



EUROPEAN UNION

**OSCE Permanent Council No 1210
Vienna, 20 December 2018**

**EU Statement in response to the presentation of the OSCE
Rapporteur's Report under the Moscow Mechanism on alleged
Human Rights Violations and Impunity in the Chechen Republic of
the Russian Federation**

1. The European Union warmly welcomes Professor Wolfgang Benedek to the Permanent Council and thanks him for the OSCE rapporteur report on “alleged human rights violations and impunity in the Chechen Republic of the Russian Federation”, prepared in accordance with the OSCE Moscow Mechanism.
2. We would like to recall that the Moscow Mechanism was developed to ensure respect for human rights, fundamental freedoms, democracy and the rule of law through dialogue and co-operation and assist in the resolution of specific relevant questions. It should thus be understood as a tool for fostering dialogue and for supporting the participating States, and not as a means to build new divisions. Under the Moscow Mechanism all participating States have committed themselves to co-operate fully with the mission of experts, to facilitate its work and to grant the mission all the facilities necessary for the independent exercise of its functions, inter alia, to allow the mission to enter their territory without delay, to hold discussions and travel freely therein, meet with officials, non-governmental organizations and any group or person from whom it wishes to receive information.
3. We regret that the Russian Federation has chosen not to cooperate, neither by appointing its own rapporteur as a member of the mission nor by granting the necessary assistance and access to Professor Benedek, the latter in violation of the existing OSCE commitments.
4. We would like to commend Professor Benedek for his professional and impartial overview of the human rights situation in the Chechen Republic of the Russian

Federation. We thank him for all the efforts put in gathering relevant information, conducting research on the work done in the framework of the United Nations and Council of Europe, organizing meetings with relevant civil society organisations and interviews with victims and witnesses, all within a limited allocated timeline. The report regrettably confirms our critical assessment of the human rights situation in the Chechen Republic and noncompliance by the Russian Federation with its OSCE commitments.

5. We would like to recall that on numerous occasions the EU has expressed its serious concern about the state of human rights in the Chechen Republic, in particular with regards to the situation of human rights defenders and journalists, who are facing arrests, attacks, intimidation and discredit, as well as to the situation of LGBTI persons. We have raised our concerns in the Human Rights Council and within the OSCE, be it at the Permanent Council or at the annual Human Dimension Implementation Meetings, as well as in Brussels and Moscow, in bilateral dialogue or through public statements. On multiple occasions, we have called on the Russian Federation to release Oyub Titiev, to ensure that his human rights are fully respected, including the right to a fair trial, to physical integrity and dignity, and to protection from judicial harassment, criminalization and arbitrary arrest. In addition, we would like to recall that last April, 40 participating States, including the European Union, raised again their concerns in the Permanent Council about reports of arrests, unlawful or arbitrary detention, torture, and killings of people in the Chechen Republic based on their actual or alleged sexual orientation. The case of Maxim Lapunov was also in our attention. Multiple times over the past two years, we have called on the Russian Federation to put an end to these violent acts, protect the victims and ensure the safety of all individuals without discrimination. We have repeatedly called on the Russian Federation to conduct prompt, effective and thorough investigations into all reports of such acts, in order to ensure that anyone responsible or complicit is brought to justice. Furthermore, we have expressed our concern that the lack of action by the authorities contributes to a climate of impunity in Russia.
6. The findings of the report do indeed confirm our concerns: the grave violations of the rights of LGBTI persons in form of a standing practice of arbitrary and unlawful arrest and detention, harassment and torture as well as enforced disappearances

and extrajudicial executions, successive purges against LGBTI persons, together with a climate of discrimination and prejudice against LGBTI persons. Furthermore, the harassment of human rights monitors and investigative journalists and increasing restrictions on the work of the media and civil society in the Chechen Republic are well documented and founded in the report. The report also shows that there is a problem of total impunity of police and security forces in the Chechen Republic.

7. We appreciate the particular attention given to the cases of Oyub Titiev, who is presently on trial on obviously fabricated evidence, and of Maxim Lapunov, who is the only victim of the purges of LGBTI people who made a formal complaint which, however, was turned down.
8. The report of Professor Benedek offers a valuable set of recommendations. The EU expresses its hope that both the report and today's discussions will contribute to improving the situation in the Chechen Republic. The EU will continue to follow closely further developments in the Chechen Republic.
9. We call upon the Russian authorities to make full use of the report and to implement all recommendations directed to both federal and Chechen authorities, also with the assistance of the OSCE autonomous institutions. As some of the recommendations from the report are directed to us, we stand ready to cooperate and assist the authorities of the Russian Federation in meeting its OSCE commitments. We will continue to provide support to civil society organizations, human rights defenders and journalists, who work towards the full implementation of our OSCE human dimension commitments.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO* and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, the EFTA country ICELAND, member of the European Economic Area, as well as UKRAINE, GEORGIA and SAN MARINO align themselves with this statement.

*The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.