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*Plenary sitting*

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**B8-0353/2017**

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

**Malin Björk, Marisa Matias, Helmut Scholz, Merja Kyllönen, Marina Albiol Guzmán, Patrick Le Hyaric, Younous Omarjee, Eleonora Forenza, Dennis de Jong, Sabine Lösing, Cornelia Ernst, Barbara Spinelli, Rina Ronja Kari, Maria Lidia Senra Rodríguez, Stefan Eck, Tania González Peñas, Xabier Benito Ziluaga, Miguel Urbán Crespo, Estefanía Torres Martínez, Lola Sánchez Caldentey, Josu Juaristi Abaunz, Marie-Christine Vergiat**

on behalf of the GUE/NGL Group

**European Parliament resolution on 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 on Human Rights and the protocols thereto,
- having regard, with reservations, to the Constitution of the Russian Federation, especially its Chapter 2 (Rights and Freedoms of Man and the Citizen),
- 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 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 the Action Plan on Human Rights and Democracy 2015-2019,
- 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 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 on 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 international and Russian human rights organisations, as well as independent local and international media, report that since February 2017 over one hundred men have been illegally arrested on the suspicion of being gay and detained in at least two illegal prisons in the autonomous Republic of Chechnya in the Russian Federation, as part of a coordinated campaign reportedly organised by the republic’s authorities and security forces on the direct orders of the President of Chechnya, Ramzan Kadyrov;
  - B. whereas the victims have been mistreated, tortured and forced to disclose the identity of other LGBTI individuals; whereas reportedly at least three men have been killed, two as the result of treatment in custody and one by his family in a so-called ‘honour killing’;
  - C. 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;
  - D. 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;
  - 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 Russian state, parliamentary and judicial institutions are under obligation to and can access all means needed to investigate the crimes carried out by the Chechen authorities;
  - G. whereas homosexuality was decriminalised in the Russian Federation in 1993;
  - H. 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, the judiciary and the authorities to combat these forms of discrimination;
  - I. whereas President Putin has tasked the Russian Human Rights Ombudsperson, Tatyana Moskalkova, with forming a working group to investigate the allegations;

- J. whereas the Council's LGBTI Guidelines prescribe a proactive attitude on the part of EU delegations and Member State embassies regarding the promotion of LGBTI rights; whereas these Guidelines stipulate that combating LGBTI-phobic violence and supporting LGBTI human rights defenders are priority areas;
- K. whereas in 2017, the second Action Plan for the implementation of the Strategic Framework on Human Rights and Democracy will be evaluated, the LGBTI Guidelines included;
- L. whereas on 7 March 2017 the Russian Duma adopted legislation decriminalising 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 deepest concern over the reports of arbitrary detention, torture and killings 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 immediately release 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;
  2. Strongly condemns the statement by the Chechen government spokesperson denying the existence of homosexual people in Chechnya and discrediting the report as 'lies and absolute disinformation'; reminds the authorities that the right to life, liberty and security of person is a basic human right and applies to all;
  3. 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;
  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, promote equality and non-discrimination and universal human rights standards, including for LGBTI persons and supported by measures such as awareness-raising, promoting a culture of tolerance and inclusion based on non-violence, 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 on the Commission and the Member States 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;

7. Calls, furthermore, on EU Member States to consider increasing resettlement spaces for victims, journalists and human rights defenders from Chechnya and to expedite the direct resettlement of individuals fleeing owing to safety concerns;
8. Expresses its particular concern over reports that the Chechen authorities wish to 'get rid of all gays' prior to the start of Ramadan;
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 for the EU to continue to promote the eradication of all forms of violence against women, including domestic violence, to protect those who are vulnerable, and to support the victims, both inside and outside of Europe;

***Guidelines to promote and protect the enjoyment of all human rights by Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) persons***

10. Welcomes the Foreign Affairs Council Guidelines to promote and protect the enjoyment of all human rights by LGBTI persons, adopted on 24 June 2013; remains convinced that the Guidelines give an important impetus to the promotion of LGBTI rights across the world;
11. Expresses its concern over the inconsistent levels of awareness and implementation of the LGBTI Guidelines on the part of EU delegations and Member States' representations;
12. Calls, in this regard, on the European External Action Service and the Commission to push for a more strategic and systematic implementation of the Guidelines, including through awareness-raising and training of EU staff in third countries, in order to effectively raise the issue of LGBTI rights in political and human rights dialogues with third countries and in multilateral fora, as well as supporting efforts by civil society;
13. 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;
14. 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.