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**(Final version)**

## **The continuing need to restore human rights and the rule of law in the North Caucasus region**

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## A. Draft Resolution

1. The Parliamentary Assembly notes with regret that since Resolution 1738 (2010) “Legal remedies for human rights violations in the North Caucasus Region” and Resolution 2157 (2017) “Human rights in the North Caucasus: what follow-up to Resolution 1738 (2010)?” the situation with regard to human rights and the rule of law in the Chechen Republic, Dagestan and Ingushetia (the North Caucasus) has not improved. In particular, the climate of impunity for serious human rights abuses committed by agents of the regional and federal authorities’ authoritarian rule, and widespread fear continue to prevail. With the tacit acceptance of the federal authorities, the North Caucasian republican administrations have each built up a system of persecution and collective punishment to suppress any opposition at regional level and as appropriate at State level. None of the Assembly’s recommendations listed in the above-mentioned resolutions have been properly addressed by the Russian authorities.
2. Journalists, human rights defenders, LGBTI persons, women refusing to submit to the demands of “traditional values”, and anyone who opposes authoritarian rule risk persecution, torture, and even losing their lives for expressing their opinions or just living their lives as they wish. Neither they nor their relatives are safe in the North Caucasus and anywhere in the Russian Federation or even abroad.
3. With the Russian Federation being no longer a member of the Council of Europe, the modest progress civil society has achieved, is being undone. The liquidation of human rights non-governmental organisations, such as Memorial, and the forcible closure of independent mass media, such as Novaya Gazeta, destroys the last pockets of democratic resistance to the authoritarian rulers, both in the North Caucasus and in the Russian Federation as a whole.
4. The methods of repression first used in the Chechen Republic – extrajudicial killings, abductions and enforced disappearances, torture, brutal repression of freedom of speech and assembly and sham criminal proceedings – have spread throughout the Russian Federation, and in their most brutal form, to the temporarily occupied areas of Ukraine. The role played by the Head of the Chechen Republic, Ramzan Kadyrov, and the Chechen fighters in the siege of Mariupol is symptomatic for the brutalisation of the treatment of opponents that began in the two Chechen wars.
5. The long-lasting scourge of missing persons and continuing disappearances continues to ravage the region. The Russian authorities in part deny these cases, refuse to provide information to competent bodies and persist in using ineffective methods to search for missing persons despite hundreds of judgments of the European Court of Human Rights and the recommendations of the Assembly and the Committee of Ministers inviting them to emulate good practices from other countries.

6. Numerous cases of human rights violations documented in previous Assembly reports have not been resolved, nor have the authorities carried out effective investigations or provided any other remedies. The cases of violent deaths or disappearance of personalities, mentioned in Resolution 1738 (2010), have not been elucidated by the authorities and the criminal justice system in the North Caucasus proves itself efficient only as a means of persecution through trumped-up criminal charges, not as a remedy to ensure accountability for human rights violations.
7. Credible reports on kidnappings, torture, ill-treatment, enforced disappearances, extra-judicial killings, and other serious human rights violations continue to flow from all North Caucasian republics. Hundreds have been documented in judgments of the European Court of Human Rights. The law enforcement and security agencies have continued to use exclusively repressive methods to counter extremism and radicalisation, which proved counter-productive: terrorist attacks have continued, and extremist movements have grown.
8. The situation of women and girls, LGBTI persons and other vulnerable groups has become even worse. The people in the North Caucasus continue to live in a closed, patriarchal society. Both the local and the federal authorities tolerate severe repression under the pretext that it is justified by "traditional values". This often amounts to brutal, sometimes murderous discriminatory practices against women and girls trying to escape from violent husbands, fathers, brothers, and, especially against LGBTI persons, whose very existence the Head of the Chechen Republic publicly denied.
9. There has been no tangible progress in the implementation of the Court's judgments concerning the North Caucasus region by the Russian Federation, and the authorities have failed to co-operate adequately with the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (the CPT) and other Council of Europe monitoring bodies.
10. Even after the expulsion of the Russian Federation from the Council of Europe, the Assembly should not ignore the dismal human rights situation in the North Caucasus. It shall persist in reminding the Russian authorities, both at federal and local levels, of their continuing international obligations to respect the fundamental rights of all persons living under their rule.
11. Therefore, the Assembly calls on the Russian Federation to:
  - 11.1. give effect to all previous Assembly resolutions relevant to the human rights situation in the North Caucasus, in particular:
    - 11.1.1. Resolution 1738 (2010) "Legal remedies for human rights violations in the North Caucasus Region",
    - 11.1.2. Resolution 2157 (2017) "Human rights in the North Caucasus: what follow-up to Resolution 1738 (2010)?"

- 11.1.3. Resolution 2230 (2018) "Persecution of LGBTI people in the Chechen Republic (Russian Federation)",
- 11.1.4. Resolution 2417 (2022) "Combating rising hate against LGBTI people in Europe",
- 11.1.5. Resolution 2425 (2022) "Ending enforced disappearances on the territory of the Council of Europe";
- 11.2. implement all judgments and decisions of the European Court of Human Rights and co-operate with the Committee of Ministers in identifying appropriate individual and general measures to implement existing judgments and those which the Court will still hand down following the expulsion of the Russian Federation from the Council of Europe;
- 11.3. co-operate with the CPT, as long as the Russian Federation remains a Party to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126);
- 11.4. cease the persecution of human rights defenders, lawyers, journalists, independent media, non-governmental organisations, LGBTI persons, and all who oppose the authorities and express their opinions openly;
- 11.5. ensure respect for the rights of women and girls and their protection against domestic violence and any other form of abuse, irrespective of purported cultural traditions;
- 11.6. implement relevant recommendations issued by United Nations bodies, to which the Russian Federation remains a party.
12. The Assembly further invites all Council of Europe member and observer States to carefully consider requests for asylum from residents of the North Caucasus region, in particular members of particularly vulnerable groups such as human rights activists, journalists, LGBTI persons and women fleeing domestic violence. The competent authorities should also take into account the fact that persecuted persons from the North Caucasus region are not safe in other regions of the Russian Federation and may require protection even in countries which have granted them asylum.
13. The Assembly calls on Interpol to be particularly vigilant when dealing with requests for Red Notices against persons from the North Caucasus region of the Russian Federation, in particular those who belong to the above-mentioned vulnerable groups.
14. The Assembly encourages the European Court of Human Rights to continue treating in due course the applications brought by victims of serious human rights violations allegedly committed by the Russian Federation until 16 September 2022, in particular those concerning the North

**Amendment 1**

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*In the draft resolution, after paragraph 12, insert the following paragraph:*

*"The Assembly encourages the member States of the Council of Europe to impose strict personal sanctions including assets freezes on Ramzan Kadyrov and his entourage for their crimes in the Nord Caucasus region and war crimes committed during the war of aggression against Ukraine."*

Caucasus region, even if the Russian Government, contrary to its international obligations, refuses to co-operate. This would at least create an authoritative record of these violations, which would facilitate their reappraisal and the rehabilitation of the victims in a future democratic Russian Federation.

15. For its part, the Assembly resolves to engage with civil society in the North Caucasus in order to promote Council of Europe values, including democracy, human rights and the rule of law.