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*Plenary sitting*

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**B8-0108/2019**

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 case of Oyub Titiev  
(2019/2562(RSP))

**Cristian Dan Preda, Jaromír Štětina, David McAllister, José Ignacio Salafranca Sánchez-Neyra, Elmar Brok, Marijana Petir, Eduard Kukan, Patricija Šulin, Jarosław Wałęsa, Tunne Kelam, Roberta Metsola, Csaba Sógor, Milan Zver, Bogusław Sonik, Adam Szejnfeld, Michaela Šojdrová, Pavel Svoboda, Lorenzo Cesa, Giovanni La Via, Antonio López-Istúriz White, Tomáš Zdechovský, Ivo Belet, Dubravka Šuica, Sandra Kalniete, Anders Sellström, Seán Kelly, Francis Zammit Dimech, Deirdre Clune, Ivana Maletić, Romana Tomc, Andrey Kovatchev, Inese Vaidere, Ramón Luis Valcárcel Siso, Laima Liucija Andrikiienė, Francisco José Millán Mon**

on behalf of the PPE Group

**B8-0108/2019**

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

*The European Parliament,*

- having regard to its previous reports and resolutions on Russia, in particular its resolutions of 13 June 2013 on the rule of law in Russia, 13 March 2014 on Russia: sentencing of demonstrators involved in the Bolotnaya Square events, and 23 October 2014 on the closing-down of the NGO ‘Memorial’ (winner of the 2009 Sakharov Prize) in Russia,

- having regard to article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment and to which the Russian Federation is a party,

- having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms,

- having regard to the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on 9 December 1998,

- having regard to the seventh periodic report of the Russian Federation considered by the United Nations Human Rights Committee at its 3136th and 3137th meetings, held on 16 and 17 March 2015,

- having regard to its previous reports and resolutions on Russia, in particular its resolution of 12 March 2015 on the murder of the Russian opposition leader Boris Nemtsov and the state of democracy in Russia, its resolution of 24 November 2016 on Case of Ildar Dadin, prisoner of conscience in Russia and its resolution of 6 of April 2017 on Russia, the arrest of Alexei Navalny and other protestors,

- having regard to the Council of Europe anti - torture Committee visit to the Chechen Republic of the Russian Federation in November - December 2017,

- having regard to its Resolution on “Russia, the case of Oyub Titiev and the Human Rights Centre Memorial” from 8 February 2018,

- having regard to Rules 135 of its Rules of Procedure,

A. whereas the Russian Federation, as a full member of the Council of Europe, a signatory to the UN Universal Declaration of Human Rights and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has committed itself to the principles of democracy, the rule of law and respect or fundamental freedoms and human rights;

B. whereas the Russian Federation has ratified 11 out of the 18 international human rights treaties;

C. whereas the criminal law of the Russian Federation has been amended and the new article 212.1 has been introduced, according to which a person can be charged in case of violation of the law on public assemblies, notwithstanding the fact that this amendment restricts the freedom of speech and assembly;

D. whereas Russian authorities show a tendency towards disrespecting the right of free gathering and detained alone more than 1000 demonstrating citizens in the City of Moscow and numerous more in several further cities of the Russian Federation after peaceful demonstrations held on March 26, 2017;

E. whereas the number of political prisoners in the country had significantly increased in the recent years, counting 102 persons in 2016 according to Memorial Human Rights Centre;

F. whereas the European Parliament has awarded the 2009 Sakharov Prize for Freedom of thought to the Memorial human rights group;

G. 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, he was officially indicted and remanded on trumped-up charges of illegal acquisition and possession of a large volume of narcotics;

H. whereas as of February 2019 after information of Memorial Human Rights Centre there are 51 political prisoners, 183 persons illegally deprived of their liberty in connection with the exercise of the right to freedom of religion, 68 persecuted without imprisonment and 90 unlisted probable victims<sup>1</sup>;

I. whereas in 2018 Oyub Titiev was awarded with the Franco-German Prize for Human Rights and Rule of Law (December), with the Vaclav Havel Prize (October) and with the Moscow Helsinki Human Rights Group Award (May);

1. Calls for the immediate release of the Director of the Memorial Human Rights Centre in the Chechen Republic, Mr Oyub Titiev, who was detained on 9 February 2018 and then officially indicted and remanded on trumped-up charges of illegal acquisition and possession of narcotics;

2. Is of the opinion that his case is illustrative of numerous other prosecutions built on fabricated evidence, underpinning the deeply flawed justice system in Chechnya and in Russia; recalls in this aspect that spurious drug charges such as those against Titiev have also been employed against Caucasus Knot journalist Zhalaudi Geriev and human rights activist Ruslan Kutaev;

3. Notes with a strong concern that in January and February 2019, when the Shali City Court continued to examine the case of Oyub Titiev for drug possession (part 2 of article 228 of the Criminal code of the Russian Federation), the court rejected the defence's petitions, including for a technical examination of the cameras and recorders, for declaring some key evidence inadmissible and conducting expert examinations which might have proved that the case has been fabricated;

4. Notes with concern that during the detention of Titiev, his house, together with 36 other

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<sup>1</sup><https://memohrc.org/ru/aktualnyy-spisok-potencialnyh-zhertv>

private houses, was demolished by a decision of the authorities in an aim to construct a mall; finds unacceptable the argument of the court to turn down Titiev's lawyer's motion from the end of 2018 him to be released under house arrest, on the pretext that he has no home anymore;

5. Recalls the systemic aspect of using the law for repression in Russia; reiterates its concern that the laws and regulations introduced in Russia in the last decade have been done in a manner to make it more difficult for NGOs and human rights organizations to run and communicate on their activities, to access the information, to receive international funding, severely hindering their ability to operate independently, and as a matter of fact, for the smaller ones, to survive;

6. Is deeply concerned that the worrying trend of arrests, attacks, intimidations and discrediting of independent journalists and human rights defenders who work in that region of the Russian Federation is a breach of their right to free expression; condemns attacks on human rights defenders by Chechen authorities and renew its call on Moscow to immediately fulfil their obligation and put an end to these attacks and to foster a normal working climate for human rights defenders and organisations in Chechnya and other parts of the Russian Federation;

7. 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 and universal human rights standards, and to ensure the safety and democratic freedoms of all persons who might be at risk;

8. Calls on the Russian authorities to immediately repeal the 2015 "undesirable organizations" law, as well as the 2012 "foreign agents" law and all other related legislation, which has been consistently used to harass and attack human rights defenders and civil society organizations. Furthermore, the Parliament urges the Russian authorities to recognize the importance of the work of human rights defenders and civil society, and the need to protect it from aggressions;

9. Calls on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service, and EU Member States, to show their support for human rights defenders by inviting them to public events at embassies and consulates, such as the anniversaries of relevant United Nations declarations;

10. Calls on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and the European External Action Service (EEAS) to ensure that the cases of all persons prosecuted for political reasons are raised in EU-Russia human rights consultations once resumed, and that Russia's representatives in these consultations are formally requested to respond in each case and to report back to Parliament on exchanges with the Russian authorities;

11. 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 Organization for Security and Cooperation in Europe, and the President, Government and Parliament of the Russian Federation, and the Chechen authorities.