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*Plenary sitting*

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**B8-0112/2019**

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  
(2019/2562(RSP))

**Helmut Scholz, Malin Björk, Marie-Christine Vergiat, Patrick Le Hyaric, Barbara Spinelli, Marina Albiol Guzmán, Paloma López Bermejo, Merja Kyllönen, Miguel Urbán Crespo, Tania González Peñas, Xabier Benito Ziluaga, Lola Sánchez Caldentey, Estefanía Torres Martínez**  
on behalf of the GUE/NGL Group

**European Parliament resolution on the situation in Chechnya  
(2019/2562(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 regard to the report of the OSCE on Human Rights Violations and Impunity in the Chechen Republic of the Russian Federation of 21 December 2018, ODIHR.GAL/76/18/Corr.1\*)
  - having regards to previous resolutions on the situation in Chechnya
  - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas Oyub Titiev, the head of the local Chechen branch office of the Russian human rights NGO Memorial, was arrested on January 9, 2018 on questionable drug charges; whereas Oyub Titiev is in pretrial detention for already a year; whereas there are signs that the indictment against Mr. Titiev is constructed and so-called evidences and witnesses are manipulated; whereas Oyub Titiev risks being adjudged guilty of a crime he did not commit and spending up to ten years in prison;
- B. Whereas Mr Titiev is part of a worrying trend of arrests, attacks, intimidations, discrediting and *criminalizing* of independent journalists and human rights defenders working in Chechnya; whereas the OSCE report revealed that Authorities in Russia's Chechnya region have committed torture, enforced disappearances, extrajudicial executions, and other very serious human rights violations and abuses;
- C. Whereas the Ramzan Kadyrov, the leader of Russia's Chechen Republic, has steadily tried to eradicate all forms of opposition; whereas local authorities are viciously and comprehensively cracking down on critics; whereas on 22 August 2018, Ramzan Kadyrov, the President of the Republic of Chechnya, declared in his speech to law enforcement officials that "once the trial is over, Chechnya will become a forbidden territory" for human rights defenders;
- D. Whereas the situation of LGBTIQ individuals in Russia and in particular in Chechnya, remains of serious concern; whereas since December 2018 at least two people have died and about 40 people detained in what has been described as a new crackdown on gay people in the Russian republic of Chechnya; whereas in 2017 more than 100 gay men arrested and subjected to torture, and some of them killed, in the predominantly Muslim region;

- E. Whereas victims largely refrain from seeking justice, as they fear retaliation by local authorities; whereas Maxim Lapunov who was detained by unidentified people on a street in the Chechen capital, Grozny, in 2017 and kept in custody for two weeks, where he was repeatedly beaten, was the first to file a complaint with Russian authorities over the wave of arrests of gay people;
  - F. Whereas after years of threats and repression, almost no independent journalists or human rights activists are able to work in the region;
  - G. Whereas the Russian authorities responsible for investigating crimes in Chechnya appear not to have lived up to their responsibilities in addressing the grave situation in the region; whereas Chechnya is treated like a special case, and area of exception where a special regime of impunity is tolerated for the sake of stability;
  - H. 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;
1. Is deeply concerned about reports that the indictment against Mr. Titiev is constructed and so-called evidences and witnesses are manipulated and therefore calls for his immediate release;
  2. 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;
  3. 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;

#### LGBTIQ

4. 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;

5. 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 Russian authorities to ensure legal and physical protection for victims as well as human rights defenders and journalists who have worked on this case;
6. 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;
7. 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;
8. Calls on the EU Member States to grant asylum to victims, journalists and human rights defenders from Chechnya and calls on all Member State to continue or step up asylum request procedures in accordance with European and national law;
9. Condemns the Polish border guards' practice of routinely denying people access to the asylum procedure at the border with Belarus, many of them coming from Chechnya and its neighboring regions; deeply deplores the failure of the European Commission to look into Poland's denial of access to asylum procedures at its border with Belarus and its compatibility with Union and international right;
10. 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.