



# CRIMEAN HUMAN RIGHTS GROUP

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## CRIMEAN HUMAN RIGHTS SITUATION REVIEW

**June 2017**

The monitoring review was prepared  
by the Crimean Human Rights Group  
on the basis of materials collected  
in June 2017

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## 1. INTRODUCTION

The **Crimean Human Rights Group (CHRG)** is an organization of the Crimean human rights defenders and journalists, the purpose of which is to promote the observance and protection of human rights in Crimea by attracting widespread attention to the problems of human rights and international humanitarian law in the territory of the Crimean peninsula, as well as the search and development of mechanisms to protect the human rights in Crimea.

The **CHRG** first of all obey the rules of basic documents in the field of human rights, such as: the Universal Declaration of Human Rights, the Helsinki Final Act, the Convention on the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights, the International Covenant on economic, social and cultural Rights and others.

The main objectives of the **CHRG**:

- 1) Collection and analysis of the information regarding the human rights situation in Crimea;
- 2) Broad awareness among governments, international organizations, intergovernmental organizations, non-governmental organizations, the media and other target groups through the publication and spreading of analytical and information materials on the human rights situation in Crimea;
- 3) Promote the protection of human rights and respect for international law in Crimea;
- 4) Preparation of recommendations for government authorities and international organizations in the sphere of human rights;
- 5) Providing the presence of «human rights in the Crimea topics» in the information space.

The **CHRG's** team consists of experts, human rights activists and journalists from different countries who are involved in monitoring and documenting human rights violations in Crimea, since February, 2014.

During preparation and spreading of the information the **CHRG** is guided by principles of objectivity, reliability and timeliness.



## 2. CIVIL AND POLITICAL RIGHTS

### *RIGHT TO LIBERTY AND SECURITY OF THE PERSON*

#### DETENTIONS

On 9 June, the judge of the “Armyansk City Court” Venera Isroilova, at the request of prosecutor Alexander Chulpanov, prolonged the detention of a citizen of Ukraine of Afghan origin, **Kabir Mohammad**, until 13 September, 2017.<sup>1</sup> Thus, for 9 months, in violation of procedural norms, Kabir Mohammad is held in Simferopol jail. The Russian authorities intend to extradite him to Iran as a person wanted by Interpol, who is a suspect in grave crimes, an Afghan citizen with a last name Niyazi, whose name is Mohammad Kabir. And the citizen of Ukraine has a surname — Mohammad, and the name Kabir. The Consulate of the Islamic Republic of Afghanistan in official letters addressed to various instances of the Russian Federation several times reported that the detainee in Crimea Kabir Mohammad has nothing to do with the citizen of Afghanistan wanted by Interpol.

On 21 June, the judge of the “Supreme Court” of Crimea Alexei Afterdov left the decision to extend the term of detention without change.

<sup>1</sup> <http://crimeahrg.org/u-kabira-mohammada-posle-ocherednogo-suda-sluchilsya-povtornyiy-insult-supruga/>



## POLITICALLY MOTIVATED CRIMINAL PROSECUTION

### «26 FEBRUARY CASE»

“26 February case” is considered in two trials: the first in the “Supreme Court” of Crimea regarding the case of **Ahtem Chiygoz** (in custody) as the “organizer of unrest” near the Crimean parliament, the second in the “Central District Court” of Simferopol in the case of other defendants (**Ali Asanov** and **Mustafa DeGermenji** who are under house arrest, with **Eskender Katemirov**, **Eskender Emirvaliyev** and **Arsen Yunusov**, for who a preventive measure of a personal bail was chosen) as “participants in the riots.”

On 6 June, the judge of the «Central District Court» of Simferopol, Sergey Demenyuk, extended a house arrest for Ali Assanov and Mustafa DeGermenji until 8 August, 2017<sup>2</sup>. On 14 June, the judge of the «Supreme Court» of Crimea, Mikhail Sobolyuk, upheld this decision against Ali Asanov<sup>3</sup>, on 20 June the judge Aleksei Posadov adopted a similar decision against Mustafa DeGermenji<sup>4</sup>.

On 7 June, the panel of judges of the «Supreme Court» of Crimea — Viktor Zinkov, Igor Kryuchkov and Alexei Kozyrev — refused to consider the petition to grant Ahtim Chiygoz the opportunity to see the mother who was in terminal state because of illness. The judges justified the refusal by saying that Chiygoz was under the trial and not convicted, and there was no procedure for temporary release from the custody for the defendants. The prosecutor Anastasia Supryaga also insisted on the rejection of the petition. The lawyer suggested changing the measure of restraint from custody to house arrest. But this petition was also rejected. Judge Zinkov said that there are not sufficient reasons for changing the measure of restraint<sup>5</sup>.

On 22 June, the panel of judges of the «Supreme Court» of Crimea — Viktor Zinkov, Igor Kryuchkov and Alexei Kozyrev — granted the request of «prosecutor» Anastasia Supryagi to extend the detention of Ahtem Chiygoza until 7 October, 2017<sup>6</sup>.

### «HIZB UT-TACHRIR CASE»

19 people are imprisoned regarding the «Hizb ut-Tahrir case»: **Ruslan Zeitullaev**, **Rustem Vaitov**, **Nuri Primov**, **Ferat Sayfulaev** (convicted), **Inver Bekirov**, **Vadim Sirouk**, **Muslim Aliyev**, **Emir-Usain Kuku**, **Refat Alimov**, **Arsen Jepparov**, **Enver Mamutov**, **Remzi Memetov**, **Zevri Abseitov**, **Rustem Abil'tarov**, **Teymur Abdullayev**, **Rustem Ismailov**, **Aider Sabedinov**, **Uzeir Abdullayev** and **Emil Jemadenov** (in custody). They are accused of Part 1 of Article 205.5 of the Criminal Code of the Russian Federation (Establishment of a terrorist organization) and / or part 2 of Article 205.5 of the Criminal Code of the Russian Federation (Participation in a terrorist organization). Later, some of the defendants were also charged under article 278 of the Criminal Code (Forcible seizure of power or forcible retention of power).

On 5 June, judges of the «Supreme Court» of Crimea Oleg Lebed and Konstantin Karaev prolonged the terms of the detention of **Emir-Usain Kuku**, **Vadim Siruk**, **Inver Bekirov**,

<sup>2</sup> <http://krymsos.com/ru/news/figurantam--spravi-26-lyutogo--prodovzhili-aresht/>

<sup>3</sup> [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=467386916&result=1&delo\\_id=4&new=4](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=467386916&result=1&delo_id=4&new=4)

<sup>4</sup> [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=doc&number=469240682&delo\\_id=4&new=4&text\\_number=1](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=469240682&delo_id=4&new=4&text_number=1)

<sup>5</sup> <https://www.facebook.com/nikolay.polozov/posts/1409972549068137>

<sup>6</sup> <https://www.facebook.com/krymrealii/videos/825034867666003/>



**Muslim Aliyev, Refat Alimov and Arsen Jepparov** till 5 August, 2017, at the request of investigator Sergei Makhnev<sup>7</sup>.

On 22 June, the judge of the «Supreme Court» Timur Slezko upheld the decision against **Arsen Jepparov**, Judge Anatoly Osochenko — against **Vadim Siruk**, Judge Sergei Rubanov — against **Inver Bekirov**<sup>8</sup>. On 23 June, the judge of the «Supreme Court» Yury Latynin upheld the decision to extend the detention of **Muslim Aliyev**<sup>9</sup>, and Judge Tatyana Fedorova — to extend the detention of **Emir-Usain Kuku**<sup>10</sup>. Osman Arifmemetov told the CHRГ that the activists who came to support Inver Bekirov were not allowed into the courtroom, only his wife was allowed in<sup>11</sup>.

On 7 June, the judge of the Kyiv District Court of Simferopol, Yanina Okhota, extended the terms of detention of **Teymur and Uzeyr Abdullayev, Rustem Ismailov, Aider Saledinov and Emil Jemadenov** till 11 August 2017<sup>12</sup>. The lawyer Emil Kurbadinov reported that 17 FSS investigators conduct the case, the court refused holding a photo and video recording of the meeting, and the «suspects» were in a metal cage during the meeting. On 28 June, the judge of the Supreme Court of Crimea, Alla Ovchinnikova, upheld the decision to extend the detention of Abdullayev, Ismailov and Jemadenov.<sup>13</sup>

A spokeswoman for the RosUznyk initiative, Jana Goncharova, said that previously convicted Ferat Sayfullaev is being held in a chamber type room (a room with more severe conditions than in a colony) of Omutnin colony (Kirov region, RF). According to her information, Sayfullaev was placed in chamber type room for 6 months for the sim card he had<sup>14</sup>. Lawyer Edem Sememlyayev said that Saifullayev will stay there until 28 September, 2017. The lawyer added that the colony administration did not give him an opportunity to have a confidential talk with the client, prevented the transfer of money and signing the documents for the ECHR and international organizations<sup>15</sup>.

### «UKRAINIAN SABOTEURS' CASE»

On 2 June, the judge of the Kyiv District Court of Simferopol, Anton Tsykurenko, extended the term of **Yevgeny Panov's** custody until 7 August, 2017<sup>16</sup>. Also on 2 June in the «Kiev District Court» of Simferopol, **Andrei Zakhtei's** detention was prolonged until 7 August.<sup>17</sup> On 21 June, the judge of the «Supreme Court» of Crimea, Mikhail Sobolyuk, after reviewing the appeal left this decision in force.<sup>18</sup> On 22 June, the judge of the «Supreme Court» of Crimea, Tatiana Melnik, upheld the decision to extend the detention of Evgeny Panov.<sup>19</sup>

On 2 June, lawyers of Yevgeny Panov filed a complaint to the head of the Military Investigation Department of the Military Investigation Department of the Investigation Committee of the Russian Federation for the Black Sea Fleet, in which they demand the repeal of the resolution of the

<sup>7</sup> [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=05.06.2017](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=05.06.2017)

<sup>8</sup> [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=22.06.2017](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=22.06.2017)

<sup>9</sup> [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=468343032&result=1&dello\\_id=4&new=4](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=468343032&result=1&dello_id=4&new=4)

<sup>10</sup> [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=468343028&result=1&dello\\_id=4&new=4](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=468343028&result=1&dello_id=4&new=4)

<sup>11</sup> <https://www.facebook.com/photo.php?fbid=2010339942527991>

<sup>12</sup> <https://www.facebook.com/KRYM.SOS/videos/1369680879775194/>

<sup>13</sup> [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=469027115&result=1&dello\\_id=4&new=4](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=469027115&result=1&dello_id=4&new=4)

<sup>14</sup> <https://www.facebook.com/yanagoncharova/posts/10213297469417395>

<sup>15</sup> <https://www.facebook.com/profile.php?id=100004757052466&fref=ts>

<sup>16</sup> <http://crimeahrg.org/figurantu-dela-ukrainskih-diversantov-evgeniyu-panovu-prodlili-arest-na-2-mesyatsa/>

<sup>17</sup> <https://ru.krymr.com/a/news/28525234.html>

<sup>18</sup> [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=468342997&result=1&dello\\_id=4&new=4](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=468342997&result=1&dello_id=4&new=4)

<sup>19</sup> [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=469027237&result=1&dello\\_id=4&new=4](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=469027237&result=1&dello_id=4&new=4)



investigator Marcukov R.A. from 10 February, 2017 on the refusal to initiate a criminal investigation into the use of torture against E. Panov and to conduct additional verification on the application for a crime against the Ukrainian resident. The defence also appealed to the Prosecutor's Office of the Black Sea Fleet regarding the recognition of decision of the Investigator of the Supreme Arbitration Court of the All-Union Armed Forces of the Russian Federation for the Black Sea Fleet Marchukov R.A. about the refusal to open a criminal case on the application of Evgeny Panov regarding the torture to him as the unlawful and unjustified.

## VLADIMIR BALUKH CASE

On 1 June, the «Supreme Court» of Crimea considered the complaint of the defence of **Vladimir Balukh** against the decision of the Razdolnensky District Court to extend his term of detention until 4 September, 2017. The lawyer filed a petition that the archbishop of Simferopol and the Crimean UOC of the Kiev Patriarchate, Clement, is ready to take the Ukrainian on bail. According to the defence, the «prosecutor» did not present any reason why Balukh should be kept in custody. The activist once again stated that he is a citizen of Ukraine and does not have a Russian passport. According to the «prosecutor», the lack of Russian citizenship is the basis for leaving the Ukrainian in custody.

The «Supreme Court» of Crimea, chaired by Judge Galina Redko, ignored the arguments of the defence and left the complaint unsatisfied. At the same time, the court changed the decision of the Razdolnensky District Court and reduced the term of the activist's detention until 21 August, 2017 (it was until 4 September). The change of the term indicates about the next violation done by the judge of the Razdolnensky District Court, Maria Bedritskaya, of the norms of the Criminal Procedural Code of the Russian Federation, which de facto operate in Crimea as after 21 August, the activist should be released from custody. According to the de facto legislation of the Russian Federation operating in Crimea, the term of keeping the «defendant» in custody in the period from the day of entering the criminal case on crimes of medium gravity of offence (21 February, 2017) and until the sentence is rendered to him cannot exceed 6 months (Part 2 and Part 3 of article 255 of the Code of Criminal Procedure of the Russian Federation). But Judge Maria Bedritskaya, when she was determining the term of the activist's detention until 4 September, ignored this rule<sup>20</sup>.

<sup>20</sup> <http://crimeahrg.org/verhovnyiy-sud-kryima-sokratil-srok-soderzhaniya-v-sizo-vladimira-baluha-do-21-avgusta/>



## FREEDOM OF SPEECH AND EXPRESSION OF OPINIONS\*

On 1 June, the judge of the «Soviet World Court» Elena Eletsikh found the member of the regional Mejlis **Rustem Mennanov** guilty under article 13.15 of the Administrative Code of the Russian Federation (Abuse of the freedom of mass information in the form of spreading of information on an organization included in the list of banned in the Russian Federation) for mentioning in the social networks of the Mejlis without specifying that the association is prohibited on the territory of the Russian Federation<sup>22</sup>. According to the lawyer, during the meeting, all the defence applications were rejected. Mennanov was appointed a fine of 2000 rubles by the judge; the appeal is scheduled for 4 July.

Spouses **Natalia Kharchenko** and **Andrei Vinogradov** had to leave Crimea to the territory controlled by Ukraine. After five interrogations of Natalia in the FSS of the Russian Federation on the facts of her pro-Ukrainian publications in social networks, the spouses were afraid of criminal prosecution and decided to move.<sup>23</sup> Natalia was interrogated by the investigator of the FSS of the RF Igor Skripka, who is also an investigator in the case of Ilmi Umerov and his lawyer Nikolai Polozov.

## OBSTRUCTION OF JOURNALISTIC ACTIVITIES

On 14 June, during a meeting in the criminal case against Ilmi Umerov in the «Simferopol District Court», the judge refused to satisfy journalists with a request for photo and video filming.

## NIKOLAI SEMENA CASE

On 5 June, during a meeting on the case of journalist **Nikolai Semena**, who is charged under part 2 of Article 280.1 of the Criminal Code of the Russian Federation (Public calls for actions aimed at violating the territorial integrity of the Russian Federation using the media) for his article in the media, a study of the case materials was completed.

On 14 June, in the «Zheleznodorozhny District Court» of Simferopol, during the hearings on the case, the defence presented the expert opinion of the Russian professor Mikhail Savva. It noted that the statements of Nikolai Semena in his article are an opinion and cannot be regarded as appeals to violate the territorial integrity of Russia, since Crimea does not belong to it according to the norms of international law<sup>24</sup>. This meeting was not attended by interpreters and an expert acting as a witness of the prosecution. The next meeting on the case was held on 21 June.

## ILMI UMEROV CASE

On 7 June, there was the first meeting in the case of **Ilmi Umerov** in the «Simferopol District Court», who is charged under part 2 of Article 280.1 of the Criminal Code of the Russian Federation «Public calls for the implementation of actions aimed at violating the territorial integrity of the Russian Federation, committed using information and telecommunication networks (including the Internet)» for his public statements that Crimea is the territory of Ukraine.

\* The section was prepared in cooperation with the **Human Rights Information Center**: <https://humanrights.org.ua/en>

<sup>22</sup> <https://ru.krymr.com/a/news/28523335.html>

<sup>23</sup> <https://www.facebook.com/crimeaarg/posts/1919815908304041>

<sup>24</sup> <https://ru.krymr.com/a/news/28551839.html>





According to his daughter Aysha Umerova, only 15 people were allowed into the hall, for the rest there was no place in the courtroom. Judge Andrei Kuleshov and prosecutor Oleg Sarginov<sup>25</sup> are citizens of Ukraine who are wanted by Ukrainian law enforcement agencies on charges of high treason<sup>26</sup>.

On 21 June, at the court session, the expert Olga Ivanova who conducted a linguistic examination of Ilmi Umerov's speech at the request of the FSS, told the court that she was an employee of the FSS, and did not listen to the original speech because she does not know the Crimean Tatar language. The expert made her conclusions on the basis of translation of Ilmi Umerov's speech from the Crimean Tatar language into Russian, prepared by the FSS staff.

Lawyer Emil Kurbedinov said that Olga Ivanova is a «regular» expert, who is also involved in other politically motivated cases (for example, in the case of Nikolai Semena and «Hizb ut-Tahrir case») for expert examination.<sup>27</sup>

During the meetings on 7, 14 and 21 June, the testimony of other prosecution witnesses were also heard.

## SULAYMAN KADYROV CASE

The investigator in the case of **Suleiman Kadyrov**, who is accused of violating Part 1 of Article 280 of the Criminal Code of the Russian Federation (Public Appeals for the implementation of actions aimed at violating the territorial integrity of the Russian Federation), ruled to extend the pre-trial investigation period until 7 August, 2017.

<sup>25</sup> <https://www.facebook.com/aysha.umerova/posts/1372912916079862>

<sup>26</sup> <http://wanted.mvs.gov.ua/searchperson/details/?id=65375571>

<sup>27</sup> <https://www.facebook.com/zair.smedlya/videos/1384535994914898/>



## FREEDOM OF PEACEFUL ASSEMBLY

On 9 June, the deputy of the City Council of Kerch Ivan Zheltenko said that members of the Communist Party of the Russian Federation in **Kerch** were refused to hold a rally «**Kerchane is for a clean city without corruption**» on 17 June in the central square of the city. The head of the Kerch administration, Sergei Borozdin, explained his refusal by holding another event in this place — a children's youth competition<sup>28</sup>. The meeting was held in the Letchikov square<sup>29</sup> — a less public place than the central square.

On 21 June, a resident of Dzhankoy, **Ruslan Kurtseitov**, informed the CHRГ that he and four Crimeans had been summoned to the police of Dzhankoy to give explanations of their participation on 18 May, 2017, in laying flowers at the monument to the victims of deportation. Employees of the Ministry of Internal Affairs of the Russian Federation recorded the movement of people to the monument on video and saw these actions as an unauthorized rally. Policemen took explanations from the Crimeans, without presenting any documents, and informed that the case would be submitted to the court<sup>30</sup>.

On 20 June, «the Legislative Assembly of Sevastopol» adopted a draft regional law «On meetings, rallies, demonstrations, marches and pickets in the city of Sevastopol», initiated by the «city government». In addition to the restrictions specified in Federal Law No. 54-FL of the Russian Federation, the law further extends the list of places where it is prohibited to hold peaceful assemblies. Sites such as sidewalks, markets, stations, educational institutions, religious objects, construction sites and facilities occupied by state bodies and self-government bodies are in the list. In addition, Part 2 of Article 5 of the Law obliges organizers of mass events to ensure the availability of mobile toilets and compliance with fire safety rules in case if the event is planned to be held for more than three hours<sup>31</sup>. The new restrictions violate the principle of the positive obligation of the state to create the necessary conditions for holding peaceful assemblies. However, these functions are de facto delegated to the citizens by the de facto authorities.

Activist Ilya Bolshedvorov was twice denied a public event in June. The administration of Simferopol refused to agree on the picket «Return the Salute to the Trade Union» on 16 June in front of the monument to Lenin. In refusal, the administration referred to another event planned at the same time at the declared location.<sup>32</sup> Having been refused, Bolshedvorov tried to coordinate the holding of his event on another day — 26 June, 2017, but the administration of Simferopol again refused for the same reason.

Despite the refusal, on 26 June several dozen people came to Lenin Square, but the police detained them. Ilya Bolshedvorov on his page in the social network published a video of those events. One of the policemen introduced himself as Lieutenant Colonel Sergey Nikitin and said that people gathered for an uncoordinated mass event. He said that for this reason people are detained and will be taken to the «Central Police Station» of Simferopol. People, among whom were women and children, were escorted to the police bus<sup>33</sup>. Bolshedvorov told the CHRГ that he and a member of the Crimean Trade Union of Cultural Workers Alexander Trunov compiled administrative protocols on Part 1 of Article 20.2 of the Administrative Code of the Russian Federation.

<sup>28</sup> <https://kerch.fm/2017/06/09/administraciya-kerchi-ne-razreshila-kommunistam-provodit-antikorrupcionnyy-miting.html>

<sup>29</sup> <https://kerch.fm/2017/06/17/v-kerchi-antikorrupcionnyy-miting-vse-taki-sostoyalsya.html>

<sup>30</sup> <https://www.facebook.com/crimeahrg/posts/1915598458725786>

<sup>31</sup> [https://sevizakon.ru/view/laws/bank/21609/zakon\\_n\\_351\\_zs\\_ot\\_28\\_06\\_2017/tekst\\_zakona2/](https://sevizakon.ru/view/laws/bank/21609/zakon_n_351_zs_ot_28_06_2017/tekst_zakona2/)

<sup>32</sup> <https://www.facebook.com/crimeahrg/posts/1917406068545025>

<sup>33</sup> <https://www.facebook.com/ilya.bolshedvorov/videos/1154885921283586/>



The police officers took explanations from the rest of the detainees. Bolshedvorov added that after the people were taken to the police department, one of the detainees was sick, doctors took her from the police station.

Participants of another event, which the administration of Simferopol pointed out as the reason for refusing to hold a rally, are not present in the video published by Bolshedvorov.

On 30 June, the judge of the «Bakhchisarai District Court» Herman Atamanyuk appointed an administrative fine of 150,000 rubles to the activist from Bakhchisaray Osman Bialalov regarding the part 8 of Article 20.2 of the Code of Administrative Offenses (repeated violation of the procedure for holding a rally)<sup>34</sup>. Belyalov and his defender, were not present at the meeting. On 13 April, 2017, Osman Belyalov was near the house of Seydamet Mustafayev, who was detained for publishing the posts in a social network. Previously, Belyalov was also fined for being near the places of mass searches and arrests that took place in Bakhchisaray on 12 May, 2016. In both cases, his actions were qualified as participation in an unsanctioned rally.

<sup>34</sup> Judgement of the «Bakhchisarai District Court» on the case # 5-256/2017, June 30, 2017 [https://bahchisarai--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=doc&number=473590286&delo\\_id=1500001&new=0&text\\_number=1](https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=473590286&delo_id=1500001&new=0&text_number=1)



## FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

According to the website of the «Jehovah's Witnesses in Russia», «Military Commissar of the Bakhchsarai District of the Republic of Crimea» Pavel Vrublevsky summoned a local citizen to provide documents on the change of faith (Annex 1). According to the website, the military commissar demanded such documents for the alternative civil service (ACS). The requirement of documents confirming faith violates the right to freedom of conscience and religion, and also contradicts Article 11 of the Federal Law of the Russian Federation No. 113-FL «On Alternative Civil Service» (de facto acting in the territory of Crimea), which stipulates that the provision of such documents is a right, but not an obligation. A representative of the branch of Jehovah's Witnesses in Ukraine confirmed to the CHRG that one of the parishioners in Crimea had received such a summons. But Pavel Vrublevsky refutes this information, stating that the entry in the agenda for the provision of documents was made by an unidentified person. He said that he applied to the FSS of the Russian Federation about forgery of documents.<sup>35</sup>

On 30 June, journalist Anton Naumlyuk said that the head of the Dzhankoy branch of «Jehovah's Witnesses» **Vitaly Arsenyuk** was accused of violating Part 4 of Article 5.26 of the Code of Administrative Offenses of the Russian Federation (Implementation of Missionary Activities with Violation of Legislation Requirements). On 27 June, the «peace judge» Alkhaz Tulparov held a hearing on the case, and the same night Vitaly Arsenyuk died at the age of 67 from a heart attack.

In June, CHRG conducted monitoring of court decisions on the website of «Justice of the Peace of the Republic of Crimea» and recorded six «accusatory» decisions of the court for administrative cases under the part 3<sup>36</sup> and part 4<sup>37</sup> of Article 5.26 of the Code of Administrative Offenses of the Russian Federation for religious activities.

On 9 February, 2017, the «Justice of the Peace of the District of Bakhchisarai» **Artem Cherkashin** sentenced Arsen Ganiev to a fine according to the part 4 of Article 5.26 of the Administrative Code of the Russian Federation for the distribution of calendars and leaflets about the forthcoming event «Maulid» and the book «Mevlyud ayy Hayrli olsun». The judge regarded this as a missionary activity in the wrong place<sup>38</sup>.

On 18 February, 2017 «justice of the peace of Yalta district court» Elena Bekenstein sentenced the head of the local religious organization «Church of Christians of Seventh Day Adventists in Yalta» **Grigory Stasyuk** to a fine of 30,000 rubles according to the part 3 of Article 5.26 of the Code of Administrative Offenses of the Russian Federation for the lack of a signboard with the full name of the organization at the entrance to the premises in which the sermons of the church are conducted<sup>39</sup>.

On 11 May, 2017 «justice of the peace of Bakhchisarai district» Elena Yesina sentenced a pastor of the local religious organization «Revival» Church of Christians of the Evangelical Faith» **Nikolay Blyshchik** to a fine of 30,000 rubles according to the part 3 of Article 5.26 of the Code of Administrative Offenses of the Russian Federation for the lack of a signboard with the full name of the organization at the entrance to the premises where sermons are conducted<sup>40</sup>.

<sup>35</sup> <https://governitmoskva.ru/news/124578/>

<sup>36</sup> The implementation of activities by a religious organisation without indicating its official full name — fines of 30,000 to 50,000 Russian Roubles

<sup>37</sup> conducting missionary activity with violation of the requirements of legislation on freedom of conscience and freedom of religious confession and on religious associations a fine of 5,000 to 50,000 Roubles for individuals

<sup>38</sup> <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=17553&year=2017>

<sup>39</sup> <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=7433&year=2017>

<sup>40</sup> <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=20997&year=2017>



In June 2017, the «Justice of the Peace of the Kerch judicial district» Khazret Chikh sentenced **S.V.Martyushov**<sup>41</sup> and **E.A.Kudina**<sup>42</sup> to fines of 5000 rubles according to the part 4 Article 5.26 of the Code of Administrative Offenses of the Russian Federation for participation in the services of the local branch of Jehovah's Witnesses.

On 19 June, 2017, «the justice of the peace of Yalta court district» Petr Kireev sentenced **D.G.Sazonov** to a fine of 5000 rubles according to the part 4 Article 5.26 of the Administrative Code of the Russian Federation. The judge found Sazonov guilty that he, «without the authority of the organization» Jehovah's Witnesses, «read the «Bible» at divine services, sang songs and prayed.»<sup>43</sup>

These court decisions significantly and unjustifiably restrict the right to freedom of thought, conscience and religion, namely, the right to freely profess one's religion or beliefs, individually or in community with others, publicly or privately. In addition, the restriction by the occupation authorities of the possibility of conducting religious rites and the prosecution of the citizens of the occupied territory for that violates Article 27 of the Geneva Convention (IV) «On the Protection of Civilian Persons in Time of War».

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<sup>41</sup> <http://mirsud82.rk.gov.ru/officework/dectextsas?id=23819&year=2017>

<sup>42</sup> <http://mirsud82.rk.gov.ru/officework/caselistas?id=30007>

<sup>43</sup> <http://mirsud82.rk.gov.ru/officework/dectextsas?id=23289&year=2017>



## VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

### FORCIBLE TRANSFER OF THE POPULATION

Article 3 of Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms «On securing certain rights and freedoms other than those already included in the Convention» and the First Protocol to it prohibit the expulsion of people from the territory of the state of which they are citizens. Article 49 IV of the Geneva Convention prohibits the deportation of persons from the occupied territory to the territory of the occupying Power.

Activist **Nedim Khalilov**, who was deported from Crimea in November 2016 for more than eight months, is in the filtration centre in the Krasnodar Territory (RF). On 23 June, the activist Zevid Gaziyeu reported that Nedim Khalilov was taken from the temporary detention centre of foreign citizens in the city of Gulkevich, Krasnodar Territory, to the Central Clinical Hospital of Stavropol Territory (RF) in Georgievsk (Georgievsky District, Oktyabrskaya Street, 149/2).<sup>44</sup>

### FORCING TO MILITARY SERVICE AND PROPAGANDA FOR THE VOLUNTARY ENTRY INTO THE ARMY OF THE OCCUPYING COUNTRY

On 12 June, in Sevastopol and Simferopol there were large-scale actions under the name «Military service under the contract — Your choice!». The website of the Ministry of Defence of the Russian Federation informs that during the events to promote service in the Russian army they have organized exhibitions of military equipment, small arms, demonstration of military uniforms and equipment of servicemen, distribution of campaign leaflets, performances of children's groups and an exhibition of military equipment.<sup>45</sup>

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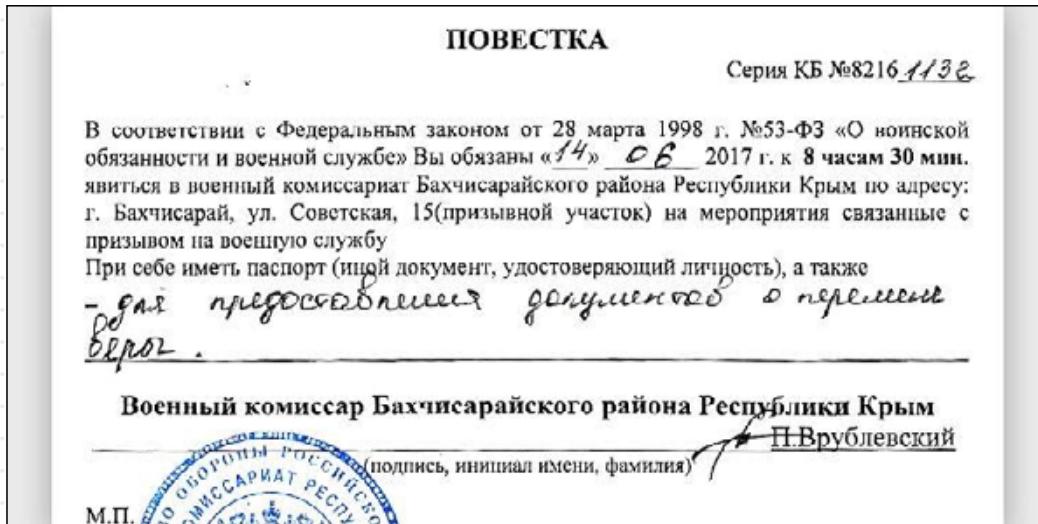
<sup>44</sup> <https://www.facebook.com/groups/247361852359190/permalink/327942880967753/>

<sup>45</sup> [http://function.mil.ru/news\\_page/country/more.htm?id=12128265@egNews](http://function.mil.ru/news_page/country/more.htm?id=12128265@egNews)



## ANNEXES

### ANNEX 1



The summon signed by the “Military Commissar of the Bakhchisarai District of the Republic of Crimea” Pavel Vrublevsky (Vrublevsky states that he didn’t sign such a document)