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TEXTS ADOPTED

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**Russia, the case of Alexei Navalny, military build-up on Ukraine's border and Russian attack in the Czech Republic**

**European Parliament resolution of 29 April 2021 on Russia, the case of Alexei Navalny, the military build-up on Ukraine's border and Russian attacks in the Czech Republic (2021/2642(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Russia and Ukraine,
- having regard to the UN Charter, the UN Convention on the Law of the Sea, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR),
- having regard to the package of measures for the implementation of the Minsk Agreements, adopted and signed in Minsk on 12 February 2015, and endorsed as a whole by UN Security Council resolution 2202 (2015) of 17 February 2015,
- having regard to the statement by the G7 Foreign Ministers of 18 March 2021 on Ukraine and to their joint statement with the High Representative of the Union for Foreign Affairs and Security Policy of 12 April 2021 on the same topic,
- having regard to the meeting of the President of France, the President of Ukraine and the Chancellor of Germany on 16 April 2021 on the issue of the Russian military build-up,
- having regard to the declarations by the High Representative of the Union for Foreign Affairs and Security Policy on behalf of the EU of 18 April 2021 on the deteriorating health of Alexei Navalny,
- having regard to UN General Assembly resolution 68/262 of 27 March 2014 entitled 'Territorial integrity of Ukraine', UN General Assembly resolutions 71/205 of 19 December 2016, 72/190 of 19 December 2017, 73/263 of 22 December 2018, 74/168 of 18 December 2019 and 75/192 of 16 December 2020 entitled 'Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine', and UN General Assembly resolutions 74/17 of 9 December 2019 and 75/29 of 7 December 2020 entitled 'Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov',

- having regard to Council Decision 2014/145/CFSP of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine<sup>1</sup>,
  - having regard to the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, and in particular Title II thereof on political dialogue and convergence in the field of foreign affairs and security<sup>2</sup>,
  - having regard to the Budapest Memorandum on Security Assurances of 5 December 1994 relating to the accession of Belarus, Kazakhstan and Ukraine to the Treaty on the Non-Proliferation of Nuclear Weapons,
  - having regard to Ukraine’s proposal of 29 March 2021 to return to a full ceasefire in eastern Ukraine and the draft of the Joint Action Plan on the realisation of the Minsk Agreements,
  - having regard to the statement by the spokesperson of the European External Action Service of 19 April 2021 on the expulsion of Czech diplomats and the declaration by the High Representative of the Union for Foreign Affairs and Security Policy on behalf of the EU of 21 April 2021 in solidarity with the Czech Republic over criminal activities on its territory,
  - having regard to Rule 132(2) and (4) of its Rules of Procedure,
- A. whereas the Russian Federation has in recent weeks substantially increased its military presence on the eastern and northern borders with Ukraine and in occupied Crimea, amassing a total of over 100 000 troops, as well as tanks, artillery and armoured vehicles and other heavy equipment; whereas the recent build-up is the biggest concentration of Russian troops since 2014 and its scale and striking capabilities indicate offensive intentions;
  - B. whereas the Russian Federation has announced the suspension of the right of innocent passage for warships and commercial vessels of other countries through the part of the Black Sea in the direction of the Kerch Strait until 31 October 2021, violating the freedom of navigation, which is guaranteed by the UN Convention on the Law of the Sea, to which Russia is a party; whereas the areas concerned are within the territorial sea of Ukraine surrounding the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol;
  - C. whereas it has been six years since the adoption of the Minsk Agreements and seven years since the illegal annexation of the Crimean peninsula by the Russian Federation and the start of the war in Ukraine;
  - D. whereas according to Ukrainian sources, the Russian Federation has approximately 3 000 officers and military instructors serving in the armed forces of the two so-called People’s Republics;
  - E. whereas the destabilisation of eastern Ukraine by the Russian Federation via its proxy

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<sup>1</sup> OJ L 78, 17.3.2014, p. 16.

<sup>2</sup> OJ L 161, 29.5.2014, p. 3.

forces in the Donetsk and Luhansk so-called People's Republics has been ongoing since 2014; whereas the conflict has claimed the lives of more than 14 000 people and resulted in close to two million people becoming internally displaced persons (IDPs);

- F. whereas Ukraine has requested that paragraph 16.3 of Chapter III of the Vienna Document 2011 on Confidence- and Security-Building Measures be invoked, requesting 'an explanation of unusual military activities' of the Russian Federation near Ukraine's border and in occupied Crimea; whereas the Vienna Document was adopted by all 57 members of the Organization for Security and Co-operation in Europe (OSCE) in 2011 to serve as a lasting source of cooperation and military transparency; whereas the Russian Federation has decided not to participate in this meeting;
- G. whereas OSCE participating states are to provide each other with information about, *inter alia*, deployment plans, to notify each other ahead of time about significant military activities such as exercises and to consult and cooperate with each other in the event of unusual military activity or increasing tensions;
- H. whereas the Russian Ministry of Defence declared on Friday, 23 April 2021 that the amassed forces would return to their permanent bases by 1 May 2021;
- I. whereas the rights to freedom of thought and speech, association, and peaceful assembly are enshrined in the Constitution of the Russian Federation; whereas the situation of human rights and the rule of law continues to deteriorate in Russia, with authorities continuously infringing on these rights and freedoms; whereas the Russian Federation is a signatory of the Universal Declaration of Human Rights and the ECHR, and is a member of the Council of Europe;
- J. whereas on 9 April 2021, the Russian authorities briefly detained, interrogated and seized the phones and documents of Roman Anin, one of Russia's leading investigative journalists affiliated with the Organized Crime and Corruption Reporting Project (OCCRP); whereas these actions have also endangered his fellow OCCRP journalists working on transparency and corruption issues, due to the information that the Federal Security Service (FSB) now has full access to;
- K. whereas Alexei Navalny, Russia's best-known anti-corruption activist and opposition politician, was detained on 17 January 2021 and sentenced to a 3.5-year jail term on 2 February 2021 for the alleged violation of his probation while he was recovering in Germany from an assassination attempt by poisoning with a prohibited military chemical agent perpetrated by agents of the Russian security services within the Russian Federation; whereas Alexei Navalny was transferred on 12 March 2021 to a penal colony in Pokrov, where he has been repeatedly subjected to torture and inhumane treatment and subsequently began a hunger strike more than three weeks ago;
- L. whereas these developments over the past few weeks have confirmed the worst fears about his personal safety and life among his family, friends and supporters and among the international community and led to his transfer to a prison hospital near Moscow, where his life continues to be in danger;
- M. whereas on 16 February 2021 the European Court of Human Rights decided to indicate to the Government of Russia, under Rule 39 of the Rules of Court, to release Alexei Navalny; whereas this measure should apply with immediate effect; whereas the Court

had regard to the nature and extent of risk to Alexei Navalny's life, demonstrated *prima facie* for the purposes of applying the interim measure, and seen in the light of the overall circumstances of Alexei Navalny's current detention;

- N. whereas on Friday, 23 April 2021, Alexei Navalny announced that, following advice provided by non-prison doctors, he would gradually suspend his hunger strike, which began on 31 March 2021; whereas the medical advice provided to Alexei Navalny ruled that continuing the hunger strike would be life-threatening; whereas even if Mr Navalny receives the necessary care now, there is no guarantee that he would not be subjected to further inhumane or life-threatening treatment or attempts on his life;
- O. whereas in 2020 Russia ranked 129th out of 180 countries in the Corruption Perceptions Index by Transparency International, ranking the lowest in Europe; whereas kleptocratic links between oligarchs, security officers and officials linked to the Kremlin have been partially exposed by anticorruption activists such as the late Sergei Magnitsky and the Anti-Corruption Foundation (FBK) led by Alexei Navalny, implicating the highest echelons of power, including Vladimir Putin, in investigations into the unexplained wealth they have amassed over the years; whereas the Moscow Prosecutor's Office is seeking to label the FBK and two other organisations tied to Navalny – the Citizens' Rights Protection Foundation and Navalny's regional headquarters – as 'extremist', which would mean that their employees could face arrest and prison sentences ranging from six to ten years;
- P. whereas the poisoning of Navalny fits in with a pattern of action taken against Putin's opponents, affecting Viktor Yushchenko, Sergei Skripal and Vladimir Kara-Murza and leading to the death of several leading opposition figures, journalists, activists and foreign leaders, including but not limited to Boris Nemtsov, Anna Politkovskaya, Sergei Protazanov, Natalya Estemirova and Alexander Litvinenko;
- Q. whereas the Russian Federation poses not only an external threat to European security, but is also waging an internal war on its own people in the form of the systematic oppression of the opposition and arrests on the streets; whereas on 21 April 2021 alone, the number of arrests of peaceful demonstrators reached more than 1 788, which adds up to an overall number of more than 15 000 innocent Russian citizens detained since January 2021;
- R. whereas in its two previous resolutions on Russia, Parliament called for a review of the EU's policy towards Russia and its five guiding principles and asked the Council to immediately start preparations and adopt an EU strategy for future relations with a democratic Russia, which would include a broad range of incentives and conditions to strengthen domestic trends within Russia towards freedom and democracy;
- S. whereas the Czech Republic expelled 18 Russian embassy staff on 17 April 2021, including members of the Russian intelligence agencies, over the well-founded conclusions of the Security Information Service of the Czech Republic that Russian active-duty intelligence officers were involved in an ammunition depot explosion in 2014 in which two Czech citizens were killed and extensive material damage was caused; whereas the lives and property of thousands of people living in the surrounding municipalities were ruthlessly put in danger; whereas these illegal actions on the territory of the Czech Republic constitute a critical violation of an EU Member State's sovereignty by a foreign power; whereas in response to the Czech Republic's expulsion

of 18 of its embassy staff, the Russian Federation expelled 20 Czech diplomats, who were ordered to leave on 19 April 2021; whereas the Czech Republic decided to equal the number of staff at the Russian embassy in the Czech Republic with the number of staff at the Czech embassy in Russia on 22 April 2021, following Russia's refusal to accept the expelled Czech diplomats back into the country and pursuant to Article 11 of the Vienna Convention on Diplomatic Relations, giving the Russian embassy until the end of May to comply;

- T. whereas the same GRU agents involved in the explosion of the ammunition depot in the Czech Republic were also responsible for the attempted murder of Sergei and Yulia Skripal in the United Kingdom in 2018 using a military-grade Novichok nerve agent, which also led to the death of a British citizen; whereas GRU agents were also charged with the attempted murder of Emilian Gebrev, the owner of an arms factory, and two other people in Bulgaria in 2015; whereas Russia is non-cooperative in investigating these crimes committed on European Union territory, denies the involvement of the GRU in the poisoning of the Skripals and is sheltering key suspects;
1. Supports Ukraine's independence, sovereignty and territorial integrity within its internationally recognised borders; reiterates its strong support for the EU's policy of non-recognition of the illegal annexation of the Autonomous Republic of Crimea and the City of Sevastopol; welcomes all of the restrictive measures taken by the EU as a consequence of the illegal annexation; calls for the immediate release of all illegally detained and imprisoned Ukrainian citizens in the Crimean peninsula and in Russia, and deplores the continued human rights violations perpetrated in Crimea and the occupied territories in eastern Ukraine, as well as the large-scale conferral of Russian nationality (passportisation) among citizens in those areas; underlines that Russian officials whose actions or inaction have enabled or resulted in war crimes in Ukraine will have to face international criminal justice;
  2. Regrets the current state of EU-Russia relations caused by Russia's aggression and continued destabilisation of Ukraine, hostile behaviour towards and outright attacks on EU Member States and societies manifested, *inter alia*, through interference in election processes, the use of disinformation, deep fakes, malicious cyberattacks, sabotage and chemical weapons, and the significant deterioration in the human rights situation and respect for the right to freedom of expression, association and peaceful assembly in Russia; strongly condemns Russia's hostile behaviour in Europe and calls on its government to put an end to these activities, which violate international principles and norms and threaten stability in Europe, which prevents any pursuit of a positive bilateral agenda with this important neighbour;
  3. Remains highly concerned by the large Russian military build-up at the border with Ukraine and in the illegally occupied Autonomous Republic of Crimea, which the Russian Ministry of Defence declared to have come to an end; condemns these threatening and destabilising actions led by the Russian Federation and acknowledges with appreciation the proportionate response of Ukraine;
  4. Considers that the EU must draw conclusions from the deeply concerning Russian military build-up on the Ukrainian border, which has been suspended as of Friday, 23 April 2021; insists that the return of Russian troops from the border with Ukraine back to their permanent bases must be done fully and without delay; demands that Russia immediately end the practice of unjustified military build-ups targeted at threatening its

neighbours, stop all ongoing provocations and refrain from future ones and de-escalate the situation by withdrawing its forces to their permanent bases, in line with its international obligations, such as the OSCE principles and commitments on transparency of military movements and the Vienna Document; reiterates that the Russian military build-up also presents a threat to European stability, security and peace, which is why an EU security dialogue with Ukraine should be ambitious and contribute to a convergent assessment of the security challenges on the ground; stresses that friendly countries should step up their military support to Ukraine and their provision of defensive weapons, which is in line with Article 51 of the UN Charter that allows individual and collective self-defence; calls on Russia to remove its troops from the so-called People's Republics of Luhansk and Donetsk and return control of the Autonomous Republic of Crimea and the City of Sevastopol to Ukraine;

5. Urges the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) to ensure that the Council remains seized of the military developments despite the announced relocation of Russian troops and remains prepared to agree on further joint action;
6. Urges Russia to uphold its obligation under the UN Convention on the Law of the Sea and to guarantee the freedom of navigation and transit passage through the international strait to the ports of the Sea of Azov; calls for the EU to develop, in close cooperation with Member States and other international partners, the permanent monitoring of the passage of all vessels coming through the Kerch Strait;
7. Urges Russia and Russian-backed separatists to adhere to the ceasefire agreement; calls on Russia to implement the provisions of the Minsk Agreements, and to engage constructively in the Normandy Process and the Trilateral Contact Group; emphasises the need for a political solution to the conflict in eastern Ukraine and a stronger role for the EU in peaceful conflict resolution;
8. Underscores that if such a military build-up were in the future to be transformed into an invasion of Ukraine by the Russian Federation, the EU must make clear that the price for such a violation of international law and norms would be severe; insists, therefore, that in such circumstances imports of oil and gas from Russia to the EU be immediately stopped, while Russia should be excluded from the SWIFT payment system, and all assets in the EU of oligarchs close to the Russian authorities and their families in the EU need to be frozen and their visas cancelled;
9. Demands that the EU should reduce its dependence on Russian energy, and urges the EU institutions and all Member States, therefore, to stop the completion of the Nord Stream 2 pipeline and to demand a stop to the construction of controversial nuclear power plants built by Rosatom;
10. Reiterates its support for the international investigation into the circumstances of the tragic downing of the Malaysian Airlines Flight MH17, which could possibly constitute a war crime, and reiterates its call to bring the people responsible to justice;
11. Calls for the EU and its Member States to draw on the UK legislative proposal for a Global Anti-Corruption Sanctions Regulation, and other similar regimes, and to adopt an EU anti-corruption sanctions regime in order to complement the current EU Global Human Rights Sanctions Regime; underlines that EU Member States should no longer

be welcoming places for Russian wealth and investments of unclear origin; calls on the Commission and the Council to increase efforts to curb the Kremlin's strategic investments within the EU for the purposes of subversion, undermining democratic processes and institutions, and spreading corruption; continues to insist that Member States such as Bulgaria and Malta must abandon their 'golden passport' regimes;

12. Calls for the immediate and unconditional release of Alexei Navalny, whose sentencing is politically motivated and runs counter to Russia's international human rights obligations, and of all persons detained during protests in support of his release or his anti-corruption campaign; expects Russia to comply with the interim measure of the European Court of Human Rights with regard to the nature and extent of risk to Alexei Navalny's life; holds Russia accountable for the health situation of Alexei Navalny and urges Russia to investigate the assassination attempt on Alexei Navalny, fully cooperating with the Organisation for the Prohibition of Chemical Weapons; calls on the Russian authorities to improve conditions in prisons and detention facilities in order to meet international standards; calls for the arrests of peaceful protesters and the systematic attacks on the opposition in relation to the demands to free Alexei Navalny to be stopped; underscores that all individuals involved in the prosecution, sentencing and ill-treatment of Alexei Navalny should be subject to sanctions under the EU Global Human Rights Sanctions Regime;
13. Reminds the Russian authorities and President Putin personally as the head of the Russian state that they bear full responsibility for caring for Alexei Navalny's life and bodily integrity and must take all necessary measures to protect his physical and mental health and well-being; continues to urge President Putin and the Russian authorities to investigate, bring to justice and hold to account those responsible for his attempted murder;
14. Deplores the Russian authorities' intention to declare the Anti-Corruption Foundation headed by Alexei Navalny an extremist organisation as baseless and discriminatory; emphasises the fight against corruption and that the desire to participate in a free and pluralistic public discourse and electoral process is an inalienable right of any individual and democratic political organisation and has nothing to do with extremist views;
15. Expresses its deep solidarity with the democratic forces in Russia committed to an open and free society, as well as its support for all individuals and organisations who have become targets of attacks and repression; urges the Russian authorities to stop all harassment, intimidation and attacks against the opposition, civil society, the media, human rights and women's rights defenders, and other activists in the country, in particular ahead of the parliamentary elections in autumn 2021; encourages the EU to continuously call on Russia to repeal or amend all laws that are incompatible with international standards; recalls its strong support for all human rights defenders in Russia and their work; calls on the EU Delegation and Member States' representations in the country to strengthen their support for civil society and to use all the instruments available to step up their support for the work of human rights defenders and, where appropriate, to facilitate the issuance of emergency visas and provide temporary shelter in the EU Member States;
16. Calls on the Russian authorities to respect the freedom of the media and to cease any harassment and pressure on independent media, such as against investigative journalist Roman Anin;

17. Reiterates its call for the EU institutions and the Member States to continue closely monitoring the human rights situation in the Russian Federation and to continue monitoring court cases involving civil society organisations, journalists, opposition politicians and activists, including the case of Alexei Navalny;
18. Deplores the fact that perpetrators from the Russian intelligence services caused the explosion of the arms depot in Vrbětice in the Czech Republic, which constituted a violation of Czech sovereignty and represents an unacceptable act of hostility; strongly condemns activities aimed at destabilising and threatening EU Member States and calls on Russia to cease any such activities, to hold those responsible to account, and to compensate the families of the citizens who died in the 2014 attack; underlines that the European Union stands by the Czech Republic and calls on the VP/HR and the Council to take appropriate countermeasures, including extending targeted sanctions; expresses its deep solidarity with the people and authorities of the Czech Republic following the Russian attack perpetrated on EU territory and the unfounded and disproportionate expulsion of 20 Czech diplomats from Russia; expresses its support for the decision of the Czech authorities to equal the number of the staff at the Russian embassy in the Czech Republic with the number of staff at the Czech embassy in Russia, condemns the subsequent threats by the Russian Federation towards the Czech Republic and appreciates all acts of support and solidarity provided by different governments of EU Member States and all diplomatic services already offered; calls on the EU Member States, following the example of the Skripal case, to proceed with a coordinated expulsion of Russian diplomats;
19. Condemns the Kremlin's support for undemocratic oppressive regimes worldwide, such as those of Iran, North Korea, Venezuela, Syria and Belarus; is deeply worried about the growing number of arrests, abductions and deportations of Belarusians living in Russia, including the case of the chairman of the opposition Belarusian Popular Front and ordinary people who were vocal in supporting the peaceful protests in Belarus; is especially concerned about the Russian-backed campaign targeting EU national minority organisations in Belarus, including the largest one, the Union of Poles in Belarus;
20. Condemns propaganda and disinformation in the Russian press and its malicious spread to the EU, as well as the work of Russian troll farms, especially those currently defaming the Czech Republic by claiming that it is a satellite of US interests and not a sovereign country with independent information services; condemns the cyberattacks on the Czech strategic state administration institution in connection with Russian military espionage;
21. Reiterates that unity among EU Member States is the best policy to deter Russia from carrying out destabilising and subversive actions in Europe; calls on the Member States to coordinate their positions and actions vis-à-vis Russia and to speak with a unified voice; demands that the Member States speak with one voice within the Committee of Ministers of the Council of Europe on Russia's continued disregard of rulings by the European Court of Human Rights; considers that the EU should seek further cooperation with like-minded partners, in particular NATO and the US, to use all means available at international level to effectively counter Russia's continued interferences, ever-more aggressive disinformation campaigns and gross violations of international law that threaten security and stability in Europe;



22. Calls on the EU Member States to act in a timely manner and with resolve against disruptive actions by Russian intelligence services on the territory of the EU and to closely coordinate its proportionate response with transatlantic partners; recommends that the Member States enhance counterintelligence cooperation and information-sharing;
23. Calls on the VP/HR and the Council to devise a new strategic approach to the EU's relations with Russia, which must better support civil society, strengthen people-to-people contacts with the citizens of Russia, draw clear red lines for cooperation with Russian state actors, use technological standards and the open internet to support free spaces and restrict oppressive technologies, and demonstrate solidarity with the EU's Eastern Partners, including on security issues and peaceful conflict resolution; underlines that any dialogue with Russia must be based on respect for international law and human rights;
24. Is extremely concerned about the fact that the Russian authorities are continuing to restrict the work of independent media platforms, as well as individual journalists and other media players; strongly condemns, in this regard, the decision to label independent media outlet Meduza a 'foreign agent';
25. 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 Council of Europe, the Organization for Security and Co-operation in Europe, the President, Government and Verkhovna Rada of Ukraine and the President, Government and the State Duma of the Russian Federation.