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P9_TA(2022)0405

Recognising the Russian Federation as a state sponsor of terrorism

European Parliament resolution of 23 November 2022 on recognising the Russian Federation as a state sponsor of terrorism (2022/2896(RSP))

(2023/C 167/03)

The European Parliament,

- having regard to its previous resolutions on Russia and Ukraine, including its resolutions of 6 October 2022 on Russia's escalation of its war of aggression against Ukraine ⁽¹⁾, of 19 May 2022 on the fight against impunity for war crimes in Ukraine ⁽²⁾, and of 25 November 2021 on the human rights violations by private military and security companies, particularly the Wagner Group ⁽³⁾,
 - having regard to the Charter of the United Nations, the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948 and the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949,
 - having regard to the international legal framework for preventing and fighting terrorism, including UN Security Council Resolution 2341 on protection of critical infrastructure against terrorist acts, adopted on 13 February 2017,
 - having regard to the European Convention on the Suppression of Terrorism of 27 January 1977, and the international conventions that followed,
 - having regard to the EU legal framework against terrorism, including Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism ⁽⁴⁾ and Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ⁽⁵⁾,
 - having regard to the Rome Statute of the International Criminal Court (ICC),
 - having regard to Council of Europe Parliamentary Assembly Resolution 2463 of 13 October 2022 on the further escalation of the Russian Federation's aggression against Ukraine,
 - having regard to the statement of 10 October 2022 by European Council President Charles Michel on Russia's violent attacks against Kyiv and other cities across Ukraine,
 - having regard to the declaration of the High Representative on behalf of the European Union of 22 September 2022 on Russia's war of aggression against Ukraine,
 - having regard to the UN General Assembly resolution of 14 November 2022 recommending the creation of a register to document damages caused by the Russian Federation's aggression against Ukraine,
 - having regard to Rule 132(2) and (4) of its Rules of Procedure,
- A. whereas since 2014, and in particular after 24 February 2022, when Russia relaunched the illegal, unprovoked and unjustified war of aggression against Ukraine, its forces have conducted indiscriminate attacks against residential areas and civilian infrastructure, have killed thousands of Ukrainian civilians and carried out acts of terror throughout the country targeting various elements of civilian infrastructure such as residential areas, schools, hospitals, railway stations, theatres, and water and electricity networks; whereas these brutal and inhumane acts are causing death, suffering, destruction and displacement;

⁽¹⁾ Texts adopted, P9_TA(2022)0353.

⁽²⁾ Texts adopted, P9_TA(2022)0218.

⁽³⁾ OJ C 224, 8.6.2022, p. 104.

⁽⁴⁾ OJ L 344, 28.12.2001, p. 93.

⁽⁵⁾ OJ L 344, 28.12.2001, p. 70.

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- B. whereas the Russian armed forces and their proxies have committed summary executions, abductions, sexual violence, torture and other atrocities in newly and previously occupied territories of Ukraine, including the massacres of civilians in cities and towns such as Bucha, Irpin, Izium and Lyman, the deliberate attack on a theatre in Mariupol, which killed hundreds of people, and the attack against the Kramatorsk railway station, which killed 60 civilians;
- C. whereas many thousands of civilians have been murdered in Ukraine, including hundreds of children, and many more have been tortured, harassed, sexually assaulted, kidnapped or forcibly displaced or disappeared by the Russian armed forces and their proxies; whereas human rights groups and international observer missions have thoroughly documented the numerous atrocities committed by the Russian armed forces and their proxies against Ukrainian civilians, such as summary executions, torture, rape and mass detention of civilians in so-called filtration centres, as well as forced adoptions of Ukrainian children and forced deportations; whereas the number of documented war crimes in Ukraine is nearing 40 000 and is expected to increase after war crimes are documented in the recently liberated parts of Kherson oblast; whereas according to monitoring data gathered by Ukraine's Institute of Mass Information, the Russian Federation has committed 457 crimes against journalists and media in Ukraine and the Russian occupiers have killed more than 40 Ukrainian and foreign journalists since the start of the war of aggression; whereas the same methods have been used by the Russian Federation and its proxies in the occupied territories since 2014, with the most infamous example being that of the 'Izolyatsia prison' in Donetsk;
- D. whereas the Russian Federation continues to persistently violate the principles of the UN Charter through its acts of aggression against the sovereignty, independence and territorial integrity of Ukraine, and to blatantly and grossly violate international humanitarian law, inter alia by deliberately targeting civilian objects that should not be the object of attack according to Article 52(1) of the 1977 Additional Protocol I to the Geneva Conventions of 1949; whereas these crimes reflect a grotesque indifference to the rules and laws of war that constrain the exercise of military power, as seen for instance in the inhumane treatment of prisoners of war, the widespread use of torture against and the summary executions of Ukrainian prisoners of war, as well the denial of access to international humanitarian organisations such as the International Committee of the Red Cross;
- E. whereas the Russian Federation has already launched more than 4 000 missiles against Ukraine and shelled the country more than 24 000 times, including from the territory of Belarus; whereas Russia's missile, drone and artillery strikes have damaged or destroyed 60 982 civilian infrastructure facilities across Ukraine to date, including 42 818 residential buildings and houses, 1 960 educational institutions and 396 medical institutions, 392 cultural and 87 religious buildings, and 5 315 water and electricity facilities; whereas deliberate missile and drone attacks launched by the Russian Federation, including with Iranian-supplied drones, have damaged or destroyed around 40 % of the critical energy infrastructure of Ukraine;
- F. whereas during the siege of Mariupol, the authorities of the Russian Federation created a large-scale humanitarian crisis, which led to the deaths of tens of thousands of civilians and destroyed 95 % of the city;
- G. whereas since October 2022, Russia has been deliberately targeting Ukrainian critical infrastructure all over the country in order to terrorise the population and cut its access to gas, electricity, water, the internet and other basic goods and services, which is particularly devastating with winter on its way; whereas the purpose of these attacks is to terrorise the population of Ukraine, to suppress their resistance and resolve to continue defending their country, and to force them to accept the occupying power and agree to the illegal attempt to annex several parts of Ukraine; whereas Polish territory has been hit during these attacks, killing two Polish citizens;
- H. whereas Russia is responsible for the global food security crisis as a result of its war of aggression against Ukraine and its blockade of Ukrainian seaports; whereas Russia has been weaponising food and hunger since the beginning of the war; whereas Russia's deliberate actions, including destroying stocks, disrupting production and imposing quotas on its own exports of foodstuffs and fertilisers, have exacerbated the global food security crisis;

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- I. whereas Russia has illegally annexed the Ukrainian Autonomous Republic of Crimea and the city of Sevastopol, as well as the Donetsk, Kherson, Luhansk and Zaporizhzhia oblasts of Ukraine; whereas Russia's occupation of the Zaporizhzhia nuclear power plant (NPP) is a serious threat to the plant's safety and security; whereas Russia has kidnapped the workers of the NPP and forced them to work, has stored military equipment on the site and has opened fire on targets in its immediate vicinity; whereas Russia has also jeopardised the safety and security of the Chernobyl NPP;
- J. whereas Russia poses a risk to the safety and security of the whole European continent and the rules-based international order through its efforts to undermine the security and safety of Ukraine's nuclear facilities and its threats of using nuclear weapons; whereas Russian officials have threatened European countries on several occasions, including with 'military-technical measures', due to their support for Ukraine and/or their aspirations to join NATO; whereas Russia's attempt to leverage energy exports as a tool of geopolitical coercion amounts to using energy supplies as a weapon; whereas the damage to the Nord Stream 1 and 2 pipelines on 26 September 2022 resulted in major gas leaks in the Baltic Sea, which also constitutes an environmental attack on the EU;
- K. whereas the Russian armed forces and Russian state-controlled groups and proxies such as the Wagner Group have repeatedly targeted civilians in several other locations, including during the Second Chechen War, the 2008 Russia-Georgia war and the Syrian Civil War, as well as in Libya, the Central African Republic and Mali; whereas the Wagner Group receives significant political, economic and logistical support from the Russian state, in particular the Russian Ministry of Defence;
- L. whereas for many years Russia has supported and financed terrorist regimes and organisations, notably the Assad regime in Syria, to which Russia has supplied arms and in whose defence it has carried out deliberate attacks on the Syrian civilian population, cities and civilian infrastructure; whereas Russia has carried out attacks in other sovereign countries and on its own territory, including killing or attempting to assassinate many of the opponents of Putin's dictatorship, among them journalists, politicians, activists and foreign leaders — most notably Anna Politkovskaya, Viktor Yushchenko, Boris Nemtsov, Stanislav Markelov, Anastasia Baburova, Sergei Protazanov, Natalya Estemirova, Sergey Magnitsky, Sergei Yushenkov, Yuri Shchekochikhin, Boris Berezovsky, Dzhokhar Dudayev and Zelimkhan Khangoshvili — as well as poisoning with nerve agents the Skripal family in the United Kingdom, poisoning Alexander Litvinenko, Vladimir Kara-Murza, Alexei Navalny and others, and bombing ammunition depots in the Czech Republic in 2014; whereas the current Russian regime's systematic repression of its own people has taken on a totalitarian nature and whereas it has a long history of using violence against its political opponents;
- M. whereas the Russian Federation actively supports and enables Alexandr Lukashenka in his oppression of the people of Belarus through an enormous wave of mass repressive measures, including torture; whereas, according to investigations, senior Belarusian officials conspired to use a false bomb threat to unlawfully divert a Ryanair passenger flight in order to arrest a Belarusian dissident, in a joint special operation of the Belarusian and Russian secret services; whereas hijacking a civilian plane constitutes an act of state terrorism; whereas Lukashenka should be treated as an accomplice in the war of aggression against Ukraine for his role in enabling attacks from the territory of Belarus and openly supporting the Russian aggressors;
- N. whereas on 15 November 2022, a Dutch court convicted two Russians and a pro-Moscow Ukrainian separatist in absentia of the murders of 298 people for the shooting down of Malaysia Airlines flight 17; whereas the Russian state continues to deny its responsibility for shooting down Malaysia Airlines flight 17, and refuses to collaborate with international justice bodies; whereas, likewise, the Russian Federation continues to refuse to return the wreckage and black boxes of the TU-154 Polish Government aircraft which crashed near Smolensk in the Russian Federation in April 2010;
- O. whereas Russia is also waging an active information war, spreading disinformation about Ukraine, Europe and liberal democratic values, and conducting special operations to destabilise society in Ukraine and discredit Ukraine's relations with its international partners;

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- P. whereas the EU maintains a list of persons, groups and entities involved in terrorist acts which are subject to sanctions but the current legal framework, unlike those of countries such as the United States and Canada, does not provide for the designation of a state as a sponsor of terrorism;
- Q. whereas the actions undertaken by Russian and proxy forces fit the definition of terrorism accepted by the EU, the UN Security Council and the UN General Assembly, contained in UN Security Council Resolution 1566 of 2004, UN General Assembly Resolution 49/60 of 9 December 1994 and Council Common Positions 2001/931/CFSP and 2009/468/CFSP⁽⁶⁾;
- R. whereas over recent months, the parliaments or chambers of the parliaments in Lithuania, Latvia, Estonia, Poland and Czechia, the Parliamentary Assembly of the Council of Europe and the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC) have adopted resolutions declaring Russia as a terrorist state or a state sponsor of terrorism, or designating the current Russian regime as a terrorist one; whereas the US Senate Resolution of 27 July 2022 and the US House of Representatives Resolution of 12 May 2022 called upon the US Department of State to designate the Russian Federation as a state sponsor of terrorism;
- S. whereas the President of the European Council Charles Michel stated in his remarks at Parliament's extraordinary debate of 1 March 2022 on Russian aggression against Ukraine that Russia's aggression constitutes 'geopolitical terrorism, pure and simple'; whereas President Michel stated on 23 September 2022, in his speech to the 77th UN General Assembly on the Russian Federation, that 'when a permanent member of the Security Council starts an unprovoked, unjustified war which has been condemned by the General Assembly, its suspension from the Security Council should be automatic';
- T. whereas in his statement of 14 March 2022, Zbigniew Rau, the Chairperson-in-Office of the Organization for Security and Co-operation in Europe (OSCE), qualified the attacks by the Government of the Russian Federation against innocent civilians and civilian infrastructure in Ukraine as 'state terrorism';
1. Reiterates its unwavering support for the independence, sovereignty and territorial integrity of Ukraine, within its internationally recognised borders; reiterates its condemnation of Russia's illegal, unprovoked and unjustified war of aggression against Ukraine; demands that Russia and its proxy forces cease all military actions, in particular the attacks against residential areas and civilian infrastructure, and that Russia withdraw all military forces, proxies and military equipment from the entire internationally recognised territory of Ukraine, end the forced deportations of Ukrainian civilians and the forced adoptions of Ukrainian children, release all the persons it has detained in Ukraine and permanently cease violating or threatening the sovereignty, independence and territorial integrity of Ukraine;
2. Underlines that the deliberate attacks and atrocities carried out by the Russian Federation against the civilian population of Ukraine, the destruction of civilian infrastructure and other serious violations of human rights and international humanitarian law amount to acts of terror against the Ukrainian population and constitute war crimes; expresses its unreserved outrage at and condemnation of these attacks and atrocities and the other acts that Russia has committed in pursuit of its destructive political aims in Ukraine and on the territory of other countries; in the light of the above, recognises Russia as a state sponsor of terrorism and as a state which uses means of terrorism;
3. Reaffirms its unwavering solidarity with the people of Ukraine, who continue to show remarkable courage and resilience under unrelenting threats and attacks since 24 February 2022 and over the last nine years of Russian aggression, as well as with other victims of Russia's aggression across the world; expresses its solidarity with the families of the victims of the 15 November 2022 missile incident in Poland and its support for Poland;

⁽⁶⁾ Council Common Position 2009/468/CFSP of 15 June 2009 updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2009/67/CFSP (OJ L 151, 16.6.2009, p. 45).

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4. Calls for the EU and its Member States to develop an EU legal framework for the designation of states as sponsors of terrorism and states which use means of terrorism, which would trigger a number of significant restrictive measure against those countries and would have profound restrictive implications for EU relations with those countries; calls on the Council to subsequently consider adding the Russian Federation to such an EU list of state sponsors of terrorism; calls on the EU's partners to adopt similar measures;

5. Calls for the EU and its Member States to take action to initiate a comprehensive international isolation of the Russian Federation, including with regard to Russia's membership of international organisations and bodies such as the United Nations Security Council, and to refrain from holding any formal events on the territory of the Russian Federation; calls for diplomatic relations with Russia to be reduced further and for contacts with its official representatives at all levels to be kept to the absolute minimum necessary; calls on EU Member States to close and ban Russian state-affiliated institutions, such as the Russian Centres for Science and Culture and Russian diaspora organisations and associations, which operate under the auspices and leadership of Russian diplomatic missions and promote Russian state propaganda around the world;

6. Calls on the Council to include the Wagner Group and the 141st Special Motorized Regiment, also known as the Kadyrovites, as well as other Russian-funded armed groups, militias and proxies such as those active in the occupied territories of Ukraine, on the EU list of persons, groups and entities involved in terrorist acts (EU terrorist list); welcomes the EU's decision of 13 December 2021 to sanction the Wagner Group itself, as well as eight individuals and three entities connected to it, under four different EU sanctions regimes; urges all countries to terminate their relationships with companies affiliated with the Wagner Group and to comply with their obligations under international law by holding to account all perpetrators of grave violations and abuses of human rights and violations of international humanitarian law committed on their territory;

7. Calls on the Council to take into account the Russian Federation's escalating acts of terror against the population of Ukraine and therefore to swiftly complete its work on a ninth sanctions package; calls on the Commission and the Member States to ensure swift implementation and strict enforcement of all sanctions; calls on the Member States to actively prevent, investigate and prosecute any circumvention of the sanctions; calls on all Member States to remain united in their response to the Russian war of aggression against Ukraine and on all EU candidate countries and potential candidates to align with the EU's sanctions policy; asks the Commission and the Member States to consider possible measures against countries that try to help Russia to circumvent the sanctions imposed; urges the Commission to ensure that national penalties for breaching EU sanctions are effective, proportionate and dissuasive;

8. Strongly condemns Russia's support of other dictatorships that use terror to suppress the democratic aspirations of their societies, in particular the regimes of Lukashenko and Assad, but also the regimes in Iran, Cuba and elsewhere;

9. Calls on the Council to expand the list of individuals targeted by the sanctions to include those involved in forced deportations, forced adoptions of Ukrainian children, the illegal 'referendums' in the Luhansk, Kherson, Zaporizhzhia and Donetsk regions, and the illegal 'elections' in Crimea and Sevastopol, as well as all members of State Duma parties who hold offices in elected parliaments at all levels, including at regional and municipal levels; calls for a ban on the direct or indirect import, purchase or transfer of diamonds, whether in raw or processed form, originating from the Russian Federation; calls for Russia and Belarus to be put on the EU's high-risk third country list on anti-money laundering and countering the financing of terrorism; urges the Member States to address loopholes in the implementation of sanctions, such as in regard to cryptoassets and non-compliance with anti-money laundering rules by professional enablers, and to suspend all automatic exchange of tax information and double tax agreements with both Russia and Belarus; calls for an immediate and full embargo on EU imports of Russian fossil fuels and uranium, and for the Nord Stream 1 and 2 pipelines to be completely abandoned, in order to stop financing Russia's war of aggression; calls on the EU and its Member States to prohibit intentional public condoning or denial of Russia's military aggression and war crimes in any form;

10. Calls on the Commission to come forward with a legislative proposal to amend the current EU Global Human Rights Sanctions Regime (EU Magnitsky Act) by extending its scope to include acts of corruption, to swiftly adopt targeted sanctions against individuals responsible for high-level corruption in Russia and Belarus, as well as their EU-based enablers and beneficiaries;

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11. Reiterates its firm demand that all persons responsible for committing, assisting or organising human rights violations, atrocities or war crimes in the context of Russia's war of aggression against Ukraine must be identified as swiftly as possible, prosecuted and held to account; calls for renewed support for the ongoing independent investigations of war crimes and crimes against humanity committed by Russia, which should ensure that those involved in planning, organising, committing or facilitating these crimes are individually held to account; calls on the EU and its Member States to provide the appropriate support for the establishment of a special tribunal dealing with the crime of aggression by Russia against Ukraine; calls on the Member States that have not yet done so to include the crime of aggression in their national law; fully supports the investigation launched by the ICC Prosecutor into the situation in Ukraine, the work of the Commission of Inquiry under the Office of the High Commissioner for Human Rights and the efforts of independent civil society organisations working to collect and preserve evidence of war crimes; encourages EU Member States to make even wider use of the principle of universal jurisdiction and to step up their support for international efforts to investigate and prosecute all the perpetrators of, and persons responsible for, war crimes in Ukraine; stresses the need for the EU to ensure the inclusion of a gender perspective in these investigations, including the prosecution of crimes of sexual violence against women, which can also constitute war crimes and crimes against humanity;

12. Calls on the Commission and the Member States to work towards the establishment of a comprehensive international compensation mechanism, including an international register of damage, and actively cooperate with the Ukrainian authorities on this matter; calls on the Commission and the co-legislators to complete the legal regime allowing for the confiscation of Russian assets frozen by the EU and for their use to address the various consequences of Russia's aggression against Ukraine, including the reconstruction of Ukraine and compensation for the victims of Russia's aggression;

13. Calls on the Council and the Member States to urgently and significantly increase their political, economic, financial, military, technical and humanitarian support for Ukraine in order to help Ukraine defend itself against the Russian war of aggression and against Russian attempts to destabilise Ukrainian state institutions, undermine the country's macroeconomic stability, and destroy critical infrastructure in the areas of energy, communications, water and transport, and civilian infrastructure in the areas of education, health and culture;

14. Welcomes the Commission's proposal of 9 November 2022 for an unprecedented EUR 18 billion support package for Ukraine in 2023 to ensure its macroeconomic stability, restore critical infrastructure and maintain essential public services, and affirms its support for the swift adoption of the proposal; emphasises the importance of swift implementation of commitments to provide financial and technical assistance, in particular with a view to the approaching winter where a significant number of Ukrainian citizens risk having no access to basic services such as water, heating and electricity;

15. Denounces the Russian occupation of the Zaporizhzhia power plant aimed at terrorising the Ukrainian population and condemns Russia for making power plants military targets;

16. Appeals to all Russian people not only to refuse to be dragged into this war, but also to protest against the atrocious war crimes against the people of Ukraine, committed by the Russian Federation in the name of the Russian people; expresses its support for Russian citizens protesting and fighting the current regime from within or outside of Russia or supporting refugees from Ukraine; calls on the Commission, the European External Action Service and the Member States to increase support for and cooperation with civil society and free media from Russia and to continue to provide protection and temporary shelter to those Russians who are being persecuted due to their opposition to the regime; commends the work of Ukrainian and international journalists who tell the world the truth about the war in Ukraine, often risking their own lives to do so; calls for the investigation of Russian crimes against journalists in Ukraine and of the activities of those involved in criminal disinformation campaigns forming an integral part of the full-scale war against Ukraine;

17. Emphasises that Russia's current war of aggression against Ukraine highlights the need for a thorough historical and legal evaluation of and a transparent public debate about the crimes of the Soviet regime, most importantly in Russia itself, because a lack of accountability and justice only leads to the repetition of similar crimes;

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18. 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 Secretary-General of the United Nations, the Council of Europe, the Organization for Security and Co-operation in Europe, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, the International Criminal Court, the President, Government and Parliament of the Russian Federation, and the President, Government and Parliament of Ukraine.
