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Increasing repression in Russia, including the case of Alexey Navalny

European Parliament resolution of 7 April 2022 on the increasing repression in Russia, including the case of Alexei Navalny (2022/2622(RSP))

(2022/C 434/12)

The European Parliament,

— having regard to its previous resolutions on Russia,

— having regard to the UN Charter, the Universal Declaration of Human Rights, the European Convention on Human Rights, the International Covenant on Civil and Political Rights and the UN Declaration on Human Rights Defenders,

— having regard to the Constitution of the Russian Federation,

— having regard to the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) Josep Borrell of 28 March 2022 on the Russian independent newspaper Novaya Gazeta,

— having regard to the declaration by the High Representative on behalf of the EU of 22 March 2022 on the ruling to extend Alexei Navalny's politically motivated imprisonment by an additional nine years,

— having regard to the statement by the Council of Europe Commissioner for Human Rights of 24 March 2022 expressing appreciation for the courageous work of journalists and human rights defenders, including those from the Russian Federation and Belarus,

— having regard to the statement by the Media Freedom Representative of the Organization for Security and Co-operation in Europe of 3 March 2022 on the serious infringement of the right to freedom of expression and media freedom in Russia in the context of the country's military attack against Ukraine,

— having regard to the statements by the UN High Commissioner for Human Rights on the latest developments in Russia and Ukraine,

— having regard to Rules 144(5) and 132(4) of its Rules of Procedure,

A. whereas the Russian Federation has repeatedly breached international law and its international commitments and has launched an illegal, unprovoked and unjustified war of aggression against Ukraine and perpetrated massacres against its citizens; whereas legislative restrictions, media bans, the criminalisation of independent reporting and free opinion, and other political prosecutions have reached a totalitarian scale in recent months, resulting in the disintegration of independent and pluralistic civil space in Russia;

B. whereas the Russian regime has intensified, in an unprecedented manner, its crackdown on peaceful protesters, independent journalists and bloggers, human rights defenders and civil society activists in an effort to silence any criticism of and opposition to its illegal, unprovoked and unjustified military aggression against Ukraine; whereas thousands have fled Russia due to the drastically increased risk of arbitrary arrest and prosecution; whereas this crackdown has had a devastating effect on the lives and freedoms of minorities, LGBTQI+ persons, women, and all people branded by the government and society as deviating from the behavioural or normative rules and expectations imposed or for criticising the regime and the policies of the Russian authorities;

C. whereas fundamental human rights, including freedom of association and freedom of expression, are enshrined in the Constitution of the Russian Federation, as well as in numerous international legal instruments to which Russia has committed itself; whereas the Russian authorities are responsible for years of systematic propaganda campaigns against Ukraine, Europe and liberal democratic values, culminating in the eradication of any vestiges of a vibrant, politically active and independent civil society;

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D. whereas since 24 February 2022, Russian authorities have arbitrarily detained more than 15 400 peaceful anti-war protesters across the country, subjecting some to severe ill-treatment and other human rights violations; whereas more than 60 criminal cases have already been brought since then;

E. whereas numerous laws imposed over the past few years, such as the 'foreign agents' law and its variations, the regulation of and adjudication over so-called 'extremist organisations' and countless decrees by the regulator responsible for media oversight (Roskomnadzor) have been used by Russian authorities for their concentrated crackdown on independent civil society and media active in Russia, targeting in particular non-governmental organisations (NGOs), human rights defenders, journalists, lawyers, as well as women's rights, LGBTQI+ and environmental activists, and activists of ethnic and cultural minorities; whereas the imposition of all of this legislation, regulation and judicial and administrative burdens is forcing civil society actors to refuse foreign funding, engage in self-censorship and reduce both their public visibility and their activities for fear of state retaliation;

F. whereas on 4 March 2022, the Russian Parliament amended the Criminal Code to impose a penalty of up to 15 years in prison for spreading allegedly 'fake' information about the war in Ukraine; whereas on 22 March 2022, the law was broadened to criminalise the sharing of 'fake news' about any activities of Russia's official bodies abroad; whereas on 4 March 2022, the Russian Duma banned demonstrations against the war in Ukraine; whereas the Russian legal reforms have introduced administrative and criminal offences for Russian nationals and legal entities who call for international sanctions against the Russian state, its nationals or any Russian legal entities;

G. whereas Russian authorities have forced several independent media outlets to suspend their activities, close down, or move their activities abroad, while blocking access to others in the context of growing internet censorship, control and isolation, thereby depriving the Russian population of unbiased information about Russia's war against Ukraine and the war crimes being committed there in the name of the Russian Federation; whereas these include, most notably, the radio station Echo of Moscow, the TV station Dozhd and the newspaper Novaya Gazeta; whereas the authorities have blocked foreign social media in Russia and blacklisted Meta, the parent company of Facebook, Instagram and WhatsApp, labelling it as 'extremist';

H. whereas since the beginning of Russia's war in Ukraine, hundreds of journalists, human rights defenders, activists and others have left Russia due to the drastically increased risk of arbitrary arrest and prosecution, including after President Putin referred to those standing up against the war as 'national traitors' and a 'fifth column';

I. whereas on 16 March 2022, the Committee of Ministers of the Council of Europe decided to revoke the membership of the Russian Federation in the Council of Europe, effective immediately; whereas the Russian Federation, for its part, decided to leave the Council of Europe on 15 March 2022, depriving Russian citizens of the protection enshrined in the European Convention on Human Rights and denying them access to judicial remedies before the European Court of Human Rights;

J. whereas Alexei Navalny, a Russian lawyer, opposition politician and anti-corruption activist, and laureate of the 2021 Sakharov Prize, was arrested in January 2021 and has been in prison since February 2021, where he has been serving an arbitrary, politically motivated sentence and has been repeatedly subjected to torture and inhumane treatment; whereas the EU has condemned the poisoning and politically motivated imprisonment of Alexei Navalny in the strongest possible terms, imposed targeted sanctions and continues to demand an independent investigation into his poisoning;

K. whereas on 22 March 2022, Moscow's Lefortovski Court, following an extraordinary session staged in a prison camp and thus outside regular court facilities, sentenced Alexei Navalny to nine years in a maximum security prison and issued him with an administrative fine of RUB 1,2 million (approximately EUR 12 838); whereas this judgment clearly contravenes international law and the Russian Constitution and is as unlawful, arbitrary and politically motivated as the previous judgment;

L. whereas a number of activists have been threatened with or subjected to arrest and prosecution for supporting or working with Alexei Navalny or for supporting his ideas, like the smart voting strategy; whereas they were accused and prosecuted for such support based on the retroactive application of new laws or administrative decisions on the basis of their social media statements, and many of them have left Russia after facing criminal charges; whereas Alexei Navalny's Anti-Corruption Foundation was labelled 'extremist';

1. Condemns the Russian regime's domestic repression, which has worsened in the wake of Russia's war of aggression against Ukraine; demands that Russian authorities stop the harassment, intimidation and attacks against all anti-war protesters, independent civil society organisations, NGOs, human rights defenders, journalists, lawyers, as well as women's rights, LGBTQI+ and environmental activists in Russia; expresses its solidarity with the democratic forces in Russia committed to an open and free society, and underlines its support for all individuals and organisations which have been the target of attacks and repression;

2. Condemns the neo-totalitarian, imperialist ideological stance cultivated by the Russian Government and its propagandists; emphasises that the assault against democracy and disregard for the rights of other nations has paved Russia's path towards despotism, international aggression and war crimes; underscores that an undemocratic Russia is a constant threat to Europe's security and stability;

3. Deplores Russian legislation, including on 'foreign agents', the changes to the Criminal Code introduced on 4 March and 22 March 2022, and the Mass Media Law, which are used to engage in judicial harassment against dissenting voices in the country and abroad and to undermine independent media; underscores that these developments are in blatant contradiction with the commitments Russia has voluntarily undertaken under international law and written into its own Constitution;

4. Denounces the continuous and increasing censorship by Russian authorities, including of the internet, and urges them to immediately put an end to their control and censorship;

5. Condemns Russian authorities' behaviour in persecuting the mothers of Russian soldiers and their established organisations, depriving Russian parents of information on the whereabouts of their children and refusing to cooperate with Ukrainian authorities in order to return the remains of Russian soldiers killed in action;

6. Condemns the role of Patriarch Kirill of Moscow, head of the Russian Orthodox Church, for providing theological cover for Russia's war of aggression against Ukraine; praises the courage of the 300 priests of the Russian Orthodox Church who have signed a letter condemning the aggression, grieving over the ordeal of the Ukrainian people and asking to 'stop the war';

7. Strongly condemns the imprisonment of the Sakharov Prize laureate Alexei Navalny and reiterates its call for his immediate and unconditional release, as well as of the hundreds of other Russian citizens baselessly detained merely for having the courage to demonstrate in favour of democracy and peace or to improve their rights, including the rights to freedom of expression and peaceful assembly; calls on the Russian authorities to improve conditions in prisons and detention facilities in order to meet international standards; considers Alexei Navalny's humanitarian, health and safety situation a priority concern for the EU; calls on the Russian authorities to take all necessary measures to fully secure his rights during his unlawful detention; condemns the fact that the trial against Alexei Navalny did not respect his right to a fair trial and reiterates its call for a transparent investigation into the poisoning of Alexei Navalny, without delay;

8. Considers the repression against Alexei Navalny, his supporters, the media and civil society, all intended as part of a prelude to Russia's criminal war of aggression, and reiterates that political pluralism and free media are the best safeguards against and obstacles to international aggression by an undemocratic government; considers that our efforts to support freedom of opinion and the media for Russian citizens are an intrinsic part of our efforts to combat the war and aggression in Ukraine;

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9. Forcefully condemns the decisions by Russian courts leading to the closure of International Memorial and the Memorial Human Rights Centre, together one of Russia's oldest and most prominent human rights organisations and a Sakharov Prize laureate; condemns the continued warnings by Roskomnadzor against Novaya Gazeta concerning censorship and alleged violations of the 'foreign agents' law, resulting in the newspaper's announcement to cease operations until the end of the war in Ukraine; equally deplores the Russian Prosecutor-General's request for Roskomnadzor to restrict access to Echo of Moscow and Dozhd due to their coverage of the war in Ukraine; commends the role played by these outlets, as well as so many other independent organisations and news outlets that have since been closed down, in uncovering the truth and providing facts about the crimes of the Soviet regime and the Russian Government, as well as their commitment to human rights; calls for an end to the systematic repression of journalistic institutions and independent media, which constitute the fundamental pillars of freedom and democracy;

10. Calls on the UN Human Rights Council to investigate in full and as a matter of urgency the abuses of the right to information and freedom of expression perpetrated by the Russian regime;

11. Expresses deep concern over how the crackdown on Russian civil society, human rights defenders, women's rights activists, sexual and reproductive health and rights activists and LGBTQI+ communities is further exacerbating the situation of already vulnerable and targeted groups in the country;

12. Reiterates that the free and independent work of civil society organisations and the media is a cornerstone of a democratic society; calls on Russia, therefore, to establish a clear legal framework as well as a safe environment for civil society organisations, protesters, media and political actors in line with Russia's Constitution and international obligations and with international human rights standards, enabling them to carry out their legitimate and useful work without interference; stresses the need to guarantee efficient legal recourse for protesters, civil society activists and journalists whose fundamental rights have been violated;

13. Calls on the Commission, the European External Action Service (EEAS) and the Member States to closely monitor the human rights situation in Russia, to provide emergency assistance and to increase support for the civil society, independent NGOs, human rights defenders and independent media which remain active in Russia, including sustainable and flexible financial assistance; calls on the EU Delegation and the Member States' representations in Russia to publicly show solidarity with those persecuted;

14. Urges the Commission and the Member States to strengthen protection for the rights and physical integrity of activists, independent journalists and human rights defenders targeted by the Russian authorities' repression, and to provide them with emergency visas to enable them to leave the country and find temporary shelter in the EU, as well as to allow threatened or banned Russian NGOs and media to immediately continue their work from EU territory if needed;

15. Calls on the VP/HR and the Council to make effective use of the EU's global human rights sanctions mechanism and impose restrictive measures on all Russian officials involved in the crackdown against independent civil society and media and peaceful protesters, as well as in this latest case against Alexei Navalny;

16. Calls on the Commission and the Member States to prevent and counter the spread of disinformation, including propaganda, and strengthen independent media; welcomes, therefore, the development of specific platforms and news in Russian and Ukrainian; calls for EU strategic communications to be improved and for an exploration of effective ways to counter war propaganda originating in Russia from outlets such as Rossija, Channel One Russia and NTV, which disseminate content approving of the war of aggression and misinforming people about it; calls on the Member States, the Commission and the EEAS to continue to enhance alternative online Russian-language information on the unfolding developments to counter disinformation, to continue to ensure that public statements from the EU and the Member States are translated into Russian and to address Russian-speaking audiences and platforms;

17. Calls on the Commission and the Member States to host banned media teams in the EU and to develop a joint platform for media in exile, as well as to support technologies that enable people to use the internet to exercise their fundamental rights, in particular the freedom of information and expression, and to support the pursuit of democracy and the rule of law, by establishing technological means to circumvent communication surveillance and the blocking of websites and applications in Russia, including low-tech via M-waves, a VPN Russia platform, anonymisation networks and satellite TV;

18. Calls on the EU Delegation and national diplomatic representations in Russia to closely monitor the situation on the ground and how trials are handled and to offer those concerned any support that they may need, including direct financial assistance to pay for lawyers and experts; calls on all governments to refuse any future extradition requests for Russian nationals for offences under the Criminal Code and the Code of Administrative Offences;

19. Urges the Member States, the Council and the Commission to secure humanitarian status and create safe migration possibilities for threatened Russian opposition, civil society and media representatives, including securing opportunities for them to enjoy long-term residence and work in the European Union; calls on the Member States to devise a mechanism to protect Russian soldiers who decide to defect; calls on financial institutions, banks, credit card companies and government authorities to introduce screening procedures for the tailored application of sanctions against Russian citizens in the EU in order to allow opposition activists, independent civil society and media representatives to retain access to their financial assets necessary to secure their existence in the European Union;

20. Recalls that academic and cultural collaboration at an individual level, even in times of conflict, may help to strengthen pluralistic voices in anti-democratic circumstances and serve as a basis for facilitating the re-establishment of relationships after the conflict; underlines that the Russian scientific community has been a primary target of repression by Putin's regime;

21. Stresses the strategic value of the input of Russian academics who oppose the war in order to better analyse Putin's regime and how to counter it; calls for an EU strategy to allow Russian students and professors to officially continue their studies and work in European universities, particularly in humanitarian disciplines, and to receive their corresponding diplomas;

22. Asks the EEAS, the Commission and the Member States to mainstream human rights and civil society consultation across all dialogues between the EU, its Member States and Russia, and to abide by their commitment to gender mainstreaming;

23. Calls for the EU and the Member States to continue to engage with the people of Russia and with Russian civil society in exile; urges the EU to demonstrate its readiness to support Russian civil society in its efforts to build a democratic Russia, and to welcome a democratic and responsible Russia back into the international community;

24. Calls for the EU to appoint a special envoy for a democratic Russia, who should be responsible for relations with the Russian people, in particular with democracy defenders in exile and those who have remained in Russia and want the country to return to the path of democracy;

25. Calls on the Commission, in cooperation with the EEAS, to help establish and support a Democratic Russia Hub for continuous dialogue with the democratic Russian community, in particular the anti-war committee established by Russian democratic opposition activists, in order to provide direct communication with the Russian people, to develop together with civil society an EU strategy for a future democratic Russia, to improve the integration of new emigrants from Russia through educational programmes, and to organise annual EU summits with democratic Russia in exile;

26. Urges the VP/HR and the Member States to take coordinated action with like-minded countries to raise awareness of and push back against the restrictions of fundamental freedoms and human rights by the Russian authorities, including through high-level and public interventions, coordinated démarches, sustained scrutiny at international and regional human rights forums, as well as regular human rights impact assessments to ensure that engagement with Russia does not undermine human rights objectives and does not contribute, directly or indirectly, to human rights violations;

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27. Notes that according to the Levada Center, 83 % of Russians support Putin's war in Ukraine, while the percentage of Russians who say the country is moving in the right direction has risen from 52 % to 69 %, the highest level ever recorded since 1996; applauds, in this regard, those brave individuals who openly protest and oppose Russian imperialism in its newest form — the invasion of Ukraine — despite the brutality of the rioting policy, as well as media and social pressure; urges EU citizens, nevertheless, not to equate all Russian citizens with the brutal actions of their leadership and military in Ukraine; calls on the Commission and the Member States to support and protect the critical voices within the Russian diaspora who are facing threats from Russian authorities; condemns rallies organised by Russian diasporas in support of the war or in protest against the acceptance of Ukrainian refugees;

28. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the UN High Commissioner for Human Rights, the Council of Europe, the Organization for Security and Co-operation in Europe, and the President, Government and Parliament of the Russian Federation.