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*Plenary sitting*

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**B8-0349/2017**

15.5.2017

## MOTION FOR A RESOLUTION

further to Question for Oral Answer B8-0219/2017

pursuant to Rule 128(5) of the Rules of Procedure

on the implementation of the Council's LGBTI Guidelines, particularly in relation to the persecution of (perceived) homosexual men in Chechnya, Russia (2017/2688(RSP))

**Soraya Post, Tanja Fajon, Elena Valenciano, Knut Fleckenstein, Pier Antonio Panzeri**

on behalf of the S&D Group

**European Parliament resolution on the implementation of the Council's LGBTI Guidelines, particularly in relation to the persecution of (perceived) homosexual men in Chechnya, Russia  
(2017/2688(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Russia,
- having regard to the 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 European Convention of Human Rights and the Protocols thereto,
- having regard to the Constitution of the Russian Federation, in particular Chapter 2 on the Rights and Freedoms of Man and Citizen,
- having regard to the European Council guidelines of 24 June 2013 to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons,
- having regard to the European Council conclusions of 16 June 2016 on LGBTI equality,
- having regard to the European Union Guidelines on Human Rights Defenders, on Torture and Ill-Treatment, and on Human Rights Defenders,
- having regard to its resolution of 4 February 2014 on the EU Roadmap against homophobia and discrimination on grounds of sexual orientation and gender identity<sup>1</sup>,
- having regard to the statement of 13 April 2017 by UN human rights experts on the abuse and detention of gay men in Chechnya,
- having regard to the EU Action Plan on Human Rights and Democracy 2015-2019,
- having regard to its resolution of 14 December 2016 on the Annual Report on human rights and democracy in the world and the European Union's policy on the matter 2015<sup>2</sup>,
- having regard to the statement of 6 April 2017 by the Spokesperson for the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, on the human rights abuses of gay men in Chechnya,

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<sup>1</sup> OJ C 93, 24.3.2017, p. 21.

<sup>2</sup> Texts adopted, P8\_TA(2016)0502.

- having regard to the question to the Commission (VP/HR) on the implementation of the Council’s LGBTI Guidelines, particularly in relation to the persecution of (perceived) homosexual men in Chechnya, Russia (O-000039/2017 – B8-0219/2017),
  - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas on 1 April 2017 the first reports were published, in the Russian independent newspaper Novaya Gazeta, that over one hundred men, gay or believed and perceived to be gay, had been abducted and detained in the autonomous Republic of Chechnya in the Russian Federation, as part of a coordinated campaign, allegedly organised by the Republic's authorities and security forces on the direct orders of the President of Chechnya, Ramzan Kadyrov;
  - B. whereas Novaya Gazeta reported that the abducted victims had been mistreated, tortured and forced to disclose the identity of other LGBTI individuals; whereas it was also reported that at least three men had been killed, two as the result of treatment in custody and one killed by his family in a so-called ‘honour killing’;
  - C. whereas the initial reports have been separately confirmed by Human Rights Watch and the International Crisis Group, both of which cite on-the-ground sources that confirm that men perceived as gay have been targeted for detention by the police and security forces;
  - D. whereas victims largely refrain from seeking justice, as they fear retaliation by local authorities; whereas (perceived) gay people are particularly vulnerable owing to strong societal homophobia, and whereas they risk falling victim to honour killings by their relatives;
  - E. whereas, after years of threats and repression, almost no independent journalists or human rights activists are able to work in the region; whereas Chechen officials and clerics have threatened the newspaper that first exposed the brutal anti-gay campaign;
  - F. whereas the Russian Federation is a signatory to several international human rights treaties and, as a member of the Council of Europe, to the European Convention on Human Rights and thus has the duty to ensure the safety of all persons who may be at risk, including on account of their sexual orientation; whereas Russia has the obligation and means to investigate the crimes carried out by the Chechen authorities; whereas homosexuality was decriminalized in the Russian Federation in 1993;
  - G. whereas LGBTI individuals are protected under existing international human rights law and under Russian domestic legislation; whereas, however, specific action is often required to ensure the full enjoyment of human rights by LGBTI people, as sexual orientation and gender identity can bring additional risks of discrimination, bullying and prosecution, in schools, workplaces and the wider society, but also within families; whereas it is the task and responsibility of the police, judiciary and authorities to combat these forms of discrimination and counter negative social attitudes;
  - H. whereas on 7 March 2017 the Russian Federation adopted legislation that decriminalised domestic violence, reducing ‘battery within the family’ from a criminal to an administrative offence, with weaker sanctions for offenders; whereas Parliament

debated this issue in its Strasbourg part-session of 13-16 March 2017;

1. Expresses its deep concern at the reports of arbitrary detention and torture of men perceived to be gay in the Republic of Chechnya in the Russian Federation; calls on the authorities to end this campaign of persecution and to allow international human rights organisations to conduct a credible investigation into the alleged crimes;
2. Condemns the statement by the Chechen government spokesperson denying the existence of homosexuals in Chechnya and discrediting the report as ‘lies and absolute disinformation’; reminds the authorities that the rights to freedom of assembly, association and expression are universal rights and apply to all; calls for the immediate release of those who are still illegally detained; urges the Russian authorities to provide legal and physical protection for the victims, as well as for the human rights defenders and journalists who have worked on this case;
3. Notes that President Putin has instructed the Russian Ministry of the Interior and the Federal Prosecutor to investigate the events in Chechnya, and calls on the Commission, the Member States and the Council of Europe to offer material and advisory support to the Russian authorities in this investigation;
4. Calls on the Chechen authorities and those of the Russian Federation to abide by domestic legislation and international commitments and uphold the rule of law, to promote equality, non-discrimination and universal human rights standards, including for LGBTI individuals, and to support such action with measures such as awareness raising and promoting a culture of tolerance and inclusion based on equality and non-discrimination;
5. Expresses serious concern at the climate of impunity which allows these acts to take place and calls for the development of legal and other measures to prevent, monitor and effectively prosecute perpetrators of such violence in cooperation with civil society; underlines that Russia and its government carry the ultimate responsibility for investigating these acts, bringing perpetrators to justice and protecting all Russian citizens from unlawful abuse;
6. Calls, as a matter of urgency, for immediate, independent, objective and thorough investigations into the acts of imprisonment, torture and murder, in order to bring their intellectual and material authors to justice and to put an end to impunity; welcomes, in this regard, the setting-up of a working group under the lead of the Russian Human Rights Ombudsperson, who is investigating the issue; calls on the EU delegation and the Member States’ embassies and consulates in Russia to actively monitor the investigation, and further step up efforts to engage with victims, LGBTI people, journalists and human rights defenders currently in danger;
7. Calls on the Commission to engage with international human rights organisations and Russian civil society, to assist those who have fled Chechnya and to bring this campaign of abuse into the open;
8. Firmly underlines the importance of a continuous assessment of the implementation of the Guidelines by using clear benchmarks; urges the Commission to conduct and publish a thorough evaluation of the implementation of the Guidelines by EU

delegations and Member States' diplomatic representations in all third countries with a view to detecting possible differences and gaps in implementation and remedying them;

9. Notes with concern, and as a step backwards, Russia's adoption of new legislation on domestic violence, including that against children; underlines that legislation which tolerates violence within the family risks severe consequences both for the victims and for society as a whole; calls on the Commission and the European External Action Service (EEAS) to continue to promote the eradication of domestic violence, to protect those who are vulnerable, and to support the victims, both inside and outside Europe;
10. 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, to the Council and the Commission, to the UN High Commissioner for Human Rights and to the governments of the Russian Federation and of the Republic of Chechnya.