



Plenary sitting

B8-0107/2019

12.2.2019

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 the situation in Chechnya and the of Oyub Titiev
(2019/2562(RSP))

Heidi Hautala, Rebecca Harms
on behalf of the Verts/ALE Group

European Parliament resolution on the situation in Chechnya and the of Oyub Titiev (2019/2562(RSP))

The European Parliament,

- having regard to its previous reports and resolutions on Russia, in particular its resolutions of 8 February 2018 on Russia, the case of Oyub Titiev and the Human Rights Centre Memorial and the one of 14 June 2018 on Russia, notably the case of Ukrainian political prisoner Oleg Sentsov,
 - 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 Convention for the Protection of Human Rights and Fundamental Freedoms,
 - 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 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 human rights situation in Russia is cause for deep concern with the Russian authorities adopting a series of laws containing ambiguous provisions which are used to place further restrictions on opposition and civil-society actors, and hinder the freedoms of expression and assembly,
- B. 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 facts planted by police officers,
- C. 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,
- D. 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" stating that there is no place for them in Chechnya,

- E. 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,
- F. whereas on 25 January the Supreme Court of the Chechen Republic upheld the decision to remand Oyub Titiev in custody for two months; whereas he has been held in custody since that day and his case is currently being heard by Shali City Court in Chechnya,
- G. whereas the trial of Oyub Titiyev runs with a clear accusatory bias with the judge rejecting all defense motions aimed at establishing the truth in the case or excluding evidence from the case file with obvious violations of the law while agreeing, on the contrary, with all the arguments of the prosecution,
- H. whereas on 28 March 2018 Sirazhutdin Datsiyev, head of the Memorial Human Rights Center in Makhachkala, Dagestan was attacked as he was leaving home by an unknown person who hit him in the head with a heavy object that made him lose consciousness;
- I. 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, and the arson attacks in neighbouring republics, have been very likely orchestrated in retaliation against Memorial for exposing and seeking justice for human rights violations in Chechnya,
- J. whereas 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;
- K. whereas persecution of activists and critics of the authorities in the North Caucasus is more severe than in the rest of the Russian Federation, especially in the Chechen Republic; whereas those who speak out in public or on social networks against the current political regime are at risk of being kidnapped, tortured, kept in secret prisons, charged with false crimes, publicly humiliated, and forced to make public apologies in front of television cameras,
- L. whereas relatives and family members of activists and critics are also targeted, including by being taken hostage; whereas the method of generating fear by "collective responsibility" used in the Chechen Republic is widely used to combat dissent and ensure self-censorship,
- M. whereas on 29 January 2019 a video message directed at Mr. Igor Kochetkov and the Russian LGBT Network was spread through local social networking sites in which

Mr. Ali Baskhanov, a Chechen public figure and a representative of the organising committee of “Noah’s Ark”, an informal group of pro-government Chechen activists, threatens to harm Mr. Kochetkov if he does not relent from public denunciations of repressions that were carried out by Chechen authorities against LGBT persons in Chechnya throughout 2017 and 2018,

- N. whereas a few hours before receiving the threats, the Russian LGBT Network had submitted a complaint to the Investigative Committee of Russia asking it to probe into allegations of illegal detention, as well as torture and at least one murder, of at least 14 LGBT individuals in the Zavodskoy police department and in the Grozny building of the Ministry of Internal Affairs of Russia; whereas this organisation has been seeking to compel the Russian authorities to react to the most recent wave of detention of LGBT persons and anti-gay campaigns by security forces in Chechnya,
- O. Whereas since the end of December 2018, Chechnyan authorities have launched a new wave of homophobic attacks in Chechnya with around 40 people believed to be gay or lesbian reportedly being detained in a government building in the city of Argun, where they have been subjected to torture and other ill-treatment; whereas at least two individuals are reported to have died after being tortured, but the actual number of victims may be higher; whereas the authorities are also said to be destroying the individuals’ passports, making it difficult for them to flee Chechnya in the future,
- P. whereas under the Russian law on “foreign agents,” NGOs that receive foreign funding and are engaged in “political activity” are 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; 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,
- Q. whereas the lower chamber of Russia's Parliament approved in the first reading an amendment to Article 20.1 of the Code of Administrative Offenses of the Russian Federation, which would sanction authors of internet publications displaying "obvious disrespect for society, state, and official state symbols" with arrests and fines; whereas. if adopted, this law would further restrict freedom of expression in Russia, in violation of international human rights law, and increase the ongoing epidemic of politically motivated arrests of social networks users,
- R. 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, whereas in 2009 Memorial was awarded by the European Parliament the Sakharov Prize for the Freedom of Thought,
- 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 Chechnya and North Caucasus and all journalists legitimately carrying out investigative work in this region, including by putting an end to all forms of surveillance of their activities by local enforcement officials;
3. 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;
4. Calls on the Council, the EEAS and the Member States to follow closely, monitor and attend the trial of Oyub Titiev as the verdict is expected in the upcoming weeks;
5. Strongly condemns the death threats against Mr. Igor Kochetkov and calls on the Russian authorities to immediately carry out an independent and thorough investigation into these threats and ensure that those responsible are held to account and that all human rights defenders are able to carry out their legitimate activities without any hindrance and fear of reprisals;
6. Expresses its solidarity and strong support to Memorial for its dedicated work in Chechnya, in particular helping victims of 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;
7. 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;
8. Condemns once again in the strongest terms the campaign of violence and humiliation against gay men organized by Chechen authorities over the last years, 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. 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;
13. 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);
14. 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;
15. 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;
16. 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;
17. 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.