



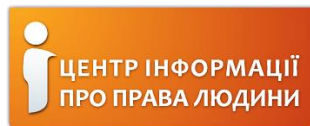
**CRIMEA
HUMAN RIGHTS
GROUP**

Crimean Human Rights Situation Review

November 2015

Crimean Human Rights Group

in cooperation with



Ukrainian
Helsinki
Human
Rights Union



Українська
Гельсінська
спілка
з прав людини

CONTENTS

| | |
|--|----|
| CONTENTS | 2 |
| 1. INTRODUCTION | 3 |
| 2. CIVIL AND POLITICAL RIGHTS | 4 |
| THE RIGHT TO LIBERTY AND PESRONAL SECURITY | 4 |
| DETENTIONS | 4 |
| SEARCHES | 6 |
| RIGHT TO PRIVACY | 7 |
| PROGRESS IN HIGH-PROFILE CRIMINAL CASES | 7 |
| FREEDOM OF SPEECH AND OPINION | 9 |
| FREEDOM OF ASSOCIATION | 10 |
| FREEDOM OF RELIGION AND CONVICTIONS | 10 |
| FREEDOM OF MOVEMENT AND ISSUES OF CHECKPOINT CROSSING | 11 |
| MONITORING OF HUMAN RIGHTS OBSERVANCE DURING THE “CIVIL BLOCKADE OF CRIMEA” | 11 |
| OBSTRUCTION OF JOURNALISTIC ACTIVITIES | 12 |
| RIGHT TO AN ADEQUATE LIVING STANDARD | 13 |
| REPRESSIONS AGAINST PARTICIPANTS OF THE “BLOCKADE OF THE CRIMEA” | 16 |
| PROBLEMS OF CRIMEAN RESIDENTS WHO FLED THE PENINSULA AND RELOCATED TO THE MAINLAND UKRAINE (INTERNALLY DISPLACED PERSONS) | 17 |
| GENERAL SITUATION | 17 |
| ANNEXES | 18 |

1. INTRODUCTION

The present Monitoring Review has been prepared by the Crimean Human Rights Group and is based on the materials collected in November 2015.

The Crimean Human Rights Group (CHRM) is an initiative of representatives of human rights organizations, the goal of which is promotion and protection of human rights in the Crimea by way of raising awareness about problems in the area of human rights and international humanitarian law on the territory of the Crimean Peninsula

The Crimean Human Rights Group began its activities in August 2015

In its activities the CHRG is guided primarily by norms of fundamental documents on human rights, namely 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, etc.

The main objectives of the CHRG are:

- 1) collection and analysis of information about the human rights situation in the Crimea;
- 2) broad information of the bodies of power, international organization, inter-governmental structures, non-governmental organizations, mass media and other target groups, by way of publication and distribution of analytical and information materials about human rights situation in the Crimea;
- 3) promotion of human rights and observance of norms of international law in the Crimea;
- 4) preparation of recommendations for bodies of power and international human rights structures;
- 5) ensuring presence of the «human rights in the Crimea» subject in the information space.

In preparation and distribution of information, the CHRG is governed by principles of objectivity, reliability and timeliness.

2. CIVIL AND POLITICAL RIGHTS

THE RIGHT TO LIBERTY AND PERSONAL SECURITY

DETENTIONS

On November 3, three servicemen of the 79 Brigade of the Armed Forces of Ukraine — **Oleksandr Yurov, Oleksandr Orlenko** and **Kostyantyn Mekshun**¹, who had been detained on September 5, 2015, in an area adjacent to the Crimean territory² — were released

On November 5 it became known that law enforcement officers of the Nakhimovsky DD of the Regional Office of the Ministry of Internal Affairs in Sevastopol detained **Valery Bolshakov**, an activist and the leader of the Union of Workers of Sevastopol, on allegations of committing an administrative offense of drinking alcohol in a public place. Bolshakov himself and a number of other representatives of civil society organizations believe that the detention is connected with his public activity.

In November, the CHRG became aware of systematic persecutions by the Russian authorities of a pro-Ukrainian activist **Volodymyr Balukh**, a resident of the village of Serebryanka in Razdolnensky District of Crimea. The first time Volodymyr Balukh was detained in July 2014. Police officers did not allow him to attend a meeting of the Serebryanka residents with the Chairperson of the State Council of Crimea Vladimir Konstantinov. The police detained him for “failure to comply with the legitimate demands of police officers”. Volodymyr Balukh believes that he was detained to prevent his participation in that event, as he openly opposed the actions by Russia in the Crimea, and the Ukrainian flag was set up on the roof of his house. In 72 hours after his detention, he was delivered to court that later found him guilty of committing an administrative offense of “drinking alcohol in a public place” and imposed a fine of 500 rubles.

In late April 2015, in the house where Volodymyr Balukh lived with his common-law partner in the village of Serebryanka, the Russian police officers, jointly with the Russian Federation FSB officers, conducted a search, in the course of which the Ukrainian flag was torn off the roof of the house. The pretext for the search was a statement about a theft of tractor spare parts in the village of Chernyshevo, located 30 km away from the search venue, and a statement to the police by an unknown person alleging that Balukh was selling the tractor parts. During the search, the police and the FSB officers seized the activist's Ukrainian passport, driving license, flash drives and other personal items belonging to Volodymyr Balukh. At the time of the search, V. Balukh was absent; no search record was prepared³.

After the search, Volodymyr Balukh, fearing further persecution by the police and the FSB, was forced to stay with his relatives and friends.

On November 14, 2015, at 10 am, police officers G.V. Yaschenko, K.Yu. Kudrya, A.V. Fedotov, G.V. Dubrovchenko, K.O. Mitchenkov and E.V. Baranov, supported by the OMON special police unit, came to the house of V. Balukh's common-law partner in the village of Serebryanka, to conduct a search upon decision of the judge of the Razdolnensky District Court A.V. Abelyashev.

The decision on conducting the search was grounded on a theft of “the VAZ-2106 car with the blue body”, committed in the village of Razdolnoe on October 10, 2015. A criminal case was initiated on

¹ <http://investigator.org.ua/news/167167>

² <http://tass.ru/proisshestviya/2242919>

³ V. Balukh's written statement with his account of the situation
<https://drive.google.com/file/d/0B3kCVqaeDdQ9UGV6TWInMzNRc0E/view>

that incident, and a witness testified that in the first half of November 2015, in a cafe in the village of Razdolnoe he met a man who introduced himself as Volodymyr Balukh. Allegedly, the man told him that in early October 2015 he and his friends stole a blue VAZ-2106 car. The stolen vehicle, according to the witness, was parked at Volodymyr Balukh's place of residence (**Annex 1**).

Volodymyr Balukh said that after search had begun, he was taken outside, made to sit in the back seat of a VAZ-2109 car, and continued to be beaten through the open door and insulted on grounds of his ethnicity. The decision of judge Aleksandr Abelyashev recognized Volodymyr Balukh guilty under part 1 of Article 19.3 of the Administrative Offences Code of the Russian Federation – failure to obey a legitimate order or request of a police officer – and sentenced him to administrative arrest for the period of ten days (**Annex 2**).

It is important to note that, in the rationale for the decision, the judge was guided by another article - Articles 12.8 and 29.10 of the Administrative Code of the Russian Federation. Article 12.8 of the Administrative Code envisaged punishment for “driving a vehicle by a driver in a state of intoxication, transferring the vehicle control to a person in a state of intoxication”, but V. Balukh was found guilty under Part 1 of Article 19.3 of the Administrative Code - “failure to obey a legitimate order or request of a police officer”. Such discrepancies in the text of the document may indicate falsification of documents, based on which Volodymyr Balukh was arrested.

Since the activist spent 10 days in detention, he was unable to record the bodily injuries sustained during his arrest.

Владимир Балух говорит в своем заявлении о том, что его не осматривали медработники, а во время нахождения в камере он неоднократно требовал предоставить ему медицинское лечение и получал отказ. В знак протеста он вынужден был отказаться от пищи и объявить голодовку, которая продлилась 8 дней.

In his statement Volodymyr Balukh says that he was not examined by medical professionals, and while in the cell, he repeatedly demanded to be provided medical treatment but was denied that. In protest, he was forced to reject food and declare a hunger strike that lasted 8 days.

During Volodymyr Balukh's arrest, on November 18, 2015 the Razdolnensky Department of the Investigative Committee of Russia initiated against him a criminal case № 2015727094. Balukh was accused of committing crimes envisaged by Article 319 of the RF Criminal Code – publicly insulting a government official in the course of performance of their official duties. Investigation in the criminal case was completed within two days. On November 20, 2015, the indictment, signed by Senior Lieutenant of Justice R.A. Borisenko and Captain of Justice A.V. Myshlyaev, was sent to the Razdolnensky District prosecutor. On November 23, 2015, the prosecutor of the Razdolnensky District in Crimea, Counselor in Justice D.N. Shmelev approved the indictment⁴.

On November 26, 2015, the judge of the Razdolnensky District Court T.V. Pyrkalo appointed an open court session to consider the criminal case against Volodymyr Balukh accused of committing a crime under Article 319 the RF Criminal Code, for December 10, 2015⁵.

According to media reports, on November 17, near the building of the Kiev District Court in Simferopol, a civil society activist, a member of the Russian Association “Russia Sitting” **Aleksandr Denisov**, was detained. The detention took place immediately after the court hearing of the Ahtem Chiygoz case that Aleksandr Denisov attended. According to media reports, at the court session

⁴ Indictment on charges against V. Balukh

<https://drive.google.com/file/d/0B3kCVqaeDdQ9eEhPUIc2SmhFNFU/view>

⁵ Resolution by Judge of the Razdolnensky District Court on appointment of a court session in the case of V.

Balukh <https://drive.google.com/file/d/0B3kCVqaeDdQ9VFNP2ZXNnJFcEE/view>

Aleksandr Denisov was wearing a T-shirt with the inscription: "Russia sitting", and at the end of the session he shouted: "Glory to Ukraine!" Aleksandr Denisov was delivered to the "E" center at 19, Dekabristov St., and was soon released.⁶

On his Facebook page, member of the Medzhlis of the Crimean Tatar People Eskender Bariev informed that on November 23, **Isa Khalilov** was detained in the village of Lokhovka in the Sovetsky District. According to Eskender Bariev, Isa Khalilov was detained by police after a complaint of the Village Council chairperson, in response to a fight between the village resident about the causes of power outages in the Crimea. It is reported that after an interrogation, Isa Khalilov was released.⁷

On November 24, at the Kalanchak checkpoint at the entrance to the Crimea, the RF border guards and the RF FSB officers detained an activist of the Crimean Ukrainian Cultural Center **Veldar Shukurdzhiiev**. He was released only in the morning, after that he was able to enter the Crimea where he permanently resides (*more details in the "Freedom of movement" Section*).⁸

SEARCHES

On November 2 it became known that on October 22, the FSB initiated a criminal case against one of the organizers of the civilian blockade of the Crimea, the Crimean Tatar businessman **Lenur Islyamov**.⁹ Following that, a series of searches was conducted in the homes of persons associated with Lenur Islyamov.

According to the data available with the CHRG, on 2 November, around 6 am, a search was conducted in the house was the former editor of the ATP channel **Lilia Budzhurova**. According to lawyer Dzhemil Temishev, he was not allowed to be present in L. Budzhurova's house during the investigation actions, which was later challenged in the local court, but the claim was not sustained.¹⁰ According to Budzhurova herself, the law enforcement officers who conducted the search were armed and, in the course of the search, seized all digital media, without exception, including her mobile phone. On November 3, the Ukrainian prosecution authorities, namely the Prosecutor's Office of the Crimean AR, which resumed its activities in the mainland Ukraine, initiated criminal proceedings against the FSB Administration in the Crimea and Sevastopol, on grounds of a crime envisaged by part 2 of Article 162 (trespassing), part 3 of Article 187 (robbery), part 2 of Article 171 (obstruction of the lawful professional activities of journalists) of the Criminal Code of Ukraine.¹¹

Also, on November 2 at around 6 am, searches were conducted in the homes of ex-director of the ATR television channel **Elzara Islyamova**, sisters of the ATP owner **Lenara Islyamova** and father of the ATP owner **Edem Islyamov**. Also, a search was conducted in the Moscow apartment of the ATP owner **Lenur Islyamov**. The grounds for the searches were a criminal case initiated by FSB on October 22 against Lenur Islyamov. However, neither in the public domain, nor in the court decisions authorizing the searches, specified the articles under which the criminal proceedings had been opened; the involvement of the citizens, in whose homes the searches were conducted, in the criminal case, was not specified either.

⁶ <http://ru.krymr.mobi/a/news/27371376.html>

⁷ https://m.facebook.com/story.php?story_fbid=876707329103130&id=100002916123594&refid=28&ft_=qid.6221576720415850312%3A%26story_key.7626801719161037455&__tn__=*s&__mref=message_bubble

⁸ <http://crimeahr.org/na-vezde-v-kryim-fsb-zaderzhala-aktivista-na-7-chasov-bez-obyasneniya-prichin/>

⁹ http://qha.com.ua/ru/politika/fsb-vozbudila-ugolovnoe-delo-protiv-lenura-islyamova/150402/?utm_source=dlvr.it&utm_medium=facebook

¹⁰ <http://15minut.org/article/sud-ne-udovletvoril-isk-lili-budzhurovoj-protiv-fsb-video-2015-11-18-19-45-34>

¹¹ http://ark.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=165098

Besides, according to the investigative information of the CHRГ, on November 2, law enforcement officers searched **Lenur Islyamov's enterprises** too. In particular, a search was conducted at the premises of the "**SimSitiTrans**" transportation company, in the Crimean editorial office of the **ATP channel** and the "**15 minutes**" publication, and possibly – in the offices of the "**Queen Group Crimea**" LLC and the "**I-Com**" chain stores. The building was cordoned off by the OMON officers; employees were not allowed to the enterprise. In the course of the search, computer equipment and documents were seized.

On November 2, authorities of the Ministry of Internal Affairs of Ukraine in the Autonomous Republic of Crimea, which resumed their functioning in the mainland Ukraine, opened criminal proceedings under part 2 of Article 162 of the Criminal Code of Ukraine (trespassing), Article 170 of the Criminal Code (obstruction of the lawful activities of trade unions, political parties, public associations) in response to the above searches at **Lenur Islyamov's** enterprises and in his relatives' homes.¹²

On November 30, at 6:00 am, searches were conducted in several Crimean Tatars' houses. The actions were carried out by the FSB within a criminal case on the fact of demolition of electricity transmission towers in Kherson Oblast. Those who were searched include the Acting Chairperson of the Sovetsky Regional Medzhlis **Rustem Mennanov**, Chairperson of the Kirovsky Regional Medzhlis **Ekrem Abdulvatov**, a resident of Feodosia **Suleiman Kadyrov**, having no connection to the activities of the Medzhlis. The latter, according to investigative information, the FSB mistakenly thought to be the head of the Feodosia Medzhlis. In the course of the searches, nothing was seized. The exact number of persons subjected to searches and details of the actions are being established.

RIGHT TO PRIVACY

According to the CHRГ, on November 29, unknown persons tried to enter the apartment of the representative of the Ukrainian Cultural Center in the Crimea **Veldar Shukurdzhiiev**. According to him, they did not introduce themselves, demanded that he open the door and sign a "corrected" report, dated August 2015; they also conducted photo and video recording. Veldar Shukurdzhiiev refused to open the door and did not sign any documents.¹³

To recall, Veldar Shukurdzhiiev was arrested on August 11 in the city of Simferopol for trying to take a photo with a Ukrainian flag. He was released several hours later.

PROGRESS IN HIGH-PROFILE CRIMINAL CASES

The case of Oleksandr Kostenko

On November 13, the Crimean Garrison Military Court was to hold a session on the complaint of Oleksandr Kostenko on suffering bodily injury and torture by FSB officers in the course of his detention and interrogations.

Earlier, the court declined the complaint against the refusal of military investigators to conduct an investigation into the fact of FSB officers Tishenin, Shambazov and others inflicting bodily injury of moderate severity to Kostenko during his detention and in the course of the first interrogation in presence of lawyers appointed by the investigators. In spite of the fact that the case file contained a resolution that Kostenko was arrested by the FSB officers, as well as attorneys' examination of witnesses to the detention, the judge of the Kievsky District Court of Simferopol Mozhelyansky did not take that, and the changed testimony, into account. He only took into account only the acknowledgement of guilt which, according to Kostenko and his lawyer, was obtained under torture, as well as the primary interrogation, and brought in the guilty verdict. One of the key witnesses to Oleksandr Kostenko's detention, his father Fedir Kostenko, disappeared on March 3, and until now his

¹² http://ark.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=165098

¹³ <http://crimeahr.org/neizvestnyie-pytayutsya-popast-v-kvartiru-proukrainskogo-aktivista-v-kryimu/>

location remains unknown.

At hearings at courts of the first and second instance, O. Kostenko repeatedly testified that the day before his acknowledgement of guilt he had been detained by FSB officers who battered him, tortured and inflicted bodily harm of moderate severity, and after that, under the pressure and due to fear for life, he agreed to write a confession. However, the court did not take his arguments into account and refused to verify them due to the presence of the appealed decision of the senior forensic investigator of the 534th MID of the of the MIA of the IC for the Russian Black Sea Navy D.S. Kukasov, dated April 18, 2015, on denial of initiating a criminal investigation.

Lawyer Dmitry Sotnikov believes that the arguments expressed in the complaint filed were not the subject matter of consideration of the criminal case against Oleksandr Kostenko by courts of the first and second instance. In that connection, in the complaint he requested that the previous decisions to deny investigation into the torture and bodily harm are recognized as groundless: (decision by the senior forensic investigator of the 534th MID of the of the MIA of the IC for the Russian Black Sea Navy D.S. Kukasov, dated April 18, 2015, on denial of initiating a criminal investigation, resolution by Deputy Head of the of the 534th MID of the of the MIA of the IC for the Russian Black Sea Navy V.A. Oparin, dated June 03, 2015, on the complete dismissal of the complaint; the resolution by Head of the 534th MID of the of the MIA of the IC for the Russian Black Sea Navy M.S. Kudlayev, dated June 25, 2015, on the complete dismissal of the complaint; the response by the prosecutor of the 309th Military Garrison Office of Prosecution A.V. Mazurov, dated July 10, 2015, № 4533). Also, he demanded to obligate senior forensic investigator of the 534th MID of the MIA of the IC for the Russian Black Sea Navy D.S. Kukasov to eliminate the violations¹⁴.

The session, however, was postponed to November 25. The reason for the postponement laid out by the Crimean Garrison Military Court was the absence of Oleksandr Kostenko's position in respect of his personal participation in the court session. The lawyer communicated his client's position, specifically: O. Kostenko, who at that time was in a colony in Kirov Oblast, would personally appear in court as the victim to testify against the FSB officers who had used torture. In order to ensure Oleksandr Kostenko's participation in the trial, video conferencing was to be used. On the day of the trial, however, the judge refused to use videoconferencing. One of the reasons could be the power outage in the Crimea cause by damage to electric power lines in the Kherson Oblast. The session lasted for over three hours. The court decided to discontinue proceedings on the complaint.

The reason for the discontinuation of the proceedings laid out by the judge was the fact that arguments on torture applied to Oleksandr Kostenko by FSB officers had been previously considered within the main criminal case by the Kievsky District Court of Simferopol (**Annex 3**). However, within that criminal case, arguments on torture were not verified by judge Mozhelyansky of the Kievsky District Court of Simferopol, because he regarded the arguments as exceeding the scope of the charges. On November 30, lawyer Dmitry Sotnikov filed a cassation appeal to the RF Supreme Court¹⁵.

In November, Oleksandr Kostenko's relatives found out that he was in the correctional colony №5 in Kirovo-Chepetsk, Kirov Oblast of the Russian Federation. That colony is a standard regime penal colony for convicted former employees of courts and officers of law enforcement agencies. The notice said that Oleksandr Kostenko arrived in the colony on October 23 (**Annex 4**). Lawyer Dmitry Sotnikov said that on November 26, while in the colony, Oleksandr Kostenko was summoned to the special unit for interrogation. According to the lawyer, Oleksandr was interrogated about his involvement in the Euromaidan movement, and the participation of human rights advocates and lawyers in his case. The persons who carried out the interrogation did not introduce themselves¹⁶.

¹⁴ https://www.facebook.com/permalink.php?story_fbid=559327937577476&id=100005008243232

¹⁵ https://www.facebook.com/permalink.php?story_fbid=563824673794469&id=100005008243232

¹⁶ https://www.facebook.com/permalink.php?story_fbid=563940557116214&id=100005008243232

«The May 3 Case»

According to the CHRГ, a regular hearing on the case of **Tair Smedlyaev** was postponed to November 19. The next meeting was scheduled for December 2, but later postponed to December 9. In respect of another involvant in the "May 3 Case", **Edem Osmanov**, the prosecution applied for sentencing him to two years' imprisonment.

«The February 26 Case»

According to media reports, on November 1 one of the involvants in the "February 26 Case", **Mustafa Degermendzhy**, was proposed by the investigator to testify against Ahtem Chygoz in exchange for his release.¹⁷

On November 13, the Supreme Court of the Crimea dismissed Mustafa Degermendzhy's petition for appeal against the decision of the Kievsky District Court of Simferopol on the extension of the detention period for the suspect until November 19 this year¹⁸. According to media reports, on November 17, the Kievsky District Court of Simferopol extended the detention period for the Crimean Tatar activists **Ali Asanov** and **Mustafa Degermedzhy** until February 19, 2016¹⁹.

On November 17, the Kievsky District Court of Simferopol held a session on a measure of restraint for Deputy Chairperson of the Medzhlis of the Crimean Tatar People **Ahtem Chygoz**. His detention period was extended until January 29, 2016 year.²⁰

«The Case of Hizb-ut-Tahrir»

On November 10, a regular court session was held on imposition of a measure of restraint for **Rustem Vaitov, Ruslan Zeytullaev, Nuri Primov** and **Ferat Sayfullaev**, who are suspected of involvement in a banned organization "Hizb ut-Tahrir". According to the lawyer, the court had once again failed to take into account the arguments of the defense, as well as artificiality and lack of substantiation in arguments presented by the prosecution had been noticeable. Even the suspect's relatives were not allowed at the session again. The arrest period was extended by 2 months.

Nariman Dzhelyalov and Ilmi Umerov told that they were not allowed in the court session, using the service of summons to them. Before they entered the courtroom, according to them, the investigator summoned them as witnesses in the case. Therefore, they were not allowed to be present as observers, alleging that they have the procedural status of the witnesses in the case²¹.

FREEDOM OF SPEECH AND OPINION

According to data available with the CHRГ, the **Censor.net** website (www.censor.net.ua) was blocked in the Crimea in November, but the publication itself did not inform that their resource had become unavailable on the Peninsula or that it had received a notification of Roskomnadzor about the site blocking.

According to information provided by the Trade Union of Independent Media in the Crimea, on November 30 the head of the Crimea Sergey Aksenov demanded not to permit entrance to the NTV television journalist **Oleg Kryuchkov** for his report where he had questioned the professionalism of

¹⁷ <http://ru.krymr.mobi/a/27338387.html>

¹⁸ <http://ru.krymr.com/content/news/27363260.html>

¹⁹ <http://ru.krymr.com/content/news/27370907.html>

²⁰ <http://ru.krymr.com/content/news/27371087.html>

²¹ <https://www.facebook.com/nariman.dzhelalov/posts/993771604020033?pnref=story>

the Crimean government officials. Commenting on the situation, Sergey Aksenov used offensive language addressed to the said journalist.

Social activist and human rights defender **Emir Usein Kuku** said that he was summoned to the FSB for placing materials in the Facebook.²²

FREEDOM OF ASSOCIATION

On November 1, representatives of several youth initiatives gathered on Lenin Square in Simferopol to honor the memory of people who died in the aircraft crash over the Sinai. Police officers, who arrived to the venue of the mass assembly, established that it was not approved by the administration, but did not detain the organizers or prepare administrative reports on them.

On November 22, in connection with the emergency situation declared in the Crimea due to the power outage, another moratorium on mass events was introduced on the territory of **Simferopol**. Head of the Simferopol city administration G. Baharev resolved "to temporarily suspend mass, public, cultural, recreational and other activities" on the territory of Simferopol for the period from November 22, 2015, until further notice²³.

On November 27, the **Sevastopol** authorities declared the introduction of new restrictions on the right to peaceful assembly. The amendments approved define the maximum number of persons participating in a public event, and establish the minimum distance between the participants for the purposes of their identification. The Sevastopol government intends to determine the venue of assemblies, as well as impose additional restrictions on organization of activities on the territory of railway stations, shopping centers, markets, etc.²⁴

On November 27, despite the ban on holding public events on Lenin Square in Simferopol, the "**Nod**" **public association** held a political event dedicated to the incident around the Russian bomber downed by the Turkish Air Force. In the course of the event, a straw figure with the portrait of President Erdogan was burned. Officers of the Crimean Self-Defense paramilitary unit took an active part in the event. Law enforcers and emergency officers did prevent the mass event.

FREEDOM OF RELIGION AND CONVICTIONS

Religious Administration of Muslims of Crimea and Sevastopol reported that, on the night of November 13, unknown persons broke two windows of the mosque in the Zavet-Leninsky village in Dzhankoy District. The attack on the mosque resulted in broken windows, damaged walls and window jambs in the mosque, and torn curtains in the prayer hall. Law enforcement officers were called to the scene, who conducted the necessary investigative actions, prepared a report, and the mosque imam Rustem Ahmetshaev wrote a statement for the police.²⁵

Media reported that the re-registration required under the legislation of the Russian Federation was passed by 214 religious communities of the Crimea and 7 centralized religious organizations. This was reported during a meeting of the State Council of Crimea on Interethnic Relations by the Head of Department for Religious Affairs and Ethnic and Cultural Communities under of the Ministry of Culture

²² <http://hromadskeradio.org/2015/12/02/fsb-pytaetsya-prishit-krymskomu-tatarinu-ekstremizm-za-posty-v-facebook>

²³ http://simadm.ru/media/acts/2015/11/22/_1347_%D0%BE%D1%82_22.11.2015.pdf

²⁴ http://sev.gov.ru/files/iblock/69a/1116_pp.pdf

²⁵ <http://qmdi.org/index.php/ru/glavnye-novosti/2024-na-mechet-v-dzhankojskom-rajone-soversheno-napadenie-foto>

of the Republic Aleksandr Selevko. According to him, as of 1 January 2014, 1409 religious organizations and 774 religious groups were registered in Crimea under the Ukrainian legislation.²⁶

According to the Religious Administration of Muslims of Crimea and Sevastopol, on November 17 it was found that money donations kept at the Yany Maale mosque near Sudak were stolen. Law enforcement officers were called to the scene; imam Mustafa Mustafayev wrote a statement to the police about the theft of donations from the mosque.²⁷

FREEDOM OF MOVEMENT AND ISSUES OF CHECKPOINT CROSSING

On November 24, Russian border guards and the FSB detained **Veldar Shukurdzhiiev** at his return to the Crimea. On that day, at about 22:00 Kyiv time, Russian border guards present at the checkpoint to the Crimea, stopped V. Shukurdzhiiev and took his car for inspection. At about 23:00, information was received that the activist himself was detained too. No reasons for the detention were presented. His mobile phone, passport and car documents were seized. The FSB officers copied contacts from his mobile phone. An FSB Senior Lieutenant, who introduced himself as Vladislav, took part in the interrogation. The interrogation was conducted by the shift supervisor of the Federal Border Guard of the RF FSB Captain Gerasimov. None of them explained any reasons for the detention, interrogation and seizure of the personal belongings. They only made it known that the data about the activist had been communicated and they expected further instructions. Who the personal data on the activist were transferred to and why, the FSB officers did not explain. Besides, the border guards notified Veldar that they may prohibit his entry to the territory of the Crimea until 2030, but later canceled that decision. On November 25, at around 05:00, Veldar Shukurdzhiiev was told that his documents, car and telephone would be returned to him, and he was granted permission to enter the Crimea²⁸.

The CHRГ received information that at the Dzhankoy and Armyansk checkpoints, the Russian border guards deny entry to citizens who show internal Ukrainian passports, demanding Ukrainian foreign travel passports, where they place a border crossing stamp. The information requires detailed examination and is currently being verified. Persons affected by those actions are being searched.

On November 17, at the Ukrainian Chongar checkpoint at the Crimean border, movement of passenger vehicles was closed in connection with the relocation of the checkpoint structures to another site. The Ukrainian State Border Service informed on its official website that the traffic is suspended from November 17 to 19²⁹. The CHRГ monitors established, however, that as of November 22 and 23, the movement of vehicles through the Chongar checkpoint had not been resumed.

As of November 27, Yevpatoria-Zonguldak and Sevastopol-Zonguldak ferry routes were closed in connection with the incident around the Russian bomber downed by the Turkish Air Force.

MONITORING OF HUMAN RIGHTS OBSERVANCE DURING THE "CIVIL BLOCKADE OF CRIMEA"

On November 22-23, monitors of the Crimean Human Rights Group (CHRГ) monitored human rights observance during the "Civil blockade of the Crimea" events. The group of monitors recorded that the event participants set up roadblocks at the sites of checkpoints across the administrative border with the Crimea. One roadblock was located in about 2 kilometers away from the Kalanchak checkpoint.

²⁶ <http://www.c-inform.info/news/id/31480>

²⁷ <http://qmdi.org/index.php/ru/glavnye-novosti/2040-v-krymu-snova-ukrali-denezhnye-pozhertvovaniya-iz-mecheti>

²⁸ <http://crimeahr.org/na-vezde-v-kryim-fsb-zaderzhala-aktivista-na-7-chasov-bez-obyasneniya-prichin/>

²⁹ http://dpsu.gov.ua/ru/about/news/news_9294.htm

Two more roadblocks were located 50 meters away and 1 to 2 kilometers away from the Chaplynka checkpoint. The other two roadblocks were spaced about 300 meters apart in the direction of the Chongar checkpoint. Between them, the “blockade” headquarters are located, as well as representatives of the “Right Sector” volunteer battalion and the “Azov” battalion civil support corps.

The monitoring established that that the blockade participants violated the right to personal security of civilians. Specifically, a group of people, including armed ones, were present at the roadblocks, conducting unauthorized document checks of civilians and vehicles. Those checks were conducted by unauthorized persons – representatives of “People’s Self-Defense”, “Right Sector”, as well as by the superintendent of the “Civil blockade of the Crimea”. Armed personnel of the Interior Ministry units – the “Kherson” battalion – as well as representatives of the Armed Forces of Ukraine, were also present at the roadblocks.

The CHRГ also received reports that the persons who refused to produce documents or did not allow participants of the “Civil blockade of Crimea” to check their cars were threatened by the “blockade” activists. The CHRГ monitors themselves, after they had refused to produce documents for an unauthorized inspection, were surrounded by a group of armed men, who identified themselves as members of the Interior Ministry unit, the “Kherson” battalion, and the blockade activists stretched spikes in the way of the monitors’ vehicles.

A police officer, after introducing himself, asked to see the documents and open the trunk for inspection. The blockade participants who checked passengers’ documents, explained to the CHRГ monitors that they compare their papers with the list of “traitors” from the “Peacemaker” website (**Annex 5**). The monitoring group spent 50 minutes at the roadblock in the area of the Chongar checkpoint. Over that time, about 50 vehicles had driven through the roadblock in both directions, and each of them was stopped by the blockade participants (**Annex 5**).

Information about those actions by participants of the “Civil blockade of Crimea” is also confirmed by observations of the UN Human Rights Monitoring Mission in Ukraine, who possess information about an incident, when activists of the “blockade of the Crimea” broke windows in a vehicle because the driver refused to unload the vegetables.³⁰

On November 18, representatives of the “Right Sector” reported in a Facebook post that they had detained Sergey Nadelyuk who, in the course of an unauthorized inspection of documents when crossing the checkpoint the roadblock, was found to possess two passports (Ukrainian and Russian), by the representatives of the “Right Sector”. The blockade participants conducted an unauthorized interrogation and handed **Sergey Nadelyuk** over to law enforcement agencies.³¹

OBSTRUCTION OF JOURNALISTIC ACTIVITIES

On November 22, during a monitoring visit to the area of the “blockade of the Crimea”, the CHRГ observed at the roadblock in the area of the Kalanchak checkpoint how armed participants of the blockade, who introduced themselves as “representatives of the “Kherson” battalion of the MIA”, prohibited videotaping by journalists of the “Voice of Crimea” news agency, who accompanied the monitors. Near the roadblock at the Chaplynka checkpoint, intoxicated people, who introduced themselves as members of “Avtomaidan-Kyiv”, also prevented journalists of the **“Voice of Crimea”** news agency to take videos, threatening to break their camera. Officers of the Ministry of Interior, who were present at the roadblock, did not react to the ban on videotaping and refused to accept a statement of an offense under Article 171 of the Criminal Code of Ukraine “Obstruction of journalistic activities”. The journalists filed their statement at the nearest police station (**Annex 6**). According

³⁰ <http://www.ohchr.org/Documents/Countries/UA/12thOHCHRreportUkraine.pdf>

³¹ https://www.facebook.com/permalink.php?story_fbid=543085209180854&id=527496024073106

Following that statement, a criminal case was opened and investigative activities are carried out **(Annex 7)**

On November 22, the “**Khersonkiye Vesti**” online news resource reported that the blockade participants prevented them from their journalistic activities while trying to cover the confrontation between activists of the blockade of Crimea and representatives of law enforcement agencies in the area of the demolished electric tower in Chaplynka. Following an oral ban and threats from Varvara Chernovianenko, who introduced herself as the press secretary for the “Right Sector”, and from Lenur Islyamov, one of the organizers, the blockade activists beat the crew members.³² «*They made several attempts to turn our car over; ten men beat our colleague (knocked him to the ground and kicked). In the end, they threw us in the car and ordered to go away*», — journalist **Linda Metzger** wrote in Facebook³³.

Linda Metzger filed a complaint with the police, where the matter of initiating criminal proceedings on the facts is being considered **(Annex 8)**.

RIGHT TO AN ADEQUATE LIVING STANDARD

On November 20, Melitopol – Dzhankoy power line towers in Kherson Oblast, which supply electricity to the Crimea, were demolished. One of those was mined. In particular, according to the police, they found three 82-mm mortar shells and two TNT blocks. Criminal proceedings under article “Deliberate damage to electric power facilities” were initiated³⁴.

On November 21, a clash occurred between law enforcers and the “blockade” activists near the power line towers. According to media reports, the clash involved about a hundred armed soldiers of the National Guard of Ukraine trying to push away the “Civil blockade of the Crimea” activists, who prevented the tower repairs³⁵.

The demolition of the power line towers in Kherson Oblast, and the subsequent obstruction of their repairs by the Crimea blockade participants significantly worsened the living standards of people in the Crimea.

Supply of electricity.

On November, the power line towers were damaged in Kherson Oblast. According to data provided by the Ministry of Energy and Coal Industry of Ukraine, on November 20, at 04:28, the Melitopol – Dzhankoy overhead power line was disconnected; at 04:29, the ‘Kakhovska – Titan’ overhead power line was disconnected. On November 21, at 23:20, the “Kakhovska – Ostrovsky” and the “Kakhovska – Dzhankoy” power lines were simultaneously disconnected. Also, controllers of the Southern and the Dnieper Power Plants later reported on the fall of the above-mentioned towers **(Annex 9)**. Ukrainian law enforcement agencies opened criminal proceedings under the Article “Deliberate damage to power facilities”.³⁶

³² <http://visti.ks.ua/novosti/novosti-hersona/23211-nochnoy-vizit-na-blokadu-kryma-podrobnosti-napadeniya-na-zhurnalistov.html>

³³ <https://www.facebook.com/malina.linda.malina/posts/984657208246498?pnref=story>

³⁴ <http://ru.krymr.com/content/news/27376922.html>

³⁵ <http://atr.ua/ru/news/46/hronika-21-noabra-sturm-grazdanskoj-blokady-kryma-ukrainskimi-silovika>

³⁶ <http://ru.krymr.com/content/news/27376922.html>

Beginning at 19:00 on November 20, order of the Head of the Republic in Crimea introduced a high alert regime and established an interdepartmental emergency operations center to eliminate the threat of an emergency situation related to the limited powered supply.³⁷

Beginning from November 21, the demolition of the power line towers caused disruptions in the normal supply of electricity to the Crimea. On the first day, power supply was cut off in the majority of cities and villages of the Crimea. Military units, detachments of the Black Sea Navy, buildings of bodies of power, prosecutor's offices and the FSB, as well as a number of strategic and social facilities were transferred to the independent electricity generation (by use of power generators). Residential areas in towns and villages were left without electricity. Throughout the first day, most of the villages, as well as a number of cities, for example, Sevastopol and Kerch, were left without electricity.

On November 21, a clash occurred between law enforcers and the "blockade" activists near the power line towers. According to media reports, the clash involved about a hundred armed soldiers of the National Guard of Ukraine trying to push away the "Civil blockade of the Crimea" activists, who prevented the tower repairs³⁸.

Effective from 01:42 on November 22, Sergey Aksenov's order introduced a state of emergency in the Crimea, and established a response center to eliminate the emergency situation caused by limited electricity supply.³⁹ Beginning on November 22, the electricity supply to residential areas began to be based on a supply schedule⁴⁰.

In general, the schedule is based on supplying electricity for 2 hours every 6 hours. In practice, however, the schedule is not consistent with the actual electricity supply. Some disruptions in the schedule are connected with a large number of intrahouse power grids failures caused by switch-on overloads. In many cities of the Crimea the electricity is currently supplied for 3 to 5 hours per day. The electricity is usually available in the morning (from 5:30 to 8 am, depending on the area); in other areas – in the evening (from 17:00 to 21:00, depending on the area); still in other areas – at night (from 01:00 to 04:00).

In a number of the Crimean villages the electricity was not supplied for several days. For example, the village of Lugovoye in Leninsky District was left without electricity for four days; for several days, there was no electricity in the village of Shchelkino. A number of villages near Kerch did not receive any electricity from November 22. In the village of Chistenkoye in Simferopol District, electricity was supplied for the average of 40 to 60 minutes per day. Many villages in the Leninsky District were supplied electricity for up to 2 hours per day, on the average. The villages of Greater Yalta were supplied electricity for 30 minutes to 2 hours per day, on the average.

Problems in the health sector.

Functioning of the main hospitals was supported by power generators. In Simferopol, Kerch, Feodosia, Sevastopol, Yevpatoria, Yalta, reports stated that the generators are sufficient to support functioning of intensive care wards and surgical units, the other wards functioned depending on the unstable electricity supply.

The Simferopol Oncology Center also functioned on power supply from generators, which were not sufficient for all wards, so it was emergency aid ward that were primarily supplied.

³⁷ http://rk.gov.ru/rus/file/pub/pub_267825.pdf

³⁸ <http://atr.ua/ru/news/46/hronika-21-noabra-sturm-grazdanskoj-blokady-kryma-ukrainskimi-silovika>

³⁹ http://rk.gov.ru/rus/file/pub/pub_267845.pdf

⁴⁰ <http://rk.gov.ru/rus/index.html/news/322109.htm>

According to employees, the situation in the hospital of the city of Sudak remained difficult too, because it was not equipped with its own generator and was totally dependent on short-term electricity connections. In one of the hospitals in Feodosia, a fire broke out that, according to the employees, was caused by miscalculated capacity of the generator at its connection. The fire was extinguished causing no casualties; some equipment and devices got damaged.

Certain pharmacies operated with the use of diesel generators, while others depended on overall schedule of power supply. Pharmacies that do not have their own generators encountered difficulties with the storage and sale of certain groups of medicines that must be constantly kept in refrigerators. Among them is one of the most important medicines, insulin. Only those pharmacies that are equipped with special refrigerated rooms and work without interruptions are permitted to sell insulin.

For example, in Sevastopol it is forbidden to sell insulin in the absence of electricity. If a pharmacy does not have a special refrigerated room, the staff of that pharmacy are obligated to move insulin and other medicines that require temperature control to other pharmacies, which are equipped with generators and the necessary cold storage facilities. However, that causes another problem: doctors prescribe insulin or other medicines to be collected by a patient in a specific pharmacy; in that connection, pharmacies can only move such medicines to another pharmacy, but it is not possible to sell them in the other pharmacy.

The electricity outages pose a serious threat to the life of a particular group of patients – those who are connected to a special medical apparatus, such as artificial pulmonary ventilation or an incubator for newborns.

In Sevastopol, 11-year-old Ivan Plotnikov lives, who suffers from the Werdnig-Hoffmann spinal muscular atrophy. He is practice unable to breathe on his own and uses artificial pulmonary ventilation at home. His mother told that the maximum battery life is 7 hours⁴¹. Several days after the power outage in the Crimea, officers of the Ministry of the Emergency Situations delivered to Ivan Plotnikov's apartment an additional generator that must support constant functioning of the artificial ventilation machine . At this time, there is no information about how many other Crimean residents are connected to the artificial ventilation machines.

Problems with mobile communication in the Crimea cause situations when it is difficult to call the ambulance; in small towns and villages residents sometimes deliver patients to the ambulance stations on their own. Health professionals report that while visiting a patient at home at the time of the electricity outage, it is difficult to carry out medical procedures (injections, examinations, etc.) in the light of a lantern or candle.

Problems in the area of social infrastructure and communications.

November 23 was announced a day off in the majority of educational institutions, due to the power outage. The Sevastopol authorities passed the decision to suspend operation of kindergartens, beginning from November 23, and classes for students in grades 1 to 4, in connection with the emergency situation in the Crimea caused by the termination of power supply to the Peninsula from the territory of Ukraine.⁴² On November 24, Sergey Aksenov announced a decision to introduce unscheduled holidays in schools and kindergartens in the Crimea until November 30⁴³.

In many towns and villages were problems with water supply to residential areas; several days later, most water pumping stations in the cities were connected to generators. At present, central heating is

⁴¹ <http://takiedela.ru/2015/11/crimea/>

⁴² <http://korrespondent.net/ukraine/3593403-sevastopol-pryostanavlyvaet-rabotu-detsadov-y-shkol>

⁴³ <http://glava.rk.gov.ru/rus/index.htm/news/322065.htm>

absent, with the reason for that being warm weather. The city officials say that the heating will be turned on when the average temperature will be +8 degrees Celsius.

Sales of fuels were limited too; fuel can be mainly purchased at gas stations during periods of electric power supply. In that connection, there are long waiting lines at the gas stations; some of them impose a limit on the maximum volume of fuel that can be sold. For example, out of 50 gas stations in Sevastopol, only 21 installed diesel generators that support operation during power outages.

Most districts of the Crimea experience difficulties with mobile communication; Internet access is very limited. In some districts, Internet access is unavailable even when the electricity is being supplied.

In order to inform the population, local authorities distribute leaflets with recommendations for a power outage, telephone numbers of emergency services and hot line numbers. In Sevastopol, a "communication on wheels" system of the "Russian Broadcasting and Communication Networks" enterprise is used to keep the city residents informed. Automobiles equipped with audio communication systems are used in other localities.

In the area of food supplies, local residents note problems in the supply of bread in some regions, which is to a great extent caused by inability of local grain mills in to function by the normal schedule. In certain areas (Simferopol, Sevastopol, etc.) sales of perishable goods were limited.

Problems in the area of small business.

A number of small enterprises (for example, private bakeries, services for repair of household appliances and computer equipment, a number of catering facilities) were forced to virtually suspend their operations. Incomes of entrepreneurs and employees in small business depends on sales of products or services; in connection with that, their incomes have significantly declined.

REPRESSIONS AGAINST PARTICIPANTS OF THE "BLOCKADE OF THE CRIMEA"

On November 1, the Crimean Prosecutor Natalia Poklonskaya announced opening criminal cases against some participants of "blockade of the Crimea".⁴⁴

On November 2, Sergey Aksenov said that the FSB and other law enforcement bodies of the Russian Federation will bring to responsibility "supporters of extremist organizations", referring to Lenur Islyamov's actions to coordinate the "Civil blockade of the Crimea".⁴⁵

On November 2, the media reported that the FSB opened a criminal case against one of the organizers of the "blockade of the Crimea" **Lenur Islyamov**.⁴⁶ Also, on November 2, the Central Bank of Russia revoked the banking operations license from the "**Just Bank**" owned by Lenur Islyamov.⁴⁷

Besides, on 2 November, searches were conducted in Lenur Islyamov's Moscow apartment, in the homes of the General Director of the "Queen-media" (the Crimean branch of the APR television company) **Elzara Islyamova**, Deputy General Director **Lilia Budzhurova** and in the house of **Edem Islyamov**, father of the owner of the ATP TV Channel, businessman Lenur Islyamov⁴⁸ (*for more details, see the "Searches" Section*).

⁴⁴ http://crimeahr.org/prokuratura-rf-vozbudila-ugolovnyie-dela-na-uchastnikov-blokadyi-kryima/?utm_source=Facebook&utm_medium=post&utm_campaign=blokada

⁴⁵ <http://glava.rk.gov.ru/rus/index.htm/news/319591.htm>

⁴⁶ http://qha.com.ua/ru/politika/fsb-vozbudila-ugolovnoe-delo-protiv-lenura-islyamova/150402/?utm_source=dlvr.it&utm_medium=facebook

⁴⁷ http://www.cbr.ru/press/pr.aspx?file=02112015_083513ik2015-11-02T08_27_07.htm

⁴⁸ <http://crimeahr.org/v-kryimu-provodyatsya-obyiski-v-domah-rukovodstva-atr/>

On November 25, **Eskender Bariev** said that his parents in the Crimea were visited by FSB officers to find out his whereabouts. The FSB officers informed the parents that they were looking for their son in connection with the demolition of electric line towers in Kherson Oblast⁴⁹. Eskender Bariev currently lives outside of the Crimea and openly supports the “Civil blockade of the Crimea”.

PROBLEMS OF CRIMEAN RESIDENTS WHO FLED THE PENINSULA AND RELOCATED TO THE MAINLAND UKRAINE (INTERNALLY DISPLACED PERSONS)

GENERAL SITUATION

On November 3, the Verkhovna Rada of Ukraine voted for the draft law № 2166 “On amendments to certain laws of Ukraine on strengthening guarantees of the rights and freedoms of internally displaced persons”. However, on November 25 President of Ukraine Petro Poroshenko vetoed it and returned for revision.

The said draft law is aimed at improving the situation of persons who were forced to leave the territory of the Crimea and the Donbas, and relocate to other regions of Ukraine. It primarily broadened the definition of the group of internally displaced persons (IDPs) by encompassing foreigners.

Furthermore, the law introduced changes in the procedures for preparation and issuance of IDP certificates. Prior to those changes, the IDP certificate was issued for 6 months. Draft law № 2166, however, stipulated issuance of an indefinite certificate.

Besides, the law separated process of applying for an IDP certificate into two types – those persons who are able to provide a document with a seal on the registration of residence in the area from where they have relocated can obtain the certificate on the same day, while persons without such a document can provide other evidence of internal displacement and obtain the certificate within 15 days.⁵⁰

On November 25, the Ukrainian Parliament received proposals submitted by the President of Ukraine Petro Poroshenko, in which he proposes to finalize the draft law and appoint a body (officials) to be responsible for determining absence of internally displaced persons at their new place of residence and confirm the information on their movement within Ukraine, as well as a mechanism to verify the information and the fact of a prolonged absence of internally displaced persons at their new place of residence⁵¹.

The review was prepared by:

Olga Skrypnik, Coordinator of the analytical direction of the Crimean Human Rights Group;

Vissarion Aseev, Coordinator of the monitoring direction of the Crimean Human Rights Group;

Tetiana Pechonchyk, Coordinator of the advocacy direction of the Crimean Human Rights Group, Center for Human Rights Information;

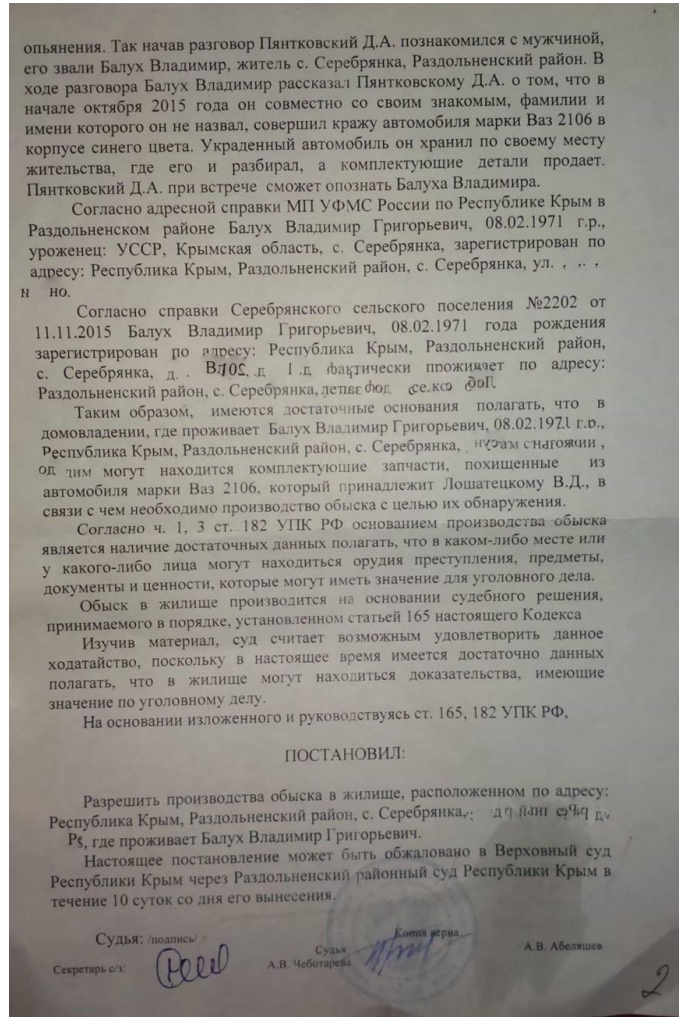
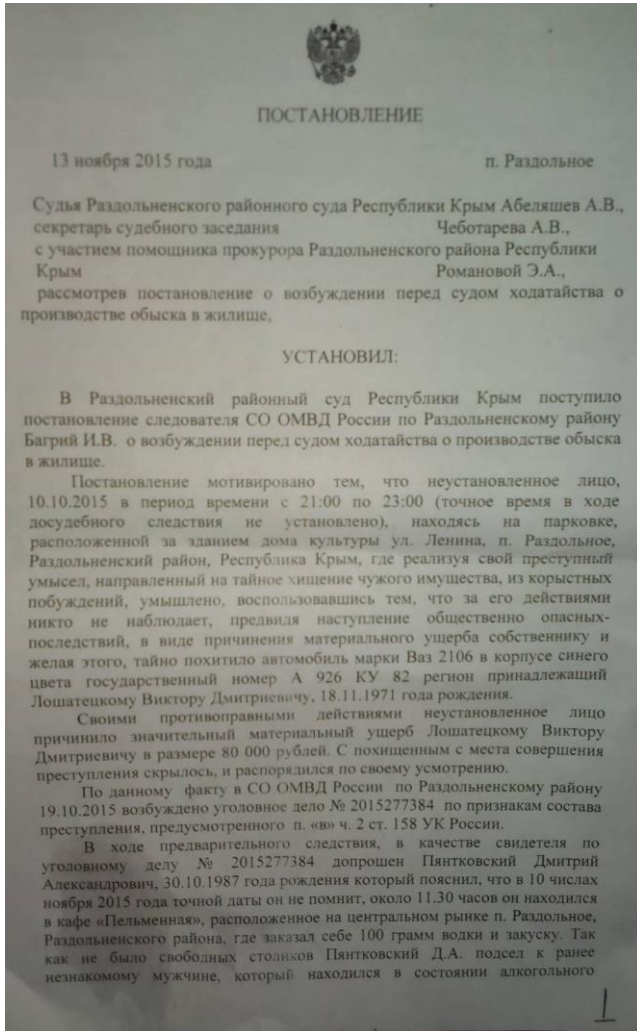
Olga Morkova, analyst of the Crimean Human Rights Group, Director of projects NGO Open Mission.

⁴⁹ <http://ru.krymr.com/content/news/27388792.html>


⁵⁰ http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_2?id=&pf3516=2166&skl=9

⁵¹ http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=54093

Annex 1



Resolution on search in Volodymyr Balukh's home



ПОСТАНОВЛЕНИЕ
об административном правонарушении

14 ноября 2015 года пгт. Раздольное

Судья Раздольненского районного суда Республики Крым Абяляшев Александр Витальевич, рассмотрев материал, поступивший из ОМВД России по Раздольненскому району о привлечении к административной ответственности Балух Владимира Григорьевича, 08.02.1971 года рождения, уроженца Крыма, Раздольненского района, с. Серебрянка, гражданина Украины, не работающего, не женатого, проживающего по адресу: Республика Крым, Раздольненский район, с. Серебрянка, полп 14 РД, Россв. РАД, за совершение правонарушения, предусмотренного ч. 1 ст. 19.3 КоАП РФ,

установил:

Балух В.Г., 14.11.2015 г. в 10 часов 00 минут в Раздольненском районе, с. Серебрянка, при проведении сотрудниками полиции санкционированного обыска по месту его жительства оказал неповиновение законным требованиям сотрудника полиции, воспрепятствовал исполнению служебных обязанностей.

В судебное заседание Балух В.Г., явился, вину в совершении указанного административного правонарушения не признал и пояснил, что изложенное в протоколе об административном правонарушении не соответствует действительности.

Выслушав Балух В.Г., изучив материалы дела, судья считает, что Балух В.Г., совершил административное правонарушение, предусмотренное ч. 1 ст. 19.3 КоАП РФ – воспрепятствование исполнению сотрудником полиции служебных обязанностей.

Вина Балух В.Г., в совершении административного правонарушения подтверждается доказательствами, исследованными в судебном заседании, а именно: протоколом об административном правонарушении № РК 056813 от 14.11.2015 г., протоколом о доставлении от 14.11.2015 г., протоколом административного задержания от 14.11.2015 г., письменными объяснениями Решетняк А.А., Козуляк А.В., копией постановления суда о проведении обыска от 13.11.2015 г., по месту жительства Балух В.Г. по адресу: Республика Крым, Раздольненский район, с. Серебрянка, п. Ф. БывозФс, в.з.т ко, копией протокола обыска от 14.11.2015 г., рапортами сотрудников полиции Ященко Г.В., Кудря К.Ю., Федотов А.В., Дубровченко Г.В., Баранов Е.В., в которых

изложены обстоятельства совершения Балух В.Г., административного правонарушения.

При определении вида и размера административного взыскания, суд учитывает вышеизложенные факты, характер совершенного правонарушения, личность правонарушителя, который является совершеннолетним, обстоятельства, смягчающие ответственность, судом не установлены, обстоятельства отягчающие ответственность - судом не установлены, и в целях защиты общественного порядка и общественной безопасности, а также предупреждения административных правонарушений судья считает целесообразным привлечь правонарушителя к административной ответственности в пределах санкции статьи КоАП РФ.

На основании вышеизложенного, руководствуясь ст.ст. 12.8, 29.10 КоАП РФ, судья

постановил:

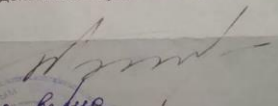
Балух Владимира Григорьевича, 08.02.1971 года рождения, признать виновным в совершении административного правонарушения, предусмотренного ч. 1 ст. 19.3 КоАП РФ и подвергнуть административному взысканию в виде административного ареста сроком на 10 (десять) суток.

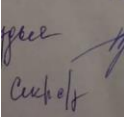
В срок административного ареста зачесть срок административного задержания.

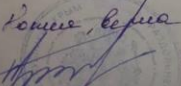
Постановление подлежит немедленному исполнению.

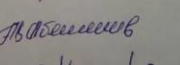
Постановление может быть обжаловано лицом, которое привлечено к административной ответственности, его законным представителем, защитником, потерпевшим, его представителем должностным лицом, уполномоченным в соответствии со статьей 28.3 КоАП РФ составлять протокол об административном правонарушении в течение десяти суток со дня получения постановления.

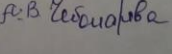
Апелляционная жалоба подается в Верховный суд Республики Крым через Раздольненский районный суд Республики Крым.

Судья - 



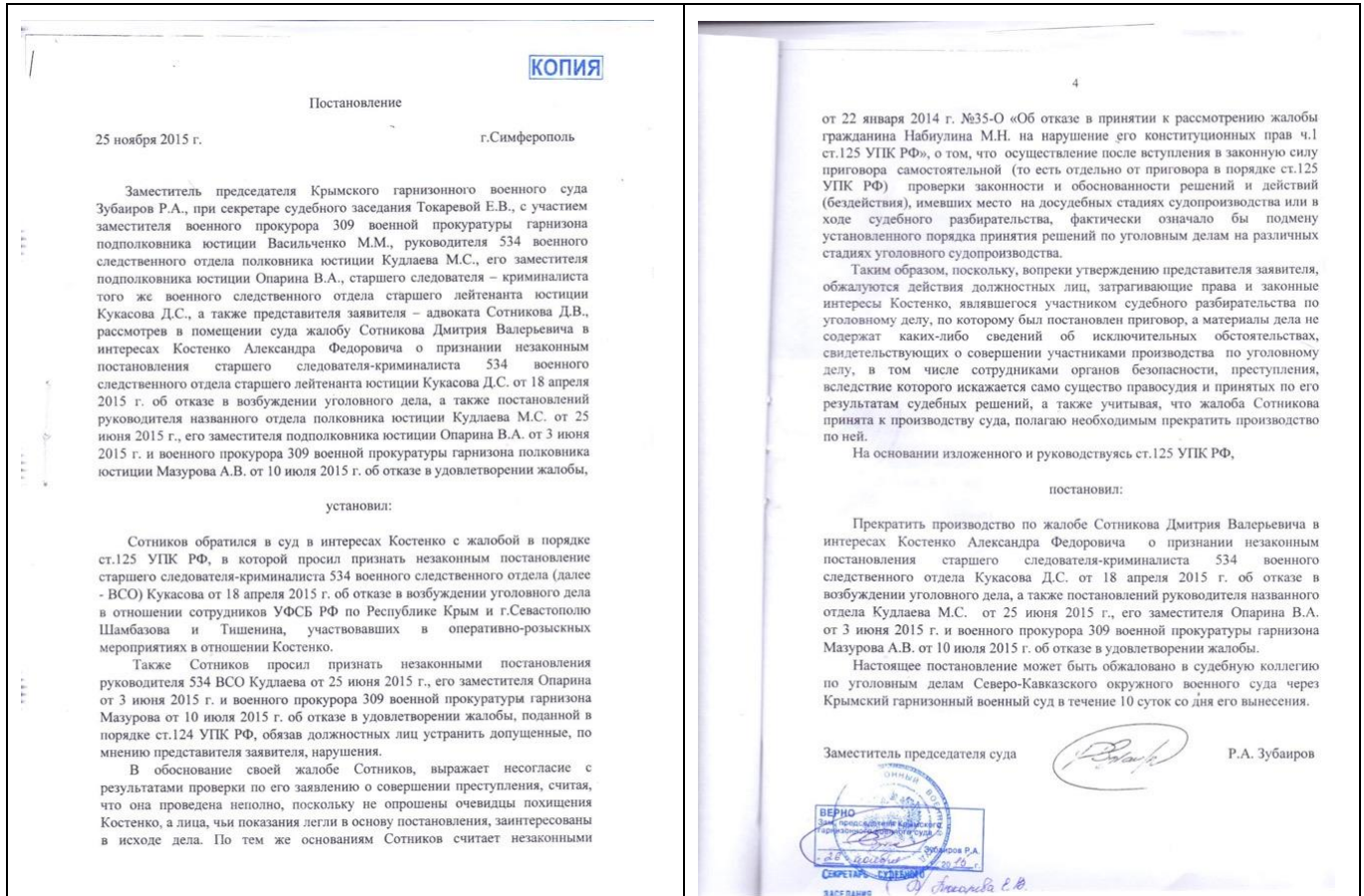






Resolution on an administrative offense and administrative arrest of Volodymyr Balukh

Annex 3



Resolution of the Crimean Garrison Military Court on termination of proceedings on complaint by lawyer Dmitry Sotnikov in the interests of Oleksandr Kostenko, dated November 25, 2015.

ФЕДЕРАЛЬНАЯ СЛУЖБА
ИСПОЛНЕНИЯ НАКАЗАНИЙ
УПРАВЛЕНИЕ
ПО КИРОВСКОЙ ОБЛАСТИ
ФЕДЕРАЛЬНОЕ
КАЗЕННОЕ УЧРЕЖДЕНИЕ
ИСПРАВИТЕЛЬНАЯ КОЛОНИЯ №5
(ФКУ ИК-5 УФСИН РОССИИ ПО
КИРОВСКОЙ ОБЛАСТИ)

Приложение № 4
к Инструкции

Гр. _____
(фамилия, инициалы)

Адрес у. _____

Овражная ул., д.16, г. Кирово-Чепецк
Кировская область, 613049
тел (факс) 4-64-92

29.10.2015 № 44170488-9787

ИЗВЕЩЕНИЕ

Сообщается, что Ваш (а) сын Костенко А.Ф.
(степень родства, фамилия, инициалы)

прибыл (а) «23» 10 2015 г. для отбывания срока наказания
в ФКУ ИК-5 УФСИН России по Кировской области
(наименование исправительного учреждения)

по адресу: 613049 г. Кирово-Чепецк Кировской области, ул. Овражная,16
(адрес исправительного учреждения)

В соответствии с законом осужденный (ая) Костенко
(фамилия)

имеет право в течение года получить посылок или передач 6 по 20 кг
бандеролей 6 по 2 кг, краткосрочных (ое) свиданий (е) 6, длитель-
ных (ое) свиданий (е) 4, отправлять, получать письма и телеграммы без огра-
ничения их количества.

Максимальный вес одной посылки или бандероли определяется почтовыми правилами.
Вес одной передачи не должен превышать установленный вес одной посылки.
В посылках и иных почтовых отправлениях, а также в передачах запрещается пересы-
лать осужденным вещи, изделия, вещества, документы и продукты питания, перечислен-
ные на обороте.

Посылки, передачи и бандероли с лекарственными средствами и предметами медицин-
ского назначения, предназначенными для лечения осужденного в соответствии с меди-
цинским заключением, не включаются в данное количество почтовых отправлений.

Свидания осужденным разрешаются не более, чем с двумя взрослыми лицами.

О времени прибытия на свидание осужденный (ая) Костенко
Вас известит.

Осужденный имеет право на предоставление телефонного разговора по собственной
инициативе или инициативе родственников 4 раза в год продолжительностью не более 15
минут каждый. Телефон в Москве для справок (495) 363-93-08

Врио Начальник учреждения _____
(подпись, фамилия) С.П.Тоздеев

29 октября 2015 г.

A notification on arrival of Oleksandr Kostenko to Colony № 5, Kirovo-Chepetsk, Kirov Oblast, the RF

Annex 5



Inspection of car drivers and passengers by lists of «traitors / separatists» on the «Peacekeeper» site (Chongar)



Stopping and inspection of cars by the "Blocade of the Crimea" participants at the Chongar roadblock

**Начальнику Головного управління Національної поліції
в Херсонській області**

Мерікову А.І.

Журналіста інформаційної агенції «Голос Криму»

Халімон Олени Петрівни,

адреса для листування: ____ Тел.: ____

Повідомлення про кримінальне правопорушення.

22 листопада 2015 року я разом з оператором Юрченко В.П. прибула до КПВВ «Чаплінка» для виконання редакційного завдання.

Знаходячись на певній відстані від самого КПВВ ми мали намір відзняти сюжет. Коли ми дістали відеокамеру, встановили її на штатив, до нас підбігла група невідомих осіб (в кількості не менше шістьох) в камуфльованому одязі. Від вказаних осіб йшов стійкий запах алкоголю. Діями вказаних осіб керував молодий чоловік середнього зросту з коротким темним волоссям, якого я зможу впізнати. Вказані особи оточили нас та почали вимагати наші документи та в категоричній формі, використовуючи брудну лайку, яка ображає честь та гідність людини, заборонили нам проводити відео зйомку. Вони фізично, своїм тілом перекривали камеру, штовхали штатив, перекривали мені вільне пересування, блокуючи мій рух. Вказані особи наголошували, що вони є представниками «АвтомайданКиїв». Але представлятися та надавати будь-які документи, що посвідчують їх особи та що вони мають право надавати нам обов'язкові для виконання вказівки, вказані особи відмовилися.

Я неодноразово звертала увагу вказаних осіб, що вони групою осіб перешкоджають законній професійній діяльності журналіста. Вони всі бачили посвідчення - мій документ, що посвідчує мою особу як журналіста. Вони всі бачили, що я тримала в руках мікрофон. Однак продовжували вчиняти незаконні дії щодо мене та Юрченко В.П.

Біля дороги ми побачили автомобіль з номерами, синього кольору. З цього автомобіля до нас вийшло троє осіб у військовій формі із зброєю. Вказані особи представились працівниками міліції та надали нам для ознайомлення своє службове посвідчення працівника міліції. Однак прийняти від нас повідомлення про кримінальне правопорушення вказані особи відмовились. Припинити кримінальне правопорушення вказані особи також відмовилися.

На підставі статті 17 Закону України «Про державну підтримку засобів масової інформації та соціальний захист журналістів», згідно якого відповідальність за скоєння злочину проти журналіста у зв'язку з виконанням ним професійних обов'язків або перешкоджання його службовій діяльності прирівнюється до відповідальності за скоєння таких же дій проти працівника правоохоронного органу, керуючись статті 218 Кримінального процесуального кодексу України,

Прошу:

1.Внести до Єдиного реєстру досудових розслідувань відомості про кримінальне правопорушення щодо факту умисного перешкоджання законній професійній діяльності журналіста, яке вчинено групою осіб за попередньою згодою, з попередньою правовою кваліфікацією злочину за частиною 2 статті 171 Кримінального кодексу України та розпочати досудове розслідування.

2.Визнати мене потерпілою та допитати мене.

3.Провести службове розслідування за фактом бездіяльності працівників правоохоронного органу щодо відмови припинити кримінальне правопорушення.

4.Повідомити мене письмово про результати розслідування.

Додаток: копія службового посвідчення журналіста та копія прес-карти на 1 арк.

23 листопада 2015 року

З повагою

О.Халімон

Statement for the police by journalist of the "Voice of Crimea" news agency Elena Khalimon on obstruction of journalistic activities by participants of the «Civil Blocade of the Crimea»

**ГОЛОВНЕ УПРАВЛІННЯ
НАЦІОНАЛЬНОЇ ПОЛІЦІЇ
В ХЕРСОНСЬКІЙ ОБЛАСТІ
СЛІДЧЕ УПРАВЛІННЯ**
вул. Кірова, 4, м. Херсон, 73000

Халімон Олена Петрівна

« 25 » 11 2015 року №8/ 418

Повідомляємо, що за інформацією, викладеною у Вашій заяві щодо перешкоджання здійсненню професійної журналістської діяльності невідомими особами, що надійшла 23.11.2015 до слідчого управління ГУНП в Херсонській області, 24.11.2015 слідчим слідчого відділення Каланчацького ВП Новокаховського відділу поліції ГУНП в Херсонській області у Єдиному реєстрі досудових розслідувань зареєстровано кримінальне провадження №12015230180000995 за ознаками складу кримінального правопорушення, передбаченого ч. 1 ст. 171 КК України, за фактом перешкоджання законній професійній діяльності журналістів.

Досудове розслідування у кримінальному провадженні №12015230180000995 триває, на даний час виконуються слідчі дії, направлені на всебічне, повне та об'єктивне дослідження усіх обставин події.

Слідчого Каланчацького ВП Новокаховського відділу поліції ГУНП в Херсонській області зобов'язано вжити дієвих заходів щодо активізації розслідування обставин вчинення кримінального правопорушення.

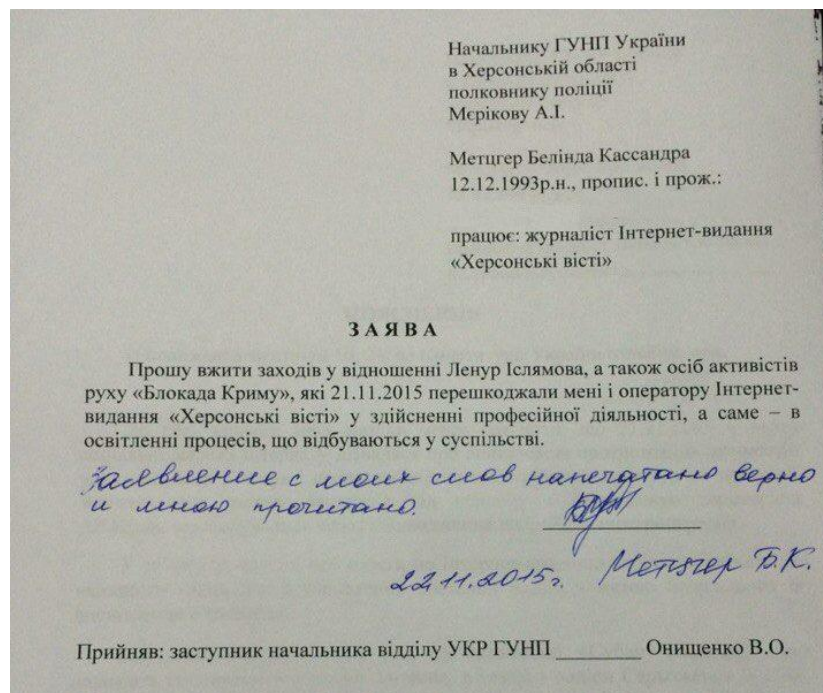
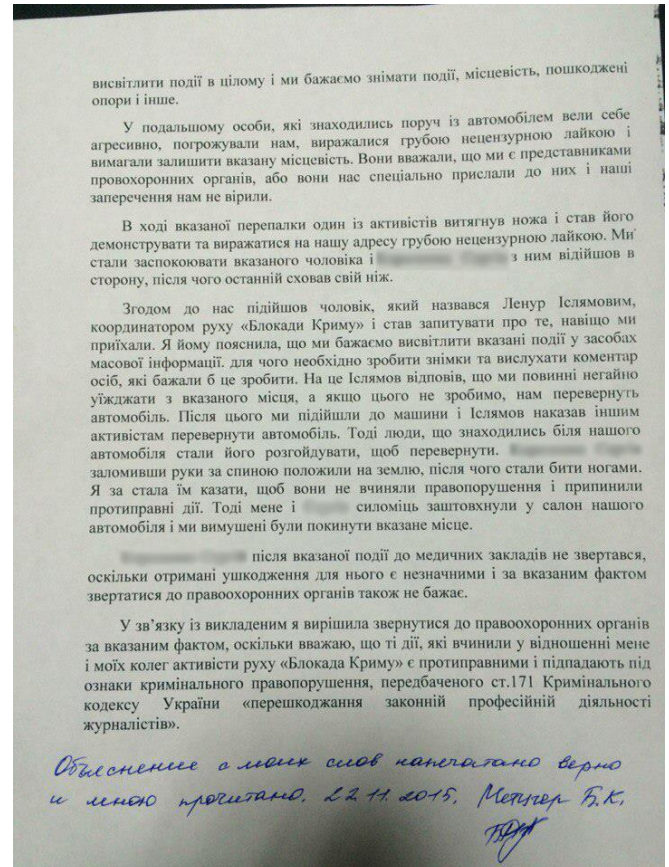
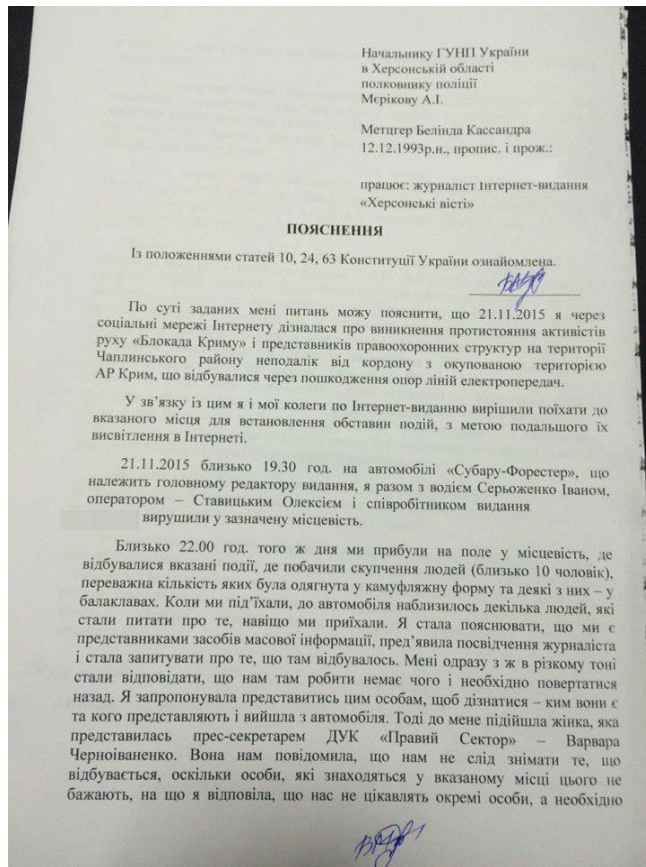
Про подальший хід розслідування у вказаному кримінальному провадженні Ви можете дізнатися безпосередньо у начальника слідчого відділення Каланчацького ВП Новокаховського відділу поліції ГУНП в Херсонській майора поліції Блозви Е.Ю. тел. (05530) 3-14-39.

Заступник начальника



Н.Р. Іванюк

Response of the Chief Directorate of the National Police in Kherson Oblast to the statement by journalist of the "Voice of Crimea" news agency Elena Khalimon



Statement for the police by journalist of the "Khersonskiye Vesti" publication Linda Metzger on obstruction of journalistic activities by participants of the «Civil Blocade of the Crimea»



**МІНІСТЕРСТВО ЕНЕРГЕТИКИ ТА
ВУГІЛЬНОЇ ПРОМИСЛОВОСТІ УКРАЇНИ**
(Міненерговугілля України)

01601, м.Київ, вул. Хрещатик, 30, тел.: 206-38-44, 206-38-45, ф.: 531-36-92
E-mail: kanc@mev.energy.gov.ua, Код ЄДРПОУ 37471933

№ _____

На № _____ від _____

**ГО «Центр громадянської
просвіти «Альменда»**
Київ-1, а/с В-55, 01001

Міністерство енергетики та вугільної промисловості України розглянуло інформаційний запит голови ГО «Центр громадянської просвіти «Альменда» Скрипник О. від 02.12.2015 та, в межах компетенції, повідомляє.

О 04²⁸ 20.11.2015 на пульт диспетчера ДП «НЕК «Укренерго» надійшов сигнал про відключення ПЛ 330 кВ «Мелітополь – Джанкой», а о 4²⁹ – ПЛ 220 кВ «Каховська – Титан».

О 23²⁰ 21.11.2015 одночасно відключились ПЛ 330 кВ «Каховська – Острівська» та ПЛ 330 кВ «Каховська – Джанкой».

За повідомленням чергових диспетчерів Південної ЕС та Дніпровської ЕС виявлено падіння опор ПЛ 220 кВ «Каховська – Титан», ПЛ 330 кВ «Мелітополь – Джанкой» та пошкодження двох опор ПЛ 330 кВ «Каховська – Джанкой», ПЛ 330 кВ «Каховська – Острівська».

7 грудня 2015 року було здійснено підключення ПЛ 220 кВ «Каховська – Титан».

ДП НЕК «Укренерго» вживає всіх заходів для виконання аварійно-відновлювальних робіт на пошкоджених повітряних лініях.

Ділянки повітряних ліній електропередачі щоденно патрулюються силами Херсонських магістральних електричних мереж із залученням представників місцевих органів Міністерства внутрішніх справ України.

На даний момент тривають відновлювальні роботи, тому розмір витрат буде визначено після їх завершення.

Заступник Міністра

О. Светелік

Проценко А.В. 206-36-86

Міністерство енергетики та вугільної
промисловості України
№03/32-6939 від 15.12.2015