



Permanent Mission of Ukraine
to the International Organizations in Vienna

Statement on fabricated case of Oyub Titiev

As delivered by Ambassador Ihor Prokopchuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1221st meeting of the Permanent Council,
28 March 2019

Mr. Chairperson,

The delegation of Ukraine aligned itself with the statement on behalf of the European Union, which we fully support. We would now wish to make few remarks in the national capacity.

Ukraine's deep concerns over Russia's failure to observe its international commitments and obligations on the standards of respect for human rights and freedoms are well known in this Council, in particular as we witness a link between rapid degradation of human security in Russia and external aggression of the Kremlin's regime.

We strongly condemn the show trials staged in the Russian Federation, falling short of the minimum standards of fair trial and based on fabricated charges. The case of Oyub Titiev is only one such case in a plethora of cases of political persecution in Russia in recent years.

Last December's Report under the OSCE Moscow Mechanism on alleged Human Rights Violations and Impunity in the Chechen Republic of the Russian Federation made specific references to Oyub Titiev and pointed out, in particular, that "evidence has been fabricated in order to stop him from monitoring disappearances and torture in the country in his capacity as the regional representative of Memorial and also to give a signal to other human rights defenders what could happen to them. His predecessor Natalia Estemirova was abducted and killed in 2009 without a perpetrator identified and brought to trial."

We note that Oyub Titiev was closely involved with the investigations conducted by Memorial into the alleged extra-judicial killings of 27 residents of the Chechen Republic in January 2017. In connection with his detention there are confirmations of various documented efforts to fabricate evidence against O.Titiev, including false witnesses, as well as serious shortcomings in the procedural treatment of the case. For instance, the main witness claiming O.Titiev to be a marijuana smoker could not remember his face; the Court did not even want to hear about a possible connection between the investigation of extrajudicial killings by O.Titiev and

his arrest; complaints were not followed up because of alleged “lack of an objective proof of facts”. The appeals to move the consideration of the case to another region of Russia had been ignored, whereas his family was put under such pressure which forced some of them to leave Chechnya.

In our view, it is essential to consider the process against Oyub Titiev not only as the case of deliberate persecution of a prominent human rights defender, but also as a part of the coordinated campaign of intimidation against Memorial, which included, in particular, an arson attack on the Memorial’s office in Ingushetia and the threats of physical extermination of Memorial’s team members in Dagestan. In none of these cases, which were earlier raised in the Permanent Council, the Russian delegation reported about establishing and bringing the responsible to account.

Mr. Chairperson,

The OSCE participating States have agreed that “non-governmental organizations (NGOs) can perform a vital role in the promotion of human rights, democracy and the rule of law” and that they are an integral component of a strong civil society. The OSCE commitments emphasize the important role of the civil society in many areas, in particular maintaining and strengthening tolerance and non-discrimination (Porto 2002), promoting conditions in which all can fully enjoy their human rights and fundamental freedoms under the protection of effective democratic institutions, due judicial process and the rule of law (Maastricht 2003), preventing torture (Athens 2009).

In this context we note the grave concerns of the international human rights organizations about the recorded intention of the leadership of Chechnya to ban human rights advocates from the region once the trial of Oyub Titiev ends. It was announced that “Chechnya will be a forbidden territory for them, like for terrorists, extremists, and others because they’re provocateurs themselves...”

In view of significant breach by the Russian Federation of its OSCE commitments, we urge the Russian authorities to immediately stop the persecution and suppression of human rights defenders and NGOs focusing on observance of human rights and freedoms on Russia’s territory. We strongly encourage the ODIHR to take a proactive position in reacting to serious human dimension failures in Russia and offer a comprehensive programme of OSCE assistance to Russia’s authorities. We urge Russia to make full use of ODIHR’s expertise and assistance.

Thank you, Mr. Chairperson.