimum standard for an agreement with the EU. They insist on a bilateral agreement between the EU and Russia, while making it clear that the possibility of an agreement between the EU and the Russian-led Customs Union can be envisaged only in the long run and **once the bilateral agreement has entered into force**. They recall that the EU's objective in this area is to improve and stabilise the business environment in this country and to promote and safeguard investments. Efforts are also required to address the continuing problem of the production and sale of counterfeit products, to strengthen the principles of a sustainable economy and to improve infrastructure.

As regards **energy**, Parliament specifically calls for the inclusion of a substantial and legally binding chapter on energy, **in order to secure a reliable and cost-efficient energy supply for the EU**. It wishes to ensure that such an energy partnership is based on the principles of transparency, fair competition, exclusion of monopolistic behaviour, reciprocity and non-discrimination. It also calls for the inclusion of a legally binding chapter on the introduction or increase of export duties on raw materials. It insists on the implementation and enforcement of the highest international safety standards for nuclear power plants in Russia (and the shutdown of all Chernobyl-type power plants), as well as clarification in regard to the ongoing commercial drilling in the Arctic.

On an institutional level, the European Parliament wishes to be consulted on the provisions regarding parliamentary cooperation and to be associated with the monitoring mechanisms of the future agreement. It encourages the EU negotiating team to continue its good cooperation with the EP, providing continuous information on the progress of the negotiations at all stages of the procedure.

Lastly, Parliament calls for vigilance as to the requirements that the EU intends to set as regards respect for democratic principles, and considers that **this respect as an absolute prerequisite for the signature of an EU-Russia Agreement**.

