

Proposal for Skopje Spring Congress 2020

Proposal
903

LYMEC Spring Congress, April 3 to 5, 2020 in Skopje

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Status: accepted rejected transferred to _____

The Skopje Spring Congress 2020 may decide:

1 Resolution on General Situation in Crimea

2 Considering that:

- 3 • whereas the Russian Federation, under the obligation of the Universal Declaration of
4 Human Rights and the European Convention on Human Rights, and as a full member of
5 the Council of Europe and the Organisation for Security and Cooperation in Europe, has
6 committed itself to the principles of democracy, rule of law and respect for fundamental
7 freedoms and human rights;
- 8 • whereas the Russian authorities and political leadership continue their repressive and
9 authoritarian regime against their own citizens, civil society, political opposition and media
10 workers;
- 11 • whereas the Russian Federation continues its aggressive actions and gross violations of
12 the UN Charter and fundamental norms and principles of international law, temporary
13 occupation of the Crimean Peninsula, blatant infringements on human rights and open
14 military aggression in Donbas;
- 15 • whereas use of torture and cruel and degrading treatment has been reported in various
16 cases; whereas these allegations have not been adequately investigated to date;
17 whereas torture has been used to obtain confessions and support false evidence of guilt;
18 whereas Crimean lawyers who provide legal assistance to victims, human rights
19 defenders who report cases of politically motivated enforced disappearance in Crimea
20 and journalists who report on the situation of the Crimean Tatars have also been
21 targeted;
- 22 • whereas many of the prisoners and detainees have faced and are facing harsh and
23 inhumane conditions in prisons, causing physical and psychological risks to their health;
24 whereas prisoners urgently require medical attention and treatment;
- 25 • whereas according to the OHCHR reports Russia conducts house searches and
26 subsequently arrests people, most of whom are Crimean Tatar activists and who now
27 face unlawful prison terms;

28 Endorses:

- 29 • the PACE Resolution 2133 (2016) on legal remedies for human rights violations on the
30 Ukrainian territories outside the control of the Ukrainian authorities; the United Nations
31 General Assembly Resolution 68/262; the United Nations General Assembly Resolution

32 A/RES/74/17 on Problem of the militarization of the Autonomous Republic of Crimea and
33 the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov;
34 European Parliament resolution of 18 July 2019 on Russia, notably the situation of
35 environmental activists and Ukrainian political prisoners; the OHCHR report of 12
36 December 2019;

37 Concerned that:

- 38 • Since 2014, Russia has been preventing Ukraine from using its natural resources from its
39 own marine areas, including fisheries and vast oil and gas reserves;
- 40 • the Russian Federation ignores judgements of International tribunal for the law of the sea;
- 41 • Russia caused environmental damage and damage to international shipping, including
42 the illegal construction of the Kerch Bridge, the unlawful stoppage of ships, and the
43 seizure of Ukrainian drilling rigs;
- 44 • more than 20 cases were started against journalists, 11 of them are criminal, which have
45 signs of politically motivated persecution for freedom of speech;
- 46 • there have reportedly been 47 cases of arbitrary detentions and 8 cases of use of
47 tortures;
- 48 • human rights defenders have been systematically recording illegal blockade of Ukrainian
49 online media and FM radio stations in Crimea over the last few years;
- 50 • systematic human rights violations committed by the Russian occupation authorities
51 and continuous pressure on Ukrainian citizens to change their nationality by obtaining
52 Russian passports in Crimea ;
- 53 • closing or changing status of the Ukrainian and Crimean Tatar language-based schools
54 on the territory of the temporarily occupied Crimean Peninsula is a violation of universal
55 human rights;

56 Alarmed:

- 57 • that political prisoners are being held in prisons regardless numerous appeals of the
58 international community;

59 LYMEC therefore calls on:

- 60 • the Russian Federation to end its occupation of the Autonomous Republic of Crimea and
61 the city of Sevastopol and fully comply with the demands of the UN General Assembly
62 resolutions 68/262 and 71/205;
- 63 • the Russian authorities to release immediately and unconditionally all illegally and
64 arbitrarily detained Ukrainian citizens, both in Russia and in the temporarily occupied
65 territories of Ukraine, and to provide for their safe return, including Crimean Tatars;
- 66 • Russia to publish a full list of prisoners held in occupied Ukrainian territories in Donbas
67 and Luhansk and to facilitate their contact with families and lawyers;
- 68 • Reassuring the condemnation on Russia's continued violations of fundamental principles
69 and norms of international law, particularly its refusal to comply with the decisions of

70 international tribunals and courts urges the Russian Federation to implement the
71 decisions of the European Court of Human Rights on the violation of the human rights of
72 persons detained in the Crimean peninsula and in the Russian Federation;

- 73 • Russia to guarantee an effective and non-discriminatory investigation into all allegations
74 of ill-treatment, torture, kidnapping in Crimea, ensure the right to self-expression, peaceful
75 assembly and association, freedom of thought, conscience and religion - for any person
76 or group of people in Crimea;
- 77 • the Russian Federation to guarantee unhindered access to the occupied Ukrainian
78 territories of Crimea and Donbas for international intergovernmental organisations, in
79 particular, the UN Human Rights Monitoring Mission, the OSCE Human Rights
80 Assessment Mission on Crimea, the Council of Europe Commissioner for Human Rights,
81 other conventions and institutional mechanisms of the Council of Europe, and
82 international humanitarian organisations, in particular the International Committee of the
83 Red Cross, according to the UN General Assembly resolutions 71/205, 72/190 ??
84 73/263;
- 85 • the Russian authorities to ensure full cooperation with UN Special Procedures, including
86 by extending invitations to visit the country to the Special Rapporteur on human rights
87 and the environment, the Special Rapporteur on the situation of human rights defenders
88 and the Special Representative on the rights to freedom of peaceful assembly and of
89 association, so that they may report on the situation of environmental and human rights
90 defenders;

91 LYMEC further:

- 92 • emphasises that Russian courts, whether military or civilian, are not entitled to rule on
93 acts committed outside the internationally recognised territory of Russia, and points out
94 that judicial proceedings in such cases cannot be regarded as legitimate;
- 95 • proposes that the European Union should further consider introducing permanent
96 monitoring of the trials of victims of political persecution in the Russian Federation and
97 occupied Crimea, and calls for the EU delegation to Russia and the embassies of the
98 Member States to continue monitoring and attending the trials of human rights activists
99 and Ukrainian political prisoners, and to organise missions involving independent
100 physicians for Ukrainian citizens detained for political reasons in the Russian Federation
101 and the occupied Crimea in order to monitor their detention conditions and state of health;
- 102 • expect the continuation of sanctions pressure on the Russian Federation by the EU until
103 the full deoccupation of the Crimean Peninsula and the restoration of Ukraine's territorial
104 integrity, namely prolongation of the restrictive measures introduced in response to the
105 illegal annexation of Crimea and Sevastopol by Russia;

Attention: This is a preview! The official text is printed in the proposal book for Skopje Spring Congress 2020 03 - 05 April 2020.