



TEXTS ADOPTED

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Russia's undemocratic presidential elections and their illegitimate extension to the occupied territories

European Parliament resolution of 25 April 2024 on Russia's undemocratic presidential elections and their illegitimate extension to the occupied territories (2024/2665(RSP))

The European Parliament,

- having regard to its previous resolutions on Russia and on Ukraine,
- having regard to the Constitution of the Russian Federation and to the international human rights obligations to which Russia has committed itself as a member of the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE),
- having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to the 1990 OSCE Copenhagen Document,
- having regard to the Rome Statute of the International Criminal Court,
- having regard to UN General Assembly Resolution ES-11/4 of 12 October 2022 entitled 'Territorial integrity of Ukraine: defending the principles of the Charter of the United Nations' and UN General Assembly Resolution 68/262 of 27 March 2014 entitled 'Territorial integrity of Ukraine',
- having regard to the statement of 17 June 2023 by the European External Action Service Spokesperson on intentions to hold 'elections' in occupied territories of Ukraine,
- having regard to the statement of 29 January 2024 of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) on the

decision of the Russian Federation not to invite the OSCE to observe the Russian presidential election,

- having regard to the statement of 18 March 2024 by the High Representative of the Union for Foreign Affairs and Security Policy on behalf of the EU on Russian presidential elections and their non-applicability on Ukrainian territory,
 - having regard to the statement of 18 March 2024 by the President of the Parliamentary Assembly of the Council of Europe, Theodoros Rousopoulos, on the presidential 'election' in Russia,
 - having regard to the report of the UN Special Rapporteur on the situation of human rights in the Russian Federation, Mariana Katzarova, of 15 September 2023 entitled 'Situation of human rights in the Russian Federation',
 - having regard to Opinion No 992/2020 of 23 March 2021 of the European Commission for Democracy through Law (Venice Commission) on constitutional amendments and the procedure for their adoption in the Russian Federation,
 - having regard to Resolution 2519 (2023) of the Parliamentary Assembly of the Council of Europe of 13 October 2023 entitled 'Examining the legitimacy and legality of the ad hominem term-limit waiver for the incumbent President of the Russian Federation and to its report No 15827, of 22 September 2023 and of the same title, on which it was based,
 - having regard to Resolution 2540 (2024) of the Parliamentary Assembly of the Council of Europe of 17 April 2024 entitled 'Alexei Navalny's death and the need to counter Vladimir Putin's totalitarian regime and its war on democracy',
 - having regard to the report by the European Union Agency for Fundamental Rights of 11 July 2023 entitled 'Protecting Human Rights Defenders at Risk: EU entry, stay and support',
 - having regard to Article 28 of the UN Convention relating to the Status of Stateless Persons,
 - having regard to Rule 132(2) and (4) of its Rules of Procedure,
- A. whereas all OSCE participating states, including the Russian Federation, have agreed that the will of the people, freely and fairly expressed through genuine and periodic elections, is the basis of the authority and legitimacy of government;
- B. whereas OSCE participating states have committed themselves to respecting a number of principles, such as those defined in the 1990 Copenhagen Document, to ensure, inter alia, that electoral

campaigning can be conducted in an open and fair atmosphere without violence, intimidation or fear of retribution against candidates, parties or voters, and to ensure that votes are cast by secret ballot and counted and reported honestly;

- C. whereas the so-called presidential election held by Russia from 15 to 17 March 2024 was conducted without any political competition, in a severely restricted environment of systemic and grave repression and during the Russian Federation's illegal war of aggression against Ukraine; whereas there were reports of voters being intimidated, voters being denied their right to vote, ballot boxes being stuffed, protocols from the precincts being falsified on a massive scale and independent domestic election observers being detained; whereas Russia illegally organised voting in the occupied Ukrainian territories of Crimea, Donetsk, Kherson, Luhansk and Zaporizhzhia, at times amid violence and threats by armed Russian soldiers; whereas Russia also has a record of organising illegal voting in Abkhazia and South Ossetia and in Transnistria, against the will of the Georgian and Moldovan authorities;
- D. whereas the Russian authorities did not invite OSCE/ODIHR to observe its election, which runs contrary to Russia's commitments and obligations as an OSCE participating state; whereas this was the second Russian election in a row to have been held without impartial and independent international election observers in the country;
- E. whereas the Central Electoral Commission of the Russian Federation unreasonably refused to register as candidates any politicians critical of the regime or of the war of aggression, including some who had reportedly collected more than 100 000 signatures, as prescribed by the national legislation;
- F. whereas Alexei Navalny, the most powerful figure in the democratic opposition and the 2021 laureate of the Sakharov Prize for Freedom of Thought, was murdered in a Siberian penal colony on 16 February 2024, just weeks before the so-called presidential election; whereas Navalny had been serving an unfounded, politically motivated prison sentence; whereas the full responsibility for his murder lies with the Russian state and with its president Vladimir Putin in particular;
- G. whereas Russia's 1993 Constitution limited the president to two consecutive terms of office, but Vladimir Putin has been in power continuously since 2000, finding different ways to circumvent this limit; whereas the sham referendum of 2020 cannot be perceived as valid and was enacted in violation of the laws and international commitments of the Russian Federation; whereas the renewed presidential term of Vladimir Putin is viewed as unconstitutional by numerous experts; whereas since 2022, the Kremlin regime has implemented various restrictive election monitoring laws, while

supporters of opposition parties are routinely targeted, detained and often charged, largely under the new law passed in February 2024 permitting property and asset confiscation for any individual criticising the war in Ukraine;

- H. whereas Russia's authoritarian regime has used such increasingly fraudulent and farcical so-called elections for decades to provide a semblance of democracy in order to continue to concentrate all power in the hands of Vladimir Putin; whereas the government suppresses any dissent with the support of loyalist security forces, a subservient judiciary, a state-controlled media environment ensuring a continuous flood of propaganda and disinformation, and a legislature consisting of a ruling party and pliable opposition factions;
- I. whereas the other candidates running in this sham election were representatives of the Communist Party of the Russian Federation (CPRF), New People, and the Liberal Democratic Party of Russia (LDPR), and are currently under EU and US sanctions because of their support for the war in Ukraine;
- J. whereas Putin's 'electoral victory' with 87 % of the vote, a clearly inconceivable number for a free and fair election, derived from a clearly manipulated outcome from polling stations throughout Russia, from Adygea to Yamalo-Nenets; whereas this shows the cavalier and flagrant manner in which elections are misused by the Putin regime to continue into its 24th year in power;
- K. whereas since the start of Russia's full-scale invasion of Ukraine in 2022, the Russian authorities have increased their repression of political opposition, the media, civil society and the LGBTIQ community by curtailing rights and individual liberties even further to stifle domestic dissent;
- L. whereas many Russian voters bravely expressed their anger at and opposition to the Kremlin regime and the farce it presented as an election by engaging in acts of resistance at polling stations; whereas crowds descended on polling places at noon on the final day of the so-called election in support of the 'noon against Putin' demonstration that Alexei Navalny had also called for before he was murdered in prison after being subjected to torture and inhumane treatment;
- M. whereas the Kremlin regime has decimated a generation of Russian civil society, democratic political opposition, and human rights organisations, including Memorial and the Moscow Helsinki Group; whereas the number of political prisoners in Russia, estimated to be at least 1 000, exceeds levels seen even during the late Soviet period, and there has been a significant increase in the number of individuals detained for criticising Putin's policies, particularly

concerning the war in Ukraine; whereas according to the Committee to Protect Journalists, Russia is holding at least 22 journalists in prison;

- N. whereas the EU has frequently expressed its unequivocal solidarity with all those dissidents and the Russian people, who, despite the threat to their freedom and their lives and the pressure from the Kremlin and the Russian authorities, continue to fight for freedom, human rights and democracy; whereas the EU hosts a variety of Russian dissidents and representatives of the media and civil society who were forced to leave Russia as their criticism of the government put them at significant risk of retaliation from the authorities;
- O. whereas the UN Special Rapporteur on the situation of human rights in the Russian Federation has concluded that there is no longer any safe space for civic action or political opposition within Russia;
- P. whereas the Venice Commission, in its Opinion No 992/2020, concluded that the speed of the preparation of the 2020 constitutional amendments was clearly inappropriate, that the hastily adopted 2020 amendments to the Constitution of Russia have disproportionately strengthened the position of the president and that the ad hominem exclusion from the term limits of the current and previous presidents contradicts the very logic of the adopted amendment limiting the president's mandate to two terms;
- Q. whereas, in its Resolutions 2519 (2023) and 2540 (2024), the Parliamentary Assembly of the Council of Europe called on European governments to recognise Vladimir Putin as illegitimate after the end of his current presidential term and to cease all contact with him, except for humanitarian purposes and in the pursuit of peace;
- R. whereas, in its 2021 recommendation on the direction of EU-Russia political relations¹, Parliament concluded that the constitutional changes implemented in June 2020 were illegal, as did the Parliamentary Assembly of the Council of Europe in its Resolution 2519 (2023);
- S. whereas the Russian Federation has been carrying out an illegal, unprovoked and unjustified war of aggression against Ukraine since 24 February 2022; whereas this war of aggression constitutes a blatant and flagrant violation of the UN Charter and of the fundamental principles of international law;

¹ European Parliament recommendation of 16 September 2021 to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the direction of EU-Russia political relations (OJ C 117, 11.3.2022, p. 170).

- T. whereas on 17 March 2023, the International Criminal Court issued an arrest warrant for Vladimir Putin in view of his responsibility for the war crime of unlawful deportation and transfer of Ukrainian children during Russia's war of aggression against Ukraine;
1. Strongly denounces all electoral violations committed by the regime of Vladimir Putin during the so-called Russian presidential election of 15 to 17 March 2024, as well as the preceding long-standing and systemic repression and violations of civil and political rights; underlines that Russia's so-called presidential election was held in a climate of fear and repression and in the context of an illegal, unprovoked and unjustified war of aggression against Ukraine; notes that during the so-called presidential election, there were no genuine alternative candidates, no free media, no credible observers and no political freedoms; concludes that the so-called presidential election in Russia was illegitimate and undemocratic;
 2. Concludes that this farcical performance by the Russian authorities had the single goal of creating the appearance of electoral legitimacy for Vladimir Putin, his policy of relentless domestic repression and, most of all, the war of aggression against Ukraine;
 3. Unequivocally condemns the illegal so-called election conducted in the territories of Ukraine that Russia has temporarily occupied, namely the Autonomous Republic of Crimea, the City of Sevastopol and parts of the Donetsk, Luhansk, Zaporizhzhia and Kherson regions; stresses that holding an election in these territories constitutes a clear breach of Ukrainian sovereignty and a distinct violation of international law, in particular the UN Charter; deplores the use of the threat of violence by the Russian authorities, as people were forced to vote in the presence of armed Russian soldiers; reiterates that, as stated by the High Representative on behalf of the EU, the EU will not recognise the holding of this so-called election in the territories of Ukraine or its outcome; calls for EU restrictive measures against those involved in the organisation and execution of the illegal polls;
 4. Underlines that the refusal to allow independent international observation of the Russian presidential election, in accordance with Russia's international commitments as an OSCE participating state, points to an unprecedented degree of democratic backsliding and a critical lack of willingness to honour international commitments and respect established principles of cooperation within international institutions; stresses that the decision of the Russian authorities not to invite the OSCE/ODIHR election observation mission to observe the election shows that they want to deny voters an impartial and independent assessment of the election;
 5. Urges the Member States of the European Union and the international community not to recognise the outcome of the Russian

presidential election as legitimate, as it was held in the illegally occupied territories of Ukraine, and, even within Russia, was neither free nor fair, did not meet the basic international electoral standards, and thus lacked democratic legitimacy, and urges to limit relations with Putin to matters necessary for regional peace as well as humanitarian and human rights purposes, for example prisoner exchanges, the return of deported children to Ukraine or calling on the release of political prisoners;

6. Salutes the bravery of the thousands of people in Russia who are protesting against Putin's regime and seeking to transform their country into a democracy, including by acts of resistance during the so-called election, such as the protests that crowded polling places in Russia and abroad at noon on Sunday 17 March 2024;
7. Reiterates that the Kremlin regime and Vladimir Putin personally bear criminal and political responsibility for the death of their most prominent opponent, Alexei Navalny; calls for an international investigation into the circumstances surrounding his death, with the aim of holding those responsible to account;
8. Continues to call for the immediate and unconditional release and compensation of all political prisoners, including Vladimir Kara-Murza, Oleg Orlov, Alexei Gorinov, Alexandra Skochilenko, Dmitry Ivanov, Ioann Kurmoyarov, Viktoria Petrova, Maria Ponomarenko, Dmitry Talantov, Yuri Dmitriev, Lilia Chanyшева, Ksenia Fadeeva, Ivan Safronov and Ilya Yashin, unjustly imprisoned journalists, including Alsu Kurmasheva and Evan Gershkovich, and their families, for the restoration of freedom of expression and association in Russia and for increased international scrutiny and monitoring of human rights abuses in Russia;
9. Urges the Russian authorities to provide immediate access to comprehensive medical care for political prisoners whose health is in critical condition, most notably Vladimir Kara-Murza; reminds Russia to adhere to its international obligations on the rights of prisoners;
10. Calls on the Russian authorities to grant consular officials access to prisoners with dual citizenship;
11. Reiterates that the EU should stand in full solidarity with Russian civil society that has subscribed to universal democratic values and rejected imperialism, and should make use of the European human rights violations sanctions regime to sanction perpetrators of human rights violations; denounces the escalation of human rights violations by the Kremlin regime and condemns the ongoing crackdown on government critics, human rights defenders, anti-war activists, independent journalists, lawyers, and historians researching Soviet crimes, as well as the increased suppression of LGBTIQ activists;

12. Calls for the EU and its Member States to work with international partners and organisations to provide support to political prisoners, in particular medical and legal assistance, which is being limited or denied to them, and to seek ways to secure their release; reiterates its call for the diplomatic representations of the EU and its Member States to continue to closely monitor court proceedings against members of the Russian political opposition and the conditions in which they are being held in prison; calls for the EU and its Member States to continue to raise awareness about the deteriorating human rights situation in Russia and to pressure the Russian Government to uphold its international obligations;
13. Calls for the EU and its Member States to continue to actively support independent Russian civil society organisations, independent media outlets and human rights defenders; calls for the EU and its Member States to actively engage with and offer support to the Russian democratic opposition who oppose Russia's war of aggression against Ukraine;
14. Urges the Member States to provide humanitarian visas and other support to Russian dissidents, including lawyers, who are at risk of political persecution; reiterates its call for an EU-wide multi-entry visa scheme for human rights defenders and politically persecuted individuals and for the existing flexibility to be used to address gaps in legislation, as proposed by the European Union Agency for Fundamental Rights in its 2023 report entitled 'Protecting Human Rights Defenders at Risk: EU entry, stay and support'; stresses, in this regard, that such schemes may also extend to opposition leaders, civil society activists and otherwise politically persecuted persons;
15. Urges the EU institutions and the Member States to prepare for a situation in which Russia, like Belarus, ceases issuing passports in its consulates, in which case it may be necessary for the EU and all its Member States to recognise de facto statelessness and issue travel documents, as provided for in Article 28 of the UN Convention relating to the Status of Stateless Persons;
16. Calls for the simplification of processes for Russian dissidents in the EU to register organisations and entities, open bank accounts and carry out other administrative tasks in order to allow them to continue their work in exile;
17. Deplores the fact that the Prime Minister of Hungary, Viktor Orbán, chose to break ranks with the EU and congratulate Vladimir Putin on his sham re-election;
18. Expresses support for the work of the UN Special Rapporteur on the situation of human rights in the Russian Federation, Mariana

Katzarova, and calls on the Member States to ensure that the UN Human Rights Council extends her mandate again in 2024;

19. Reiterates its unwavering solidarity with the people of Ukraine and its support for the independence, sovereignty and territorial integrity of Ukraine, within its internationally recognised borders; reiterates, therefore, its strong condemnation of Russia's war of aggression against Ukraine and demands that Russia and its proxy forces terminate all military actions, cease attacks against residential areas and civilian infrastructure, withdraw all military forces from the entire internationally recognised territory of Ukraine, end forced deportations of Ukrainian civilians, release all detained Ukrainians, particularly children, and permanently cease violating or threatening the sovereignty, independence and territorial integrity of Ukraine;
20. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Council of Europe, the Organization for Security and Co-operation in Europe, and the Russian authorities.