



---

*Plenary sitting*

---

**B8-0096/2018**

6.2.2018

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Russia, the case of Oyub Titiev and the Human Rights Centre Memorial (2018/2560(RSP))

**Heidi Hautala, Rebecca Harms, Igor Šoltes, Barbara Lochbihler**  
on behalf of the Verts/ALE Group

**European Parliament resolution on Russia, the case of Oyub Titiev and the Human Rights Centre Memorial (2018/2560(RSP))**

*The European Parliament,*

- having regard to its previous reports and resolutions on Russia, in particular its resolutions of on the implementation of the Council’s LGBTI Guidelines, particularly in relation to the persecution of (perceived) homosexual men in Chechnya, Russia of 18 May 2017, the one on Russia, the arrest of Alexei Navalny and other protestors of 6 April 2017 and the one on the closing-down of the NGO ‘Memorial’ (winner of the 2009 Sakharov Prize) in Russia of 23 October 2014,
  - 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 press release of the Director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) of 9 January 2018 voicing serious concerns regarding the arrest and detention of Oyub Titiev, Director of the Memorial Human Rights Centre, in Chechnya, the Russian Federation,
  - having regard to the EU Statement on the detention of the Director of the Memorial Human Rights Centre in the Chechen Republic of 11 January 2018,
  - having regard to the EU Statement on human rights violations concerning the Memorial Human Rights Centre in Russia of 19 January 2018,
  - having regard to the European Union Guidelines on Human Rights Defenders and on Torture and Ill-Treatment,
  - having regard to Rules 135(5) of its Rules of Procedure,
- A. whereas the Russian Federation, as a full member of the Council of Europe and the Organisation for Security and Cooperation in Europe, has committed itself to the principles of democracy, the rule of law and respect for human rights;;
- B. whereas the human rights situation in Russia has further deteriorated in recent years and the Russian authorities have adopted a series of laws containing ambiguous provisions and which are used to place further restrictions on opposition and civil-society actors, and hinder the freedoms of expression and assembly,

- C. whereas on January 9, 2018, the head of Memorial Human Rights Center's representative office in Chechnya, Oyub Titiev, was detained by police and two days later, was officially indicted and remanded on charges of illegal acquisition and possession of a large volume of narcotics; whereas Titiev asserts that the narcotics had been in fact planted by police officers,
- D. whereas on January 17, 2018, Memorial Human Rights Center's representative office in Ingushetia was set on fire; whereas in the days leading up to the arson attack, Oyub Titiev's lawyer and Memorial's leading representatives had made several trips in the organization's car from Ingushetia to Chechnya to work on Titiev's case and during the trips, they experienced surveillance and harassment by security officials,
- E. whereas on January 17, 2018, the Chechen branch of Russia state television, Gronzy-TV, featured a segment on the evening news in which the head of Chechnya, Ramzan Kadyrov, gave a speech in Chechen to officials from the Chechnya's Ministry of Internal Affairs and the local division of Russian National Guard declaring that independent human rights defenders are "enemies of the people" who engage in "snitching" and discredit their own people; whereas he stated, furthermore, that there is no place for them in Chechnya and that their work "will not fly" [will not be tolerated] in the republic emphasizing that human rights activities in Chechnya can be only carried out with the permission of the authorities and with his personal knowledge,
- F. whereas on January 19, 2018, as part of the investigation into the criminal case against Oyub Titiev, police conducted a search of Memorial Human Rights Center's representative office in Grozny and in the course of the search police found on the floor of the balcony and officially seized a makeshift ashtray and two cigarettes appearing to contain not tobacco but an unknown substance; whereas these items had been apparently planted before the search by way of one of the neighboring apartments' balconies,
- G. whereas on January 22, 2018, in the city of Makhachkala, Dagestan, unknown arsonists set on fire the car belonging to Memorial's local office in Dagestan; whereas earlier that day, one of Oyub Titiev's lawyers had used the car to travel from Makhachkala to Kurchaloi, Chechnya, to work on Titiev's case,
- H. whereas on January 23, 2018, the mobile telephone belonging to Memorial Human Rights Center's representative office in Dagestan received text messages ordering the team to shut down its operations under threat that the office would otherwise be burned along with the team members in it,
- I. whereas on 25 January the Supreme Court of the Chechen Republic upheld the decision of the Shalinsky City Court to remand Oyub Titiev in custody for two months,
- J. whereas in recent years, Memorial has become the last remaining independent human rights organization that continues to operate in the Republic of Chechnya; whereas the attacks on the human rights defenders in the Chechen Republic, including the fabricated criminal charges against Oyub Titiev and the arson attacks in neighboring republics, have been very likely orchestrated in retaliation against Memorial for

exposing and seeking justice for human rights violations in Chechnya.,

- K. Whereas as the Russian law on “foreign agents,” requires NGOs that receive foreign funding and are engaged in “political activity” to apply for inclusion in a special government list of foreign agents, being thereof subjected to additional and close scrutiny by the government and required to state in all their publications, press-releases, and reports that these have been produced by a foreign agent,
  - L. whereas the implementation of such law has involved severe actions such as prosecutor office's raids, confiscation of property, administrative fines and other measures aimed at preventing and dissuading civil society organisations from carrying out their work,
  - M. whereas numerous Russian and international human rights organisations reported that disproportionate measures and aggressive actions by the security forces as well as excessive use of violence led to the outbreak of violence followed by arbitrary arrests of the protesters; whereas leaders of the opposition parties and movements are subject to harassment by the Russian authorities, with some being detained under various allegations,
  - N. whereas several trials and judicial proceedings over the past years have cast doubt on the independence and impartiality of the judicial institutions of the Russian Federation,
  - O. whereas the Russian authorities are expanding their mass surveillance programmes; whereas these programmes, combined with laws restricting the freedom of NGOs, provide the Russian authorities with a very powerful tool to monitor and oppress opposition voices,
  - P. Whereas Memorial is a Russian historical and civil rights society that operates since 1989 on the values of upholding democracy, law, and fundamental human rights in practical politics and public life at the initiative of a group of Soviet-era dissidents, and under the auspices of the Nobel laureate Andrei Sakharov,
  - Q. Whereas in 2009 Memorial was awarded by the European Parliament the Sakharov Prize for the Freedom of Thought,
  - R. Whereas on after years of threats and repression and a dramatic deterioration of the human rights situation in the North Caucasus, virtually 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,
  - S. Whereas on 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; whereas Russia has the obligation and means to investigate the crimes carried out by the Chechen authorities,
1. Calls for the release of Oyub Titiev immediately and unconditionally and to put an end to all forms of harassment, including at the judicial level, against him that seem to

merely aim at sanctioning his human rights activities;

2. Urges the Russian authorities to take all necessary measures to guarantee the physical and psychological integrity and security of Oyub Titiev, the staff of HRC Memorial in Ingushetia and all journalists legitimately carrying out investigative work in Chechnya, including by putting an end to all forms of surveillance of their activities by local enforcement officials;
3. Calls for an immediate, credible, thorough and impartial investigation into the arson attack on the office of HRC Memorial in Ingushetia with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
4. Urges the Russian authorities at all levels to recognise the crucial role of human rights defenders as pillars of democracy and watchdogs of the rule of law and publicly condemn all attacks against human rights defenders, particularly in the Chechen Republic;
5. Expresses its solidarity and strong support to Memorial for its dedicated work in Chechnya, in particular helping victims of egregious abuses seek justice and exposing practices of collective punishment, enforced disappearances, torture and other ill-treatment, punitive house burnings, and extrajudicial killing by local security officials;
6. Strongly condemns abduction-style detentions, enforced disappearances, torture, extrajudicial executions, collective punishment practices and other lawless methods systematically used by Chechen authorities with impunity as well as Chechen authorities' extensive efforts to suppress any form of dissent in Chechnya;
7. Deplores the attacks against other civil society groups and non-governmental organisations in Chechnya, including the attacks and smear campaign against the Joint Mobile Group of Human Rights Defenders in Chechnya (JMG), which resulted in the group's withdrawal from Chechnya for security reasons in 2016;
8. Condemns once again in the strongest terms the campaign of violence and humiliation against gay men organized by Chechen authorities last year, which involved the incommunicado detention and torture of dozens of presumably gay men;
9. Regrets that Russian authorities have not investigated the allegations despite an investigative committee having been set up; calls, as a matter of urgency, for independent, objective and thorough investigations into the acts of imprisonment, torture and murder of (perceived) LGBT persons in Chechnya, in order to bring their intellectual and material authors to justice and to put an end to impunity, as well as to ensure effective remedy to victims;
10. Welcomes that a number of EU Member States have granted asylum to victims, and calls on all Member State to continue or step up asylum request procedures for victims, journalists and human rights defenders in accordance with European and national law;
11. Urges the Russian federal authorities to ensure that all Chechen authorities, including law enforcement and security agencies, fully comply with Russia's domestic legislation

and international human rights obligations, to immediately close all unofficial detention facilities in Chechnya and to ensure that Chechen authorities immediately stop collective punishment and public humiliation practices in Chechnya;

12. Reiterates its serious concerns about the “foreign agent” law (July 2012) and the way it is being implemented; considers that the definition of “political activity” carried out by NGO that accept foreign funding is so broad as to allow in practice government control over just about any organized activity relating to public life;
13. Calls on the Russian Government to respect the rights of all citizens to exercise their fundamental freedoms and universal human rights and to put an end to any act of harassment, including at the judicial level, against the Historical, Educational, Human Rights and Charitable Society “Russian Memorial”, the Human Rights Centre “Memorial”, their members, as well as all human rights defenders in the Russian Federation, and ensure in all circumstances that they are able to carry out their legitimate activities without any hindrance;
14. Recalls the importance of Russia’s full compliance with its international legal obligations, as a member of the Council of Europe and the Organisation for Security and Cooperation in Europe, and with the fundamental human rights and the rule of law enshrined in the European Convention on Human Rights and the International Covenant on Civil and Political Rights (ICCPR);
15. Urges, in this respect, the Russian authorities to bring its legislation negatively affecting freedom of assembly, freedom of association, freedom of media and freedom of expression in line with international human rights law and ensure a safe and enabling environment for individuals and groups to exercise their fundamental rights and freedoms;
16. Stresses that freedom of assembly in the Russian Federation is granted under Article 31 of the Russian Constitution and under the European Convention on Human Rights, to which Russia is a signatory, obliging the Russian authorities to respect it;
17. Calls on the Presidents of the Council and the Commission, as well as the VP/HR to continue to follow these cases closely, to raise these issues in different formats and meetings with Russia, and to report back to Parliament on the exchanges with the Russian authorities;
18. Urges the Council to develop a unified policy towards Russia that commits the 28 EU Member States and EU institutions to a strong common message on the role of human rights in the EU-Russia relationship and the need to end the crackdown on freedom of expression, assembly and association in Russia;
19. Urges the High Representative and the EEAS to ensure that the Union seeks every opportunity, within the boundaries of Russian domestic law, to continue to engage with and support Russian civil-society organisations, including those working to promote the values of democracy, human rights and the rule of law;
20. Urges the Commission and the EEAS, with regard to the ongoing programming phase of the EU financial instruments, to increase its financial assistance to Russian civil

society through the European Instrument for Democracy and Human Rights and the civil-society organisations and local authorities funds, and to include the EU-Russia Civil Society Forum in the Partnership Instrument in order to ensure sustainable and credible long-term support;

21. 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 Council of Europe, the Organisation for Security and Cooperation in Europe, and the President, Government and Parliament of the Russian Federation.