



Plenary sitting

B8-0106/2018

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))

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on behalf of the GUE/NGL 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 the existing Agreement on partnership and cooperation establishing a partnership between the European Communities and their Member States, of one part, and the Russian Federation, of the other part (PCA) and, as well, the suspended negotiations for a new EU-Russia agreement,
- having regard to the Constitution of the Russian Federation, especially its Chapter 2 (Rights and Freedoms of Man and the Citizen),
- Having regards to its resolution on 19 May 2017 on the Implementation of the Council's LGBTI Guidelines, particularly in relation to the persecution of (perceived) homosexual men in Chechnya, Russia;
- having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- whereas Oyub Titiev, the head of the local Chechen branch office of the Russian human rights NGO Memorial, was arrested on January 9 on questionable drug charges; whereas there are concerns about potential mistreatment of Titiev while in custody; whereas since his arrest, Mr Titiev's family has also faced harassment and threats allegedly made by the local Chechen security forces, coercing them to leave their homes and leave Chechnya; whereas there are signs that the indictment against Mr. Titiev is constructed and so-called evidences and witnesses are manipulated;
- whereas Oyub Titiev's arrest came less than two weeks after the speaker of the Chechen parliament called human rights activists "enemies of the people" and suggested they should be executed; whereas the president of the Autonomous Republic of Chechnya Kadyrov a raged at human rights defenders in a January 17 Grozny-TV broadcast, nine days after Oyub's arrest; whereas Kadyrov declared that human rights activist will not be able to pursue their activities in the Chechnya region; whereas after the comments of head of the Chechen Republic Ramzan Kadyrov, there cannot hope for a fair investigation into Oyub Titiev's case within the Chechen republic.
- whereas Russian human rights organizations call to transfer the criminal case against the head of Chechen Republic's office of Memorial NGO, Oyub Titiyev, to Moscow for further investigation; whereas according to the Chairman of Russia's Presidential Council for Human Rights Mikhail Fedotov expressed his belief that investigation into Titiyev as well as preliminary investigation into alleged planting of drugs in his car, should be conducted by central departments of the Interior Ministry and the Investigative Committee;
- whereas Tatyana Moskalkova, the human rights ombudsman in Russia, asks the Interior Ministry to transfer the investigation against the head of the Chechen branch of the Human Rights Center Memorial, Oyub Titiev under the control of the MIA's Main Directorate for the North Caucasus Federal District; whereas according to Maskalkova

the transfer of the case will contribute to “greater objectivity and will lead to greater trust in the society.”

- whereas the police raided the offices of the NGO Memorial in Chechnya, intimidated the staff and harassed their landlady for housing a subversive organization; whereas Memorial is likely the last influential human rights organization to remain active in the northern Caucasus region despite mounting pressure; whereas Oyub Titiev’s team has reported disappearances, torture, and punitive house burnings in Chechnya; whereas the murder of his predecessor, Natalia Estemirova, who was kidnapped and shot dead in 2009, has never been prosecuted;
- whereas Mr Titiev is part of a worrying trend of arrests, attacks, intimidations, discrediting and *criminalize* of independent journalists and human rights defenders working in Chechnya whereas other cases that form part of this worrying trend include journalist Zhalaudi Geriev and the chair of the Assembly of the Peoples of the Caucasus, Ruslan Kutaev, who were both sentenced on dubious grounds relating to drugs.
- whereas on 17 January, Memorial’s office in Nazran, in neighbouring Ingushetia was set on fire during the night by two masked men; whereas on the night of 23 January, the car used by members of Memorial in Makhachkala, in Dagestan, another region neighbouring Chechnya, was burnt. In the morning of the same day, anonymous *death* threats were delivered via text messages to the mobile used by Memorial’s office staff in Makhachkala
- whereas the situation of LGBTI individuals in Russia and in particular in Chechnya, remains of serious concern; whereas no independent, objective and thorough investigation has been made into the arbitrary detention, torture and killings of (perceived) LGBT people in Chechnya, despite the setting up of an investigative committee and despite calls by the international community;
- whereas human rights violations in Russia’s North Caucasus region continued for two decades; whereas there has been very little accountability for such egregious abuses as extra-judicial executions, enforced disappearances, torture and cruel and degrading treatment; whereas lasting impunity has served to perpetuate these abuses and contributed to the gradual loss of trust in domestic and international law by victimized local communities;
- whereas the Ramzan Kadyrov, the leader of Russia’s Chechen Republic, has steadily tried to eradicate all forms of opposition; whereas the repression has become especially staggering over these past two years where local authorities are viciously and comprehensively cracking down on critics, including local residents who express dissenting opinions, critical Russian and foreign journalists, and the very few human rights defenders who challenge cases of abuse by Chechen law enforcement and security agencies;
- 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 since the enforcement of law throughout the Russian Federation also extends to the various subjects of the Russian Federation;

- Is deeply concerned by the arrest and detention of Oyub Titiev, Director of the Memorial Human Rights Centre in the Chechen Republic of the Russian Federation; is troubled by reports about insufficient medical attention in prison as well as conditions of detention incompatible with Russia's human rights commitments; is deeply concerned about reports that the indictment against Mr. Titiev is constructed and so-called evidences and witnesses are manipulated
- Calls on the Russian authorities to ensure full respect for Mr Titiev's human rights, including access to a lawyer and medical care and the rights to a fair trial, to physical integrity and dignity, and to protection from judicial harassment, criminalization and arbitrary arrest; calls on the Russian central and local authorities to carry out the investigations in full compliance with the laws of the Russian Federation and to give the lawyers of the defense unlimited and immediate access to all results of the investigating authorities; calls on the Council of Europe and other international actors to closely monitor the case;
- Calls on the Russian authorities to immediately assume their responsibility to launch a thorough and effective investigation into this vicious attacks on offices and staff of the NGO Memorial in Chechnya and the neighbouring regions and bring those responsible to justice;
- Calls on the Russian authorities to investigate and put an end to the coordinated assault on human rights organizations, such as Memorial, and ensure it can carry out its legitimate work in the North Caucasus; urge Russian federal authorities to ensure that human rights and democratic freedoms are protected in accordance with the Russian constitution and Russia's international human rights obligations and commitments;
- *Expresses deep concern at the overall situation of human rights and democratic freedoms in Chechnya; reminds the Russian government of its duty to ensure that Chechen authorities fully comply with Russia's legislation, including Russia's obligations under international human rights law; calls on the Russian authorities to protect all Russian citizens from unlawful abuse; calls on the Russian authorities to put an immediate end to the crackdown on free expression in Chechnya and to provide effective security guarantees to victims and witnesses of abuses and bring perpetrators of abuses to justice.*

LGBTI

- Reminds the Russian and Chechen authorities that regional, cultural and religious

value systems should not be used as an excuse to condone or engage in the discrimination, violence, torture, and/or detention of individuals or groups, including on the grounds of sexuality or gender identity;

- Expresses deep concern that arbitrary detention and torture of (perceived) LGBT people in the Republic of Chechnya in the Russian Federation continue; condemns recent statements of Chechen leader Ramzan Kadyrov implying honour killing of reported victim Zelimkan Bakaev;
- 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 regrets that Russian authorities have not investigated the allegations despite an investigative committee having been set up; reiterates its call on the Russian authorities, 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;
- 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;
- 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 and Commission, the Secretary-General of the Council of Europe, the UN High Commissioner for Human Rights, the Government and Parliament of the Russian Federation, and the Chechen authorities