

Thursday 30 April 2015

P8_TA(2015)0186

The case of Nadiya Savchenko**European Parliament resolution of 30 April 2015 on the case of Nadiya Savchenko (2015/2663(RSP))**

(2016/C 346/16)

The European Parliament,

- having regard to its previous resolutions on Russia and Ukraine, in particular its resolutions of 12 March 2015 on the murder of the Russian opposition leader Boris Nemtsov and the state of democracy in Russia ⁽¹⁾ and of 15 January 2015 on the situation in Ukraine ⁽²⁾,
 - having regard to the statement of 4 March 2015 by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on the continued detention of Nadiya Savchenko,
 - having regard to the 'Complex 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 EU statement of 16 April 2015 on abduction and illegal detention of Ukrainian citizens by the Russian Federation,
 - having regard to the provisions of international humanitarian law and, in particular, the Third Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949,
 - having regard to the joint statement by the President of Ukraine, the President of the European Council and the President of the European Commission as a result of the 17th EU-Ukraine Summit, calling for the urgent release of all hostages and unlawfully detained persons, including Nadiya Savchenko,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the pro-Russian militants of the so-called 'People's Republic of Luhansk' in the territory of eastern Ukraine illegally kidnapped Lieutenant Nadiya Savchenko, military pilot and former officer of the Ukrainian armed forces, on the territory of Ukraine on 18 June 2014, detained her, and then illegally transferred her to the Russian Federation;
- B. whereas Ms Savchenko, born in 1981, has a distinguished military career behind her, having been the only female soldier in the Ukrainian peacekeeping troops in Iraq and the first female to enrol at Ukraine's Air Force Academy, and volunteered to take part in the fighting in eastern Ukraine as part of the Aidar Battalion, where she was then captured;
- C. whereas the Investigative Committee of Russia brought final charges against Nadiya Savchenko on 24 April 2015 (aiding and abetting the murder of two and more persons, aiding and abetting an attempt on the lives of two and more persons and illegal crossing of the Russian Federation border);
- D. whereas Nadiya Savchenko is a member of the Verkhovna Rada and of Ukraine's delegation to the Parliamentary Assembly of the Council of Europe (PACE); whereas the PACE Committee on rules of procedure, immunities and institutional affairs has confirmed her immunity; whereas the Russian Federation rejects the diplomatic immunity granted to Nadiya Savchenko as a member of Verkhovna Rada; whereas the international community has undertaken numerous efforts to ensure the release of Nadiya Savchenko, including PACE Resolution 2034 (2015) asking for her immediate release and for her parliamentary immunity as a member of the Ukrainian delegation to PACE to be respected;

⁽¹⁾ Texts adopted, P8_TA(2015)0074.

⁽²⁾ Texts adopted, P8_TA(2015)0011.

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- E. whereas the Russian Federation has agreed to the exchange of all political hostages and illegally detained people under the Minsk Agreements on the basis of the all-for-all principle, which was supposed to be completed no later than on the fifth day following the withdrawal of heavy weapons; whereas Nadiya Savchenko was, on numerous occasions, offered amnesty on the condition that she admitted her guilt;
- F. whereas Nadiya Savchenko has been on hunger strike for over three months in protest against her unlawful detention; whereas she has been subjected to involuntary psychiatric examinations and treatment; whereas Moscow-based courts rejected Nadiya Savchenko's appeals against her pre-trial detention; whereas in the meantime, her state of health has deteriorated; whereas the EU and several Member States have expressed genuine humanitarian concern in this respect; whereas several appeals have been made to the United Nations Human Rights Council and the International Red Cross to secure Nadiya Savchenko's release;
1. Calls for the immediate and unconditional release of Nadiya Savchenko; condemns the Russian Federation for the illegal kidnapping, the detention in prison for nearly one year and the investigation of Nadiya Savchenko; demands that the Russian authorities respect their international commitment in the framework of the Minsk Agreements and in particular the agreed 'Complex of measures for the implementation of the Minsk Agreements'; considers that Russia has no legal basis or jurisdiction to take any action against Nadiya Savchenko, such as detention, investigation or bringing charges against her;
 2. Is of the opinion that Nadiya Savchenko's detention as a prisoner of war in a prison in Russia is a violation of the Geneva Convention; underlines that those responsible for her illegal detention in Russia may face international sanctions or legal proceedings for their actions;
 3. Reminds the Russian authorities that Ms Savchenko remains in an extremely fragile state of health and that they are directly responsible for her safety and well-being; calls on the Russian authorities to allow impartial international doctors access to Ms Savchenko, while ensuring that any medical or psychological examinations are done only with Ms Savchenko's consent and taking into consideration the consequences of her being on hunger strike for a very long period; calls on Russia to allow international humanitarian organisations to have permanent access to her;
 4. Calls for the immediate release of all other Ukrainian citizens, including Ukrainian film director Oleg Sentsov and Khaizer Dzhemilev, illegally detained in Russia;
 5. Urges the President of France and the Chancellor of Germany, as well as the relevant Foreign Ministers, to raise the question of the release of Nadiya Savchenko at the next meetings of the Contact Group on the implementation of the Minsk Agreements in the Normandy format; calls on the VP/HR, the Commission and the European External Action Service (EEAS) to continue to follow closely the case of Nadiya Savchenko, to raise it in different formats and meetings with the Russian authorities, and to keep Parliament informed about the outcome of these efforts;
 6. Points out that the release of Nadiya Savchenko is not only a necessary step towards improvement of the relations between Ukraine and Russia, but will show respect for recognition of fundamental human rights on the part of the Russian authorities;
 7. Recalls that Nadiya Savchenko was elected as a member of the Ukrainian Parliament in the October 2014 Ukrainian general parliamentary election and is part of Ukraine's delegation to PACE, and as such has been granted international immunity; reminds Russia of its international obligation to respect her immunity as a member of PACE;
 8. 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 President, Government and Parliament of the Russian Federation, the President, Government and Parliament of Ukraine and the Chairman of the Parliamentary Assembly of the Council of Europe.
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