



## THE PERSECUTION OF GAYS IN CHECHNYA AND THE IMPLICATIONS FOR THE WEST

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The Russian Federation has been plagued by many human rights problems over the past two decades, and the situation has deteriorated a good deal further in the wake of Russia's invasion of Ukraine, which has witnessed a return of Soviet-style censorship and repression in Russia along with immense bloodshed and destruction in Ukraine. But of all the human rights abuses that have occurred in Russia in recent years, perhaps the most egregious has been the relentless campaign waged against gays and lesbians in Chechnya. The head of the Chechen republic, Ramzan Kadyrov, has proclaimed that Chechnya "has no gays" (any such people, he argues, "would be swiftly killed by their own families [or] driven out by their neighbors"), and he has repeatedly affirmed that his government "will never succumb to pressure to accept so-called gays or other perverts."

In February 2017, Kadyrov launched the first of three "action operations" to torture and murder gays and to encourage the families of lesbians to subdue them through "honor" killings. (Also, in at least two instances, lesbians were abducted and assigned as sex slaves to Kadyrov's acolytes.) Chechen security forces under Kadyrov's command (the Kadyrovtsy) engaged in brutal torture of gay young men through beatings, electric shocks, and mutilation to force them to disclose the names of others in the gay community, who were then rounded up by the Kadyrovtsy. Several dozen were murdered.

These abuses first came to light in reports by the journalist Elena Milashina in *Novaya gazeta*, a leading opposition newspaper. Her reports were widely covered by international media outlets, but the disclosures resulted in no punishment for Kadyrov and no efforts to remedy the situation. On the contrary, Russian President Vladimir Putin held a meeting with Kadyrov soon afterward as a gesture of support. Putin briefly mentioned the *Novaya gazeta* revelations, but he readily accepted Kadyrov's dismissal of the report as a "provocation." The next day, Putin's press secretary, Dmitrii Peskov, belittled *Novaya gazeta* for having published "phantom complaints." A spokesman for Kadyrov, Alvi Karimov, denounced the newspaper as "a purveyor of absolute lies and disinformation." The only person who experienced reprisals from the *Novaya gazeta* reporting was Milashina herself, who was forced into temporary exile after receiving scores of death threats from Chechen officials.

Neither then nor later did Kremlin leaders or others in the federal government make any effort to find out what had happened or to hold Kadyrov accountable. When one of the survivors, Maksim Lapunov, filed a criminal complaint with the federal government in October 2017, investigators declined to act on it and refused to offer protection for Lapunov after he received threats within Chechnya. In May 2018, Russian Justice Minister Aleksandr Konovalov told the United Nations Human Rights Council (UNHRC) that "the investigations we carried out did not turn up evidence of any rights violations, nor were we even able to find representatives of the LGBT community in Chechnya."

Contrary to Konovalov's denials, a lengthy investigation published in December 2018 by a special rapporteur for the Organization for Security and Cooperation in Europe (OSCE), in conjunction

with the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), provided detailed confirmation of "major allegations of abuses in Chechnya against persons based on their perceived or actual sexual orientation or gender identity," including "torture, enforced disappearances, extrajudicial executions, and other very serious human rights violations." The report also confirmed "the problem of total impunity of the [Chechen] security forces." Chechnya, the rapporteur said, "is treated like a special case, and area of exception, [in which] a special regime of impunity is tolerated for the sake of stability." The report found that the Russian federal authorities had failed to "live up to their responsibilities" and had simply disregarded this "extremely grave situation" and "severe climate of intimidation" against the LGBT community. The Russian government, the report indicated, "appears to support the perpetrators rather than the victims."

The publication of the OSCE report coincided with the start of another "action operation" in Chechnya in late 2018 and 2019 against the LGBT community. Evidence collected by Human Rights Watch, by UNHRC investigators, and by the Russian LGBT Network (an NGO seeking to counter the persecution of Russia's LGBT community) indicates that from December 2018 through April 2019 Chechen security forces rounded up large numbers of young gay men in Chechnya, subjecting them to beating and torture to compel them to divulge the names of acquaintances and supporters. According to UNHCR investigators, the "abuse inflicted on victims" was even "more cruel and violent" than in 2017. The captives were kept in filthy prison cells and forced to perform humiliating tasks that would signal to other prisoners that they were gay and should be beaten or killed. Chechen security forces reported to the young men's families that they had been detained for "unnatural acts" and "perverted behavior," leaving no doubt that the families themselves should act to defend their "honor" by murdering the men. (So-called honor killings have long been tolerated by the Chechen public.) When the Russian LGBT Network publicly disclosed information about the abuses, Chechen officials denounced the complaints as "an absolute lie. . . . There are no detentions on grounds of sexual orientation in the Chechen Republic." In late January 2019, on behalf of the Russian LGBT Network, Igor Kochetkov sent a detailed report outlining the scale and nature of the repression to the Russian federal government's Investigative Committee (the chief investigative agency probing criminal matters), but the federal authorities declined to get involved. The Investigative Committee in Moscow forwarded the report to the Chechen government's own investigative committee, which eschewed any follow-up. Kochetkov's further entreaties to federal investigators in Moscow went unanswered.

Even after 30 member-states of the UNHRC endorsed a joint statement in March 2019 expressing "deep concern" and "alarm" about the renewed persecution of the LGBT population in Chechnya and calling for a "thorough and impartial investigation," the Russian federal government declined to pursue the matter and indicated that Chechen agencies would be given sole responsibility for undertaking investigations. When asked about the matter by an Interfax journalist in April 2019, Chechen officials insisted that "no one in Chechnya has ever been mistreated because of sexual orientation."

In late May 2020, sixteen member-states of the OSCE issued a statement at the organization's

Supplementary Human Dimension Meeting on Addressing All Forms of Intolerance and Discrimination condemning the Russian government for having failed to do anything about the rampant abuses identified in the December 2018 report and for having tolerated “ongoing serious human rights violations” in Chechnya, especially scores of new “attacks against LGBTI persons.” Citing the OSCE documents, Human Rights Watch and the European Center for Constitutional and Human Rights (an NGO set up in Berlin in 2007 to facilitate accountability for egregious human rights abuses) supported criminal complaints filed with the European Court for Human Rights (ECHR) and the German Federal Prosecutor’s Office in 2020 and 2021 to seek redress for the Chechen government’s “incitement of murder, extermination, torture, ‘disappearances,’ infliction of serious physical and mental harm, deprivation of liberty, and persecution” of gays in Chechnya.

In early 2021, despite constraints imposed by the COVID-19 pandemic, Kadyrov launched a third “action operation” to round up gays and lesbians of Chechen origin who had fled to other parts of Russia, with the aim of forcing them to divulge the names of members of the LGBT community who were still in Chechnya. Evidence compiled by the Russian LGBT Network and by Human Rights Watch indicates that gay men from Chechnya who had fled to Nizhnii Novgorod were seized by Chechen security forces in February 2021 and brought back to Chechnya, where they were subjected to electric shocks and severe beatings over a period of several months. A similar fate befell gays from Chechnya who were apprehended in Moscow by Chechen police in May 2021. Far from seeking to prevent the illegal detentions, Russia’s Federal Security Service abetted at least some of them. When family members of the captured men sought to enlist legal counsel for them, federal court authorities rejected their efforts. By the latter half of 2021, it was clear that gays from Chechnya, even if they had moved into exile, were not safe anywhere in the Russian Federation.

The waves of official repression against the LGBT community in Chechnya that began in 2017 and the unwillingness of the Russian federal government to remedy the situation have drawn criticism from Western governments and international organizations. But at a time when Russia’s invasion of Ukraine has come to dominate Western governments’ attention, there is a risk that ongoing abuses in Chechnya will go largely unnoticed or seem secondary. Moreover, the breakdown of Western ties with Russia has made any attempts at remedial action far more difficult. For example, the expulsion of Russia from the Council of Europe in mid-March 2022 means that the Russian government as of mid-September 2022 will no longer be bound by the European Convention on Human Rights. Over the past quarter century, from the time the Russian government joined the European Council in 1996 and ratified the European Convention on Human Rights in May 1998, the ECHR had become an influential forum for applicants from Chechnya who had exhausted all attempts within the Russian judicial system to deal with egregious human rights abuses. By far the largest number of cases accepted by the ECHR over the past 20 years have pertained to Russia, and the large majority of these have concerned Chechnya, including abuses against gays in recent years. The cases that are before the Court as of mid-September 2022 can still be adjudicated, but after that date the ECHR will cease to be a forum for Chechens and other Russian citizens whose human rights have been violated and who cannot obtain redress at home.

All of this leaves the LGBT community in Chechnya in a perilous situation. Over the past few years the Russian LGBT Network has helped more than 250 gays from Chechnya relocate either to other parts of the Russian Federation or, when necessary, to Western countries (Belgium, the Netherlands, Canada, etc.), but now that the Chechen authorities have shown that they will hunt down gays from Chechnya in other parts of Russia, a much larger relocation effort abroad may be needed. Whether such an effort will be feasible at a time when the war has disrupted nearly all ties between Russia and the West and has generated much greater repression in Russia remains to be seen.