



**To Governments of Ukraine,
EU Member States, Switzerland, Norway,
Montenegro, Iceland, Albania, Liechtenstein,
the USA, Canada, Australia, and Japan**

To Prosecutor's Office of the Autonomous Republic of Crimea

OPEN APPEAL

On August 4th 2017, violating the fundamental human rights and international humanitarian law provisions, the Crimean Occupation Court passed a sentence on **Mr Volodymyr Balukh**, Ukrainian. Ms. Maria Bedritskaya, 'a judge of Razdolnensky District Court', handed him to a three-year and seven-month sentence in the penal colony settlement as well as imposed a fine of RUR10,000.00.

The persecution of Mr Balukh is **politically reasoned**, he being himself a **prisoner of conscience**, for he is in custody only because of his opinions peacefully expressed.

Considering the above-mentioned, **we are appealing to the governments of the EU Member-States, Switzerland, Norway, Montenegro, Iceland, Albania, Liechtenstein, the USA, Canada, Australia, and Japan** and are asking to introduce personal sanctions for the persons linked to the persecution of Mr Volodymyr Balukh, a Crimean prisoner of conscience, as well as for strengthening sectoral sanctions against the Russian Federation for gross and repeated violations of human rights in Crimea.

In addition, **we are appealing to the Ukrainian authorities and demanding:**

- To investigate efficiently facts of persecuting Mr Volodymyr Balukh, a citizen of Ukraine, as well as to hold then liable the persons guilty of violating human rights and international humanitarian law;
- To include citizens of RF linked to the persecution of Mr Volodymyr Balukh into the sanction lists of human rights abusers on the territory of Crimea;
- To support the family of Mr Balukh, prisoner of conscience as well as families of all political prisoners illegally deprived from freedom by the Russian Federation since 2014;
- To develop open, human rights and international humanitarian law provisions based, legal and political procedures for liberating the Ukrainian political prisoners and transferring them to the territory controlled by Ukraine.

Background information

When Crimea had been occupied by the Russian Federation, Mr Volodymyr Balukh, a farmer from the village of Serebrianka, Razdolnensky District, expressed many times **in public his disagreement with incorporating Crimea into the RF**. Protesting, he displayed the national flag of Ukraine on his house roof in March of 2014.

The authorities de facto threatened the activist many times, including a threat of criminal prosecution. Since April 2015, Mr Balukh's house has been illegally searched several times, with removing the state flag of Ukraine from the roof and its taking away. During one of the searches, the activist was beaten up by the 'policemen' and sentenced to an administrative 10 days' arrest for '*defiance to a policeman's demand*' (Administrative Offense Code of Russian Federation, Article 19.3). For the same 'violation' Mr Balukh was prosecuted again, and sentenced in November of 2016 to 320 hours of the forced work.

Despite all this, Mr Volodymyr Balukh hanged the Ukrainian flag on his house roof again. On November 29th 2016 he placed a sign 'Heaven Hundred Heroes Street - 18' on his house wall (in memory of the civil participants of the protests at Kyiv's Maydan died in February of 2014). Then, in December of 2016 the FSB officers made one more unjustified search in the houses of activist and his mother, took away the flag of Ukraine and, reportedly, 'found' cartridges and dynamite. Since December 2016 Mr Balukh has been illegally in custody, in the Simferopol Detention Facility, where his chronic illnesses have aggravated so he needs a medical treatment.

The Mr Volodymyr Balukh's defence presented the evidence of activist's innocence, evidence tampering, serious violations during the search and other investigation actions to the 'court'. However, the 'judge' did not accept the defense arguments, called them 'vicious' and supported the prosecution.

These and other facts testify **manufacturing of the criminal prosecution of Mr Volodymyr Balukh due to political reasons**. He has been illegally deprived from freedom only due to his opinions and public disagreement with the Russia's actions in Crimea. This is the reason why the Crimean authorities de facto committed many times violations of rights and freedoms established by the Convention for the Protection of Human Rights and Fundamental Freedoms – right to liberty and security of person, right to a fair trial, freedom of expression, right to respect of private and family life – regarding Mr Balukh.

According to the data collected and recorded by the Crimean Human Rights Group, **at least twenty persons are linked to illegal persecution of Mr Volodymyr Balukh and his deprivation of liberty** including

Crimea FSB officers

1. Victor Palagin, head of 'RF FSB Department for Republic of Crimea and Sevastopol City', citizen of Russia;
2. Colonel Sergey Voronin, head of 'RF UFSB for Republic of Crimea and Sevastopol City', citizen of Russia (from July 1, 2017 appointed head of RF FSB of the Kabardino-Balkarian republic);
3. S. Bruyev, investigation officer of 'RF UFSB for Republic of Crimea and Sevastopol City';
4. Aleksey Luk'yanov, head of 'RF UFSB for Republic of Crimea and Sevastopol City' unit, (town of Krasnoperekopsk);

5. Aleksey Leonov, 'lead investigator, Krasnoperekopsk department of RF UFSB for RC and Sevastopol City', citizen of Ukraine;
6. Denis Zabara, 'field agent of RC UFSB', citizen of Ukraine.

'Judges' of courts created in Crimea

7. Victor Skliarov, deputy chairman of 'RC Supreme Court', citizen of Ukraine;
8. Mariya Bedritskaya, 'judge of Razdolnensky District Court of RC', citizen of Ukraine;
9. Alexander Abeliashv, 'judge of Razdolnensky District Court of RC', citizen of Ukraine;
10. Galyna Redko, 'judge of RC Supreme Court', citizen of Ukraine;
11. Anatoliy Osochenko, 'judge of RC Supreme Court', citizen of Ukraine.

Crimea 'Prosecutor's Office' staff

12. Dmitriy Shmelev, 'prosecutor of Razdolnensky District RC';
13. Dmitriy Korolev, 'assistant prosecutor of Razdolnensky District RC';
14. Olesya Cheplanova, 'employee of the RC prosecutor's office', citizen of Ukraine.

Officers of police and investigation committee of Russia in Crimea

15. Mishlyaev Artem, head of 'RF Investigative Committee for Republic of Crimea and Sevastopol City the Razdolnensky Inter-District Investigation Department', citizen of Russia;
16. Evgeniy Bobrov, 'policemen';
17. Alexander Lopatin, citizen of Ukraine, 'policemen';
18. A.Konovalov, 'policemen';
19. V.V.Didik, 'deputy officer on duty of Russia OMVD police unit for Razdolnensky District'
20. Olga Ukhina, 'interrogator of Russia OMVD OD for Razdolnensky District', citizen of Russia;
21. O.V.Sorgovskiy, 'investigator of Russia OMVD OUR for Razdolnensky District';
22. Nikolay Shuba, 'head of Russia OMVD for Razdolnensky District', citizen of Ukraine;
23. Sergey Burnashov, 'lead inquiry officer of Razdolnensky MSO, Russia SK GSU for RC'

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¹ <http://crimeahrg.org/en/>

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