



---

TEXTS ADOPTED

---

**P8\_TA(2019)0115**

**The situation in Chechnya, and the case of Oyub Titiev**

**European Parliament resolution of 14 February 2019 on the situation in Chechnya and the case of Oyub Titiev (2019/2562(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the situation in Chechnya, in particular those of 8 February 2018 on ‘Russia, the case of Oyub Titiev and the Human Rights Centre Memorial’<sup>1</sup> and 23 October 2014 on ‘the closing-down of the NGO Memorial (winner of the 2009 Sakharov Prize) in Russia’<sup>2</sup>,
- having regard to the statement by the Chairs of its Committee on Foreign Affairs and Subcommittee on Human Rights of 12 January 2018 calling for the immediate release of the human rights defender Oyub Titiev,
- having regard to the EU Statement of 19 January 2018 on human rights violations concerning the Memorial Human Rights Centre in Russia and to the statements by the Spokesperson of the European External Action Service (EEAS) of 11 January 2018 on the detention of the Director of the Memorial Human Rights Centre in the Chechen Republic and of 27 June 2018 on the cases of Russian human rights defenders Oyub Titiev and Yuri Dmitriev,
- 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 United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on 9 December 1998,
- having regard to the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms,

---

<sup>1</sup> OJ C 463, 21.12.2018, p. 31.

<sup>2</sup> OJ C 274, 27.7.2016, p. 21.

- having regard to the Constitution of the Russian Federation, in particular Chapter 2 thereof on Human and Civil Rights and Freedoms,
  - having regard to the seventh periodic report of the Russian Federation, which was considered by the UN Human Rights Committee at its 3 136<sup>th</sup> and 3 137<sup>th</sup> meetings on 16 and 17 March 2015,
  - having regard to the OSCE Rapporteur’s Report under the Moscow Mechanism on Alleged Human Rights Violations and Impunity in the Chechen Republic of the Russian Federation of 21 December 2018,
  - having regard to the European Union Guidelines on Human Rights Defenders,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the Russian Federation, as a signatory to the Universal Declaration of Human Rights, the European Convention on 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 for fundamental freedoms and human rights;
  - B. whereas the Russian Federation’s international commitments include the obligation to protect human rights defenders; whereas the 2012 law on ‘foreign agents’ severely restricts NGOs’ ability to work independently and effectively; whereas under this law, the Memorial Human Rights Centre has been designated as a ‘foreign agent’ by the Ministry of Justice of the Russian Federation;
  - C. whereas Chechnya has experienced a dramatic deterioration in the human rights situation over the past few years, which effectively prevents independent journalists and human rights activists from continuing their work without putting their own lives and the lives of their family members, friends and colleagues at risk; whereas the numerous reports of systematic and serious human rights abuses in Chechnya demonstrate the failure of the Chechen and Russian authorities to uphold the rule of law;
  - D. whereas Oyub Titiev, the director of the Chechnya office of Memorial, was arrested on 9 January 2018 and officially indicted and remanded on trumped-up charges of illegal acquisition and possession of narcotics; whereas these accusations have been denied by Oyub Titiev and denounced by other NGOs and human rights defenders as fabricated and as an attempt to obstruct his, and his organisation’s, work on human rights;
  - E. whereas the courts extended the detention of Oyub Titiev several times before court hearings begun in Shali City Court in Chechnya on 19 July 2018; whereas the verdict is imminent and expected for mid-February 2019; whereas Oyub Titiev risks being adjudged guilty of a crime he did not commit and spending up to ten years in prison;
  - F. whereas Oyub Titiev’s family has faced harassment and threats coercing them to leave Chechnya; whereas Memorial was targeted by other actions in 2018, including an arson attack against its offices in Ingushetia on 17 January 2018, an attack on Mr Titiev’s lawyer’s car in Dagestan on 22 January 2018 and an attack against the head of the Memorial office in Dagestan on 28 March 2018; whereas since the murder in 2009 of Oyub Titiev’s predecessor as director of the Chechnya office of Memorial, Natalia Estemirova, the perpetrators of this crime have still not been brought to justice;

- G. whereas Memorial is one of the last remaining organisations continuing work on human rights in Chechnya – namely to document and expose human rights violations, to assist the victims of such violations and to help them seek justice – and has probably been attacked in retaliation for exposing and seeking justice for human rights violations; whereas Memorial was awarded the European Parliament’s Sakharov Prize for Freedom of Thought in 2009 and in 2018 Oyub Titiev was awarded the Franco-German Prize for Human Rights and Rule of Law (December), the Václav Havel Human Rights Prize (October) and the Moscow Helsinki Human Rights Group Award (May);
- H. whereas Chechen officials have repeatedly threatened human rights defenders or denounced their work and have failed to publicly condemn threats of violence against them, thereby creating and perpetuating a climate of impunity for the perpetrators of acts of violence against human rights defenders; whereas victims therefore largely refrain from seeking justice as they fear retaliation by local authorities;
1. Reiterates its call for the immediate release of Oyub Titiev, the director of the Memorial Human Rights Centre office in Chechnya, who was detained on 9 January 2018 and accused of illegal acquisition and possession of drugs and is expected to receive his verdict by mid-February 2019; urges the Chechen authorities to ensure full respect for Oyub Titiev’s human and legal rights, including his right to a fair trial, unhindered access to his lawyer and to medical care, and protection from judicial harassment and criminalisation;
  2. Strongly condemns the repeated public statements by Chechen officials denouncing the work of human rights defenders and organisations or targeting specific persons, as well as their failure to publicly condemn and investigate threats and acts of violence against these groups and individuals;
  3. Expresses its deep concerns over the worrying trend of arrests, attacks and intimidation of independent journalists, human rights defenders and their supporters, and ordinary citizens alike, which appear to be part of coordinated campaigns; considers the case of Oyub Titiev to be illustrative of numerous other prosecution cases built on fabricated evidence that underpins the flawed justice system in the Chechen Republic and the Russian Federation; recalls that similar charges related to drug possession have also been brought against Caucasus Knot journalist Zhalaudi Geriev and human rights activist Ruslan Kutaev, and calls for them also to be released;
  4. Urges the authorities of both the Republic of Chechnya and the Russian Federation to put an end to the harassment and persecution of their citizens and to end the climate of impunity for the perpetrators of acts of violence against human rights defenders, their family members, colleagues and supporters and their organisations;
  5. Calls on the Russian Federation to protect all its citizens with full respect for their human rights, to abide by its own Constitution and legislation, and to honour its international commitments to respect the rule of law and the fundamental freedoms and human rights of all its citizens, including those who dedicate their time, resources and work to defending the rights of their fellow citizens;
  6. Calls on the Russian authorities to repeal the 2015 law on ‘undesirable organisations’ and the 2012 law on ‘foreign agents’, as well as all other related legislation, which has consistently been used to harass and attack human rights defenders and civil society

organisations; expresses concern at the fact that some Russian NGOs have had to shut down in order to avoid being tarnished with the stigma of being ‘foreign agents’ and to avoid legal persecution;

7. Calls for an immediate end to the harassment and arrests of human rights defenders in Chechnya pursued on the grounds of fabricated accusations, to attacks on their colleagues and family members and to the intimidation of their supporters, which appear to serve the aim of impeding and ultimately ending the legitimate and useful work of their organisations;
8. Repeats its call on the Commission, the EEAS and the Member States to continue to closely monitor the human rights situation in Chechnya, including the trial of Oyub Titiev, to call for an immediate cessation of the aforementioned human rights violations, to raise the cases of all persons prosecuted for political reasons in relevant meetings with Russian representatives, and to continue to offer swift and efficient assistance to the victims of persecution and their family members, including when dealing with asylum requests;
9. Calls on the Commission to engage with international human rights organisations active in the Russian Federation and with Russian human rights organisations and civil society despite the Russian law on ‘foreign agents’ and to continue to offer support to Memorial and other such organisations;
10. Calls on international sports personalities and artists to refrain from participating in public events in Chechnya or events sponsored by the leadership of the Chechen Republic; reiterates its support for a European Union ‘Magnitsky Act’, which should sanction the perpetrators of serious human rights violations, and calls on the Council to pursue its work on this matter without delay; stresses, in this regard, that the perpetrators of human rights abuses in the Chechen Republic of the Russian Federation should not be granted EU visas nor be allowed to keep assets in EU Member States;
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 Organisation for Security and Cooperation in Europe, the President, the Government and Parliament of the Russian Federation, and the Chechen authorities.