



*Alternative report*

**Implementation of the Convention against Torture  
and Other Cruel, Inhuman or Degrading Treatment  
or Punishment in Russia**

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The Russian LGBT Network

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### INTRODUCTION

1. The present report is prepared by the Russian LGBT Network, an interregional, non-governmental human rights organization that promotes equal rights and respect for human dignity, regardless of sexual orientation and gender identity. Since 2007, it monitors LGBT rights violations, unites and develops regional initiatives, advocacy groups both at national and international levels, and provides social and legal services for LGBT.
2. In April of 2017, the Russian LGBT Network became a leading coordinator of the emergency help provision to the survivors, persecuted as a result of the state-sponsored campaign against homosexual people living in the North Caucasus. The survivors reported being abducted, arbitrary detained, physically and mentally abused and tortured on grounds of their alleged sexual orientation and gender identity (SOGI) by law-enforcement in Chechnya and relatives, guided by the directives imposed both by Chechen authorities and fostered climate of violent intolerance towards LGBT in the region.
3. In course of the last 1.5 years, the primary mission of the Russian LGBT Network was to evacuate the victims, who suffered blatant persecution or solid threads of persecution in the North Caucasus. We provided them with necessary social and medical support and help to find sanctuary in other regions of Russia or abroad. During this period, the Monitoring team of the Russian LGBT Network depth interviewed the survivors of a state-sponsored haunt and documented 71 testimonies, certifying the persecutions on grounds of sexual orientation or gender identity in Chechnya.
4. All information in this report is therefore based on the first-hand information shared by the survivors who had to flee the North Caucasus in order to escape repressions. The recorded testimonies explicitly affirm the fact of severe violations of the fundamental human rights of homosexual, bisexual and transgender persons in the North Caucasus and gross violation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter referred to as Convention) respectively.

**I. Persecutions on grounds of sexual orientation and gender identity in Chechnya.**  
**a) Unlawful arbitrary detention and degrading treatment in custody.**

5. Russian Federation introduced legislative measures to protect its citizens from illegal arbitrary detention on its territory. It is regulated by the Article 27.3 of the Code of

- Administrative Offences and Article 301 of the Criminal Code, which stipulates penalty provisions for the perpetrators. None of the regional units, despite being proclaimed as federative republics can adopt any regional act or decree, which would contradict the Federal law. Accordingly, a decree, regulation or orders given by the Presidents of the North Caucasus Republics can only be legitimate if meet the federal legislation. Indeed, such practices as taking the suspects of crime in custody and held them hostage without proper registration regardless of the required regulations is still employed in the North Caucasus.
6. Particularly, Chechnya, having undergone two war campaigns in recent 20 years, continue using such methods to interrogate and intimidate persons, who are under suspicion of having committed a crime, when there is no apparent reason to officially detain a person.
  7. The social system that currently exists in Chechnya does not allow deviation from the existing set of norms. The Head of the Chechen republic Ramzan Kadyrov himself sets the limits of both the norm and the deviation. Chechen law-enforcement are reported to summon citizens on bias-motivated grounds, which are discriminatory in their nature and could not be used formally in accordance with the Code of Criminal Procedure, but are deemed wrongdoings by the authority, that condemns and seek to eliminate them.
  8. 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.
  9. In 2017, homosexual and transgender people became specifically targeted by Chechen law-enforcement. The world soon learnt about severe atrocities against Chechen LGBT, that included kidnaping and arbitrary detention, tortures, brutal beatings, intimidation and harassment.
  10. Unambiguously appearing as a breach of Article 1 of the Convention, which proclaims that no discriminatory reason can be used to intentionally inflict sufferings on the person, unlawful detentions executed by law-enforcement and further savage imprisonment of LGBT took place in modern Chechnya in 2017 and is being reported a continuous perpetration.
  11. The testimonies of the victims exhibit a particular pattern and follow this pattern aside from certain personal details, which makes it clear to define the motives of the perpetrators. 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 and pursued unfolding of a network of Caucasian LGBT to merely punish them through tortures or exterminate. The victims were directly accused of homosexuality either at the moment of arrest or upon arrival to the facility for the interrogation.
  12. *Quote n1: Case C.D.*  
*“They openly told us: “You were brought here because you are faggots. You bring shame on our people; you should not exist. We will catch all of you. We will fight \*\*\*\*\* (homosexuality) in the Chechen Republic.”*
  13. *Quote n2: Case 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.”*
  14. *Quote n3: Case L.M.*

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

15. According to the survivors’ information, some arrests were executed at workplaces, while some were at personal houses and apartments. Some survivors were detained during the road police raids. In most cases, the police force and the military personnel were looking for specific people, thus the hunters 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.

16. *Quote n4: Case E.F.*

*“There was a police raid. The uniformed men stopped the car I was in, to find drugs. They took all the company to the police station to question everyone. 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 – Kleenex tissues, 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.”*

17. *Quote n5: Case 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.”*

18. Article 1 of the Convention defines it a torture to exert pain for such purposes as obtaining information from a person or a third person or confession. Chechen law-enforcement executed punishment without any preliminary judgment exerting violence not for an act committed by the survivor, but for the very fact of actual or alleged homosexuality, which they demanded the victims to confess. The testimonies show that the perpetrators attempted to intimidate detainees and used barbaric methods to make the survivors give names of other homosexual people in Chechnya - potential survivors of the purge. Tortures with electric currency and severe beatings started in the police station and lasted systematically during the whole period of detention of the survivors.

#### **b) Conditions of imprisonment: torture and other humiliating treatment of LGBT in Chechnya.**

19. The practices of mass detentions in the North Caucasus 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. The same premises were used for the detention of Chechen homosexuals.

20. In total, out of 71 persons directly affected by the purge, 41 report to have been detained. Military personnel brought victims to the police stations, 36 were distributed to the incarceration units, located of the aforementioned stations or unofficial prisons and tortured. These facilities barely had any furniture and were located in the basement.
21. 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. All the testimonies mention that the police officers and military personnel harassed the victims both verbally and physically.
22. On top of that, testimonies suggest that the perpetrators enjoyed torturing detainees. Most of the imprisoned survivors received severe physical injuries: broken jaws, ribs, and multiple bruises. A handful of victims were in critical physical and mental states, and at least 3 people attempted suicide.
23. *Quote n6: Case G.H.*  
*“The unit was extremely small for 16 of us, and we were given just one corner. 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.”*
24. *Quote n7: Case C.D.*  
*“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.”*
25. *Quote n8: Case 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. We were not allowed to wash. Some detainees developed open-cut wounds, and the cell smelled like rotten meat.”*
26. *Quote n9: Case 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.”*
27. *Quote n10: Case 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.”*
28. *Quote n11: Case 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.”*

29. The survivors report that police and military officers encouraged hierarchy among those who were illegally detained in the military premises. Those detained on grounds of sexual orientation or gender identity had more limitations. The prisoners who were accused of deals associated with drug offenses or because of their terrorist sentiments had better 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 could not use the bathroom once in need. Most of the detainees used their privilege to harass and torture gay inmates.
30. *Quote n12: Case A.B.*  
*“We were forced to beat others up and to electrocute them. They instructed other inmates to do whatever they wanted with us.”*
31. Aside from the physical pain, the victims were also subjected to mental intense pressure. After the arrest happened, no one aside from the perpetrators knew where they were kept, as there were no official records and therefore the person was missing for their family. The survivors shared their experience calling it “a never-ending horror”.
32. *Quote n13: Case A.B.*  
*“They showed me a video of the tortures. They filmed it themselves. They caught a guy, who 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.”*
33. Chechen LGBT survivors report that some of them used to face random haunts because of their homosexuality in early 2000s, but this crime has never been so massive. The ordeals that started in the first quarter of 2017 are not scattered and are manifested in the form of organized crime, with the view to literally eliminate a social group that is united on basis of sexual orientation, which is considered rather an illness or a provocation by Chechen society.

## **II. Legitimized crime:**

### **Chechen public officials’ engagement in persecution of homosexual people.**

34. The torturous acts against LGBT are reported as implemented with the consent and acquiescence of public official of Chechnya. The survivors of the persecution has no doubts that the regional authorities impelled police and militants to the perpetration of a crime and participated in multiple violent campaigns too.
35. Among the perpetrators the victims name 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.
36. *Quote n14: Case 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.”*

37. *Quote n15: Case 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.”*

38. *Quote n16: Case 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.”*

39. *Quote n17: Case G.H.*

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

40. Most of the testimonies confirmed that the Republic’s high officials took part in torturing the victims. Different evidence show that at least the following highest regional authorities 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”).

41. *Quote n18 (anonymous)*

*“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”. 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.*

42. *Quote n19 (anonymous)*

*“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.”*

43. *Quotes n20 (anonymous)*

*“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.*

44. *Quote n21 (anonymous)*

*“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.”*

45. The fact that the Chechen public authorities are behind this crime and sanctioned the atrocities seriously violates the provisions of the Convention. (Article 1)
46. It comes out from the survivors' testimonies that apart from direct involvement into the crime, public authorities and regional public opinion leaders instigated families to retaliation and encouraged reprisals against the persecuted homosexual people in Chechnya, which is acknowledged as instigation to tortures under the Convention.
47. The testimonies certify that the release of detainees from secret prisons 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. 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.
48. Intentionally Chechen officials provoked a series of "honour killings", which is a form of extra-judicial executions committed against the family member, who by his actions or behavior "disgraced" the family name.
49. In accordance to the Article 16 of the Convention, each state shall undertake to prevent such cruel punishments as "honour killings", however the local authorities in Chechnya deliberately encourage violent reiteration and maintain room for "blood reprisals" to keep the regime and traditionalist hierarchies, while Federal authorities avoid resolving issues that emerge in Chechen families.
50. Chechen public authorities were behind this crime from the very beginning: they sanctioned a purge, intimidated survivors under tortures in detention, and then instigated the victim's relatives to commit honor killings. However, extra-judicial killings are reported to have been committed also by the law-enforcement officers. The witness confirm at least three cases of executed death penalty. Russian LGBT Network has a list of names of those presumably murdered by police and military officers, or who died after the injures as a result of actions attributed to law-enforcement or their own relatives.
51. There is no surprise for the Russian Federal authorities that Chechnya is a problematic region from the perspective of human rights defense. The barbarian practices are still being exploited in Chechnya, though not regulated by any means. The victims of brutal persecutions stay invisible along with the issue for the Federal Centre, as there are barely any report, which would require actions.

### **III. Investigation of the crime: what measures are taken to put an end to persecutions?**

52. The scale of persecutions, and the fact that some presumably homosexual men were missing, along with timely and determined reaction of international human rights community and mass media forged Russian state authorities to conduct examinations of facts of persecutions, notwithstanding the initial reluctance to even pay attention to the allegations. Upon the request of journalists and human rights defenders, who broke the story of state-orchestrated atrocities, the Investigative committee of the Russian Federation initiated a pre-investigatory work.
53. The assigned investigative detective defined the crime as "a hatred-motivated murder committed by organized group against a particular social group", however all Criminal Intelligence operations were delegated to the Office of Home Affairs in Chechnya, which made Chechen law-enforcement officers to carry out examinations of their own actions. Along with the task nomination, Chechen law-enforcement received comprehensive data on murdered victims and their families. First, it evoked risks of repressions over the family members of the dead or suffered victims of the campaign. Chechen police officers started to question the next-of-kin of the missing survivors and demanded them to sign the documents

stating that the persons in question had no claims against law-enforcement in Chechnya, and their lost relatives “fled to Moscow for a job”. Secondly – it gave a chance to cover up the traces of crime committed against LGBT people in Chechnya.

54. Considering the case papers, one of the prime suspects of the crime, several times mentioned in testimonies of the survivors as the perpetrator – the Head of the Ministry of Internal Affairs in Argun, Aiub Kataev, together with his subordinates, was the first one who made an inspection of the reported secret prison, where the survivors were involuntary held. By the moment when the investigative detective came to examine military premises, the facilities were empty and the barracks were full of construction waste. Another location mentioned in the testimonies as the place of detention, situated in the basement of another regiment patrol service, was completely dismissed by the inspector during the pre-investigatory visit, despite clearly pointed out as a scene of crime. The investigative body did not conduct any proper events to find the tracks of imprisonment or biological tracks (for example blood test) remained as a result of detention and easy to make a test with.
55. The examination therefore was imperfect and had an unsubstantial character, which made it possible to conclude that the investigation did not reveal any evidence for crime. Similarly, the investigative team did not establish a fact of persecution based on sexual orientation or gender identity in Chechnya. The officers interrogated the family members of the adducted and dead survivors of the gay haunt. None of the questioned relatives of the missing persons assumed having homosexual next-of-kin, so the investigative officers made a short conclusion, stating that no gay men was persecuted.
56. The traditionalism that prevails in the Caucasus imposes huge stigma on homosexual people and the entire family, as it is considered critically inappropriate and deserves to be suppressed. Despite gay people in this environment are obliged to live secret life out of fear of reprisals from family and society, the analysis did not take this background essential fact into account in course of the official check-up and decided that there were no gay people and gay persecution in Chechnya respectively.
57. The investigation used the same methods to identify a presumable engagement of law-enforcement officers to the crime against LGBT in Chechnya: those officers, whom the survivors referred to as perpetrators, were questioned. None of them admitted of having committed a crime. This was considered sufficient to claim police officers innocent.
58. The complaint lodged to the Investigative Committee included the names of 4 kidnapped survivors, reported as dead by witnesses of the crime. The investigation started to check this information and confirm the death of one reported victim, but did not found the grounds to conclude that the death was a result of atrocities that the man in question was subjected to within the flagrant campaign sponsored by Chechen high-ranking officials. According to the testimonies of the witnesses, this man 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 already dead. Police officers brought his body to his home. The family of the victim did not report anything, and just wrote it off as a heart attack. The investigation supported the version of illness as a cause for death without any inquiry in his health records and evaded from exhumation and other relevant investigative actions. The rest of the survivors known as abducted in course of the gay purge in Chechnya are declared missing, but with no association to bias-motivated reasons.
59. In the mold of its current mission, the Russian LGBT Network has evacuated and received the verifications of crime from over a hundred of people affected by this blatant crime, but the investigative team did not find it necessary to contact the organization’s administration.

60. The Investigative Office three times denied providing state protection to Maxim Lapunov, the only survivor, who so far filed a suit on his behalf as a victim of state-orchestrated persecution on grounds of his sexual orientation, no matter the fact of continuous threats to him and his family from Chechen law-enforcement.

61. *Case of Maxim Lapunov:*

*16th of March, 2017 around 9 p.m., 4 police officers in civil clothing unlawfully detained Maxim Lapunov at his workplace in the Shopping Mall. Many people witnessed his detention, the surveillance cameras were monitoring the whole territory of the mall, police patrol service were watching the kidnapping, but did not intervene. Maxim tried to physically resist the attack, demanded to show documents and give explanation to him from the assailants. The men gave no comments, pulled him into the car and drove him to the premises of ROVD (District Department of Internal Affairs). In the department's office, the policemen took away his phone and found a chat with another man. The officer called him "a faggot" and added that it was the reason why Maxim was brought to the station. The police charged Maxim with homosexuality. Maxim demanded that his detention should be properly registered and that the official reason for his arrest must be coached in accordance to the law. His legal awareness irritated the police officers and they threatened him with tortures (rape with bottle, electric current beatings), then guided him underground, left on the basement and brutally beat him up the next day. The law-enforcement held Maxim hostage on the basement of the Criminal Office of the Ministry of Domestic Affairs in Chechnya for 12 days.*

*The detainers wrote down all contacts that had names of dating apps in the title in his phone list and forced Maxim to disclose location of other gay men in the Republic. Law enforcement officers got a gun pointed at Maxim and forced him to call a man, that they identified as his boyfriend in the phone contact list. The perpetrators organized a figurehead dating to caught another victim after Maxim.*

*Maxim became witness of violent beating of Chechen alleged homosexuals in the prison. Law-enforcement officers most of the time used plastic tubes to beat Maxim up. Once two majors ordered Maxim to stand facing the wall with the hands up, leaning the wall. The officers targeted low parts of the torso, buttocks, lips and legs, so as he could not sit or stand. Sometimes the strikes also affected his head and a back. The inmates, including Maxim should have fight for the guards' fun.*

*On 28th March, the law-enforcement came downstairs and guided Maxim to the 4th floor of the same building (ROVD). They took a camera and recorded the video with Maxim's confession in homosexuality. The script of this "confession" was prepared by the police officers in advance, so Maxim had to read the text. He said on camera that he had a sexual intercourse with the men, who was caught by police during the set-up after him. When finished with the video, the law enforcement officers forced Maxim to sign some papers without giving them to him to study first. Once he put his signature, the offenders threw a pistol to Maxim's hands intimidating him that in case of any information leaks he would be charged with murder committed with this gun. They took his fingerprints to secure themselves from allegations. Officers also promised to "find witness" and "compose a description of a fake murder".*

62. Maxim Lapunov reported the Investigative Committee with his case urging for the criminal case initiation. The Committee responded with a 30 days delay and suspended consideration of his suit for several times. Every next preliminary check was extended for a longer period, than it should be, violating the procedural terms. Eventually it did not evolved into a criminal

case. The last pre-investigatory work ended up with “no grounds disclosed” for the legal procedure commence.

63. By the moment, the criminal case remains uninitiated and no legal investigation has been started to conduct thorough and impartial examination of violent persecution of LGBT in Chechnya. This bears no progress of bringing those responsible to justice after a year of Maxim’s release.
64. Meanwhile Russian Federal authorities continue closing the eyes on the fact of outrageous acts of violence reported by human right defenders and the very survivor. Authorized to fight the Islamist separatists by the Russian state, Ramzan Kadyrov was exempt from the rule of Russian law a decade ago. These days Russian Government demonstrates failures to ensure transparent and credible research in the region to hold the perpetrators accountable for harsh violations of human rights. The immunity that the Kadyrov’s authorities were granted with 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.
65. Referring to the Article 2 of the Convention against torture, no exceptional circumstances, including internal political instability, may be invoked as a justification of torture. This provision of the Covenant is dismissed for the sake of maintaining checks and balances of power, set over a decade ago.

## RECOMMENDATIONS

- 1) Immediately initiate a criminal case on alleged facts of enforced disappearance, illegal detention, tortures and extra-judicial killings that homosexual people in Chechnya were subjected to and bring those responsible to justice. Conduct an efficient and impartial investigation of the hate crime in form of the crime against humanity, which took place in Chechnya against homosexual people.
- 2) Ensure the safety of Maxim Lapunov and his safety on the territory of Russia.
- 3) Ensure that LGBT victims or alleged homosexuals, as well as their relatives affected of the state-orchestrated purge are equally treated and in case of potential reports on severe breach of law they are guaranteed with state protection
- 4) Ensure that the Russian legislation is applied in Chechnya and that the perpetrators accountable for the crime orchestrated by Chechen authorities would respond for the atrocities inflicted on LGBT in Chechnya no matter the rank.