



CRIMEAN HUMAN RIGHTS GROUP

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CRIMEAN HUMAN RIGHTS SITUATION REVIEW

November 2017

The monitoring review was prepared
by the Crimean Human Rights Group
on the basis of materials collected
in November 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 November 1st the RF MIA officials detained **Mr Ebazer Kuku** (brother of Mr Emir Usein Kuku, defendant under the 'Crimean Muslims Case' accused of being HIZB-UT-TAHRIR member) in the yard of his house and transported to the RF MIA department for Yalta Town. As Mr Ebazer Kuku informed, he came home and saw unknown people wearing the RF police uniform and in civil who demanded him to take his passport and go with them.

In the police department Mr Kuku was DNA tested and taken a photo. The criminal police officers made him explain in writing where he had been and what he had been doing on October 31st 2017, what vehicles owned and whom of members of organizations forbidden in the RF he knew. Having given the explanations, he was released without producing any necessary procedure documents.¹

SEARCHES

On November 8th some houses of CRIMEAN SOLIDARITY Association activists were searched.

In Bakhchisarai the house of **Mr Seytumer Seytumerov**, a Crimean Tatar activist, administrator of SALACHYK Café (the owner of the café — Mr Marlen Asanov — had been detained earlier on suspicion of HIZB-UT-TAHRIR membership) was searched. After the search Mr Seytumerov was transported to the police and a report was drawn up under CAO Article 20.3-1 (Propaganda or demonstration of extremist organization symbols). The same day Mr German Atamaniuk, a judge of 'Bakhchisarai District Court', found Mr Seytumerov guilty and determined to collect a fine of RUR2,000 for HIZB-UT-TAHRIR symbols published in the social network before 2014.² Thus, the judge applied the RF laws retrospectively since Mr Seytumerov's publication had been placed before the Crimea occupation.

In the town of Stary Krym the house of activist **Mr Ruslan Belialov** was searched, in which the cell phones were expropriated. As Mr Belialov's said, USD 3,000 and RUR 60,000 of his private savings disappeared after the search.

Five employees of Mr Belialov's café — **Asan Zekeryayev, Alim Zekeryayev, Resul' Abduramanov, Mustafa Isayev, Amet Umerov** — were transported to the police district station 'for conversation'. As CRIMEAN SOLIDARITY informed, the intention was to DNA test and fingerprint them. Mr Asan Zekeryayev reported that before detention he had demanded the police officers to show their documents and explain the detention reason. In reaction to this, one of them took him out from the house and, as Mr Zekeryayev said, threatened him and hit him on the head.³

¹ CHRGI | Following Information on Accident at Gas Pipeline Unlawful detentions of Crimean Tatars Started in Crimea <https://crimeahrg.org/posle-soobshheniya-ob-avarii-na-gazoprovode-v-kryimu-nachalis-nezakonnyie-zaderzhaniya-kryimskih-tatar/>

² "Bakhchisarai District Court | Judgement on Case No 5-391/2017 https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=820151475&deloid=1500001&caseType=0&new=0&doc=1&srv_num=1

³ <https://www.facebook.com/100009814609227/videos/541880209482461/>



In the settlement of Zarechnoye, Simferopol District, the house of Mr **Eldar Kantemirov** was searched, in which cell phones and a laptop were expropriated.

Activist Seydamet Seitablayev reported that the house of Mr **Ekrem Abdulvatov**, head of Regional Mejlis, was searched in the settlement of Kirovskoye in which a laptop was expropriated.⁴

Mr Rustem Kiamilev reported that on November 8th the house of Mr **Abduraman Mejitov** was searched in Simferopol.⁵ After the search he was transported to the 'Tsentralny District Court of Simferopol' where Ms Elena Blagodatnaya, a judge, found him guilty of disseminating extremist files in the VKontakte social network and sentenced to a 15-day's administrative arrest.⁶

On November 14th Ms Natalia Terentieva, a judge of 'Supreme Court of Republic of Crimea' upheld the administrative arrest judgement. Pursuant to the court judgement, Mr Mejitov was found guilty of publishing symbols of the forbidden ISLAMIC STATE organization in the VKontakte social network. However, the court judgement states that this publication appeared on November 8th at 10.35am,⁷ while Mr Mejitov had been already detained at that moment, so he was unable to place that publication at that time.

On November 21st the RF MIA officers searched the house of Crimean Tatar activist Mr **Mustafa Mustafayev**. As he said, he was showed a court ruling on visiting the dwelling due to the loan debt of his son Server.⁸ Having 'visited', the police went to the unfinished house of his son to visit.⁹

On November 23rd Crimean Tatar activists Mr **Bekir Degermendji** (father of Mustafa Degermendji, a February 26th Case defendant), Mr **Asan Chapukh**, Mr **Kiazim Ametov** and Mrs **Vedjie Kashka**, a Crimean Tatar movement veteran, were detained in MEDOBORY café in Simferopol.¹⁰ When being detained, Mrs Kashka felt bad, she was taken by the ambulance, but she died on the way to hospital.

The police detained also Mr **Ruslan Trubach** (in the bus when he was going together with his wife to the check point) and Mr **Kurtseit Abdullayev** in his house in Simferopol.¹¹ All detained were transported to TSENTR E (MIA) in Simferopol. They were detained within the criminal case on 'extortion' opened due to a false information of Mr Yusuf Aitan, a Turkish citizen, on money extortion. In addition, this case could be politically reasoned aimed at defaming the Crimean Tatar People Mejlis.¹²

Mavile, a Bekir Degermendji's daughter, informed that their house in the village of Grushevka was being searched. During the search a desktop, a laptop and a book on events of February 26th 2014 in Simferopol were expropriated.¹³

Mr Edem Semedlyayev, a defense lawyer, informed that the house of Mr Abdullayev was being searched too. In the evening of November 23rd Mr Abdullayev¹⁴ was allowed to go after he had been interrogated as witness¹⁵.

⁴ <https://www.facebook.com/xmedvedx/videos/903787543112284/>

⁵ 15 Minutes| Search at Another Crimean Tatar in Crimea Became Known: He Was Arrested for 15 Days <https://15minut.org/news/174826-stalo-izvestno-ob-obyske-u-esche-odnogo-krymskogo-tatarina-v-krymu-ego-arestovali-na-15-sutok>

⁶ <https://www.facebook.com/100007250143725/videos/1900484113536575/>

⁷ "Supreme Court of Republic of Crimea"| Judgement on administrative case No 12-1297/2017 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=887477188&delo_id=1502001&new=0&text_number=1

⁸ <https://www.facebook.com/crimeansolidarity/videos/523033618064099/>

⁹ <https://www.facebook.com/crimeansolidarity/posts/523019651398829>

¹⁰ <https://www.facebook.com/anton.naumlyuk/posts/1767984186569847>

¹¹ Krym Realiij Operation Against People: Death of Vejje Kashka and Detention of Activists <https://ua.krymr.com/a/28872647.html>

¹² <http://crimeahrg.org/rossiyskie-vlasti-pyitayutsya-opravdat-nezakonnyiy-zapret-medzhliisa-kryimskotatarskogo-naroda/>

¹³ https://www.facebook.com/permalink.php?story_fbid=527290947627998&id=100010412910698

¹⁴ https://www.facebook.com/permalink.php?story_fbid=901974563304437&id=100004757052466

¹⁵ Krym Realiij One of Detained Crimean Activists Allowed To Go (Video) <https://ru.krymr.com/a/video/28872738.html>



According to information of journalist Anton Naumliuk, Mr Asan Chapukh was transported to his home for search in the evening of November 23rd after the interrogation¹⁶.

The search was held also in the house of Mrs **Elmira Gaziyeva**, a Crimean Tatar activist, in the village of Yuzhnoye.¹⁷ After the search Mr Yuriy Baranov, Mrs Gaziyeva's husband, was taken by the RF police, but allowed to go after the interrogation.¹⁸

Mr Asan Chapukh, Mr Kiazim Ametov, Mr Ruslan Trubach and Mr Bekir Degermendji were transported to the detention facility.

On November 24th RIA NOVOSTI, Russian news agency, referring to the 'source' stated that 'three Kalashnikov guns, drugs and extremist literature' had been found in the house of Mr Chapukh during the search'.¹⁹

On November 24th judges of 'Kyiv District Court of Simferopol' Ms Yanina Okhota and Mr Viktor Mezheliansky determined to apply detention as measure of restraint to Mr Chapukh, Mr Ametov, Mr Trubach, and Mr Degermendji. While determining the restraint, the court ignored the age and state of health of the detained. Mr Bekir Degermendji and Mr Asan Chapukh are detained in the holding cell in Saki, and Mr Ruslan Trubach and Mr Kiazim Ametov — in that of Bakhchisarai. They were put into the holding cell because the Detention Center No 1 of Simferopol is overcrowded with the detained.

¹⁶ <https://www.facebook.com/anton.naumlyuk/posts/1767984186569847>

¹⁷ <https://www.facebook.com/gulsum.alieva.1/posts/497648590620943?pnref=story>

¹⁸ <https://www.facebook.com/KRYM.SOS/posts/1526767404066540>

¹⁹ RIA NOVOSTI| Source: Guns Expropriated at Detained MEJLIS Members in Crimea
<https://ria.ru/incidents/20171124/1509493079.html>



POLITICALLY MOTIVATED CRIMINAL PROSECUTION

CASE OF SENTSOV, KOLCHENKO, CHIRNIY

Mr Dmitry Dinze, defense lawyer, informed that upon the arrival to correctional colony No 8 of Labytnangi Town, Yamal Nenets Autonomous Area, Mr **Oleg Sentsov** was sent to the solitary. Placing into the solitary was explained by the colony staff as performing the penalty assigned earlier in Irkutsk during the transportation.²⁰

According to the lawyer, during this transportation Mr Sentsov's health worsened: he felt heart pains and rheumatics aggravated, he lost weight seriously, and when he arrived to the colony he had no foodstuffs.

"FEBRUARY 26 CASE"

The 'February 26 Case' was heard at two legal proceedings. The first one was held at the 'Supreme Court' of Crimea within the case of Mr **Akhtem Chygoz** as 'organizer of riots' at the Parliament of Crimea in 2014. Mr Chygoz was handed an eight-year's sentence. After the sentence and due to the negotiations between Presidents of Turkey and the RF, Mr Recep Erdoğan and Mr Vladimir Putin, and during the visit of Mr Erdogan to Ukraine to meet Mr Petro Poroshenko, President, Mr Chygoz was freed from imprisonment and moved to Turkey, and then he arrived in Kyiv.

The second legal proceeding went at the 'Tsentralny District Court' of Simferopol within the case of other defendants (Mr **Ali Asanov** and Mr **Mustafa Degermendji** are under the house arrest, the restriction selected for Mr **Eskender Katemirov**, Mr **Eskender Emirvaliyev**, Mr **Arsen Yunusov** is personal surety; Mr **Eskender Nebiyev** and Mr **Taliat Yunusov** were given a suspended sentence) as 'participants of mass riots'.

On November 17th defence lawyers of the 'February 26 Case' defendants applied to the court to interview Mr Refat Chubarov, Chairman of the Crimean Tatar People Mejlis, and Mr Akhtem Chygoz as witnesses²¹. On November 20th the 'Tsentralny District Court of Simferopol' dismissed the petition on interviewing Mr Chubarov, Mr Chygoz and Mr Sergey Aksenov, political leader of Crimea de facto.²²

On November 28th Mr Sergey Demeniuk, a 'Tsentralny District Court of Simferopol' judge, extended the period of house arrest for Mr **Mustafa Degermendji** and Mr **Ali Asanov** till February 7th 2018. The court dismissed the petition of Mr Degermendji's defence on expanding the house arrest 'limits'.²³

"CASE OF CRIMEAN MUSLIMS"

Under the 'Case of Crimean Muslims' who are accused of being 'Hizb-ut-Tahrir' members 25 people are in custody as of the late November: **Ruslan Zeitullayev**, **Rustem Vaitov**, **Nuri Priimov**, **Feirat Saifullayev** (all convicted), **Inver Bekirov**, **Vadim Siruk**, **Muslim Aliyev**, **Emir Usein Kuku**, **Refat Alimov**, **Arsen Djepparov**, **Enver Mamutov**, **Remzi Memetov**, **Zevri Abseitov**, **Rustem Abiltarov**, **Teimur Abdullayev**, **Rustem Ismailov**, **Aider Saledinov**, **Uzeir Abdullayev**,

²⁰ Radio SVOBODA| Oleg Sentsov Spent Two weeks in Solitary of White Bear Colony <https://www.svoboda.org/a/28851678.html>

²¹ Krym.Realii. Defence of February 26 Case applied to interview Mr Chubarov and Mr Chygoz

²² Krym.Realii| Crimea: Court of February 26 Case Dismissed to interview Mr Chygoz, Mr Chubarov and Mr Aksenov <https://ru.krymr.com/a/news/28864283.html>

²³ Krym.Realii| Arrest for Two Defendants on February 26th Extended till February 7 <https://ru.krymr.com/a/news/28883723.html>



Emil Djemadenov, Marlen Asanov, Seyran Saliyev, Memet Belialov, Timur Ibragimov, Server Zakiryayev and Ernest Ametov (in custody). They are accused under Article 205.5.1 of RF CC (Creation of terrorist organization) and/or Article 205.5.2 of RF CC (Membership in the terrorist organization). Later some defendants have been also charged under Article 278 of RF CC (Violent coup or violent retention of power).

On November 10th Mr Andrey Paliy, Ms Tatiana Fedorova, Mr Eduard Belaysov, and Mr Mikhail Soboliev, upon the motion of Mr Sergey Makhnev, RF FSB investigator, extended detention periods for **Zevri Abseitov, Remzi Memetov, Rustem Abiltarov, and Enver Mamutov** up to February 12th 2018²⁴ (were detained by the RF FSB officers in Bakhchisarai on 12 May 2016 and are accused under Article 205.5 and Article 278 of RF CC).

On November 23rd Mr Oleg Lebed' and Mr Andrey Paliy, judges of the 'Supreme Court of Republic of Crimea', considering an appeal claim of defense, upheld the sentence on extending the detention period for **Remzi Memetov, and Enver Mamutov**²⁵. It is important to mention that on November 10th the same judge — Mr Paliy — delivered a judgement on extending the detention period for **Zevri Abseitov** under the same case.

On November 24th Ms Tatiana Mel'nik and Ms Alla Ovchinnikova, judges of the 'Supreme Court of Republic of Crimea', upheld the judgement of the court dated November 10th on extending the detention periods for **Rustem Abiltarov, and Zevri Abseitov**²⁶

All judges who considered the appeal claims on detention period extensions had delivered themselves such judgements as 'the first instance court' judges at the same "Supreme Court of Republic of Crimea'. Therefore, regarding this case defendants, a right to a fair trial was disrespected since they cannot expect a fairness from judges considering their appeal claims.

Being accused of Tablighi Jamaat membership, Mr **Taliat Abrurakhmanov, Mr Renat Suleymanov, Mr Arsen Kubedinov** (in the detention center) and Mr **Seyran Mustafayev** (house arrest) had been detained earlier. The criminal case was opened under RF CC Article 282.2 (Management of extremist organization activities).

On November 27th Mr Anton Tsykurenko, a judge of 'Kyiv District Court' of Simferopol, on the motion of Mr R.S.Gorbachev, RF UFSB investigator, extended the detention periods for Mr Kubedinov and Mr Suleymanov till February 27th 2018 года.²⁷

“UKRAINIAN SABOTEURS' CASE”

As of early November 11 people were deprived from liberty in Crimea that when detained by the RF SB had been accused of 'preparation of sabotage and espionage': Mr **Yevgeniy Panov, Mr Andrey Zakhthey, Mr Redvan Suleymanov, Mr Vladimir Prisich, Mr Dmitriy Shtyblikov, Mr Aleksey Bessarabov, Mr Gleb Shabliy, Mr Aleksey Stogniy, Mr Gennadiy Limeshko, Ms Anna Sukhonosova, Mr Dmitriy Dolgopolov**. Unlawful methods of investigation have been recorded in these cases.

²⁴ Supreme Court of Republic of Crimea. List of cases to be heard on 10 November 2017, https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=10.11.2017

²⁵ Supreme Court of Republic of Crimea. List of cases to be heard on 23 November 2017, https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=23.11.2017

²⁶ Supreme Court of Republic of Crimea. List of cases to be heard on 24 November 2017, https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=24.11.2017

²⁷ "Kyiv District Court of Simferopol" | List of cases to be heard on 27 November 2017 https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=27.11.2017



On November 3rd, as reported by the relatives, the 'Sevastopol City Court' extended the detention period for Mr **Dmitriy Shtyblikov** up to May 8th 2018. Mr Shtyblikov's relatives also informed that the same day the 'Kyiv District Court of Simferopol' extended the detention period for Mr **Bessarabov** for 3 months (Mr V.Dudka, Mr D.Shtyblikov and Mr A.Bessarabov were detained by FSB officers on November 9th 2016 on a charge of 'participating in a sabotage and terrorist unit of the Main Intelligence Service Department of Ministry of Defense of Ukraine).

On November 16th Mr Gennadiy Nikitin, a judge of Sevastopol City Court, sentenced Mr Dmitriy Shtyblikov to five years in custody in the maximum security penal colony and a fine of RUR200,000 under RF CC Articles 281 (Preparation of sabotage) and 222.1 (Illegal storage and procurement of weapons). No evidence of Mr Shtyblikov's guilt was examined during the court session since on May 18th 2017 under the investigation officers' pressure he had been forced to make a plea agreement (plea bargain). During the whole persecution he was not allowed to use the services of contracted lawyer, and he was represented by appointed one.

On November 24th Ms Elena Spasenova, a judge of Supreme Court of Republic of Crimea, upheld a judgement on extending the detention period for **Mr Vladimir Dudka**.²⁸

VOLODYMYR BALUKH CASE

On November 7th a reconsideration of Mr **Volodymyr Balukh's** Case accused of 'storing bullets' (Article 222.1 of RF CC (illegal procurement, transfer, sales, storage, transportation or bearing of weapons, their components, ammunitions) and Article 222.1.1 of RF CC (illegal procurement, transfer, sales, storage, transportation or bearing of explosive substances or devices)) started in the 'Razdolnoye District Court'. Mrs Natalia Balukh, Vladimir's spouse, was interviewed as a witness of search in his house.

On November 7th Mrs Olga Dinze, activist's defense lawyer, informed that Mr Valeriy Tkachenko, the holding cell head in the village of Razdolnoye, who had accused Mr Balukh of attacking him, rejected a face-to-face questioning that contradicted the RF laws.²⁹

On November 10th the Razdolnoye District Court delayed a session due to the severe deterioration of Mr Balukh's health: he was sent to the district hospital.

On November 16th the activist declared a need to change his restraint due to urinary stone disease aggravation, pains in liver and lack of medical aid in the detention center. Lawyer Olga Dinze also made a petition on changing the restraint since the maximum 6-month detention period on such charges had been exceeded. Mrs Elena Tedeyeva (a citizen of Ukraine), a judge of Razdolnoye District Court, refused changing the restraint.³⁰

On November 29th the 'Supreme Court of Republic of Crimea' satisfied an appeal claim of the lawyer and cancelled the judgement of Razdolnoye District Court on extending the detention period for Vladimir Balukh up to 16 January 2018. Therefore, the detention period of Balukh, as determined before, will expire on December 4th 2017.³¹ Applying a measure of restraint for the activist is to be considered on December 1st.

²⁸ "Supreme Court of Republic of Crimea" | List of cases to be heard on 24 November 2017 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=24.11.2017

²⁹ KrymRealii | Head of Holding Cell in Razdolnoye Rejected Face-to-Face with Balukh — Lawyer <https://ru.krymr.com/a/news/28840171.html>

³⁰ https://m.facebook.com/story.php?story_fbid=1550129441706729&id=100001290637615

³¹ CHRGI | 'Court' Cancelled Judgement on Holding Vladimir Balukh in Custody up to 16 January <https://crimeahrg.org/sud-otmenil-reshenie-o-soderzhanii-pod-strazhey-vladimira-baluha-do-16-yanvarya/>



FREEDOM OF SPEECH AND EXPRESSION OF OPINIONS*

On November 14th Mr Mikhail Kitavstev (a RF citizen), an investigator of RF Investigation Committee, issued a decree on involving Mr **Valeriy Bol'shakov**, a resident of Sevastopol, as defendant under RF CC Article 282.1 ('Incitement of hatred or enmity as well as violation of human dignity') for publishing a negative opinion about the paramilitary unit of 'Terek Kazaks' in the VKontakte social network (**Annex #1**).

According to Mr V.Bol'shakov's words, on November 14th officers of Investigation Committee and FSB came to his apartment to search. They, as Mr Bol'shakov informed, introduced themselves first as pipe fitters and asked the activist to open the door because 'he is flooding the next doors'. When the man refused opening the door, the FSB and IC officers broke it and got into the apartment.

During the search they seized electronic equipment, a stamp, party membership lists of 'Russian United Labour Front', fly sheets, a POA in the name of his sick mother and documents of her battery case in 2013, from Mr Bol'shakov. In addition, Mr Bol'shakov reported that he had been beaten during the search. After the search he was transported to the Investigation Unit of Sevastopol Nakhimovsky District to be interrogated, with this interrogation lasting for seven hours. Since this interrogation Mr Bol'shakov has been under a written undertaking not to leave the place.

OBSTRUCTION OF JOURNALISTIC ACTIVITIES

On November 8th at the 'Bakhchisarai District Court' before the proceedings on Mr Seytumer Seytumerov administrative case, court marshals forbade Mr **Anton Naumliuk**, a NOVAYA GAZETA journalist, to enter the court building with a camera. The marshal referred to the instruction of court chairman, though, as the journalist informed, he found out that the chairman had not given such instructions.

On November 10th and 24th all journalists and observers were forbidden to be present at the session on appealing against the restraint for Mr Zevri Abseitov and Mr Enver Mamutov at the 'Supreme Court of Crimea' due to the order on the court in camera session.

On November 24th when the restraint was being imposed on Mr Bekir Degermendji at the 'Kyiv District Court of Simferopol' Mr Anton Naumliuk, a NOVAYA GAZETA journalist, applied for taking photo and video of the defendant and the lawyers during the session but the judge rejected for the reason that 'video recording the defendant may have an impact on the preliminary case investigation'. In the same court the marshal limited the number of people present at the hearings on imposing the restraint on Mr Ruslan Trubach and Mr Kiazim Ametov to two persons, explaining this by small area of the court session room.

CASE OF ILMI UMEROV

When Mr **Ilmi Umerov** had been freed (due to the negotiations between Presidents of Turkey and the RF, Mr Recep Erdoğan and Mr Vladimir Putin and during the visit of Mr Erdogan to Ukraine to meet Mr Petro Poroshenko, President) Mr Emer Semedliayev, a defense lawyer, sent a lawyer's request to be informed whether an edict of RF President to grant amnesty to Mr Umerov had been

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



issued, to the RF President Administration. The lawyer asked also to notify the reference number of such edict and provide its copy (**Annex #2**).

In the request Mr Semedliayev informed that on October 13th 2017 Mr Umerov placed an application to withdraw appeal claims submitted by his defense lawyers against the sentence that made him charged under Article 280.1.2 of RF CC (Public appeals, with information and communication networks (including internet) used, to actions aimed at violating the territorial integrity of the RF) for his public statements that Crimea is a territory of Ukraine in the interview to ATR Channel. Mr Umerov is now in Kyiv.

CASE OF SULEIMAN KADYROV

On November 27th Mr **Suleiman Kadyrov** was informed that the preliminary hearing on the criminal case would be held on December 11th. He is accused under RF CC Article 280.1.2 (Public appeals to actions aimed at violating the territorial integrity of the RF) for comments to the video in the social network.



FREEDOM OF PEACEFUL ASSEMBLIES AND ASSOCIATIONS

On November 1 Mr Sergey Yakovlev, a judge of the “Supreme Court of Republic of Crimea”, having considered the appeal claim, upheld the court judgement on imposing fines on Mr **Es-kander Liumanov**, Mr **Ernest Ibragimov** and Mr **Asan Ismailov** who had been detained on October 11th 2017 due to their presence close to the houses that were searched under a suspicion within the Hizb-ut-Tahrir’ case. The same judge reduced the fine amounts: from RUR 20,000 to 10,000 for Mr Ismailov³³, and from RUR 15,000 to 10,000 for Mr Liumanov³⁴ and Mr Ibragimov³⁵.

On November 18th officers of the Crimea Prosecutor’s Office handed Mr Abdullakh Yakubov, an activist, a warning notice on inadmissibility of holding unauthorized public actions³⁶. He received this warning notice when he had announced collecting signatures against demolition of V PARKE Café in the town of Stary Krym.³⁷

When on October 14th 2017 single man pickets calling to stop persecuting the Crimean Tatars and Muslims of Crimea had been held all over Crimea, the administrative persecutions of the picketers started. Mr **Diliaver Asanov** from the village of Izobilnoye, Mr **Muslim Zevriyev** from the settlement of Sovietskiy, Mr **Sadri Muratov** from the town of Belogorsk, Mr **Ebubekir Ziyadinov** from the town of Alushta were called to the police unit to be handed relevant administrative protocols, and Mr **Usein Useinov** from the village of Ukromnoye was handed a protocol on commission of offence under RF CAO Article 20.2.5 (Holding an unauthorized public action).³⁸

On November 27th Mr Emil Kurbedinov, a defence lawyer, reported that 8 single man picketers were handed offence protocols under RF CAO Article 20.2.5.³⁹

³³ “Supreme Court of Republic of Crimea. Judgement on administrative case No 12-1239/2017 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=865148004&dolo_id=1502001&new=&text_number=1

³⁴ “Supreme Court of Republic of Crimea. Judgement on administrative case No 12-1245/2017 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=865148007&dolo_id=1502001&new=&text_number=1

³⁵ “Supreme Court of Republic of Crimea. Judgement on administrative case No 12-1242/2017 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=865148005&dolo_id=1502001&new=&text_number=1

³⁶ <https://www.facebook.com/profile.php?id=100009814609227>

³⁷ https://www.facebook.com/permalink.php?story_fbid=546796005657548&id=100009814609227&pnref=story

³⁸ CHRG| Persecutions of Activists Started in Crimea for Single Man Picketing <https://crimeahrg.org/kryimskih-aktivistov-nachali-shtrafovat-za-uchastie-v-odinonchnyih-piketah/>

³⁹ <https://www.facebook.com/emil.kurbedinov/posts/1646088845455706?pnref=story>



VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

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

According to the information of the Investigation department of RF Investigation Committee for Sevastopol City, Georgiy, a 23-year's old resident of Sevastopol, was found guilty under RF CC Article 328.1 (Evasion of draught to the RF Armed Forces) and sentenced to a penalty of RUR25,000. Paying the penalty does not release the Crimean from drafting in the Russian Army.⁴⁰ The judgement was made on October 31st 2017 by Mr Liudmila Tumaykina, a judge of 'Gagarinsky District Court of Sevastopol'.⁴¹

THE REVIEW WAS PREPARED BY:

Olga Skrypnyk, *coordinator of the Crimean Human Rights Group;*

Vissarion Aseev, *analyst of the Crimean Human Rights Group;*

Alexander Sedov, *analyst of the Crimean Human Rights Group*

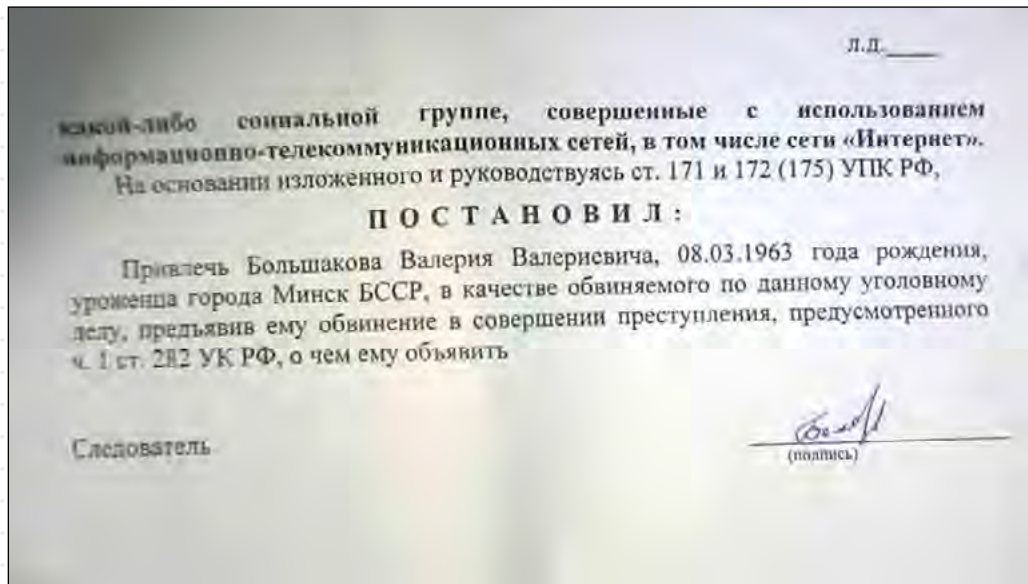
⁴⁰ "Investigation department of RF Investigation Committee for Sevastopol City | Sentence Given in Sevastopol to Draft Age Man Evading Military Service <http://sevastopol.sledcom.ru/news/item/1181408/>

⁴¹ "Gagarinsky District Court of Sevastopol | List of cases to be heard on 31 October 2017 https://gagarinskiy--sev.sudrf.ru/modules.php?name=sud_delo&sv_num=1&H_date=31.10.2017



ANNEXES

ANNEX 1



The decree's fragment on involving Mr. Valeriy Bol'shakov as defendant under RF CC Article 282.1 ('Incitement of hatred or enmity as well as violation of human dignity') for publishing a negative opinion about the paramilitary unit of 'Terek Kazaks', November 14, 2017



ANNEX 2

АДВОКАТ
СЕМЕДЛЯЕВ ЭДЕМ СЕРВЕРОВИЧ
Ассоциация «Крымская центральная коллегия адвокатов»
г. Симферополь

Администрации Президента
Российской Федерации
ул. Ильинка, 23,
Москва, Россия, 103132

в интересах:
Умерова Ильми Рустемовича
зарегистрирован: у
по уголовному делу № 1-171/2017

АДВОКАТСКИЙ ЗАПРОС № ____

В соответствии с пунктом 1 статьи 6.1 Федерального закона от 31.05.2002 № 63-ФЗ «Об адвокатской деятельности и адвокатуре в Российской Федерации» в целях оказания квалифицированной юридической помощи Умерову Ильми Рустемовичу, прошу сообщить следующую информацию.

27.09.2017 Симферопольским районным судом Республики Крым в составе председательствующего судьи Кулишова А.С. вынесен приговор в отношении Умерова Ильми Рустемовича, 1957 г.р.

Согласно приговору Умеров И.Р. признан виновным совершении преступления, предусмотренного ч.2 ст. 280.1 УК РФ и назначено наказание в виде лишения свободы на срок два года с лишением права заниматься публичной деятельностью, связанной с выступлением и публикацией в средствах массовой информации и телекоммуникационных сетях, в том числе в сети «Интернет», на два года с отбыванием основного наказания в виде лишения свободы в колонии-поселении.

На данный приговор принесено апелляционное представление государственными обвинителями Семенчук Д.А. и поданы апелляционные жалобы защитниками Семедляевым Э.С. и Курбединовым Э.М.

13.10.2017 государственный обвинитель Семенчук Д.А. подал заявление об отзыве апелляционного представления.

13.10.2017 осужденный Умеров И.Р. подал заявление об отзыве апелляционных жалоб, поданных его защитниками.

25.10.2017 Умерову И.Р. устно было сообщено о его помиловании Президентом РФ В.В. Путиным и направлен авиарейсом в Анкару, Турция. Однако соответствующий Указ о помиловании Умеров И.Р. не получил.

Согласно п. 1 ч. 3 ст. 6 Федерального закона от 31.05.2002 № 63-ФЗ «Об адвокатской деятельности и адвокатуре в Российской Федерации» адвокат вправе собирать сведения, необходимые для оказания юридической помощи, в том числе запрашивать справки, характеристики и иные документы от органов государственной власти, органов местного самоуправления, а также общественных объединений и иных организаций. Указанные органы и организации в порядке, установленном законодательством, обязаны выдать адвокату запрошенные им документы или их заверенные копии не позднее чем в месячный срок со дня получения запроса адвоката.

На основании вышеизложенного, действуя в интересах Умерова И.Р., с целью защиты его законных прав и интересов, обращаюсь с данным адвокатским запросом за достоверной информацией.

Руководствуясь п. 1 ч. 3 ст. 6 Федерального закона от 31.05.2002 № 63-ФЗ «Об адвокатской деятельности и адвокатуре в Российской Федерации»,

ПРОШУ:

1. Принимался ли Указ Президента РФ В.В. Путина о помиловании Умерова Ильми Рустемовича?
2. Если принимался Указ Президента РФ В.В. Путина о помиловании Умерова Ильми Рустемовича, то какого числа и номер нормативного акта?
3. Выслать копию Указа Президента РФ В.В. Путина о помиловании Умерова Ильми Рустемовича.

Приложение: Копия удостоверения адвоката № 1547; ордер.

Адвокат _____ Э. Семедляев

The lawyer's request to the RF President Administration on whether an edict of RF President to grant amnesty to Mr. Umerov had been issued