



“They said that I'm not a human, that I am nothing, that I should rather be a terrorist, then a fagot”

LGBT Persecution in the North Caucasus: a Report

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TABLE OF CONTENTS

INTRODUCTION	3
POLITICAL AND CULTURAL CONTEXT: TRADITIONALISM AND MORALITY IN THE CHECHEN REPUBLIC	5
STATE-ORCHESTRATED HATE CRIMES AGAINST LGBT PEOPLE IN THE NORTH CAUCASUS	7
UNLAWFUL ARRESTS: REASONS FOR DETENTION	9
CONDITIONS OF DETENTION: TORTURE AND OTHER HUMILIATING TREATMENT THAT DEGRADES HUMAN DIGNITY	13
THE ROLE THE CHECHEN AUTHORITIES PLAYED IN THE CRIMES AGAINST HUMANITY	15
FAMILIES: PERPETRATORS OR VICTIMS?	21
FEMALE ISSUE	23
THE INVESTIGATION: A CRIME AGAINST HUMANITY	25
CONCLUSION	30

INTRODUCTION

Towards the end of March, the Russian LGBT Network received its first worrying messages from the Chechen Republic. The messages that the activists received reported brutal crimes that the Chechen authorities engaged in. The victims, who requested assistance from the Network, reported that they were persecuted by the police because of their sexual orientation.

The first applicants were gay men from the Republic. During that period, Human Rights defenders — both those who had representative offices in Chechnya and those who worked outside of the Republic — started to gather testimonies from the local residents to keep themselves updated on how the situation was developing and to take immediate action.

To enhance the accessibility of our already operating Emergency Assistance Program, the Russian LGBT Network launched a 24-hour Hotline for those who suffered sexuality-based persecution in the Chechen Republic and the North Caucasus. The victims in need of assistance could contact the Program Officer directly via phone/email to report persecution and request assistance. The Officer makes a decision about possible assistance based on their evaluation of the situation and the testimonies received.

During the course of the last 4 months, more than 130 people from Chechnya and its neighboring Republics in the North Caucasus requested assistance of a different nature because of the persecution from the local authorities and hostile relatives. Most of the requests for assistance resulted in the evacuation of the victims from the region. 64 people were relocated to safe housing units — shelters — located in the central parts of Russia. The Network provided all the necessary services: housing, nutrition, travel costs, paperwork, social and psychological support, etc.

While working with the victims of this anti-LGBT persecution, the Network has documented 33 testimonies. This data outlines the general traits of the persecution of LGBT people in the North Caucasus, and confirms the fact that the regional authorities participated in multiple violent campaigns against LGBT people. The testimonies directly focus on the fact that the implementation of the orders, as well as the orders themselves, were directed by the highest officials of Chechnya.

This report displays the preliminary results of the analysis that the Russian LGBT Network carried out. It is based on the testimonies of the LGBT people who were persecuted and fled the Chechen Republic, and witnesses of this outrageous crime against humanity. Together with the journalists Elena Milashina and Elena Kostiuhenko from the Novaya Gazeta news outlet, the activists from the Russian LGBT Network conducted personal interviews and documented the testimonies to have evidentiary support for the criminal case. As the calls for assistance continue to pour in, at this stage, the activists continue to collect testimonies. The victims are ready to anonymously testify about the horrid violation of the fundamental human rights in the Chechen and the neighboring republics.

The current situation with authorities' violence towards LGBT people has its foundation long before these persecutions started. However, the timeline of the systemic violations presented in this report discusses recent events. The first wave of persecution of LGBT people started in December of 2016 and went on through February of 2017. The second wave of unlawful detentions occurred in March of 2017 and went on through the Holy Month of

Ramadan (May of 2017). The third wave started after the end of the Holy Month of Ramadan in June of 2017, and still continues at the time this report was published (the end of July of 2017).

For security concerns, all personal information or factual information that might be used to identify the victims were eliminated from the data used in the current report. The victims authorized the Russian LGBT Network to use this testimonial evidence through an individual consent form that drew the limits of anonymity they wanted their case to receive.

POLITICAL AND CULTURAL CONTEXT: TRADITIONALISM AND MORALITY IN THE CHECHEN REPUBLIC

In late March, the global community became aware of the mass persecution of Russian citizens based on their alleged (homo)sexual orientation that is happening in the territory of the Chechen Republic. The survivors of this crime describe it as a repressive campaign that took place all over the region and was orchestrated by the Chechen authorities themselves. Despite the fact that Russia is commonly defined as a society with high levels of homophobia, mass discriminatory detentions, torture, and persecution that involves state authorities is exceptional in the case of Chechnya. This is an unprecedented act of mass violence towards LGBT people in the territory of the Russian Federation.

Various political, social, and economic aspects of the regional development of Chechnya made this situation possible. The main reason this situation became possible is the consistent long-term support that the Chechen regime has received from the Russian federal authorities. The Chechen Republic and its current leadership have been a recipient of consistent and substantial financial support in conjunction with vast political autonomy and legal immunity. This laid the groundwork for the current large-scale violations of human rights.

The legal privilege granted to the Chechen authorities came with an obvious justification for the Russian state. Its key purpose was to eradicate the Chechen Islamist separatist groups. But this eradication was not the only goal for the state authorities: their ultimate goal was to eliminate all possible support these separatist groups could receive from the population of Chechnya.

The state has chosen “shared responsibility” as the primary method for working with separatist sentiments. Shared responsibility, in a form of mass terror, was widely implemented during the Stalinist era. Shared responsibility implied that families of those who were rendered “public enemies” also became subject to political and social repression. Thus, the state suggested that separatism arises from the family, and that the respectability of one’s family is the key element in keeping the Chechen society from armed conflicts. The principles of “shared responsibility” were intensified by the Vainakh traditions (ссылка), which not only teach people to respect the bond between next-of-kin, but also suggest that a person’s social responsibility is to their kin. Shared responsibility and Vainakh traditionalism jointly created unprecedented forms of authoritarianism that disproportionately terrorized Chechen families all over the region. Relatives of separatists were held hostage, their households were set on fire, and whole families were displaced and evicted from the region. Lynch laws and mob trials were carried out to publicly condemn, shame, and demand severe punishments for the families and relatives of those suspected of Islamist separatism.

Ten years ago, in 2007, Moscow granted the authority over the Chechen Republic to a then 30-year-old Ramzan Kadyrov. Authorized to fight the Islamist separatists by the Russian state, he was exempt from the rule of Russian law. The immunity that the Kadyrov’s authorities were granted became the basis for the absolutist regime that exists in Chechnya to this day. In suppressing separatist sentiments within the rebellious society, they laid the groundwork for the humanitarian crisis that Russia faces today.

During the past 10 years, Kadyrov's reign managed to gradually, yet violently, exterminate Islamist separatist groups in Chechnya. At the same time, data recorded a gradual decrease (ссылка) of Islamist activity in somewhat turbulent regions of the North Caucasus: Dagestan, Ingushetia, and Kabardino-Balkaria. Hard power politics were applied towards the members of the Islamist separatist groups in other Caucasian regions. Yet, the method of shared responsibility was employed only by the Chechen authorities. Thus, all the regions of the North Caucasus, which were affected by radical Islam after the fall of the Soviet Union and went through active phases of combatting them, are still subjected to Russian law. The rule of Russian law in Chechnya was substituted by the notions of traditionalism and morality that were effectively used to threaten and terrorize the population. Chechnya, while it formally remained a part of Russia, became a state of exception.

Since 2011, there has been a consistent decrease in the amount of separatist activity all over the region (ссылка). The fight against terrorism was no longer a viable reason to justify the existing absolutist regime. The Chechen authorities started an active search for yet another reason to remain in place. And thus, the fight against dissidence started. Dissidence for the Chechen authorities was defined as any deviation from the rules and ideas of neo-traditionalism, heterosexual morality, cultural and political docility, and religiosity that were set by the government of the Republic itself.

Under the pretext of preserving the morality and authentic values of the Chechen society, the Chechen authorities declared a disgusting and dirty war against what is considered problematic in traditionalist societies: alcohol consumption, drug use, and high mortality rates. Yet, the list went on to include the ruthless fight against women's rights for education and equality, Salafi Muslims, freedom of speech, and youth subcultures. The fundamentalism and absolutism of today's Chechen society not only rejects personal freedoms, but also aims to severely punish them. In their battle with "the other", the government employed the same techniques of power: family responsibility and shame. Any deviation from the archaic understanding of Chechen traditions was employed to reiterate and sustain the Republic's position on the battlefield. Through these notions of a permanent state of emergency, Chechen authorities justified their existence. Ramzan Kadyrov's political project was to purify the Chechen nation and to create a "perfect society" in the Republic; to meet this objective, he employed the same tactics that he used in his fight against terror: unlawful detentions, torture, and extrajudicial killings.

The first series of repressive action towards a clearly defined social group was recorded in 2013. Salafi Muslims who resided in Chechnya became a target of the authorities. They ethnically profiled the Chechen population and targeted those who fit the stereotypical visual portrait of a Salafi Muslim, selecting men based on the styling of their facial hair and choice of clothing. Those who were suspected of "Salafism" were rendered as a threat to the Republic's security, arrested, and illegally detained in the so-called "unofficial prisons". Such detention facilities were reportedly located in the basements of the local police stations. Such practices of mass detentions find their legacy in the military filtration camps that were widely employed by the Russian soldiers during the first and second Chechen military campaigns. After the second military campaign came to its end, the amnestied Chechen militants joined the police force and used the former filtration camps as a base to create unofficial detention units.

Right after the Salafi persecution ended, the Chechen authorities announced a campaign that aimed to fight for a healthy lifestyle for the Chechen people. During this campaign, the unofficial detention units were filled with people who were suspected of the consumption of alcohol, the consumption of drugs, and/or drunk driving. Like the case with Salafi Muslims, the Chechen authorities declared these people's existence as a threat to the nation's well-being and equated them to terrorists.

Interestingly enough, during these anti-dissent campaigns, the rationale behind the Chechen authorities' use of torture and beatings was the transformation and normalization of those rendered as "the other". Severe physical punishments were supposed to return those who lost their path in life to a proper, state-legitimized path. In lieu of shared responsibility practices, relatives of those detained and persecuted were invited, if not forced, to participate in the execution of various punitive technologies. When the authorities were about to release the inmates from the unauthorized detention facilities, they invited their relatives to gather at the local police department. On the date of the release, the police officers forced the inmates to line up in front of their relatives, and then subjected them to verbal abuse and public humiliation. The inmates were forced to publicly plead guilty in the presence of their relatives. Sometimes, the police invited local religious leaders to be present during these events. Reportedly, the Head of the Chechen Republic Ramzan Kadyrov often takes part in these events. When this happens, these shaming procedures are broadcasted by the local media.

The role that the local Chechen media and the Ministry of Press of the Chechen Republic plays in strengthening the absolutist regime is truly extraordinary. No freedom of expression and no pluralism is allowed in the Chechen media. The media outlets exist under the coherent control of the Republic's government. This grants the authorities the power to substitute public opinion with what they consider to be in line with the existing regime. The real opinions of the silenced Chechen people are hidden behind the powerful political rhetoric.

The initial desire of the Russian authorities to establish totalitarian control over the population of the Republic led to the construction of a totalitarian regime based on Kadyrov's personality. Kadyrov's has repeatedly positioned himself outside of the rule of Russian law, and he has demonstrated that Russian authorities have no control over his actions. Gradually, the Regional authorities got more and more hostile, if not barbaric, in the ways they treat the general population. Their punitive campaigns were directed towards both individuals who criticized the regime and towards social groups who were rendered as "unfit" according the idealistic views of the Chechen society that were perpetuated by Kadyrov and his government and became an integral part of the Chechen social life. Under these circumstances, LGBT people in Chechnya could not be a better target for a new wave of threatening persecution.

STATE-ORCHESTRATED HATE CRIMES AGAINST LGBT PEOPLE IN THE NORTH CAUCASUS

LGBT people in the North Caucasus region became the ultimate target of law-enforcement agencies long before the information about the mass persecution spread around the globe in April of 2017. The victims testified that similar cases of unlawful arrests and detentions had begun in the late 2000's. The police force and military personnel organized set-up dates for gay men to

blackmail them and extorted money from gay men in exchange for silence about their sexual orientation/gender identity. A similar scenario had been used by criminals in other federal subjects of the Russian Federation, yet in this case, the victims reported the direct involvement of the state authorities in these set-ups. The demanded ransom varied from RUR 20,000 (twenty thousand rubles) to more than RUR 1,000,000 (one million rubles).

A.B.

“In 2009, I met a person in a chat, and we exchanged photos. He swore, vowed, that he was a trustworthy man. He came to my house, and I got in his car. He offered me a ride. We were out of the city when I noticed two hitchhikers on the road. He suggested that we pick them up, because it was late. I didn't suspect anything. When they got into the car, my friend said – “We got you”. They pulled me out of the car and started to beat me. They took my phone and money. Then, they just drove me back and I never saw them again. Later on, I learned from my community that men dated gays with the purpose of extorting money, as they were sure that gays would never report on them.”

B.C.

“In 2012, I was at home with several friends. I knew that one of them was gay. He got a call, and suddenly 10-15 policemen broke into my house. They turned my guests out and started to beat me. Then, I was driven to the police station. That time, they threatened me, saying that if they found anyone again at my place, they would hurt me. They told me it would be better for me to leave Chechnya so that they could never meet me in the district. A couple of days later, some other friends visited me. We didn't do anything like, you know... There were women there as well. The policemen took the men with me to the car, called us female names and beat us in front of the neighbors... That's how we were finally taken to the police station. My friends were released after their relatives came. The reason for the detention was clear. For Chechens, it's easier to fall through the ground than to be accused of being gay. I have been threatened again with torture. They gave me 24 hours to leave Chechnya <...> Soon after, I had to make a short visit to Chechnya to restore some documents. They caught me as soon as I came back. This time, they introduced themselves as Criminal Investigation Department (CID) officers. In the former Commandant's office, they turned the camera on and started to ask questions about my relationships with men. They assaulted and humiliated me a lot, and then showed the recording to some of my family members. They asked for 500,000 rubles for my release.”

C.D.

“In 2012, the Department of Criminal Investigation of the Chechen Republic started to blackmail people. They discovered one LGBT person and then, by blackmailing him, started to identify others. It was their own initiative. I still don't know who told them I was gay or how they found me. All I know is that before me, there were many other arrests and beatings. They usually asked family members if they knew that their son, nephew, or brother was gay, and told them that they needed to do something

about this. They said: if you do not want this information about him to go public and to disgrace your family, you need to pay RUR 150,000. Many people paid.”

M.N.

“They pulled me out of the car. Took off my clothes. My shirt, jeans, even my underwear. They themselves started to undress me. The one who was driving filmed all of it; the others just beat me. They did this to get money from me. They wanted RUR 300,000.”

D.E.

“It started long ago - I mean, there were individual cases. But it has never been this massive.”

The main difference that distinguishes these stories from the ordeals that started in the first quarter of 2017 is the following: while the cases of violence in the late 2000’s were scattered, the later events were manifested in the form of organized crime and took the form of a mass violence. Moreover, despite being traumatizing for the victims, the criminal offenses towards LGBT people never involved torture before recent events. Before 2017, this cruelty pursued one aim - to financially benefit from the vulnerability of the LGBT population. The new wave of persecution was related to the idea of “purification of the nation”. Current persecutions always include the use of detentions, secret prisons that were actually concrete barracks. The testimonies of those who went through detentions and torture mentioned at least 4 military facilities. In this regard, there is no reason to neglect the assumption that the state authorities were involved in the persecutions.

UNLAWFUL ARRESTS: REASONS FOR DETENTION

The testimonies of the victims exhibit a particular pattern and follow this pattern aside from certain personal details. Men who were suspected of having an intimate relationship with other men were detained based on the same scenario. The police officers or military personnel who executed the arrest appeared unexpectedly. The arrest never had any relation to events that would require such an intervention. Some arrests were executed at workplaces, while some were at personal houses and apartments. The time of the arrests varied from midday until late at night. Some were detained during the road police raids.

In most cases, the police force and the military personnel were looking for specific people, thus it seems that they already knew who was involved in homosexual relations. However, some victims were not preselected, and got arrested “by accident” when they were stopped and frisked by the local police. The police force in the Chechen republic commonly executes random personal searches, justifying it as a preventive measure of drug offenses and terrorist activities. Evidence shows that this is actually a common practice in the Republic.

E.F.

“There was a police raid. They stopped the car we were in to find drugs. They took our company to the police station to question us. I had bracelets on my wrist... and also a leather bag, which a “straight” man probably wouldn’t wear, full of personal belongings for hygiene – a moist towelette, manicure set, etc. So, they saw this stuff, and I heard the following: “Are you a faggot? If you are, I’ll shoot you right here.” That’s what the Head of the District Department of Domestic Affairs (ROVD) in Argun told me. It was sufficient to imprison me.”

F.G.

“This was not the first time the police came. They had a tendency to come and check various things: how many men there are in the family, and whether there were any men who could be accused of extremism or leave to fight in Syria.”

The victims say that it is almost impossible to resist these searches, given the fact that the police officers are never held accountable for their actions. During personal searches, the officers commonly look through the contents of personal phones. If they find “questionable” content or pictures, the owner of the mobile device can be immediately detained. During this organized campaign against LGBT people in the Chechen Republic, personal information was already made available to the police. This information had to do with same-sex romantic and sexual relations; however, sometimes even being in touch with homosexual people was reason enough for detention.

G.H.

“It was a usual day, I was working with my client. 3 or 4 militants jumped in; they already knew my name and came for me. They asked for me, and I came forward. After that, they handcuffed me and put me into the trunk of the car. It was in front of the general public; a lot of people saw. They took away my phone right away. When I was already in the trunk of the car and we were on our way, they asked these questions. This is embarrassing, but things like, you know, whether it is good to have sex with other men... They warned me that if I didn’t respond, they would stop the car, take me out, and beat me right on the street.”

H.I.

“I was watching a movie at home when someone came after me. I saw two policemen, and they said I should proceed with them to the station. The stated reason was that a robbery was committed nearby, so they were interrogating all young people. When I got into the car, they said that we were going to ROVD. When we arrived, they threw me into one of the rooms there, and started to humiliate and insult me. They then claimed, “We have proof that you are a fag.”

Aside from blatant procedural violations that are incompatible with professional codes of ethics, this detention had no legal base. The victims were directly accused of homosexuality either at the moment of arrest or upon arrival to the facility for the interrogation. The latter

usually followed the false reasoning the officer presented as for why the person was brought to the facility. In most cases, the officers “hinted” to the victims as to why they were being arrested, not feeling the need to formulate an official reason behind their actions. Already at this stage the police force and the military personnel exhibited violent behavior towards the victims and disregarded all professional ethical standards.

C.D.

“They openly told us: “You were brought here because you are faggots. You bring shame on our people; you shouldn’t exist. We will catch all of you. We will fight homosexuality in the Chechen Republic.”

N.O.

“They said that I am a homosexual. Threw it in my face. “Do you know why are you here? - No - Because you let others fuck you in the ass. — Why did you assume that? — Some of the people you know told us you do.”

I.J.

“They threw me to the floor and beat me. They beat my chest and my face with their feet, and they hit my head against the floor. One of them said: “Do not beat him until the shock stage, at that point he will stop feeling pain. We don’t need that.” They addressed me with female pronouns and demanded that I tell them the names of other gay people I knew. They threatened to kill me if I didn’t.”

L.M.

“The first thing the police officer asked was which female name I liked the most. I didn’t respond, and then he hit me.”

A.B.

“The police warned my relatives that I was taken to the station because I was a suspect in a drug offense. There were several people during the interrogation - the head of the division and other police officers. They told me that they knew I was gay, and that is why I am here.”

O.P.

“One of the 6 kidnapers, all of whom wore a military uniform, said: “Get this faggot into the car and let’s go.” I feel nauseated when I try to recall all the humiliating things they said about my homosexuality.”

According to the testimonies, the first wave of persecution of LGBT people in the Chechen Republic began with the accidental arrest of W. W was a drug user. In his phone, the police officers found evidence that he was a homosexual man and that he engaged in same-sex relationships with other Chechen men. He was detained and pressured to collaborate with the

authorities in order for them to find more gay men in the Republic. He became the source of names of multiple men, who later became the victims of hate crimes.

The scheme they used had the following pattern. Potential victims were contacted via cell phones or mobile apps (AirWaveChat, Hornet, Mobimeet) by gay men who were previously detained. If the victim didn't know that the person who contacted them was incarcerated, the invitation to see each other didn't seem suspicious. Some men had known each other for a long time, some were acquaintances, and some had even just met. They arranged a meeting. Yet, on the other side of the messenger, there were members of the Special Division of First Responders (SOBR) or military personnel. Thus, when they arrived at the meeting point, they were detained. The criminals exerted pressure on the victims to threaten them as much as they could and to submit to their demands. They brought the victims to the police stations and then distributed them to the incarceration units, located in the aforementioned stations or unofficial prisons.

All the testimonies mention that the police officers and military personnel harassed the victims both verbally and physically. Most received severe physical injuries: broken jaws, ribs, and multiple bruises.

I.J.

“My new friend invited me to see him. On the stairs, a person attacked me. A professional. It was like a professionally trained SWAT team. He got me by my shoulder-blades and started pulling me upstairs. I resisted this, and I screamed. They took some of my clothes off and took my phone. And as they were grabbing me everywhere, I thought that they were going to rape me. But, there was a military man. And other guys were there. I never talked about anything personal with that man from the website – you know, just “how are you” sort of communication. They beat and tortured me. The right part of my face was swollen, during the first days at least. They painted my life as if I am a monster. There were police cars under the balcony. Towards the evening, they got tired and called someone. And then they took us to the police station. Since the first day, we were forced to work like slaves.”

A.B.

*“On February ** of 2017, my friend called me late at night and offered to come over. I agreed. When he arrived, I went outside the house to see him. I saw him with other people and immediately realized that it was a set-up. The people who were with him were wearing camouflage uniforms. They said that they were taking me away. They started beating me up and saying humiliating things. They said that I'm not a man, just some creature, that I am nothing. That I should rather be a terrorist than a faggot. That a dirty piece of cloth was worth more than me.”*

J.K.

“The man I knew from a chat came to my workplace and asked me to get into his car. We were on the way out of my job when he suddenly turned to me and asked – “Aren't you ashamed now?” I replied – “Sorry, for what?” He punched me in my face and I

rapidly fell out of the car. He brought out a pistol and yelled that if I tried to escape, he would shoot me.”

C.D.

“I was in relations with only one guy from Chechnya. One evening, he came to see me, and I thought that we were going to go for a walk as usual. When I went out, I saw a car with tinted windows behind him. There was another person next to the car. In an orderly tone, he told me to get into the car. I heard rumors about the fact that gays were detained and kept somewhere, but I did not want to believe it.”

CONDITIONS OF DETENTION: TORTURE AND OTHER HUMILIATING TREATMENT THAT DEGRADES HUMAN DIGNITY

As the number of detainees grew, the offenders got more and more informants in their hands. The victims were in bad physical and moral condition; these conditions were established to break them and thus force them to give the names. Every victim seems to understand that they were in a snowball effect because someone had previously said their name. The victims gave in to the torture and pressure, and gave away the names of their closest friends and family members. This, however, did not ease the violent behavior of the perpetrators. The testimonies show that the perpetrators claimed that they would do anything to “make them talk”. They said that if they are not able to get the information from the victims’ cell phones, they will get it from the victims themselves. The testimonies suggest that the perpetrators enjoyed the torture, the humiliation, and the verbal and physical abuse.

The evidence confirms the following set of torturous activities that the perpetrators have used: severe beatings, torture by electric current (used to both get the names of other homosexual men and to “cure” the victims of homosexuality), lack of water, malnutrition, and lack of sleep. The victims were in the context of constant humiliation. They were constantly misgendered in a degrading way. The testimonies confirm that there were no centralized kitchen services. During the course of detention (which in some cases lasted for 2-3 weeks), the victims could not have any personal belongings and could not contact their relatives.

There was a hierarchy among those who were illegally detained in those facilities. The victims who were detained for drug offenses or because of their terrorist sentiments had a higher status. They had access to nutrition and deliveries from their relatives. They had access to bunk beds, while gay detainees were forced to sleep on the concrete floor. They only had 3 hours of sleep on average every day, and they couldn’t use the bathroom when they wanted to. Most of the general detainees used their privilege to harass and torture the gay people, but some were more sympathetic and even shared their food with them. However, the victims said they didn’t really feel hungry after they experienced the horror of torture.

Aside from the physical pain, the victims were also subjected to the emotional pain of desperation. After the arrest happened, no one aside from the perpetrators knew where they were kept. New people were coming into the facility every day, and there was a feeling of a never-ending horror.

A.B.

“I endured as much as I could, but I broke when they showed me a video of the tortures. They filmed it themselves. They caught a guy, and he allegedly had contacts with terrorists. They brought in a hollow tube and a barbed wire. They put a tube inside of him. In his anus. Then, they put the barbed wire inside this tube. Then they took the tube out. And then they were slowly pulling the barbed wire out. When I saw that video and realized they had already brought the tube and the barbed wire, I broke. I agreed to collaborate with them. <...> They enjoyed the torture. We were forced to beat others up and to electrocute them. They instructed other inmates to do whatever they wanted with us.”

G.H.

“The unit was extremely small, and we were given just one corner. And there were 15-16 of us. We were not allowed to eat, walk, or sleep. The number of men who were beating me up was at least 7-8 people. They put me on a chair; at first I was handcuffed in the front, and then in the back. They hit me all the time with their giant black boots. They said they were disgusted to touch us with their hands. The only area they didn't hit was my face. Then, they got these plastic tubes, and they started to beat me with those.”

C.D.

“They took our documents and phones away from us. We were led out into the hallway and chained to the power unit. We just sat on the cold floor all night long. Everyone passing by kicked us, spat on us, and insulted us. They were utterly angry with me at the fact that I had dated Russians. ‘You shouldn't be sleeping with the representatives of another nation,’ they said. The militants beat me using pipes, aiming below the waist: the hips and the buttocks. And from time to time, I was tortured with electric current. They used a casket with wires that had tweezers at the end. They attached those tweezers to my body. They laughed when I cried.”

K.L.

“We were forced to lie on the floor with our bottoms up, and each person in the cell would hit us with a pipe 3 times. As the week went by, there were already 18 LGBT people being detained and tortured. The youngest was around 17 years old, and the oldest was about 47 years old. We were not allowed to wash. Some detainees developed open-cut wounds, and the cell smelled like rotten meat.”

L.M.

“They tied my hands back and linked the wires to me with clamps, so that the wires permeated under my nails. I remember a militant laughing at me. The machine he used for electric torture was labeled with the words ‘lie detector’. They poured water on my skin so that it would hit me harder.”

H.I.

“They forced us to clean the barracks and wash their cars with water that was as cold as ice, and they beat us every single day.”

E.F

“Every day, I was transported to the premises for torture. It was situated underground. I was beaten there every day. Every new day. <...> It was impossible to sleep there; you could be captured anytime and thrown into another place. There were no windows, nothing. It was always as dark as night. <...> They put plastic bags on my head, and when I was running out of oxygen, they tore the bag away and hit my legs at the same time. <...> We had no water inside. The only water we could drink was when we were going out of the cells.”

M.N.

“If this happened to me again, I would hang myself for sure.”

Each wave lasted for about one month. Some victims were detained for as long as one month. A handful of victims were in critical physical and mental states, and at least 3 people attempted suicide. The victims were not aware for how long this detention would last. Also, they were not sure if the perpetrators had any limits. Some detainees died because of the torture, and this also affected the general emotional climate of the whole situation that the victims found themselves in.

THE ROLE THE CHECHEN AUTHORITIES PLAYED IN THE CRIMES AGAINST HUMANITY

The testimonies undoubtedly argue that the crisis in the Chechen Republic was sponsored by the regional governmental authorities. The perpetrators were the employees of the Department of Internal Affairs, which is a part of the General Division of the Ministry of Internal Affairs of the Russian Federation. The victims also testify against the local division of the union “Rosgvardia”, called the Special Division of First Responders (SOBR) “Terek”, local police officers, and military divisions.

O.P.

“The military personnel, they were wearing uniforms. They are called afghanka or amerikanka - those kinds of uniforms. They were armed with shotguns, and those on the block posts had guns. They talked in Chechen.”

T.U.

“Two of them were wearing uniforms. Bodyguards usually wear these uniforms. Kadyrov’s bodyguards. Sometimes, the members of the 6th division wear such uniforms. The 6th division is responsible for the Republic’s security.”

E.F.

“The head was called “a small one” (Malii), and he was dressed like a civilian. But the ones who arrested me - those people were wearing uniforms, military uniforms.”

I.J.

“One of the people who grabbed me was our local police officer.”

U.V.

“My friends warned me that police officers were looking for me because of the texts we were exchanging. They told me that while being tortured, they revealed the city where I was.”

F.G.

“Members of the Department of Internal Affairs came to my house and asked where I was.”

V.W.

“Two people came in. They were wearing uniforms with the signs of the Special Militia Detachment. They already knew my name, and asked me to come with them to the local Division of Internal Affairs.”

G.H.

“3–4 people, all wearing the black uniform of the Special Division of First Responders.”

Bisexual and homosexual men who went through the horrors of unlawfulness and barbaric treatment were formally released. However, the price they paid for being released was extremely high. The procedure did not resemble the reacquiring of freedom. It took the form of a ceremonial event of shaming the sins of those who dared to dishonor their kin. The release involved a visit from the honored representatives of the Chechen authorities, who advised the victims’ relatives on how they should treat their next of kin. Their relatives were advised to find a “proper solution” to get rid of the “sick” members of their family, who spoiled the teip.

The authorities guaranteed that if the family decided to kill the gay/bisexual family member (to wash the shame away with blood), they would not be prosecuted for this crime. During one such ceremony, the relatives of one of the detainees asked why the authorities didn’t kill the inmates themselves. The representative of the authorities said that they could “take them to the forest, accuse them of terrorist sentiments, and kill them, but it would be better if the parents took care of their children.” The victims were told that from this moment on, they could not leave the Republic or try to flee, because law enforcement officers would come with random searches to check on the victims’ movements.

Being released from the prison also involved paying a ransom. The perpetrators also demanded money from the families in exchange for not disclosing the real reason why the person in question was detained. The financial donation was mandatory; it was a symbolic way of buying out the guilt in front of the Chechen people.

O.P

“They demanded money. How much money? It depends on what you have and who you are. If you are an important person, your release will cost more than 3000. If you are no one - you can get out for 300. If you are an important person who could bring shame to the authorities or to the administration, you will not be released. You will be killed. Your relatives will not be able to buy you out, because if you brought shame to the highest people, there is no place for you in this life.”

Most of the testimonies confirmed that the Republic’s officials took part in torturing the victims. Different evidence confirms that at least the following highest officials took part in executing this crime against humanity:

- the spokesperson of the Parliament of the Chechen Republic, Magomed Daudov (also known as “the Lord”);
- the head of the Ministry of Internal Affairs of the Russian Federation in Argun, Aiub Kataev;
- the head of the Special Division of First Responders (SOBR) “Terek”, Abuzaid Vismuradov (also known as “the Patriot”)

(the excerpts from these testimonies are used without identification of the victims)

“One day, all my relatives were informed about the fact that I was detained. “The Lord” came to us, the chairman of the parliament — Magomed Daudov. We were all set down before the Lord. The Lord approached us, took pictures on his phone, and asked if each of us was gay. We had to answer “yes”. This all happened in front of our relatives. He talked to our relatives, saying that we brought disgrace to the nation and to our families. He told them that if they honor the traditions, they must kill us. And that if they did everything, they would not be punished for it. After all this talk, a few people were released to their relatives.”

“When “the Lord” arrived, I thought there was no hope for salvation, because this operation was already sanctioned by the top authorities. Our relatives were called. The Lord started to put us to shame, stating that male adults from the family should take us out and “figure out” how to punish us. He added that even if they decide to execute us, they would not bear the responsibility for it, because the militants would settle it.”

“They put us into a pickup truck and brought us to the ROVD. We were watching the Lord from the car’s windows. At that moment, we lost any hope of coming out alive. We also saw our relatives and a well-known militant – Aiub Kataev. There were also journalists, but they left soon. With our heads down, we were led to the facilities. The Lord started to ask us awkward and dirty questions in a demonstrative manner.”

“One day, Aiub Kataev came to see us. He dragged out a young guy who had been recently caught, took out his pistol, and started to shoot at the floor, right next to his feet, asking if he knew more “offenders”. He didn’t shoot his body because it could have provoked problems that were too big.”

One of the testimonies witnessed a phone conversation between Aiub Kataev and Magomed Daudov.

(the excerpts from these testimonies are used without identification of the victims)

Aub K.: What do we need these faggots here for, these cocks? They were arrested out of law.

Interlocutor: Don’t torture them too badly. Let me hear someone... (the old beaten man was invited to the phone) – Did they hurt you?

The old prisoner: No.

Aub K.: Should we bring them all to your place?

Interlocutor: Not yet. We will figure it out soon, after we receive an order from the commander-in-chief.

The victims also said that the perpetrators filmed the tortures and forwarded them to “the Lord”. The fact that the officials were aware that these criminal offenses were happening and were also involved in these crimes against humanity showcases that this campaign was state-sponsored. In Kadyrov’s Chechnya, everything is under tight control. Even the tiniest protest and disagreement with the state cannot stay unacknowledged. It is obvious that the perpetrators were acting illegally. The long-term detainment of gay and bisexual men should be explained by the necessity of setting the dominant regime of traditionalism and intervention into personal lives of the people who reside in Chechnya.

These events are a way to remind people that different sexualities and gender identities are rendered “non-traditional” in the context of the current political and social regime that values Chechen traditionalism. In this context, the human dignity of vulnerable populations is disregarded. The popular rhetoric of the Chechen authorities functions as a threat to those who do not fit into the nationalist standards. Any disagreement is viewed as an attempt to overrule the existing social order. The political authorities use the atmosphere of constant fear that was established within the political authoritarianism of Ramzan Kadyrov to oppress the population.

Critical opinion of the regime can negatively affect the life of any person. No one can protect themselves from the all-mighty authorities of the Republic.

E.F.

“One of the militants told me – “Well, we will let you go now, but under one condition – you will have to work for us. You will search for the faggots, “Syrians” (those suspected of visiting Syria to join terrorist troops), and drug-users. You see?” – he patted me on my shoulder and scoffed - “You are our freelancer now.”

C.D.

“One day, when all of us were tortured, the head of the ROVD had a "conversation" with us about the deadly sin of homosexuality. He said that we should be ashamed, and that we are a disgrace for such a proud nation. That there had never been such people among the Chechens. One of us said that there is no way we can change who we are, and he replied that they would continue their efforts to clear the Republic of such contamination. There was a question about our constitutional rights, and he answered: “We have our own laws, and the law is what the current government of the Republic says to do.”

N.O.

“They wanted easy money. They said: ‘Once we catch someone, we get money from him and then share it among us. You will have your part, and no one will know you are working with us. You will be protected if you commit any offense, and no one can threaten you with death.’

The perpetrators blackmailed the victims. They threatened them with criminal persecution in case they fled the Republic. While most of the representatives of the state authorities seriously equate homosexuality with a criminal offense, homosexuality cannot be a formal reason for detention. Thus, they try to find a formal reason for persecution, understanding the powerlessness of the victims.

V.W.

“I was told: we have unsolved criminal cases. We can accuse you of committing one of them if you won't collaborate. You will remain here for a long time.”

A.B.

“There were a number of people: the head of the police department and other policemen. They said that they know I am gay and that I should not try to hide it. If I told them the truth, it would get better for me. They wanted to get information from me — everything I knew about other gays, drug users, and terrorists. They said that if I wouldn't tell them at least three names, they would accuse me of something similar and I would never be released from the prison.”

Such evidence showcases that in the Chechen Republic, LGBT people are treated as a second-class people, as “undesirables”. They are rendered nonexistent in the North Caucasus, and are marked as foreign. They need to be eradicated. This opinion is widely shared among the general population. Even LGBT people themselves think that they should be treated like this, and that their sexuality is an anomaly, an illness, and a sin.

After most of the victims were released, some of the former inmates went missing. Some became the victims of honor killings. Some families falsified an honor killing and even held fake funerals to cover up the fact that their LGBT relatives fled the Republic.

(the excerpts from these testimonies are used without identification of the victims)

“I know about 4 people who were detained. Some were killed. Others – people whom I didn’t know - were killed as well.”

“In our village, people were detained in January and February. That friend of mine was killed. He was given to his relatives so they could kill him to wash away the shame.”

“My friend was detained. He came back to the village in the beginning of March. We met. And then he disappeared.”

“In February, one of the men who confessed his feelings to me was arrested. We never had any relationship. He is already dead now.”

“One mullah had a bodyguard. He got caught. The bodyguard was killed by his co-workers. The mullah got out of that situation. Kadyrov forgave him.”

“There was a school teacher from a village called Gekhov. It was obvious that he was gay. He had worked and lived there for a long time. He was killed in this wave, by his relatives, as far as I know.”

The victims report dozens of murders that happened as the anti-LGBT campaign was unraveling. There is solid evidence that three of these people were executed by the Republic’s officials or by the relatives of the victim, who were pressured to do so.

(based on the evidence from the witnesses)

X – a young man who was caught by militants in March. Was detained in Argun. His father and uncle came to him. The perpetrators showed them the recordings which exposed him as a homosexual. The relatives replied that they would punish the victim themselves. He was taken to the woods and buried there without a funeral.

Y – was murdered by militants. He was employed in Muftiate, close to the head of the Chechen Administration, and was a member of the high-ranking official's circles. He was detained in February, and killed in March.

Z – was arrested while having a date with a young man. He was brutally beaten and tortured when detained. Once the torture was over, he was thrown away in the backyard. The next morning, he was found dead. His family did not report anything, and just wrote it off as a heart attack. Police officers of the Ursun Martan district department brought him home dead.

In their testimonies, the victims highlighted that the most troubling experience for them was the psychological violence - they lost their spirit, were morally drained, and were almost dead. The psychological and moral pressure also affected the relatives of the victims. Even the slightest assumption about the non-heterosexuality of a person bears consequences not only for their lives, but for the lives of their relatives. Public opinion and social pressure have an immense effect on the general population in the North Caucasus. People are forced to feel their responsibility for the teip. This pressure of social responsibility forces the relatives to at times employ extreme efforts to protect members of their family from social persecution - kangaroo courts, arsons, etc.

At the same time, the victims hardly blame their relatives for the hostility and do not renounce their ties with their families. The residents of the North Caucasus were raised with an understanding that family is the most important thing in their lives. While testifying, the victims never blamed their relatives - parents, brothers, and others, who threatened them with death. The idea of family and kinship goes hand in hand with respect, understanding, and unconditional love. The fact that the homosexuality of the victim questions the position of the family that stays in the North Caucasus worries them the most.

FAMILIES: PERPETRATORS OR VICTIMS?

The hostility of the North Caucasian residents towards LGBT people came into being under a number of circumstances. The influences that came together were high traditionalism, pre-Islamic legal norms, the strict norms of Sharia law, and defined political course. Chechnya is the most clear-cut example of strict hierarchies and heteronormativity. The social system that currently exists in Chechnya is unquestionable; it does not allow and severely punishes any deviation from the existing set of norms. Ramzan Kadyrov himself sets the limits of both the norm and the deviation. He is the self-proclaimed sole guardian of morality and social order in the Chechen Republic. Kadyrov sets these standards based on his personal views on how the Chechen people should behave. He ignores federal legislations and the Constitution, thus situating the Republic outside of federal jurisdiction. He uses local police forces and security services to ensure that the Republic functions the way he envisions it.

The Chechen people are used to following these rules. Some people might not agree with them, but it is easier to follow them than to get into trouble with the authorities. Thus, Kadyrov's politics receive prominent support. In this regime, only a proper subject of Kadyrov's rule can be treated with respect. Chechen society is divided by teips, or kinship clans. This kinship-based structure becomes highly susceptible to the society's intrusion into family affairs. Families are vulnerable. If someone suspects a person is committing something that is against the law, the whole family will be held responsible.

Traditions in the North Caucasus suggest that the family should renounce problematic relatives or undergo a series of severe punishments. In Chechen society, people mark homosexuality as one such "problematic personality trait"; one that can be resolved by honor killing. By such severe execution, the family demonstrates that it not only renounces its relative in accordance with the Chechen tradition, but also that it values these traditions higher than kinship ties. Every victim who was outed to the family experienced violence on the side of their relatives. The victims who were able to hide their sexuality were assured that if their relatives knew they were homosexuals, they would be executed under the rule of honor killing.

We have no records about what happened to many victims after they were released from the prisons to their relatives. The testimonies suggest that dozens of people were killed by their relatives. Moreover, the persecution of LGBT people from the side of the Republic's authorities has intensified hostility and hatred towards LGBT people. This rhetoric of traditionalism is a way of asserting the political regime of the Chechen Republic. Some families are forced to follow these traditions, fearing possible prosecution, and show solidarity with the perpetrators who tortured their homosexual family members.

C.D.

*"My *** (male relative) is very conservative. Together with my *** (other male relatives), they knew [my sexuality] from the policemen with whom I communicated and with whom I met. I could not oppose anything. I was shocked by how detailed their information was. I could not imagine in my worst nightmares that my relatives would know this about me. All these male relatives thanked the police for the information, and told them that they would resolve this matter themselves. They began to clobber me with impossible cruelty and put a gun to my temple. One crushed my *** (one of the bones), so that I had to have surgery for it to be removed."*

J.K.

"My brother was fighting with me aggressively. When my mom tried to protect me, he told her, "You should not do that, he deserves it."

O.P.

"My family knows nothing about this story. If they did, they would kill me before I managed to flee the Republic. They would definitely kill me then, and never forgive me."

However, among some families, there were supportive parents or relatives who tried to keep the survivors from reprisal. They provided them with safe houses or even organized their fleeing from the Republic to keep their gay or lesbian children, siblings, or nephews alive. Helping their LGBT relatives find sanctuary is a risky affair for the relatives. Along with social sanctions, the relatives can become the subject of persecution themselves. The testimonies showcase that in some cases, the brothers of the outed homosexual men and the spouses and children of outed bisexual men were persecuted by the authorities. Children and spouses in these circumstances become the most vulnerable, not only because they lose the head of the family, but also because they lose their social status without an opportunity to reinstate it.

Caucasian traditions brought up men who cannot leave their family in danger and who are determined to make sacrifices in order to keep their families away from abuse, which is why many of those who have families (not all of them) left the region together with their relatives in danger of further consequences of the crackdown. The traditionalist rhetoric in the North Caucasus suggests that men must take responsibility for their families. Most of them are ready to sacrifice their sense of security to guarantee that their family is safe. For these reasons, those men who had families in Chechnya used their best efforts to relocate their families with them. They did so to make sure their families avoided the repressions that the men themselves have faced.

FEMALE ISSUE

In the context of violent reprisals and ill-treatment, lesbian women in Chechnya and nearby republics of the North Caucasus appear to be the most vulnerable in front of the complex traditionalist rhetoric. There is alarming news about harassment and ill-treatment of Chechen, Ingush, and Dagestan women available, yet these cases are very rarely reported within the framework of the 2017 anti-LGBT campaign. Female voices have always been silenced by the oppressing customs of masculinity-focused culture. Women in the North Caucasus have always been stripped of their rights due to religious and cultural confines. They could become the victims of honor killings on grounds of almost anything, even rumors, as they are treated as second-class people in general. There is a set of restrictions and rules that Caucasian women are supposed to follow, even if their families are secular.

P.Q.

“There were a lot of set-ups, which always made me feel unsafe and under someone else’s control. I received threats from people I didn’t know – they promised to find us and kill us, or to inform our parents about our sexual orientation to let them execute us. That was very stressful. <...> If any opponents knew that I was lesbian, they would beat me and rape me, film it, and then share it with others, or simply kill me...These cases used to happen with girls. I was lucky to avoid it. <...> It is typical for Chechens to punish a woman if she lives alone in another city – it is already cause for lynch law. No one has ever been convicted of any penalty after committing an honor killing of a female. Neither by public opinion nor from the legal point of view.”

Despite the fact that the female survivors were not massively taken to prisons, some of them also suffered detention and torture. The repressions and extreme violence were mostly coming from their brothers. The women also claim that they were rejected when asking for understanding or tolerance from their female relatives who are less affected by the ordeals of men. Lesbian and bisexual women withstood humiliation, abuse, and threats to “come, find, and kill” them, or “beat-it-out-of-them” warnings that came from their brothers and male relatives, or from the friends of lesbian women in the Republic. Some female survivors are persecuted by their relatives, who are recruited as security agents. This brings worries for the outed lesbians because they can easily be monitored, and if their ruthless relatives want to kill them, they could have the means and sources to determine their location and attempt a reprisal.

Q.R.

“I needed to hide the fact that I am a lesbian, so I married a man so as not to ruin the reputation of my family. I left the region soon, and my mother renounced me, and everyone in the family knew that there was a sham marriage. Since then, I was attacked with threats from my male relatives, who are seeking to punish me for the lie and my lifestyle.”

R.S.

*“Someone took screenshots of my correspondence with a girlfriend and some friends and sent it to my uncle with the comment, ‘Look what your niece is about! Is anyone watching her? Does she have a father or a brother? Why don’t they check what she is doing?’ My brother broke into the room and started to beat me. Then my sister came to say that my uncle was crying and that one day, she would come and kill me. ‘Allah will reward us for it,’ she added. <...> I was told that I could no longer live in my room, so I was moved to the empty room. My mom stood behind the door for a couple of days to protect me from my father and brother. After a couple of months, I contacted my girlfriend from ***’s device. She said she was caught and tortured with electric current by her brother. He also said that he would search for us through our network of friends, and that he would not rest before he executed all of us by shooting. <...> My brother entered my room, sat in front of me with a pistol, and asked me to kill myself. He said that he promised my father that he wouldn’t do it, and that it would be easier to explain to others that it was an accident if I shot myself. I replied that I was not going to commit suicide, and if he was ready to kill me, it’s time.”*

R.S. attempted to escape several times. Once, after yet another attempt, her relative brought her back to Chechnya and signed her into a psychiatric facility for a month. Later, she managed to move to Moscow. She was accommodated in the shelter. After a while, her relatives tracked her down and locked her up again, but this time the security was much more complex: she had no ability to leave the house, as she was under constant control after she came back to the region. A new plan was implemented to help R.S. flee Chechnya, but unfortunately, it failed. She was

brought back home, and she died after a week. The official death certificate stated that she passed away after “organ rejection, in consequence of complications after having the flu.” Our contacts in the Chechen Republic assume that she was poisoned.

THE INVESTIGATION: A CRIME AGAINST HUMANITY

From the very beginning of the crackdown in the Chechen Republic, the local authorities have continued to be in “complete denial” of these events. The very first statements that were made after the article in the *Novaya Gazeta* was published were filled with anger, denial of these events, and an immense amount of homophobia. Ramzan Kadyrov, the president of the Republic, simply denied the existence of gay people in Chechnya in his first interviews, and continues to do so. In his recent interview to the US-based media outlet HBO, Kadyrov said: “This is gibberish. We don’t have such people. If there are any — take them to Canada. For the sake of Allah. Then, they would be far away from us.”

A statement from the Press Secretary of the Head of the Chechen Republic, Alvi Kerimov: “This publication (NG article “Honor killing” dated 01.04.2017) is a complete lie. It is impossible to detain and oppress those who simply don’t exist in the Republic.” “If there were such people in Chechnya, the law-enforcement agencies wouldn’t need to have anything to do with them, because their relatives would send them to a place of no return.”

A member of the Human Rights Council of Chechnya under the Head of the Republic, Kheda Saratova, stated: “I haven’t received a single application on the matter, but even if there had been any, I would not have even considered them.” “I am a Chechen woman. I live in this society, and the fact that you say [there are homosexuals in Chechnya] is even worse than a war. <...> I assure you, in our Chechen society, any person who respects himself, our traditions, and our culture would hunt down this kind of person without any help from the authorities, and would do everything to make sure that this kind of person did not exist in our society.” “Homosexuality is an evil that every citizen of the Republic struggles against.”

The Federal authorities followed the same pattern of remaining in denial, but with less involvement of homophobic rhetoric, as the questions about what is happening in the Chechen Republic started to suddenly appear on a regular basis. The Press Secretary of the President of the Russian Federation, Dmitry Peskov, stated that it is not the Kremlin’s prerogative to initiate any criminal proceedings in this regard. These statements, together with the substantial lack of public response of the Federal Authorities, showcase that they do not consider this tragic persecution of innocent citizens of the Russian Federation to be important enough, and that they are relatively reluctant to conduct any investigation.

The Russian LGBT Network and the *Novaya Gazeta* filed a complaint with the Investigative Committee and the Prosecutor’s General Office. However, these governmental bodies did not reply promptly to these filed requests. After the time for responding to the requests was up for both offices, both the Russian LGBT Network and the *Novaya Gazeta* received official replies that stated that there was no urgency in initiating an investigation. After a month, the *Novaya Gazeta* submitted an official complaint that the Investigative Committee did not conduct a proper examination of the evidence to the Basmany Court of Moscow City. The Court refused to consider this complaint. After this event, Tatiana Moskalkova, the Human

Rights Ombudsperson of the Russian Federation, submitted the information herself about the anti-gay purges in Chechnya to the Investigative Committee. Her request used the same data that the Novaya Gazeta used. It was the first time that the ombudsperson, who at first had remained distant from the issue of LGBT-rights and said that the events in Chechnya in 2017 were a provocation, agreed to assist with the investigation.

Various international actors issued calls for action in relation to the crisis in Chechnya. The Ombudsperson for Human Rights in the Russian Federation received requests to pay attention to the information that was previously published in the Novaya Gazeta. The requests came from many organizations and individuals, including the Russian LGBT Network, Amnesty International, and the Secretary General of the Council of Europe. After receiving these calls, Moskal'kova issued a public statement saying that she never received any requests for assistance from the victims. Later, she was invited to have a meeting with the survivors, who were just recently evacuated. After this meeting, Moskal'kova claimed that she was ready to assist with the investigation.

While different governmental institutions have ignored this issue, the fact that the ombudswoman claimed to be ready to assist with the investigation is a high achievement. Yet, the Human Rights Ombudswoman has no feasible authority to contribute to a thorough and transparent investigation. There is no mention of the Human Rights Ombudsperson in the Code of Criminal Procedure, or of their authority within the procedure. However, Moskal'kova, along with many international officials such as the German Councilor Angela Merkel, the newly elected French President Emmanuel Macron, the High Commissioner for Human Rights of the United Nations, the Secretary General of the Council of Europe, and many other leaders — applied directly to the President of the Russian Federation, Vladimir Putin, to draw the attention of the Russian authorities to the fact that there is a need to verify existing information on this matter. During a meeting with the President, Tatiana Moskal'kova suggested creating an inter-departmental working group outside of the Chechen Republic to accept HR-related complaints from the citizens. Putin said that he is going to negotiate this with the Prosecutor General and the Head of the Ministry of Internal Affairs.

The Ombudswoman has also publicly offered state protection for the victims who are ready to testify in front of the court. This, she suggested, should be guaranteed to all the survivors who are ready to collaborate with the investigation. However, the state protection can only be issued to those who are involved in the official criminal proceedings. As no official criminal investigation had started, no victim can apply for state protection, and therefore no one can be ensured safety. The Law on the Human Rights Ombudsperson also does not state that the Ombudsperson can offer state protection, or that she can carry out any investigative procedures. Thus, all this information seems questionable.

Thanks to the grave concern of international actors and serious alarm around the globe from activists, civil society actors, and the media, the fact of this blatant crime that is happening in the Chechen Republic is not totally dismissed by the Russian authorities at the moment. Yet, some officials have tried to ignore the discussion and have refused to speak on the issue of the persecution of LGBT people at all. Maria Zakharova, the official spokesperson of the Ministry of Foreign Affairs of the Russian Federation, said that extrajudicial execution of LGBT people in

Chechnya is “not her topic.” With this, she displayed not only a high level of unprofessionalism, but also exhibited the way Russian authorities treat this issue.

It has been reported that starting from mid-late April of 2017, the Investigative Committee has been conducting a preliminary investigation of the persecution of LGBT people in Chechnya. This is the first time over the last decade of Kadyrov’s rule that the federal authorities have sanctioned an investigation of the Chechen authorities. In this matter, even these pre-investigative efforts should be viewed as an achievement for the media and the civil society activists who have raised the issue of horrendous HR violations over the past years.

The pre-investigative procedures that the investigative group conducts involve interviews with the victims and examinations of the alleged places of detention. The investigative group that was assigned to carry out the prior actions reportedly faced multiple obstacles on the way to do their job. The detention center that was most frequently mentioned in the testimonies is a former military commandant's office, located next to the city of Argun on the way to Grozny (Kadyrova street, 99b). The testimonies described exactly how this military facility looked like. However, inside this detention center, the investigative team found only fresh material debris, and no traces that could confirm the fact of brutal beatings and torture. Chechen officers prevented the group from investigating the base of the Special Division of First Responders (SOBR) “Terek”, which was reportedly used to resettle all the detainees. The local authorities explained that the base was being used for the militants’ workouts and training at that time, and that these events should not be disturbed.

There is strong evidence that the Chechen authorities are starting to worry about their fate, judging by the fact that the law-enforcement agents refused to participate in the investigation, ignored notice papers, and only visited pre-trial investigative activities after they were threatened with potential arrests.

At the same time, they left traces which could guide the investigation. During the first couple of weeks, the order to persecute homosexuals was directed to the police force. Officers started to act immediately, and that resulted in many flaws. Now, these flaws can be used as evidence that points directly to their involvement in these criminal activities. Then, around a couple of weeks later, militia personnel were assigned to handle the issue. They were not simply involved in the persecutions, unlawful detentions, torture, prosecutions, and extrajudicial killings. They also recorded the personal information of everyone who suffered persecution and prosecution based on their (assumed) sexual orientation. There are lists of those detained. Each of the detainees received clarification about why were they arrested.

G.H.

*“I was detained on the *** of March. And I want this to be erased. Because when you get there, they put you on the list, and they know who came in and who came out. The registry is renewed every day.”*

According to the information shared by the Novaya Gazeta, the investigators from the District Department of Domestic Affairs carried out the interrogations. They recorded the personal data of the detainees and their relatives, the information about their sexual activity, and other intimate information. These interrogations were designed to serve one purpose: to get

evidence and confirm that the detainee was a homosexual. These investigative actions, while not being under the jurisdiction of the Code of Criminal Procedure of the Russian Federation, were nevertheless recorded according to the official procedures of the Code of Criminal Procedure of the Russian Federation with the use of official stationery.

The victims were strictly advised not to flee the Republic, and that their location could be checked by law-enforcement personnel. After a month and a half of the anti-gay campaign, the crisis received immense coverage in the media, and the police were pressured to release all the detainees. However, using all the data that they had unlawfully recorded, the state officials were able to figure out the fates of those who had been detained. They could check whether they were killed by their relatives or if they had fled the Republic. If the victim fled, the authorities demanded that the relatives sign a statement saying that they had no complaints about the work of the Law Enforcement Officers of the Chechen Republic. The relatives were forced to give false testimonies. The Novaya Gazeta recorded data that said that they were also forced to contact the victims and pressure them to keep silent about their experiences in Chechnya.

Disturbing news continues to emerge. There is firm evidence that such anti-LGBT violence has spread outside of the region. Some victims of mass persecution were not Chechen by nationality. We know of at least 3 such cases. The Chechen authorities have comprehensive data that allows them to exert pressure on these people even when they are not in the Republic. According to the information we have (from the Chechen authorities, from the victims, and from their relatives), there were at least two such cases. In both cases, the Chechen authorities went to the Russian regions where these people lived. The Chechen authorities were in contact with the local authorities. We have evidence that in one case, the victim was not abducted only because they were warned and managed to hide from the persecutors. In another case, our sources say that the victim was murdered. This information is not verified yet. Both of these cases happened outside of the Chechen Republic. This leads to the conclusion that the Chechen authorities have enough access to the data that it allows them to locate the victims and their relatives. The relatives release this information under severe pressure. The authorities are able to exert pressure and intimidate even those who do not reside permanently in the Chechen Republic. They use interregional mechanisms of police cooperation and receive assistance from Russian law enforcement agencies in various regions.

It is acknowledged that the criminal case has not yet been instituted. And if there is no criminal case, then there is no trial. This entails that no investigative actions can take place.

In the beginning of July, the Investigative Committee of the Russian Federation forwarded an intermediate report on the persecution of LGBT people in Chechnya to Tatiana Moskal'kova, the Human Rights Ombudsperson of the Russian Federation. Moskal'kova said that the investigative group did not find any evidence that human rights violations took place in the Republic, because there was no personal information of the people who were persecuted. This response allows us to make conclusions about the position of the Investigative Committee. It also allows us to make conclusions about the fact that the investigative actions were just a formality. Until the victims themselves report the crimes, they will not take any action and will proceed to lie idle.

In this situation, Moskal'kova took a different approach and asked the Investigative Committee to comment on the information that the Novaya Gazeta had previously published:

“Both my request and the letter from the “Novaya Gazeta” that I forwarded to you contain the names of people who were allegedly killed. I would like to receive an update on those names in particular,” Moskal’kova said.

While the team of Federal Investigators continues to study the facts and circumstances of the mass persecution of LGBT people in Chechnya, independent investigators — human rights activists and journalists — offer necessary assistance to the victims to ensure their safety and security. Every victim who suffered persecution during the campaign that was organized by the Chechen authorities must be granted asylum in a country where they can be safe. In addition, anyone who wants to file an appeal to the European Court of Human Rights will receive the necessary assistance from the Russian LGBT Network. At the moment, every potential applicant can consult an attorney who can explain all the necessary mechanisms of filing a complaint to international courts. All testimonies were documented by the journalists from Novaya Gazeta and by the activists from the Russian LGBT Network, and will be used as evidentiary support in a lawsuit against the Head of the Chechen Republic, Ramzan Kadyrov. This lawsuit will be filed by international human rights organizations to the International Criminal Court.

The crimes that are being committed in Chechnya fall precisely under the definition of crimes against humanity in the Rome Statute, and must be qualified as such. The detention of innocent people occurred on the basis of their sexuality, with is an illegal motive. To persecute a group of people based on their sexual orientation is universally recognized as inadmissible under international law. The arrests of these civilians were accompanied by unthinkable cruelty and a derogatory attitude towards the "suspects". The anti-LGBT campaign has unfolded throughout the Republic and has even managed to go beyond its borders. The law enforcement agencies, while recognizing that their actions are illegal, consciously and systematically led the execution. As crimes against humanity, the events in Chechnya were a violent operation organized by the Republic's authorities. It resulted in persecution, torture, murder, and other "inhuman acts of a similar nature, consisting of the intentional infliction of severe suffering or serious bodily harm, as well as serious damage to mental or physical health.”

CONCLUSION

Relying on the testimonies and the evidence collected we can draw the following conclusions.

The first issue, since February 2017 state authorities in the Chechen Republic persecutes men based on their (alleged) homosexuality. These persecution continue to happen. The Russian LGBT Network has all the evidence to conclude that these persecutions fall under the category of “a crime against humanity” as it is defined in the Article 7 of the Roman Statue of the International Criminal Court.

The police force and the Rosguard (The Special Division of First Responders “Terek”) profiled men based on their (assumed) homosexuality. The detainees, whose homosexuality was not confirmed, were released. Thus, the persecution was based on their sexual orientation. It also was a mass persecution. The Russian LGBT Network received a number of applications from the residents of Chechnya, who have detained themselves or have valid information about the detentions.

According to the testimonies we have, the anti-LGBT purges were supervised by the Spokesperson of the Chechen Parliament Magomed Daudov, the Head of the Chechen Department of the Ministry of Domestic Affairs in Argun Aiub Kataev, and the Commander of The Special Division of First Responders “Terek” Abuzaid Vismuradov. This information allows claiming that persecutions were not only carried out but also orchestrated by the state authorities. Numerous statements coming from Ramzan Kadyrov, the Head of the Chechen Republic, and from the other spokespeople of the Chechen Republic, stated that there are no gay people in the Chechen Republic and if there were gay people, they should be killed by their relatives or deported. Purification of the Chechen blood is one of the goals of the Republic’s politics.

The victims were subjected to tortures, humiliations, and other measures that harm their physical and psychological well-being. Testimonies confirm that dozens were killed. Three murders have strong evidence confirming that the authorities were either directly involved in the execution, or pressured the relatives to do so. At least some people died during tortures. The victims were detained for a long period of time (some were detained for as long as a month). Their relatives and acquaintances had no idea where they were. Upon their release, they were prohibited from leaving Chechnya and threatened that they will initiate a criminal case.

The relatives of those, who fled, are required to submit written confirmation that they have no complaints about the work of the law enforcement agencies. The Chechen authorities pressured the people around them to conceal and publicly the facts of persecution to defend themselves. This allows us to characterize what is happening as the forced disappearance of people.

The second issue, the Russian Federation doesn’t want to initiate a criminal investigation of this crime against humanity. This situation can shift only if the political will of the highest officials change under the effective international pressure.

Three months after the Novaya Gazeta and the Russian LGBT Network applied to the investigating authorities, the criminal case was not instituted until now. The Investigative Committee has reportedly initiated a pre-investigation, yet neither the Russian LGBT Network nor the Novaya Gazeta has received any reports on it. It is reasonable, therefore, to assume that

the investigation is biased. The highest officials, including the Press Secretary of the President of the Russian Federation, publicly stated that information about the persecution of gays in Chechnya "was never confirmed."

When the information about the persecution received an immense international coverage, Russian officials changed their rhetoric. The Commissioner for Human Rights in the Russian Federation, Tatiana Moskal'kova declared that she was ready "to provide state protection [to the victims of the crimes] or to patronize the law enforcement agencies." The representatives of the Russian Ministry of Foreign Affairs also began to talk about certain "guarantees" that Moskal'kova is prepared to provide and an "attestation of the situation" that she was conducting "on behalf of the president." Meanwhile, Russian legislation does not grant the Commissioner for Human Rights in the Russian Federation any powers to participate in the investigation of criminal offenses, nor to provide state protection to the victims and witnesses. Thus, the measures were knowingly ineffective. These statements also suggest that the state does not want to conduct a criminal investigation properly.

The state protection can be offered by the special Department of the Ministry of Internal Affairs of the Russian Federation (in the regions - the so-called Centers of State Protection with the local Ministry of Internal Affairs). The persecution of the residents of Chechnya based on their sexual orientation is a crime that is impossible in any other region of Russia. In such situation, an effective application of the Federal Law on State Security cannot happen: the employees of a Chechen Ministry must provide the Chechens with protection from other employees of the Chechen Ministry of Internal Affairs or from the leadership of the Republic.

Chechen policemen are not only not interested in protecting victims and witnesses in this situation, but also they do everything to silence them and their relatives. They have all the data that makes it easy to exert pressure on these people even outside of Chechnya. It is known that in a search of victims and witnesses Chechen policemen travel to other regions of Russia and enjoy the support of the Ministry of Internal Affairs on the grounds. In such circumstances, victims and witnesses do not have the opportunity to apply to law enforcement agencies for allegations of the committed crimes.