CRIMEAN HUMAN RIGHTS GROUP

CRIMEA:
UKRAINIAN IDENTITY BANNED

Analytical report on politically motivated persecution and discrimination on the ground of pro-Ukrainian opinion

2016

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Kyiv
February
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Crimea: Ukrainian identity banned. Analytical report on politically motivated persecution and discrimination on the ground of pro-Ukrainian opinion. Editor: Olga Skrypnyk — Kyiv, 2016. — 40 pages.

The Crimea Human Rights Group (CHRG) is the initiative of the Crimean human rights defenders and journalists, aimed at promoting the observance and protection of human rights in Crimea by attracting wide attention to problems of human rights and international humanitarian law in the territory of the Crimean peninsula, and the search for and development of mechanisms for the protection of human rights in Crimea.

The activity of the CHRG is guided, first and foremost, by the rules of basic 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 and others.

The CHRG is guided by principles of objectivity, reliability and timeliness while preparing and spreading information. 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. CHRG focuses on human rights violations in connection with the illegal actions of the Russian Federation in Crimea.

You can find monthly Crimean Human Rights Situation reviews, thematic reviews and articles of the Crimean Human Rights Group on the site *http://crimeahrg.org/en.*

The Crimean Human Rights Group thanks partner organizations and foundations for their support in the preparation and publication of this report.

CONTENTS

INTRODUCTION

The events in Crimea that led to the occupation of the territory of Ukraine constituted a large-scale violations of international law and a serious threat to human rights, supremacy of law and global security. The actions of the Russian Federation in Crimea received an unambiguous legal evaluation as a violation of international obligations and human rights.

Nevertheless, Russia continues to violate international standards and refuses to recognize its responsibility for the violations committed in Crimea. The leadership of the RF seeks to conceal information about human rights violations committed in Crimea from Russian society and international actors. Using various information and policy instruments, Russia trying to spread the two major myths: «Crimea has always been Russian» and «Crimea voluntarily joined Russia.» However, the facts show a completely opposite picture.

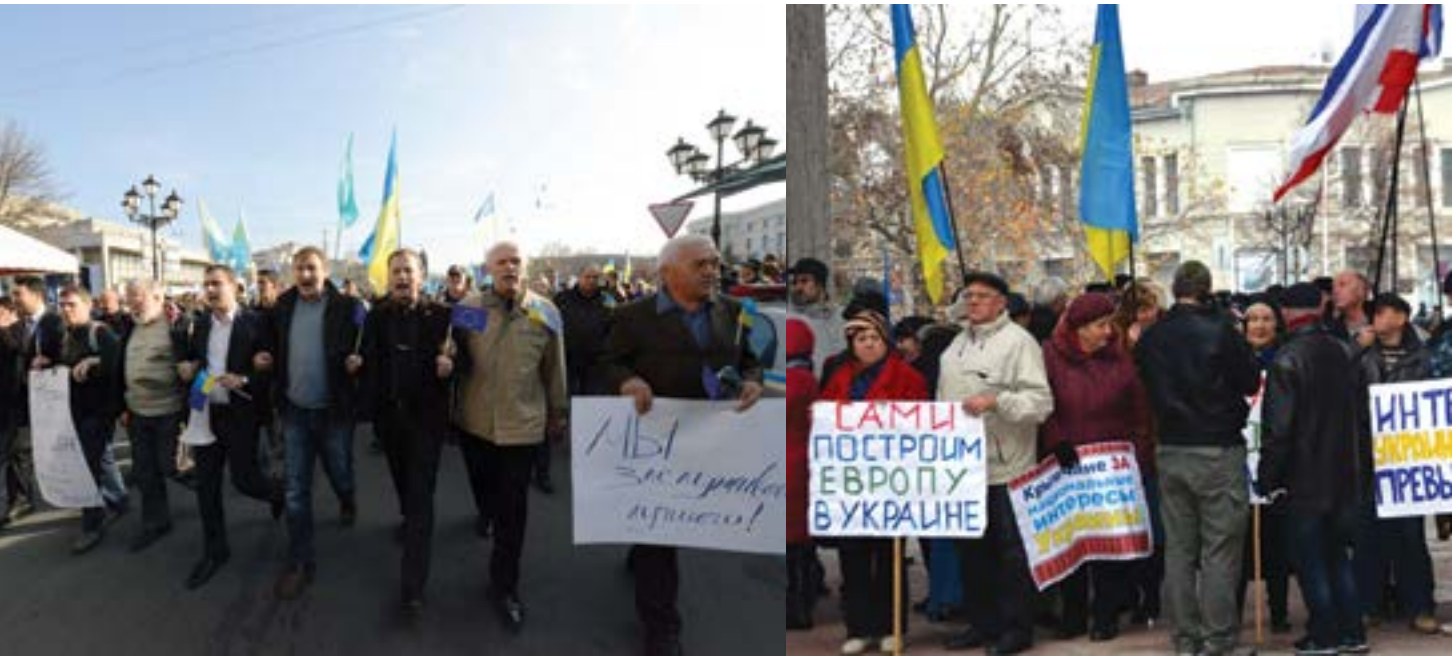
For example, the «Euromaidan-Crimea» movement emerged and rapidly grew in Crimea in 2013. It supported Ukraine's course towards European integration, the integrity of Ukraine, and stood against repressive norms in the Ukrainian legislation. This movement was a part of all-Ukrainian «Euromaidan» movement that supported peaceful protests in Kiev in 2013-2014, and was present in almost all cities of Ukraine.

A variety of cultural, sporting, and musical events and civil actions held regularly in Crimea, which were a part of the all-Ukrainian trends and showed the full integration of Crimea into Ukraine.

Many non-governmental organizations and civil initiatives in Crimea supported participants of protests on the Maidan in Kiev. Many Crimeans directly participated in the peaceful protests in Maidan and during the tragic events — the shooting of protesters on the Independence Square in Kiev. The actions of solidarity were held in many cities of Crimea to commemorate deaths of the Heaven's hundred Heroes.

Crimeans held peaceful protests to respond to the illegal actions of Russian government in Crimea. The anti-war rallies in support of Ukraine's integrity were held in the period from February 23 to March 16, 2014 in many cities of Crimea.

The Russian government performed actions in Crimea that were militant in nature. The occupation led to the first victims among the civilian and military population. Many civilian activists,



Peaceful protests of the «Euromaidan-Crimea», Simferopol

The action on Day of Unity of Ukraine, Yalta, January 22, 2014

who openly expressed or their opinion against the actions of the Russian Federation in Crimea, were kidnapped. Among them are Reshat Ametov, Andrey Schekun, Anatoliy Kowalskiy, Yuriy Gruzinov, Yaroslav Pilunskiy, Alexey Gritsenko, Sergey Suprun, Natalya Lukyanchenko and others.

Protests against the actions of Russian government are continuing after it established unlawfully factual control over the territory of Crimea. People in Crimea express their pro-Ukrainian position in various forms to show that they do not recognize the annexation of Crimea to Russia and support the territorial integrity and indivisibility of Ukraine, and assert human rights.

The Russian Federation reacted on such pro-Ukrainian position in Crimea of those who do not support the Kremlin's official position by establishing a large-scale system of political persecution and violations of fundamental rights and freedoms.

The analytical report is the result of collection and systematization of information about human rights violations in Crimea that were committed in the result of the illegal occupation of the peninsula by the Russian Federation. The main focus is paid on human rights violations that have political motive. The report also describe systemic problems that arose in connection with the atmosphere of intolerance in Crimea in relation to various manifestations of the Ukrainian identity.

The concert of the popular Ukrainian music group «Okean Elzy», Simferopol, 2013

The rally in memory of the dead protesters on Maidan, Yalta, February 22, 2014

'Live chain' in the support of integrity of Ukraine along the Crimean roads, March 14, 2014

The inscription at the entrance to Simferopol «Simferopol is Ukraine», 2015

Flag of Ukraine, Yalta embankment, January 16, 2016

Anti-war demonstration in Bakhchisaray, March 5, 2014

The analytical report prepared by the experts of the Crimean human rights group — human rights defenders and journalists who has been continuously monitoring and documenting human rights violations in Crimea since February, 2014.

The report is targeted at the representatives of international organizations, diplomatic missions, government agencies, human rights organizations, academics,lawyers, and journalists.

The authors of the report hope that it will be useful for international and national agencies and organizations that participate in decision-making process regarding Crimea and that it will help to promote human rights based approach to problems of the peninsula and a wider awareness on situation with human rights in Crimea.

PERSECUTIONS IN CRIMEA FOR THE SUPPORT OF THE TERRITORIAL INTEGRITY AND INDEPENDENCE OF UKRAINE

Active involvement of the Russian Federation in Crimea was not only accompanied by military action but also actions against the civilians. We mean primarily various forms of persecution of the organizers andleaders of the «Euromaidan-Crimea» movement, the participants in peaceful rallies held in support of the unity of Ukraine and protests against Russia's actions, the Ukrainian media journalists and many others. The most serious forms of persecution were murder and abductions. The first victim was Reshat Ametov, an activist who, on March 3, 2014, came out to the central square in Simferopol to stage a one-man picket against Russia's actions. On March 15, his body with numerous traces of severe torture was found. Despite the fact that the Crimean authorities identified the perpetrators of Reshat Ametov's abduction[1], the investigation has been suspended, and those persons are involved in the criminal proceedings as witnesses only. As for the victims of the military casualties, the murder of two Ukrainian soldiers is known by now: the 36-year-old Ukrainian ensign Serhiy Kokurin, who was killed on March 18, 2014 in Simferopol during the assault on the 13th Photogrammetric Center of the Main Directorate of Operational Support of the Armed Forces of Ukraine; and the 32-year-old Ukrainian Major Stanislav Karachevsky, who was killed on April 6, 2014, by the Russian Sergeant Evgeny Zaitsev in the village of Novofedorivka, in the dormitory where the Ukrainian military officers from the Saky Base stayed beforeleaving for the mainland Ukraine.

Abductions of the activists who openly expressed their pro-Ukrainian position were used both at the active stage of the Peninsula occupation, and after the Russian control has been established. Many activists have been held captive and tortured; the fate of some is still unknown.

On March 9, 2014, two well-known Ukrainian activists, members of the «Euromaidan-Crimea» movement Andriy Schekun and Anatoly Kovalsky, were abducted in Simferopol. They were held in captivity and tortured. In the same basement, a Ukrainian from Dnipropetrovsk Oblast Yuri Shevchenko was kept together with them, who had been mistaken for an activist of a Ukrainian organization and abducted in Simferopol. Overnight to March 14, 2014, Ukrainian «Avtomaidan» activists Oleksiy Hrytsenko, the son of People's Deputy of Ukraine Anatoly Hrytsenko, Natalya Lukyanchenko and Serhiy Suprun, were abducted. On March 16, a cameraman and a citizen of Russia Yuri Gruzinov, who filmed the Maidan events, and Yaroslav Pilunsky, a Ukrainian cameraman, were abducted in Simferopol. All these people were released on March 20 near Chongar through negotiation and exchange.

On March 9, 2014, at the entrance to Crimea near the city of Armyansk, armed men illegally detained two vehicles carrying «Avtomaidan» activists — Oleksandra Ryazantseva and Kateryna Butko, journalist Olena Maksimenko, photographer Oles Kromplyas and driver Evhen Rakhno. The main reason for the detention was found a Ukrainian flag in the trunk. The activists were released on March 11.

In March 2014, other cases of abductions, battery and illegal detention of Ukrainian activists were registered. The fate of some of them is still unknown. In March 2014, Ivan Bondarets (born in 1990), Vladyslav Vashchuk (born 1985) and Vasyl Chernysh (born in 1978) disappeared. Bondarets and Vashchuk were activists of pro-Ukrainian movements, Chernysh previously served in the Security Service of Ukraine and was an «Avtomaidan» member and spoke Ukrainian in Sevastopol. Those cases carry signs of forceful disappearance that may involve representatives of the «the Crimean self-defense» paramilitary units.

After Russia has established illegitimate control over the Peninsula, other cases of forceful disappearances were registered, beginning in April 2014. Among them, the abduction of Timur Shaimardanov and Seyran Zinedinov must be mentioned as the first instances of persecution for the open pro-Ukrainian position. Both activists participated in pro-Ukrainian rallies against the occupation of Crimea, supported the Ukrainian military units, were representatives of the «Ukrainian People's House» initiative group. On May

[1] Video recording of Reshat Ametov's abduction on March 3, 2014, in the central square of Simferopol: *https://www.youtube.com/watch?v=2gwhzl7dbj0*

26, 2014, Timur Shaimardanov, and on May 30, 2014, Seyran Zinedinov disappeared. Circumstances of the disappearance provide evidence for the involvement of the «the Crimean self-defense» in their abduction.

It is important to note that, as of now, nobody has been brought to justice in connection with those facts of murders and abductions (except the murder of S. Karachevsky) and victims' relatives and human rights activists point out that the investigations into these crimes is ineffective.[2]

[2] More details on murders and abductions are available in the publication «The Fear Peninsula: The Timeline of Occupation and Human Rights Violations in Crimea», Kyiv: 2015; and in monthly reviews of the Crimean Human Rights Group at *http://crimeahrg.org/en/category/monitor-2/*

In order to suppress the Ukrainian resistance among the peaceful population, the public support of Ukraine and disagreement with the actions by the Russian andlocal authorities, a clear system of political persecution has been established, which selectively applies the provisions of the Russian legislation. The broad scale and the systematic nature of that system is corroborated that by the involvement of the RF Federal Security Service (FSB), prosecution authorities, courts, police, the Federal Migration Service and local administrations. Over two years, a practice has been established where an open pro-Ukrainian position is prosecuted through criminal or administrative proceedings.

CRIMINAL PROSECUTION FOR POLITICAL REASONS

For the purposes of criminal prosecution of the Ukrainian citizens in Crimea who openly express their pro-Ukrainian position, provisions of the so-called anti-extremism and anti-terrorism laws of the Russian Federation are applied. In Crimea, a number of criminal cases have been opened that have a political overtone and are aimed at suppressing manifestations of disagreement with the actions of Russia in Crimea. All those cases demonstrate similar features making it possible to single out a number of common features in politically motivated criminal cases:

- Persons involved in politically motivated cases are usually citizens of Ukraine, who, regardless of their ethnicity, publicly expressed support for Ukraine's integrity, opposed Russia's actions in Crimea, and participated in pro-Ukrainian movements and events.
- Use of various forms of pressure on suspects aimed at obtaining confessions or information about other «suspects»; establishment of «special procedures» for the case consideration, waiver of counsel by the defendant. The forms of pressure include torture, physical violence, psychological pressure.
- Obstruction of work of the defenders: lawyers are faced with various obstacles in their work — denial of access to material, denial of meetings with the defendant, threats and pressure, pressure on the defendants to force them waive the counsel and choose the «appointed»lawyer instead.
- Absence of a fair trial, judges' political bias, inequality of parties in the proceedings and the priority of the prosecutor's position, groundless delays in the judicial process.
- Pressure on the relatives of the accused by threats, psychological pressure, summoning for interrogations, conducting searches in their homes early in the morning or at night, etc.
- Presence of constant procedural irregularities and tampering with evidence.
- Presence of systemic violations of international human rights, disregard for internationallaw by judges.
- The desire oflocal authorities and the investigation and prosecution authorities to ensure the closed and non-public trial process (through creating conditions to prevent the media, family members and observers from attending the court sessions) or to create an illusion of transparency and openness of the judicial process by allowing only controlled media to highlight the process.

The politically motivated criminal cases, listed below, include examples of persecution of both entire groups of people and individuals.

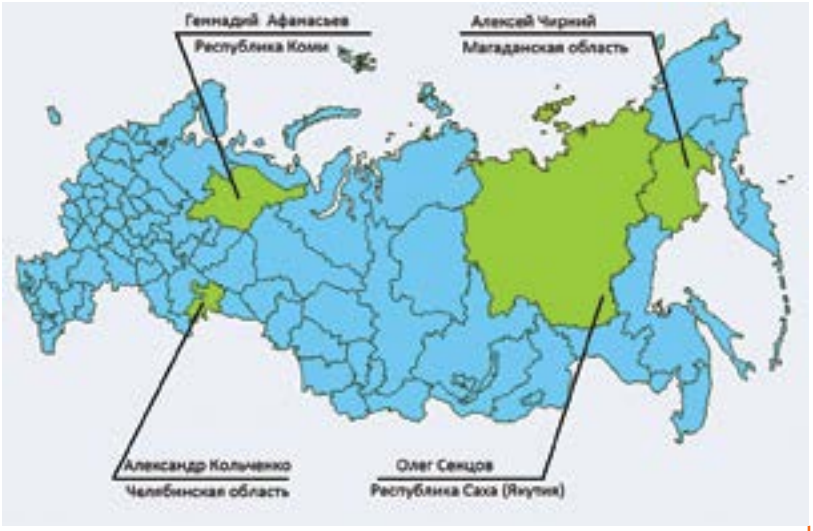
«THE SENTSOV – KOLCHENKO CASE» OR «THE CASE OF THE CRIMEAN TERRORISTS»

The defendants in this case are Oleg Sentsov, Oleksandr Kolchenko, Gennady Afanasiev and Oleksiy Chirniy, Ukraine citizens wholived in Crimea. The case had a political bias from the beginning and was aimed at the suppression of protests against the occupation of Crimea. Oleg Sentsov is a well-known Ukrainian film director and screenwriter, and Maidan activist who participated in humanitarian assistance to the Ukrainian military in Crimea in February to March 2014; Oleksandr Kolchenko is a Ukrainian activist, a member of the anti-fascist movement, participant in many student and environmental events in Crimea; Gennady Afanasiev is a photographer who took part in pro-Ukrainian events, Oleksiy Chirniy is a historian. Both activists openly opposed the Russian Federation actions in Crimea. All four were arrested in Crimea and taken to Moscow. On May 30, the Russian FSB stated that its officers detained in the Crimean the alleged members of a subversive and terrorist group of the «Right Sector», who allegedly prepared terrorist attacks in the cities of Simferopol, Yalta and Sevastopol. The «Right Sector» immediately refuted the allegations that Sentsov is in any way connected to that organization. The Crimeans were accused of a terrorist act and organization of a terrorist group and participation in it, as well as the illegal acquisition and possession of weapons, their main component parts and ammunition. In reality, however, all that the investigation managed to establish was arson of the door and windows of the «Russian community» office, which had previously been an office of Viktor Yanukovych's Party of Regions. Even under the Russianlegislation, such actions are determined as hooliganism or damage to property, but not as an act of terrorism.

Lawyers have repeatedly reported on the use of brutal torture to the defendant in order to obtain their confessions. In Crimea, Sentsov and Kolchenko's friends and relatives, and members of the creative team of the art center who knew Sentsov personally, have been under permanent pressure.

The criminal case was based on the testimony of Oleksiy Chirniy, who allegedly acted as a member of the «terrorist group» headed by Sentsov, whose goal was to «influence decisions made by the state authorities of the Russian Federation regarding secession of the Republic of Crimea from it». His lawyer Ilya Novikov, however, stated in court that the accused incriminated himself under torture, after which the judge dismissed Novikov from participation in the proceedings for «divergence from the client's stance». Chirniy was found guilty of preparing and committing a terrorist act; the court sentenced him to seven years' imprisonment in a strict regime colony.

Another involvant, Gennady Afanasiev, under torture was forced to enter an agreement with the investigation authorities and fully acknowledge his guilt. The court also found him guilty and sentenced him to seven years' imprisonment in a strict regime colony. During a court hearing on charges against Sentsov and Kolchenko, Afanasiev withdrew his testimony against Sentsov and Kolchenko. He said that he had testified under duress and torture. According to him, in reality he does not know Sentsov and Kolchenko. After that, Afanasyev's lawyer Aleksandr Popkov said that Russian law enforcement bodies



The map of the Russian Federation shows the regions where the colonies are located where Oleg Sentsov, Oleksandr Kolchenko, Gennady Afanasiev and Oleksiy Chirniy are kept.

threaten his client with revenge because he withdrew the testimony he had given earlier.

Lawyers, human rights activists and relatives believe that the criminal case is completely fabricated. Prosecutor Oleg Tkachenko motioned that Sentsov and Kolchenko are sentenced to 23 years and 12 years imprisonment in a strict regime colony, respectively. Oleg Sentsov was charged with creating a terrorist group (Part 1 of Article 205.4 of the Criminal Code), committing two acts of terrorism (clause «a» in Part 2 of Article 205 of the Criminal Code); preparation to commit two acts of terrorism (Part 1 of Article 30 and clause «a» in Part 2 of Article 205 of the Criminal Code), as well as with two episodes of illicit trafficking of weapons and explosives (part 3 of Article 222 of the Criminal Code). Oleksandr Kolchenko — with involvement in a terrorist group (Part 2 of Article 205.4 of the Criminal Code) and with committing a terrorist act (clause «a» in Part 2 of Article 205 of the Criminal Code).

On August 25, in Rostov, military judge Sergei Mikhailyuk announced the verdict to Oleg Sentsov and Oleksandr Kolchenko who had been found guilty. Sentsov was sentenced to 20 years of deprivation of liberty, Kolchenko — to 10 years imprisonment in a strict regime colony. The court disregarded Sentsov's and Kolchenko's repeated statements of torture, and the fact that one of the key witnesses for the prosecution — Gennady Afanasiev, previously convicted in that case — withdrew his previous testimony in the process.

The four Crimeans were moved from the territory of Crimea to Russia; the trials were held in Russia; after the verdict, they were escorted to penal colonies in different regions of Russia: Oleg Sentsov — to the Republic of Sakha (Yakutia), Oleksandr Kolchenko — to Chelyabinsk Oblast, Gennady Afanasiev — to the Republic of Komi; Oleksiy Chirniy — to Magadan Oblast.

After the verdict was pronounced, relatives and lawyers reported torture applied to the Crimean activists or creating inhumane conditions of detention in the colonies.

«THE CASE OF OLEKSANDR KOSTENKO»

Oleksandr Kostenko, a Ukrainian citizen residing in Crimea, actively participated in the Maidan protests in Kyiv and openly supported the national movements in Ukraine. The trial on his case has become one of the most politicized processes against Ukrainian activists in Crimea. Kostenko's case was an unprecedented one, because he was accused of involvement in the events of February 2014 that did not even occur in Crimea but in Kyiv.

The activist was illegally detained on February 5, 2015 in Simferopol, but he was not delivered to a police station until the following day. According to him, on the previous night FSB officers tortured him trying to make him surrender a full confession and acknowledgement of guilt. He was charged with intentionally causing bodily harm motivated by political, ideological, racial, ethnic or religious hatred against a social group as well as possession of weapons.

Investigators believe that Kostenko, «experiencing a sensation of ideological hatred and hostility to the law enforcement officers», armed himself with «stones of 10x10x12 cm in size (paving stone blocks)» and threw a stone aiming at ensign V.V. Polienko, who stood in cordon. The investigators insist that as a result of that, the Crimean «Berkut» police unit suffered bodily harm «in the form of an extended hematoma in the middle and lower thirds of his left shoulder». How Simferopol investigators were able to conduct investigation into the events that occurred in Kyiv a year ago is unknown.

Other activists who were in the Maidan in Kyiv together with Kostenko argue that he could not throw the stone, because at that time he was not out in the street but in a room where he was helping the wounded.

Oleksandr Kostenko and his lawyer, Dmitry Sotnikov, have repeatedly made statements about torture applied to the activist; the lawyer filed a lawsuit against the FSB officers who tortured his client but the FSB officers have not been brought to justice. Within the framework of the criminal case, searches were conducted in the apartments of other activists who knew Oleksandr Kostenko, as well as in the homes of his relatives.

The lawyer has constantly drawn the court's attention to the fact that the event in connection with which the activist is tried, occurred in Kyiv, Ukraine, on February 18, 2014. At that time, both Kostenko and the allegedly injured Berkut officer were citizens of Ukraine. In that regard, it is only the Ukrainian competent authorities that are entitled to the legal assessment of Kostenko's actions, and they may not be subject to the RF Criminal

The map of the Russian Federation shows the region where the penal colony is located where Oleksandr Kostenko is imprisoned

Code. Lawyer Dmitry Sotnikov also pointed to the fabrication of evidence and on perjury by witnesses. None of his arguments, however, have been considered by the court.

The whole process was highly politicized and aimed at discrediting, in the person of Kostenko, all pro-Ukrainian activists who participated in the «Euromaidan». The most vivid proof to that was the accusatory speech of the Crimean Prosecutor Natalia Poklonskaya during the hearing of the case. She said: «Today, it is not only the defendant himself who is put on trial, but in his person, it is the very idea of fascism and Nazism, which, 70 years after the Great Victory over those, try to revive and raise their head... Kostenko and other participants, without any embarrassment, shouted pro-Banderite Nazi slogans and, imitating the fascist greeting gesture, stretched out his hand slightly above the head.» The Prosecutor herself stressed that her goal was not to establish the truth, guilt and circumstances of the event, her purpose was to condemn an idea. At the end of her speech, the Prosecutor concluded: «The said once again confirms the criminal Nazi ideology underlying the atrocities that Kostenko committed. In 1946, the International Military Tribunal at Nuremberg found the Gestapo to be a criminal organization. Most of its main organizers and leaders were sentenced to death and various prison terms. In the name of justice and the sacred memory of millions of innocent victims and heroes of the Great Patriotic War who gave their lives for peace on earth, I ask the court to take into account those circumstances when awarding a sentence for Kostenko. When pronouncing the sentence, I ask to take into account the degree of the social danger of the crimes committed by Kostenko and motives that drove him.»

Besides, this process was accompanied by the public uproar artificially stirred about the alleged «Nazi acts» of the Ukrainian activist. This is reflected in the appeal against the sentence to Kostenko, filed by his lawyer Dmitry Sotnikov. He points out: «The trial was accompanied by an increased attention on part of the media, which, before the sentence was pronounced, spread false information about the defendant, specifically, that he was preparing an attempt on Aksenov and Konstantinov, personally tortured 49 Berkut officers and was preparing terrorist attacks in Crimea, all those actions being carried out with the support of the Crimean Prosecutor's Office, with the personal involvement of the SOBR special police unit on the MIA in the Republic of Crimea».

In May, Kostenko was sentenced to 4 years and 2 months imprisonment in a general regime penal colony, after he was found guilty of violating provisions of clause «b», Part 2 of Article 115 (intentional infliction of minor bodily harm) and Part 1 of Article 222 (illegal possession of firearms) of the RF Criminal Code. On August 26, the Crimean Supreme Court changed the sentence to 3 years 11 months per totality, instead of 4 years 2 months.

Oleksandr Kostenko was taken from the territory of Crimea and is placed in the penal colony № 5 in Kirovo-Chepetsk, Kirov Oblast, Russian Federation.

In relation to his brother, Yevhen Kostenko, a criminal case was initiated in Crimea for insulting the judge while pronouncing the verdict to Oleksandr.

In total, the Crimean Prosecutor's Office granted victim status to 49 Berkut officers, following their statements on the actions of pro-Ukrainian activists who allegedly injured them during protests in Kyiv.[3] Those statements, however, were filed after the Russian Federation had established it control in Crimea; no statements were filed with the Ukrainian law enforcement authorities. Besides, the statements were filed by the Berkut officers who previously served with the Ukrainian law enforcement bodies, but after the occupation of the Peninsula went to serve in the Russian law enforcement structures. Therefore, using the 49 «victims», the Crimean Prosecutor's Office can open cases similar to the Kostenko case against virtually every protester in Kyiv.

A proof to that is the fact that on January 20, 2016, the Crimean Prosecutor Natalia Poklonskaya approved the indictment against another citizen of Ukraine, a resident of Kyiv Oblast in Ukraine Andriy Kolomiets, born 1993. According to investigators, Kolomiets is a member of the «Ukrainian Insurgent Army» (UPA) extremist organization, and during the Euromaidan events in Kyiv in January 2014 he allegedly made an attempt on the life of two Crimean Berkut officers, throwing Molotov cocktails at them. Also, according to the investigators, Kolomiets stored and transported drug-containing crops in large amounts.[4] He was arrested in May 2015 in the territory of the Russian Federation, was transported to Crimea and he is in a pre-trial center in Simferopol since August 2015.

«THE FEBRUARY 26 CASE»

The case is a high-profile and politicized one; it involves the Crimean Tatars persecuted for their participation in one of the widest-scale rallies held in Crimea against the holding of an extraordinary session of the Verkhovna Rada of Crimea, where it was planned to make a decision on holding a referendum in Crimea. On February 26, 2014, a rally was held in Simferopol, near the parliament of the Autonomous Republic of Crimea, in support of Ukraine's sovereignty and the status of the Autonomous Republic of Crimea, which was organized by the Medzhlis of the Crimean Tatar People. The rally gathered several thousand Crimean residents.

After the Russian Federation had established its illegitimate control over the Peninsula, a reaction of the Russian authorities to that rally followed. In January 2015, the Investigative Committee of the Russian Federation informed that criminal proceedings were initiated on the organization of, and participation in mass riots on February 26, 2014, and causing death by neg-

[3] A post on the web site of the Crimean Prosecutor's Office: *http://rkproc.ru/ru/news/arestovan-odin-iz-figurantov-dela-o-posyagatelstve-na-zhizn-sotrudnikov-berkuta*

[4] The Crimean Prosecutor's Office: The Suspect in Case on Attempt on Life of Berkut Officers to Face Trial, January 20, 2016: *http://rkproc.ru/ru/news/obvinyaemyy-po-delu-o-posyagatelstve-na-zhizn-sotrudnikov-berkuta-predstanet-pered-sudom*

The rally in support of Ukraine's sovereignty and the status of the Autonomous Republic of Crimea on the square near the parliament of the Autonomous Republic of Crimea in Simferopol, February 26, 2014.

ligence. On January 29, 2015, Deputy Chairperson of the Medzhlis of the Crimean Tatar People Ahtem Chiygoz was arrested. Ahtem Chiygoz pleads not guilty and believes that the charges are fabricated and politicized. Within the case, the FSB conducted a search at the Crimean Tatar ATR Channel to withdraw the video recordings of the February 26 events. The investigators believe that during these events two people died by negligence, and about 70 people received injuries of different severity. According to a medical report, a man and a woman died as a result numerous injuries suffered as a result of a stampede. Within the framework of the criminal case, dozens of searches were conducted and more than 150 people were interrogated.

The fabricated nature of the criminal proceedings aimed at political persecution of supporters of the Ukrainian integrity is specifically confirmed by the fact that the proceedings themselves were initiated in violation of the Russian law. On March 21, 2014, Russia passed the Federal Law №6-ФКЗ, which included Crimea into the Russian Federation, in violation of provisions of international and Ukrainian laws. The law itself came into force on April 1, 2014, therefore Russia recognizes its jurisdiction in Crimea beginning on that day. In spite of that, however, the Investigative Committee of the Russian Federation began to initiate criminal proceedings on events that had occurred before April 1, 2014, and therefore do not fall under the jurisdiction of the Russian Federation in accordance with the Russian legislation itself.

As of now, there is information about nine persons accused in connection with the «February 26 Case», two of whom have already been convicted (Talat Yunusov and Eskender Nebiev); six more are under investigation (Ahtem Chiygoz, Mustafa Degermendzhi, Ali Asanov, Eskander Emirvaliev, Eskander Kantemirov and Arsen Yunusov), and one was interrogated in the status of the accused, after, according to the Crimean human rights group, could leave the territory of Crimea.

In February and March, 2014, Medzhlis of the Crimean Tatar People held several events in support of Ukraine's integrity. That active stance was one of the main reasons for the persecution of many Crimean Tatar leaders and activists.

«THE CHERKASY CASE»

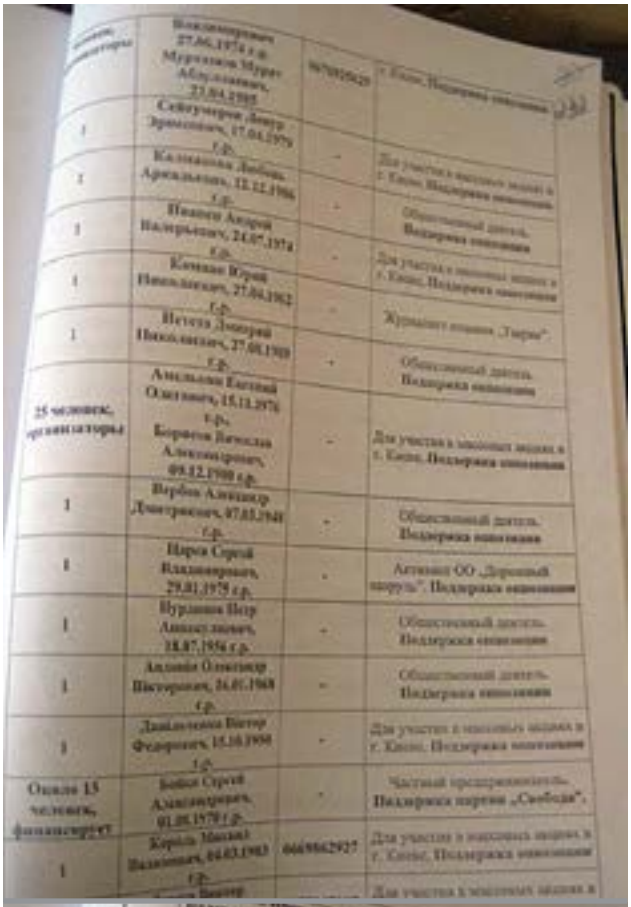
In June, a new criminal case against pro-Ukrainian activists in Crimea became known, which in the reviews of the Crimean human rights group received the title of «the Cherkasy case». This case, as well as the «Kostenko case», was initiated against the citizens of Ukraine for participation in the events that took place outside the territory of Crimea, in other regions of Ukraine.

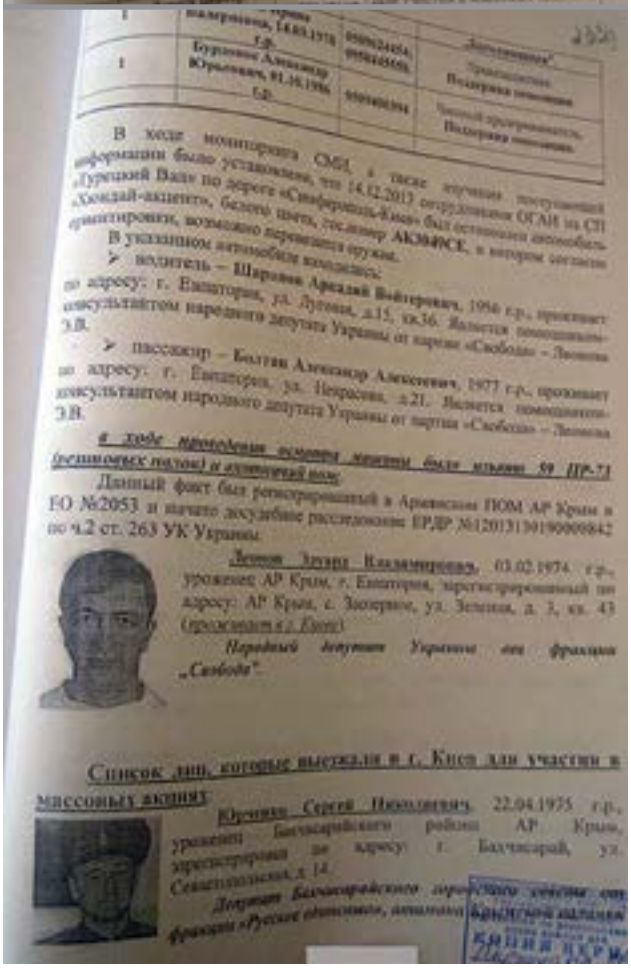
On June 2, the website of the Russian Prosecutor's Office posted information that «the Crimean Prosecutor initiates an investigation into the attacks by right-wing radicals on the bus with Crimeans near Cherkasy». In this case, «the Crimeans» are all also officers of the former Berkut special police unit of the Ministry of Internal Affairs of Ukraine, the Crimean division, who were involved in the violent dispersal of protesters in Maidan in Kyiv, in winter 2014.

On June 4 it became known that the Main Investigation Department of the Investigative Committee of Russia in Crimea initiated criminal proceedings on attempted intentional homicide of two or more persons in connection with the fulfillment of official duties by those persons, committed in a publicly dangerous way, by a group of people on grounds of political, ideological hatred or hostility.

According to the investigation, in the evening of February 19, 2014, a group of «supporters of the Ukrainian right-wing movements «Trident», «Right Sector» and «Freedom», while being at a section of the Kyiv — Odessa road in Cherkasy Oblast in Ukraine, with the purpose of murder and using stones, bludgeons, crowbars and incendiary mixtures as weapons, stopped the passenger bus with 17 Berkut officers in it. Being aware that they were going to the city of Kyiv for official duty of protecting public order, they broke the windows of the bus and started throwing bottles with incendiary mixtures into the bus, inflicting injuries of different severity to the victims».

Therefore, the investigating authorities confirmed that the event took place outside of Crimea; they involved Ukrainian citizens and the Berkut officers were also citizens of Ukraine. The investigating authorities, however, claim that the victims are the Russian citizens, although have received Russian passports after the Peninsula had been occupied.





Within that case the investigation establishes the persons allegedly involved in committing a crime. Conducting investigative activities at the scene is impossible since it islocated on the territory controlled by Ukraine. The investigating authorities began to compile lists of «Euromaidan» participants wholeft Crimea to participate in the Euromaidan events.

Journalists and human right activists published eight pages of the criminal case. According to the documents, the Crimean Prosecutor's Office intends to prosecute about 50 persons, who, in its opinion, were related to the organization of pro-Ukrainian events and movements that poses a serious threat of criminal prosecution for political reasons. Thelist includes well-known Ukrainian activists, politicians, People's Deputies, journalists.

The people mentioned in the case file are not related to the events near Cherkasy; they were not present there at that time and did not commit any illegal actions. The entire list of persons appearing in the case is unknown.

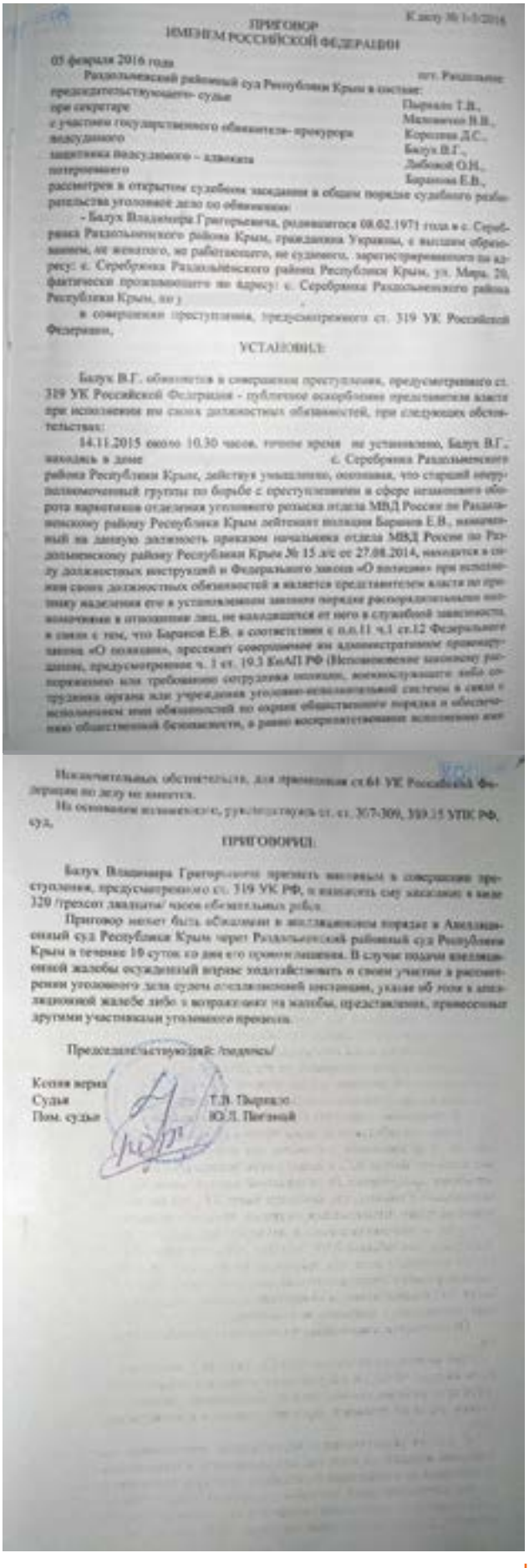
«THE CASE OF YURI ILCHENKO»

Yuri Ilchenko, a resident of Sevastopol, a teacher at a foreign language school, was detained on July 2, 2015 in Sevastopol on suspicion of calls for the violation of the territorial integrity of the Russian Federation. Ilchenko was an active user of social networks and maintained a blog. Yuri's father, Gennady Ilchenko, informed that during an interrogation an FSB investigator showed him records where his son urged the Ukrainian authorities to build up military power. The investigation regards these and other statements by Yuri Ilchenko as calls to violation of the territorial integrity of the Russian Federation. Later it became known that the FSB is trying to fabricate a criminal case charging Ilchenko with «corruption of minors». At the moment, Yuri Ilchenko is in the Simferopol pre-trial detention center. His father Gennady Ilchenko reported procedural violations in the course of the investigation, and Yuri Ilchenko's friends informed on torture applied to him.

The criminal case file containing lists of Ukrainian activists, journalists, human rights activists, politicians

«THE CASE OF VOLODYMYR BALUKH»

Volodymyr Balukh, a Ukrainian agricultural worker, lives in the village of Serebryanka in Razdolnenskiy District of Crimea. Since the beginning of protests in Maidan in Kyiv in November 2013, he raised the Ukrainian flag on the roof of his wife's house, which he did not remove even after the occupation of the Peninsula. Volodymyr Balukh was detained for the first time 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, however, believes that he was detained to prevent his participation in that event, as he openly opposed the actions by Russia in Crimea. 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 prepared. On November 14, 2015, the home of Balukh's civil wife was searched again. The reason for the search that time was a criminal case on a theft of a car in the nearby village of Razdolnoe. It is noteworthy that the main witness in both cases — on the theft of tractor parts and the case of car — was one and the same man who indicated Baluch to be the suspect, though Baluch never met that person. Volodymyr Balukh said that after search had begun, he was taken outside, made to sit in a car, and beaten and insulted on grounds of his ethnicity. The police officers, however, were not held accountable for such actions; instead, the local court found Balukh guilty of disobedience to a police officer and sentenced



ПРИГОВОР
ИМЕНЕМ РОССИЙСКОЙ ФЕДЕРАЦИИ

05 февраля 2016 года

УСТАНОВИЛ:

ПРИГОВОРИЛ:

The judgment of the Razdolnenskiy District court in Crimea regarding Volodymyr Balukh, February 5, 2016

him to administrative detention for ten days. The activist spent 10 days in detention; he repeatedly requested medical treatment but was denied it. Besides, while he was under arrest, on November 18, 2015, the Razdolnensky Department of the Investigative Committee of Russia initiated a criminal case against him. Balukh was accused of committing a crime of «publicly insulting a government official in the course of performance of their official duties». The criminal case was investigated within two days and was sent to the Razdolnenskiy District Prosecutor.

As a result, on February 5, 2016, the court found Volodymyr Balukh guilty under Article 319 of the RF Criminal Code «Insult of a representative of authority» and sentenced him to 320 hours of compulsorylabor.

Balukh believes that the case, same as the previous ones, were fabricated against him because of his openly pro-Ukrainian stance.[5] In passing the sentence, the judge took into account only the evidence for the prosecution; the defense evidence was ignored.

«THE CASE OF VALENTYN VYGOVSKY»

Valentyn Vygovsky was not a Crimean resident, he lived in Kyiv, had a private business and participated in the Euromaidan movement in Kyiv. On September 17, 2014, he went to Crimea by train. On September 18, 2014, his disappearance became known. According to his father Petro Vygovsky, his son did not let the family know about the purpose of his trip, he only said that he would return on September 19. On September 18, however, communication with him was lost. On that day, Valentyn Vygovsky and several other people were detained at the Simferopol railway station by the «Crimean self-defense». He was taken to the building of the former Chief Directorate of the Ukrainian State Security Service in Crimea. It became known later that he was tortured to make him confess of espionage. His father Petro Vygovsky filed a statement about the disappearance of his son with the law enforcement authorities in Simferopol, but received no information following his statement.

From Crimea, Vygovsky was delivered to the Lefortovo prison in Moscow. Initially, he was charged with «commercial espionage» (Article 183 of the RF Criminal Code), but later it was changed to «espionage» (Article 276 of the RF Criminal Code).

Zoya Svetova, a lawyer and a member of the Russian Public Monitoring Commission for Human Rights Observance in Places of Detention, who visited Vygovsky in the Moscow detention center, reported that the citizen of Ukraine is not allowed to meet the Ukrainian consul, and is by all means forced to cooperate with the investigation and confess.

On December 15, 2015, the Moscow Oblast Court found Valentyn Vygovsky, illegally detained in Crimea, guilty of military and economic espionage in the Russian aerospace industry, and sentenced him to 11 years' imprisonment to be served in a strict-regime colony, under Article 276 of the RF Criminal Code.[6]

CRIMINAL PROSECUTION OF UKRAINIAN JOURNALISTS

Anna Andriyevska, a resident of Simferopol, journalist with the Ukrainian «Center for Investigative Journalism». In connection with the persecution of Ukrainian journalists that began in Crimea after March 2014, she was forced to move to Kyiv to continue her journalistic activities. On March 13, 2015, the house of the journalist's parents was searched and the computer equipment, which did not belong to Andriyevska, was seized. Andriyevska learned about the search from her parents. Criminal proceedings against Andriyevska were initiated under Article 280.1 of the RF Criminal Code for an article allegedly containing calls for the overthrow of the government in Crimea. The investigators believe that one of Andriyevska's articles on the website of the «Center for Investigative Journalism» is an «extremist material».

[5] Volodymyr Balukh's inteviews after a court session on the lawsuit against him, February 4, 2016: *http://group.crimeahr.org/prokuratura-vyipolnyaet-zadanie-svesti-na-net-lyuboe-proyavlenie-grazhdanskoy-pozitsii-kem-byi-to-ne-byilo-vladimir-baluh/*

[6] More information on the case of V.Vygovsky is available in the «28 Hostages to Kremlin» report, prepared within the framework of the LetMyPeopleGo human rights campaign, the «Euromaidan SOS» initiative, Center for Civil Liberties and the «Open Dialogue» Foundation: *http://ccl.org.ua/wp-content/uploads/2016/01/28Hostages_CCL_MF_Web-Map.pdf*

In the article the journalist tells the story of volunteers of the Ukrainian «Crimea» battalion, who are in the conflict area in eastern Ukraine, but the material contains no calls for the overthrow of the government in the Peninsula.

Within the criminal proceedings, Andriyevska's former colleagues, wholived at that time in Crimea, were summoned for interrogation. Due to the criminal prosecution, Andriyevska cannot come home in Crimea and see her parents.

Andriy Klimenko, a resident of Yalta, economist and editor of the Blackseanews online publication, published since September 2010. Fearing persecution on part of the Russian Federation security forces, Klimenko had toleave the Crimea to continue his work in Kyiv. He publicly criticized Russian actions in Crimea, reported in different countries on violations of internationallaw by the Russian Federation in connection with the events in the Crimea. On March 10, 2015 , Directorate of the Russian Federal Security Service in Crimea initiated criminal proceedings against Klimenko «on grounds of a crime envisaged in Part 2 of Article 280.1 of the RF Criminal Code, namely «Public calls for actions aimed at violation of territorial integrity of the Russian Federation».

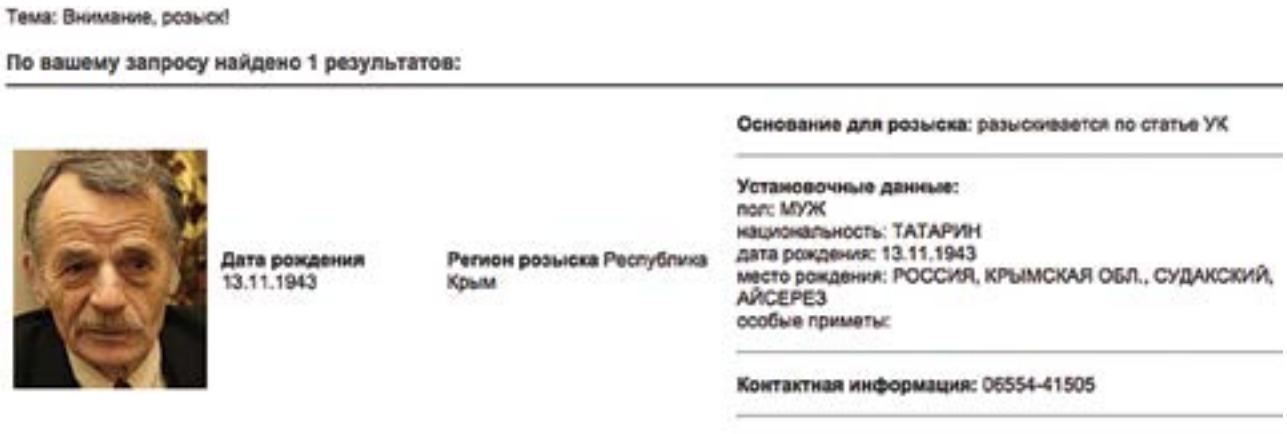
Klimenko was not notified of criminal proceedings initiated against him. He learned about in April 2015, after searches and interrogations of former Blackseanews employees began in the Crimea. During that period, the RF Federal Security Service in the Crimea conducted two searches in the homes of former editorial staff; 6 people were summoned to be interrogated as witnesses in the criminal case against Klimenko. During interrogations, the former editorial staff were presented recordings of intercepted telephone conversations with Klimenko.

In connection with that, many Blackseanews editorial staff were also forced toleave Crimea and currentlylive in the city of Kyiv, Kyiv Oblast, Kherson Oblast and other regions of Ukraine.

CRIMINAL PROSECUTION OF PEOPLE'S DEPUTIES OF UKRAINE

Refat Chubarov is a People's Deputy of Ukraine, Chairperson of the Medzhlis of the Crimean Tatar People, who publicly condemns the aggression of the Russian Federation against Ukraine, and calls on the international organizations and foreign states to make the Russian Federation withdraw its troops from the Crimean territory. In Crimea, Refat Chubarov charged with a crime envisaged in Part 2 of Article 280.1 of the RF Criminal Code, namely: public calls for actions aimed at violation of the territorial integrity of the Russian Federation, committed with the use of mass media or electronic or information and telecommunication networks (including the Internet). Later, on October 6, 2015, one of the district courts in Simferopol passed a ruling to detain the People's Deputy of Ukraine for a period of up to two months. The ground for the ruling was an appeal to the court by the Investigation Department of the RF Federal Security Service in Crimea and Sevastopol.

At present, Refat Chubarovlives in Kyiv; due to the criminal prosecution and denial of entry to the Crimea imposed on him by the Russian authorities, he cannot live in Crimea. Refat Chubarov regards


Тема: Внимание, розыск!

По вашему запросу найдено 1 результатов:

Основание для розыска: разыскивается по статье УК

Установочные данные:
пол: МУЖ
национальность: ТАТАРИН
дата рождения: 13.11.1943
место рождения: РОССИЯ, КРЫМСКАЯ ОБЛ., СУДАКСКИЙ, АЙСЕРЕЗ
особые приметы:

Контактная информация: 06554-41505

Дата рождения 13.11.1943

Регион розыска Республика Крым

Response to the request to the RF Interior Ministry regarding placement of the Ukrainian People's Deputy Mustafa Dzhemilev on the wanted list.

such actions as deliberate political persecution.

Mustafa Dzhemilev, People's Deputy of Ukraine, one of theleaders of the Crimean Tatar national movement, publicly condemns the Russian aggression and acts against Russia's actions in the Crimea. A criminal case against him has been initiated in the Crimea under a number of Articles of the RF Criminal Code (Part 2, Article 322 «Illegal crossing of the state border of the Russian Federation», Article 224 «Negligent storage of a firearm», and part 1, Article 222 «Illegal acquisition, transfer, sale, storage, transportation or carrying of a weapon, its component parts, ammunition» of the RF Criminal Code)[7], entry to the territory of Crimea is prohibited for him.

On January 20, 2016, the District Court of Simferopol elected preventive measure to Mustafa Dzhemilev in absentia, in the form of placement in custody. The RF Ministry of the Interior placed Mustafa Dzhemilev on the wantedlist.

At present, Mustafa Dzhemilevlives in Kyiv; due to the criminal prosecution and denial of entry to Crimea imposed on him by the Russian authorities, he cannotlive in Crimea or visit its territory.

It should be noted that the Ukrainian prosecution authorities and the police have given their legal evaluation of the above facts of prosecution on political grounds and determine them to be criminal offenses, namely: Article 146 of the Criminal Code (CC) of Ukraine «Illegal deprivation of liberty of abduction of a person», Article 162 of the CC of Ukraine «Violation of inviolability of housing», Article 346 of the CC of Ukraine «Threat of deprivation of liberty to a People's Deputy of Ukraine in connection with their state or public activity», etc.

ADMINISTRATIVE PERSECUTION FOR POLITICAL MOTIVES

Administrative persecution of activists in Crimea is usually done to prevent their participation in sociallife,limiting their freedom of gathering and freedom of expression, pressure or threatening, and also to discredit not only supporters of Ukrainian territorial integrity, but also Ukrainian art and culture aficionados. The following chronology of various cases of administrative persecution of Ukrainian activists demonstrates the systematic nature and clear political motivation behind this organized harassment.

On the 22-23 of August to celebrate the Ukrainian State Flag Day, locals of various regions of Crimea installed Ukrainian flags (in conservation areas, on mountaintops, in parks etc.), as well as attempted entering various public places with the Ukrainian flag or wearing the Ukrainian color scheme (yellow and blue).

On August 23, 2014, during the Ukrainian State Flag Day, members of «the Crimean self-defense force» illegally detained **Sergey Dub**. He came to the monument to the Ukrainian writer Taras Shevchenko in Simferopol with the Ukrainian flag. The members of the militarized formation handcuffed the activist and with no police engagement brought him to the police department. Members of «the Crimean self-defense force» implicated him in using obscenelanguage in a public place, but Dub and witnesses deny that. The activist was convicted of «disorderly conduct» and fined for 500 rubles. Besides, after the detainment he was demoted at his workplace: before he was head of intense adult therapy department of the Simferopol perinatal center, and after — just a common doctor.

On the 24th of August, 2014, on Ukrainian Independence Day, 8 people in Sevastopol approached a pedestal, which was installed by the new government to replace the statue of the Ukrainian Hetman P. Sahaydachniy with Ukrainian flags. After that, two Euromaidan activists, **Victor Neganov** (protest organizer) and **Sergey Kornienko** were detained by Russian STSI officers and transported to a police department in Sevastopol. The activists were held at the police department for several hours and released without charges. Neganov stated that he was threatened with physical violence and was subject to psychological pressure. During the illegal detainment, the STSI officers took the passports and car keys. Both activists filed a complaint about the police officers to The Investigative Committee of Russia in Sevastopol. Although after that they were subject to pressure and were threatened with fabrication of a criminal case. Due to the politically motivated persecution, the protest organizer V. Neganov had toleave Crimea.

[7] *http://15minut.org/article/okkupanty-obvinyayut-dzhemileva-v-nebrezhnom-hranenii-karabina-i-peresechenii-admingranitsy-kryma-2016-01-22-09-28-14*

Gathering related to the 201st anniversary of the famous Ukrainian writer Taras Shevchenko in Simferopol, 9 March 2015

Besides detainment, other measures were taken to limit the freedom of gathering and freedom of expression on the Ukrainian Independence day. On august 2014 in Simferopol the monument to the Ukrainian Writer T. Shevchenko was surrounded by law enforcement and «the Crimean self-defense force», with a water jet installed nearby. Members of «the Crimean self-defense force» threatened the activists that came to the monument. People were forbidden to approach the monument, werelet through only one or two people at a time, were forbidden to take pictures or film, journalist work was impeded.

March 9, 2015, a group of Ukrainian activists came up for a drive related to the 201st anniversary of the famous Ukrainian writer T. Shevchenko. The organizer of the peaceful gathering — Leonid Kuzmin — filed an appropriate notice of meeting to the Simferopol city administration. The notice was reviewed by the administration and approved. During the gathering, the participants used Ukrainian symbols, including the Ukrainian flag and the inscription «Crimea is Ukraine».

During the peaceful gathering,law enforcement representatives detained three activists — Leonid Kuzmin, Alexander Kravchenko and Veldar Shurukujiev. At the police department the activists spent several hours, and reports of administrative offence according to art. 20.2 of the Administrative Code of the Russian Federation «Violation of the order of organizing or holding meetings, rallies, demonstrations, marches and pickets: Violation of the order of organizing or holding meetings, rallies, demonstrations, marches and pickets». The detainees gave written explanations and then let go. On the 12 of March 2015, the three activists were subject to a court hearing in the Zheleznodorozhny district court of Simferopol (judge Urzhumova N.V.)

The court decided that in the case of Leonid Kuzmin, he, as the meeting organizer, did not consider the norms of the RFlaw «On meetings, rallies, demonstrations, marches and pickets» and «On counteracting extremist activity». The court considered that Kuzmin didn't take the required action to prevent people from showing the Ukrainian flag with the inscription «Crimea is Ukraine». These actions were determined as an administrative offence (p. 1 of art. 20.2 of the Administrative Code of the Russian Federation) — the breach of the order of organization or holding of a rally, meeting, demonstration, march or picket. The court decided to punish Kuzmin with an administrative penalty in the form of compulsory worklasting 40 hours.

In regards to Veldar Shukurjiev the court decided, that he violated the Russian legislation because he demonstrated Ukrainian symbols — state flag with the inscription «Crimea is Ukraine» — during a peaceful gathering. The court deemed him guilty of violating p. 5 art. 0.2 of the Administrative Code of the Russian Federation — violation of the order of organizing or holding meetings, rallies, demonstrations, marches and pickets by a participant of the public event and decided to punish him with an administrative penalty in the form of compulsory worklasting 40 hours.

In regards to Alexander Kravchenko the court decided, that the usage of the Ukrainian state flag

Ukrainian activists Veldar Shukurjiev, Leonid Kuzmin, Mikhail Batrak and Sergey Dub in Armyansk police dept. on Vyshyvanka day, May 21, 2015

and yellow and blue ribbons breaks the requirement to keep public order and regulation of public assemblies. Kravchenko explained to the judge, that he considers usage of Ukrainian symbols acceptable, because T. Shevchenko is a Ukrainian writer. Although, according to the judge «this does not correlate with historic fact — during Shevchenko's lifespan Ukraine didn't exist as a geographically separate state but was a part of the Russian Empire». The court deemed Kravchenko guilty of violating p. 5 art. 0.2 of the Administrative Code of the Russian Federation — violation of the order of organizing or holding meetings, rallies, demonstrations, marches and pickets by a participant of the public event and decided to punish him with an administrative penalty in the form of compulsory work lasting 40 hours.

All three of the activists did not plead guilty in court and appealed the court decision. The Court of Appeal upheld the charge and replaced compulsory work with a 10 thousand rubles fine. After this event the activists were summoned to the anti-extremism department (E division) several times for «prophylactic talks».

On 11 of March one of the 9th March event activists, Leonid Kuzmin, a teacher in one of Simferopol's schools, was fired by the school administration for «being inconsistent with job». In the school, he was told that «a school worker shouldn't participate in political activity». Another activist, Alexander Kravchenko, had toleave Crimea.

On the 30th of March in the Zheleznodorozhny district court of Simferopol, another participant of the 9th March gathering was judged — Kurtseit

Abdullaev. The court also deemed him guilty of violating p. 5 art. 0.2 of the Administrative Code of the Russian Federation — violation of the order of organizing or holding meetings, rallies, demonstrations, marches and pickets by a participant of the public event. The court decided to punish him with an administrative penalty in the form of compulsory work lasting 20 hours. The basis for this decision was the usage of Ukrainian symbols and the inscription «Crimea is Ukraine».

Despite the administrative persecution, the activists created «The Ukrainian Cultural Center» in April 2015, which became the object of close attention of prosecution authorities and the FSB. As such, on the 15th of May the Prosecutor's Office of Crimea warned Leonid Kuzmin, an activist of «The Ukrainian Cultural Center» of the unacceptability of using Ukrainian symbols on the mourning events of May 18, the Day of the deportation of the Crimean Tatar people. Another activist of the Center, Veldar Shukurjiev, was warned of the unacceptability of usage of Ukrainian symbols during the Crimean Tatar events of May 16 and 18.

On May 21, 2015, Ukrainian activists Veldar Shukurjiev, Leonid Kuzmin, Mikhail Batrak, Sergey Dub visited the cities of Crimea to photograph themselves in vyshyvankas (Ukrainian national attire) due to Vyshyvanka day. Their car was stopped by the STSI and the police on the road Simferopol-Armyansk. The car was searched, no forbidden items and materials were found. The activists had their ID with them. But despite that, they were detained and brought to the police department of Armyansk. After several hours they werelet go, the report of delivery to police station «identity verification» was stated as the reason, although the activists presented documents during the car check.

On August 11, evening, Ukrainian activists Veldar Shukurjiev and Irina Kopylova attempted to photograph themselves with the Ukrainian flag on one of the squares of Simferopol. They were detained by police officers. Also, Irina Biryukova, a Russian lawyer from Moscow, who didn't take part in the shooting was also present there and was also detained. Because the police officers made a report on her, she could not protect the interests of the detained activists as a lawyer. They spent several hours at the department, and after the reports were made all of the detainees werelet go. It says in Shukurjiev's report, that «On the 11th of August 2015 at 19:30 on Lenin square in Simferopol near the monument to V.I. Lenin across the road from the Crimean Council of Ministers building Shukurjiev violated the order of public gathering in the aforementioned place with Ukrainian flags, and as such committed an offence (p. 5 art. 0.2 of the Administrative Code of the Russian Federation).» But two people taking pictures with a flag does not by its nature constitute a public gathering, there is no established procedure for photographing in public places according to the Russian law for the order «of organizing or holding meetings, rallies, demonstrations, marches and pickets». Court hearings in regards to Shukurjiev and Kopylova are being constantly postponed, there is no court decision about it to this day. Police officers tried several times to make Shukurjiev sing a «new» falsified report from August 11. The activist always refused and filed an appropriate complaint towards the actions of the police officers,

The detention report for Veldar Shukurjiev from August 11 2015 (Lenin sq., Simferopol)

but the inspection found no unlawful actions by the police officers.

On August 24 about 7 AM police officers in Kerch detained three people, who were taking pictures with a Ukrainian flag on the Mitridat mountain. All of the activists were taken to a police department, where a report was made for an administrative offence for using obscene language. The court deemed fit to punish one of the detainees with 15 days of detention for «violation of public order expressing clear disrespect for society, accompanied by swearing in public places», another one — with a fine of 1000 rubles; during the hearing for the third detainee it turned out that the only witness mentioned in the report didn't see anything herself and testified from the words of her husband. Due to this the hearing for this report was postponed. One of the detainees served 15 days of detention.

On august 24, 2015, police officers detained pro-Ukrainian activists Leonid Terletsky, Maksim Kuzmin and Leonid Kuzmin when they were laying flowers at the monument to the Ukrainian writer Taras Shevchenko. The law enforcement representatives explained that they suspected them in attempting to hold an unsanctioned mass gathering. After an interrogation they were let go, the officers refused to give copies of the interrogation report to the detainees of the lawyer.

As such, a clear direction in usage of unfounded administrative sanctions and legal process abuse towards a particular group — Ukrainian activists, that hold public events in support of Ukraine or Ukrainian culture can be seen.

RUSSIAN «ANTI-TERRORISM» AND «ANTI-EXTREMISM» LEGISLATION AS A TOOL FOR OPPRESSION AND PERSECUTION OF SUPPORTERS OF UKRAINE IN CRIMEA

Over the past decade, a certain practice of application of the so-called anti-terrorism legislation has formed in the Russian Federation. This legislation is hinged on the Federal Law «On combating terrorism» № 130-ФЗ, dated July 25, 1998, and a number of provisions in the Criminal Code, namely Article 205 «Act of terrorism», Article 205.1 «Cooperation in terrorist activities», Article 205.2 «Public calls to terrorist activities or public justification of terrorism», Article 205.4. «Organization of a terrorist group and participation in it», Article 205.5 «Organization of activities of a terrorist organization and participation in the activities of such an organization». Application of those Criminal Code articles, however, is not always connected to the real fight of Russian authorities against terrorism. Abuse of those regulations has often been associated with elimination of the opposition groups, competitors in the area of large and medium-sized businesses, and influential religious groups in certain regions of Russia. In Russian law, the term «terrorism» is interpreted rather loosely, and in criminal cases the prosecution often arbitrarily interprets the motives of an act, in order to determine a person's actions to be an act of terrorism. According to Article 205 of the RF Criminal Code, the motive for an act of terrorism is the intention to «destabilize the activities of authorities or international organizations, or to influence decisions that they make». In many «terrorist» cases, lawyers, human rights activists and relatives of suspects reported fabrication of evidence, perjury by witnesses, and bias on part of experts who carry out various examinations, etc.

After the Russian Federation had illegally established control over Crimea, a practice of selective application of the anti-terrorism legislation of the Russian Federation has become wide-spread in the Peninsula. Events of the past two years testify that the legislation is applied in Crimea against two main groups: Muslims (primarily the Crimean Tatars) and supporters of the territorial integrity of Ukraine.

The most revealing process is the so-called «the Crimean terrorists case», in which Oleg Sentsov, Oleksandr Kolchenko, Gennady Afanasiev and Oleksiy Chirniy were sentenced to imprisonment. The investigation was only able to establish involvement of some of them in the arson of the «Russian unity» office. Those acts fall under part 3 of Article 213 «Hooliganism» of the RF Criminal Code. However, since the trial of the Crimeans was political in nature and was aimed at intimidating

the opponents of Russia in Crimea, the investigation sought to do everything possible to determine those actions as terrorism. In that connection, evidence was doctored to demonstrate that the «terrorist group» had planned to carry out explosions in several cities. Since the moment of detention, torture was applied to all detainees in order to make them confess that they had known each other and maintained strong ties in the group. All charges werelargely based on the testimony of one person, who incriminated himself under duress and testified against Sentsov. At the trial, one of the persons involved, Afanasiev, confessed that he slandered Sentsov under torture. Thus, a great number of facts testified to the fabrication of the entire criminal case. The court, however, catering to a «political order», ignored all arguments of the defense and the obvious facts, and found all the defendants guilty on terrorism charges.

The selective application of provisions of the RF Criminal Code in Crimea is evidenced by the absence of an appropriate legal assessment of the actions by paramilitary units of the «Crimean self-defense» and Cossack associations. Since February 2014, representatives of such groups took part in the seizure of Ukrainian military units, were involved in the most serious violations of human rights, namely the abduction and murder of Reshat Ametov; abduction and torture of Ukrainian activists (including Andriy Schekun, Anatoly Kovalsky, and others); attacks on journalists; seizure of private property; etc. Those groups have a clear structure and hierarchy; in certain periods they openly carried weapons, and used special operation gear (handcuffs). Therefore, their actions fall within the scope of constituent elements of offence envisaged by Article 208 of the RF Criminal Code «Organization of an illegal armed unit or participation in it» (which envisages creation of armed formations: association, detachment, militia or other group that is not stipulated by federal law, as well as the leadership of such a formation or its financing)» or Article 209 of the RF Criminal Code «Banditry» (which envisages creation of a stable armed group (gang) for the purpose of attacking individuals or organizations, as well as leadership of such a group (gang).

However, until now no members of the «Crimean self-defense» and Cossack units were brought to justice in Crimea. On the contrary, «the Crimean self-defense» waslegalized on June 11, 2014, by the locallaw «On people's militia — vigilante group of the Republic of Crimea».[8] Fighters of «the Crimean self-defense» are financed and encouraged by local authorities, including regular commendations «for the faithful performance of duty to protect public order and public security on the territory of the Republic of Crimea».[9]

Proceeding from the antiterrorist legislation of Russia, the de-facto authorities in Crimea form alocal regulatory framework, which is not so much aims at prosecution of possible terrorist organizations as of supporters of the territorial integrity of Ukraine.

Thus, on January 18, 2016, theleader of Crimea Sergei Aksenov, who is at the same time Chairperson of the anti-terrorist commission in the Crimea, stated at its meeting that «the activities of the antiterrorist commission are built with account to the existing security threats and contain expressly Crimean specifics. This is connected, primarily, with territorial claims on part of Ukraine, and with the refusal of some countries to acknowledge the reunification of Crimea with Russia».[10]

On January 30, 2015, S. Aksenov approved the «Comprehensive Plan to counter the ideology of terrorism in the Republic of Crimea for 2015 — 2018».[11] In that way the de facto authorities in Crimea have expanded the use of Russia «anti-terrorism» legislation in Crimea and interference by the authorities with the exercise of fundamental human rights and freedoms. It is not only terrorism, manifested in specific actions, that the law enforcement agencies counteract, but also «the ideology of terrorism», which is a subjective concept void oflegal certainty. The plan stipulates that «the ideology of terrorism (terrorist ideology) refers to a set of ideas, concepts,

[8] The Law of Crimea «On people's militia — vigilante group of the Republic of Crimea» *http://jankoy.org.ua/wp-content/uploads/2014/05/Zakon-O-narodnom-opolchenii-Kryma.pdf*

[9] S. Aksenov's commendations to 27 «fighters of the people's militia», October 3, 2014: *http://rk.gov.ru/rus/file/pub/pub_233950.pdf*

[10] Web site of the «Head of the Republic of Crimea Sergey Aksenov», January 18, 2016: *http://glava.rk.gov.ru/rus/index.htm/news/327284.htm*

11 The comprehensive plan to counteract terrorist ideology in the Republic of Crimea for 2015-2018: *http://rk.gov.ru/rus/file/pub/pub_238807*.pdf

beliefs, dogmas, targets, slogans, justifying the need for terrorist activities, as well as other destructive ideas that have entailed or may entail such ideology». The main groups that were subject to the application of «comprehensive measures to counter the ideology of terrorism» are religious organizations, journalists, social network users and supporters of the territorial integrity of Ukraine.

Provisions of «anti-extremism» legislation have become widely spread in the organization of political persecution or disproportionate restriction of fundamental human rights and freedoms. The anti-extremistlegislation is based on the Federal Law № 114-ФЗ, dated July 25, 2002, «On Counteraction to Extremist Activities», which broadly interprets the concept of «extremism», as well as a number of articles of the Criminal Code: Article 280. «Public calls for extremist activities», Article 280.1. «Public calls for actions aimed at violation of the territorial integrity of the Russian Federation», Article 282. «Inciting hatred or hostility, and humiliation of human dignity», Article 282.1. «Organization of an extremist group», Article 282.2. «Organization of activities of an extremist organization», Article 282.3. «Financing activities of an extremist organization». The Center for Counteraction to Extremism (the E Center) in essence acts as the «political police», being primarily engaged in the persecution of citizens who disagree with the current government or regime.

Experts of the SOVA Center for Information and Analysis, analyzing the practice of anti-extremistlegislation in Russia, use the term «wrongful anti-extremism». In their opinion, the term includes two levels of violations. The first is restrictions on the fundamental human rights and freedoms to the extent that is significantly greater than that prescribed by international law. The second is the abuse of the effective legislation, sufficiently repressive as it is.[12]

Since March 2014, the practice of inappropriate application of the anti-extremism legislation of the Russian Federation has become characteristic in Crimea. Analytical materials published by the SOVA Center indicate that over the recent years (until 2013) the number of persecutions of members of religious and religious-political groups in Russia exceeded the number of persecutions of political and civil society activists. After Russia has illegally established control over the Peninsula, however, the situation began to change. Primarily in connection with Russia's actions in Crimea, a new criminal liability Article was introduced — 280.1. «Public calls for actions aimed at violation of territorial integrity of the Russian Federation». The Article that entered into force on May 9, 2014, envisages penalty in the form of deprivation ofliberty for up to four years, and if the calls were spread in mass media or on the Internet — up to five years.

Experts of the Russian OVD-Info human rights media project also link the adoption of Article 280.1 with the events in Ukraine and the intentions of the Russian authorities to persecute those who oppose the opinion about «Crimea voluntarily joining with Russia».[13]

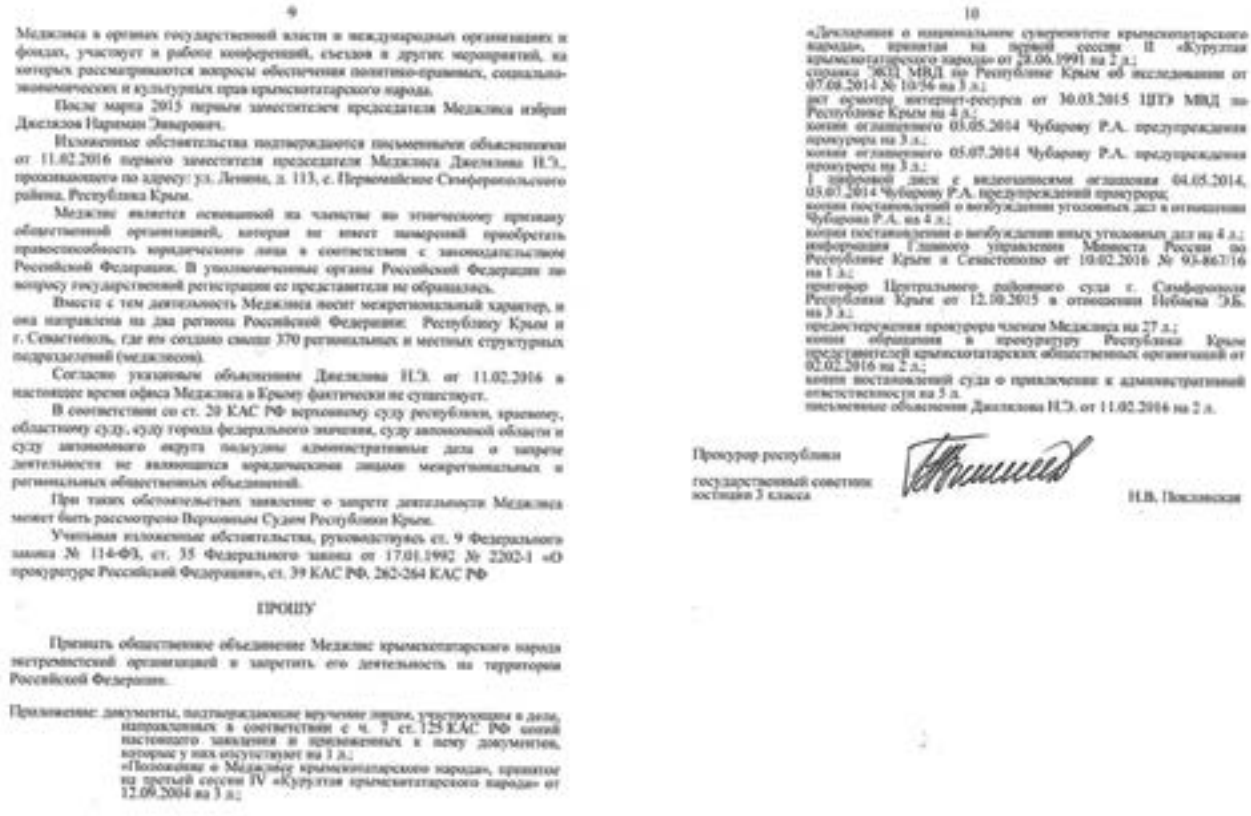
In Crimea, the application of anti-extremist laws touches upon two major groups — religious communities and organizations, and any opponents of the illegal establishment of Russian control over Crimea. Formally, a text or graphical message posted in the social networks that challenges Crimea belonging to Russia may entail deprivation ofliberty for up to 5 years. In Crimea, a number of criminal cases have been initiated against the citizens of Ukraine, the Crimean residents, who publicly deny Crimea being a part of Russia. Among them are Ukrainian journalists Anna Andrievska and Andriy Klimenko, People's Deputy of Ukraine Refat Chubarov, and others.

According to the Russian Law «On Counteraction to Extremist Activities», thelist of non-profit organizations, in respect of which a court passed inured decisions on elimination or prohibition of activities, include a number of Ukrainian organizations: the «Right Sector», the Ukrainian National Assembly — Ukrainian People's Self-Defense (UNA-UNSO), Ukrainian Insurgent Army (UPA), the Stepan Bandera «Trident» organization, the «Bratstvo» (Brotherhood) organization. All those organizations have been included in thelist by decision of the Supreme Court on November 17, 2014.[14]

[12] Abuse of anti-extremism legislation in Russia in 2011, Alexander Verkhovsky, March 29, 2012: *http://www.sova-center.ru/misuse/publications/2012/03/d24014/*

[13] Spotlight presentation of the OVD-Info «Political repressions in Russia in 2011-2014: criminal prosecution»: *http://reports.ovdinfo.org/2014/cr-report/*

[14] Ministry of Justice of the Russian Federation, the list of non-profit organizations, in respect of which a court



The fragment of the request by the Crimean prosecutor Poklonskaya on prohibition of activity of Mejlis of Crimean Tatar people

Activities of these organizations or participation in them are subject to criminal prosecution in the territory of Crimea. Formally, for prosecutors and the investigative committee to initiate a criminal case, it is sufficient to have a photo in a social network, where someone may be photographed next to the symbols or a member of one of those organizations, or a statement by any person reporting that, in his or her opinion, this or that person is a member of a prohibited Ukrainian organization. On the basis of provisions of the anti-extremist legislation, searches have repeatedly been conducted in the homes of the Crimean activists who participated in the «Euromaidan» movement. For example, searches were conducted in the homes of Stanislav Krasnov, Oleksandr Boltyan UOC-KP priest Serhiy Klimakin, and others.

On 15 February 2016 the Crimean prosecutor Natalia Poklonskaya appealed to «the Supreme Court of the Republic of Crimea» with the request «On prohibition of activity of the public association in the manner and on the grounds stipulated by art. FZ as of 25.07.2002 #114-FZ «On Countering Extremist Activity». N. Poklonskaya requests to declare Mejlis of Crimean Tatar people as an extremist organization and to ban its activity in the territory of the Russian Federation. If Mejlis of Crimean Tatar people is recognized as extremist organization, all its members will be at risk of criminal prosecution based on the following articles of the Criminal Code of the Russian Federation: art. 280. «Public calls for extremist activity»; art. 282.1. «Organization of an extremist community»; art. 282.2. «Organization of activity of an extremist organization» and others. These articles of the Criminal Code suggest criminal punishment including imprisonment for up to 8 years.

Mejlis of Crimean Tatar people has publicly opposed the so-called «referendum» that was held on 16 March 2014 in Crimea and participated in the organization and conduction of pro-Ukrainian

passed inured decisions on elimination or prohibition of activities on grounds envisaged by the Federal Law «On Counteraction to Extremist Activities»: *http://minjust.ru/ru/nko/perechen_zapret*

rallies and protests in Crimea in the period of February-March 2014. That's why there is a reason to believe that the above mentioned actions of the prosecutor of Crimea serve as continuation of repressions against Crimean inhabitants who do not support the occupation of the peninsula.

Under the law «On Counteraction to Extremist Activity», the notion of «extremist materials» has been introduced in Crimea. Article 20.29. of the Code of Administrative Offences defines «production and distribution of extremist materials» as large-scale distribution of extremist materials included in the published federal list of extremist materials, which is punishable by an administrative fine on citizens in the amount of one thousand to three thousand rubles, or administrative arrest for up to fifteen days, along with confiscation of the materials and equipment used for their production. For legal entities, the penalty is fifty thousand to one hundred thousand rubles or administrative suspension of operation for up to ninety days, along with confiscation of the materials and equipment used for their production.

The Federal List of Extremist Materials, published on the website of Ministry of Justice of the Russian Federation, does not only contain religious publications (primarily literature of Hizb-ut-Tahrir), the distribution of which is prosecuted in the Crimea, but also literature on the history of Ukraine. Thus, the list of banned extremist materials in the Russian Federation includes: print publication by Ruslan Viktorovych Chastiy «Stepan Bandera. Myths. Legends. Reality», 2007; print publication «Holodomor of 1932-1933 in Ukraine: materials in criminal case № 475»; print publication by Yury Shapoval, Volodymyr Pristayko and Vadim Zolotariov: «Cheka – GPU – NKVD in Ukraine: persons, facts, documents», 1997; print publication by Volodymyr Vasylenko «Holodomor of 1932-1933 in Ukraine as a crime genocide: legal assessment», 2009; print publication by Vasyl Morochko «Genocide against Ukrainians. The cycle of «Holodomor of 1932-1933». «Holodomor», 2007; print publication of the UNA-UNSO, «Let them hate, as long as they love», Kyiv, Eurasia Publishers, 1996.[15] The majority of the banned publications are dedicated to the Holodomor events. The subject of Holodomor is an unalienable part of the Ukrainian history, therefore, it is present in the curriculum of schools and universities. History teaching implies the examination of various points of view on the issue, use of various sources, including archives and other materials. In that connection, publications on Holodomor in Ukraine were freely available in the Crimean libraries. Application of norms of the Russian legislation, however, has led to the prohibition of such literature.

In December 2014, the Feodosiya City Court declared Director of the Feodosiya Centralized Library System guilty under Article 20.29 of the Code of Administrative Offences (mass storage of extremist materials intended for distribution) and sentenced them to the fine of 2,000 rubles. The literature was confiscated.

The offense was seen in the fact that 12 books by Vasyl Marochko «Genocide against Ukrainians. The cycle of «Holodomor of 1932-1933». «Holodomor», 2007, which is contained in the Federal list of prohibited extremist materials under № 1154 (the author's name in the list is spelled as «Morochko») were found in open access in the A. Greene Central City Library and in the Feodosia Central Children's Library.

According to the Feodosia Prosecutor's Office, «the content of the booklet is of an anti-Russian focus. The booklet uses language means aimed at the incitement of interethnic hatred on the grounds of belonging to a particular social group. The materials analyzed contain derogatory characteristics, negative emotional evaluations in relation to an ethnic group and its individual representatives, contain incitement to national hatred, and can therefore be used for change of the mass consciousness and form the basis for ultra-radical and nationalist attitudes».

Proceeding from the provisions in the anti-extremist legislation of the Russian Federation, the Crimean de facto authorities decided to restrict entry into the territory of Crimea to a number of Ukrainian politicians and People's Deputies of Ukraine. Thus, on March 21, 2014, «the Presidium of the State Council of the Republic of Crimea» passed a resolution «On persons engaged in anti-Crimean activities whose residence in the territory

[15] The Federal List of Extremist Materials, published on the website of the Ministry of Justice of the Russian Federation: *http://minjust.ru/ru/extremist-materials?field_extremist_content_value=&page=5*

The message that appears at an attempt to access the «Crimean Events» Internet resource in the Crimean territory

of the Republic of the Crimea is undesirable».[16] The resolution stipulates that it is undesirable to allow entry and stay in the territory of Crimea for People's Deputies of Ukraine who voted for the adoption of the Law of Ukraine «On ensuring the rights and freedoms of citizens in the temporarily occupied territory of Ukraine»; Ukrainian officials who initiated criminal prosecution of the heads of the Crimean de facto authorities; leaders of political parties and public organizations whose activities are prohibited in the territory of the Crimea in accordance with the resolution № 1740-6/14, dated March 11, 2014, «On counteraction to the spread of extremism in Crimea».

For the purpose of implementation of the resolution, the web site of the «State Council of the Republic of Crimea» published lists of «persons engaged in anti-Crimean activities whose stay on the territory of the Republic of Crimea is undesirable». The list includes more than three hundred active and former People's Deputies of Ukraine.[17] Since the compilation of such lists is based on provisions of anti-extremist legislation of the Russian Federation, then a visit to Crimea by the persons on the list threatens them with criminal or administrative prosecution.

Anti-extremist legislation is widely used in Crimea to restrict freedom of speech and access to information, primarily, to restrict access to the Ukrainian media for the Crimean residents. Typically, decision to block certain Internet resources are taken by the Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor). For example, access to the Ukrainian Internet resource «Crimean Events» was blocked in January 2016. Attempting to access the web site in the Crimea results in a message: «Access to the requested resource has been blocked by decision of public authorities». The message content may vary depending on the provider. Access to the site is blocked only for IP-addresses registered in Crimea and the Russian Federation. For example, access in the mainland Ukraine or the United States of America is unobstructed, making it possible to see the message about the site being blocked on the resource itself. The reason for the restricted access, as the article explains, is the fact that the site «is included in the Unified register of domain names, indexes of Internet sites and network addresses that make it possible to identify Internet sites that contain information that is prohibited from being distributed in the Russian Federation».

In February 2016, access to the site of the Ukrainian publication Censor.net was closed. At an attempt to visit the Censor.net site in Crimea, a message also appears about the access being restricted because the site allegedly contains information that is prohibited from being distributed in the Russian Federation.

Analysis of application of provisions in the anti-terrorist and anti-extremist legislation in Crimea shows that in many cases application of those provisions is aimed at wrongful restriction of the freedom of speech, of assembly, of expression, at persecution of Ukrainian activists and opponents of the illegal establishment of the Russian control over the territory of Crimea. Protecting the Crimean residents from the abuse of provisions in the Russian legislation is complicated by the fact that courts, police, prosecution authorities and the FSB in Crimea are politically engaged, because the majority of officers in those bodies are either the Crimean residents who supported the occupation of the Peninsula, or officials who were sent to Crimea from various regions of Russia.

[16] Resolution of the «Presidium of the State Council of the Republic of Crimea» «On persons engaged in the anti-Crimean activities whose residence in the territory of the Republic of Crimea is undesirable»: *http://crimea.gov.ru/act/11790*

[17] List of «persons engaged in the anti-Crimean activities whose residence in the territory of the Republic of Crimea is undesirable»: *http://crimea.gov.ru/news/27_08_14_1*

SYSTEMATIC OPPRESSION OF THE UKRAINIAN ORTHODOX CHURCH OF THE KYIV PATRIARCHATE IN CRIMEA

The systematic and targeted oppression of the Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP) in Crimea makes it possible to reasonably assume that the measures taken at the local level are a consequence of the central policy of the Russian Federation. The consequence of such actions is the actual forcing out the Ukrainian church as one of the main institutions of Ukrainians' religious identity. One of the reasons for the pressure is the fact that the UOC-KP has not publicly supported the occupation of the Peninsula.[18]

One of the main forms of oppression against the UOC-KP in Crimea is expropriation of the church premises and restrictions on the right to use the property.

In April 2014, the first attempt was made to take away the temple of Martyr Clement of Rome, located at the Training Unit of the Ukrainian Navy in Sevastopol, from the UOC-KP. Subsequently the temple was transferred for use by the Ukrainian Orthodox Church of the Moscow Patriarchate. Later, the Moscow Patriarchate demanded that the superior of the Church of the Holy Virgin in the village of with. Perevalnoye, in Simferopol District, surrender the church property under the jurisdiction of the Moscow Patriarchate. After he refused, a group of armed men wearing Russian Cossack uniforms and members of the «Crimean self-defense» illegally entered the church building and destroyed some of the church property. During the pogrom in the temple, several parishioners suffered. The police refused to accept the statement of an offense against believers, and as a result nobody was brought to justice for the crime committed.

As of the early 2014, there were 15 UOC-KP churches in the territory of the Peninsula. Within 2014, church buildings were taken away in Sevastopol and in the village of Perevalnoye (Simferopol District); parishes were closed in Saky, Krasnoperekopsk and Kerch.

In 2015, the most urgent issue was the preservation of the main the church buildings — the Cathedral of St. Vladimir and Olga, as well as other UOC-KP premiseslocated at 17, Sevastopolskaya St. in Simferopol. Way back on May 16, 2001, those premises were granted to the Crimean Diocesan Administration of the UOC-KP by decision of the Supreme Council of the Autonomous Republic of Crimea. The premises with the total area of 1,475.7 sq. m were granted to the church for free use until 2050.

Since March 2014, the Crimean government, in violation of international and Ukrainian laws, has controlled the state, communal and private property. On April 18, 2014, Vladimir Konstantinov, through the Decree № 2059-6/14, made amendments in the Resolution by the Supreme Council of the Autonomous Republic of Crimea № 1801-2/01, dated May 16, 2001, «On granting to the Crimean Diocesan Administration of the Ukrainian Orthodox Church of the Kyiv Patriarchate a part of the building located at 17, Sevastopolskaya St. in Simferopol». Obviously, Ukraine has not authorized such amendments, and such actions by the occupationist state are overall illegal. By that Resolution, the Crimean Diocesan Office of the UOC-KP is granted lease for the same property with the area of 1,475.7 sq. m, at 17, Sevastopolskaya St. in Simferopol, until 2050, but with the rent rate being based on a specific calculation method.[19]

As a result of those manipulations, the Crimean Ministry of Property and Land Relations has become the lessor for the UOC-KP. The Ministry prepared the so-called supplementary agreement to the agreement dated as long ago as 2002. Under that agreement, dated January 30, 2015, the total area of the premises in use by the UOC-KP, was for unknown reasons reduced from 1,475.7 to 1,016.1 sq.m.

The main change in thelease terms was a new payment rate calculation. The Crimean authorities set the rent at RUR 90,906.62 per month.

[18] Interview with the Crimean Archbishop of the UOC-KP regarding support to the Ukrainian Army in Crimea and condemnation of actions by the Russian Federation, March 12, 2014: *https://www.youtube.com/watch?v=2KZlFekQ308*

[19] Publication of the State Council of the Republic of Crimea, Simferopol, Compilation of regulations of the Republic of Crimea, available at: http://crimea.gov.ru/content/uploads/files/sbornik/2014-04-3.pdf

A group of armed men wearing Russian Cossack uniforms and members of the «Crimean self-defense» illegally entered the Church of the Holy Virgin and destroyed some of the church property (the village of with. Perevalnoye, in Simferopol District)

Until 2014, the UOC-KP used the premises free of charge. Representatives of the UOC-KP have repeatedly appealed to the Crimean authorities to preserve the previous lease terms (free use), because the church is unable to cover such costs.

Besides, in May 2015, the Ministry of Property and Land Relations of Crimea organized an auction for the right to enter a lease agreement for a part of the premises previously used by the UOC-KP, namely the Crimean Orthodox Spiritual Center. The property in question is an area of 112.6 sq. m on the first floor of the building at 17, Sevastopolskaya St. in Simferopol.

The auction winner was the «RAZUM» («Mind») public non-profit movement to promote small and medium business in the Republic of the Crimea, which is engaged in business consulting. As a result, representatives of that movement are expected to occupy a part of the premises in the same building that hosts the UOC-KP church.[20]

The Crimean Ministry informed the UOC-KP representatives that the lease term for premises of 112.6 sq. m on the first floor of the building at 17, Sevastopolskaya St. had expired on August 21, 2014. The Ministry, however, communicated that information only in 2015, after the auction had been held.

UOC-KP representatives appealed to the Arbitration Court of Crimea requesting annulment of the decision by the Crimean Ministry regarding the 112.6 sq.m part of premises, which had been in use by the UOC-KP since 2004. The Ministry of Property and Land Relations of Crimea, however, filed a counterclaim. In its claim the Ministry requires both to vacate the part of the UOC-KP premises (112.6 sq. m on the first floor) to be transferred to the «RAZUM» public non-commercial movement (PNCM), and also to recover a penalty from the UOC-KP representative for «groundless use of the property over the period from August 21, 2014, to September 30, 2015» in the amount of RUR 591,128.65.

On January 21, 2016, the Arbitration Court of Crimea passed it decision. All claims of the UOC-KP representatives were dismissed by the court, while the counterclaim of the Crimean Ministry was granted.

Judge Sokolova compelled both to vacate the area of 112.6 sq. m on the first floor in the building at 17, Sevastopolskaya St. in Simferopol and also to recover the penalty from the Crimean Orthodox Spiritual Center in the amount RUR of 591,128.65. Besides, the court decided to recover legal fees, connected with consideration of the counterclaim in the amount of RUR 16,383, from the Centre «to the federal budget».

Besides, if a part of the premises is occupied by the «RAZUM» PNCM, all its personnel and clients will be passing through the premises of the

[20] Provisions on of the «RAZUM» public non-profit movement to promote small and medium business in the Republic of the Crimea, available at: *http://kryminvestproekt.nethouse.ru/static/000/000/516/343/doc/a6/93/ace0ee14f6a5c03a95d2256a0624af22be92.pdf*

The new lease rate calculation for the Ukrainian Orthodox Church of the Kyiv Patriarchate in Simferopol — the rent calculation of RUR 90,906.62 per month

Council, which would constitute an interference with freedom of worship. Also, it is in the area transferred to the «RAZUM» that all utility mains of the entire building are concentrated, including those of the Cathedral.

In his public address, the Crimean Archbishop of the UOC-KP Kliment said that the court decision and the subsequent sanctions seriously threaten the very existence of the church in Crimea.[21]

Another form of restrictions on the freedom of religion in relation to the UOC-KP was coercion to re-registration under Russian laws. After re-registration, the Ukrainian Orthodox Church will be able to retain the title of UOC-KP, but, according to the Russian legislation, it will no longer be entitled to privileges granted by the law on freedom of conscience and religion. If a church has a foreign center (Kyiv, for the Kyiv Patriarchate), it is deprived of rights and benefits, as it becomes a representative office of a foreign organization in the Russian Federation. Besides, the re-registration requires Archbishop Kliment, being a «foreigner» (a Ukrainian citizen), either to acquire the Russian citizenship or fill out a migration card and stay in the territory of Crimea for no more than 90 consecutive days. Due to the migration laws of the Russian Federation applicable in Crimea, many UOC-KP priests were forced to leave Crimea as the place of their permanent residence, and only come on Sundays for the administration of the religious rites.

The Crimean Archbishop of the UOC-KP Kliment has repeatedly been subjected to pressure. On July 21, unknown persons set fire to Archbishop Kliment's holiday home in the village of Mramornoye in Simferopol District. Nobody was held accountable for that.

Under the pretext of «preventive conversations» regarding «prevention of extremist activities», UOC-KP priests have been under pressure on part of the Russian FSB officers and local authorities compelling them to cooperation. They are demanded to provide information about actions by Archbishop Kliment and his congregation. Following such actions, out of 15 UOC-KP priests, 7 have already left Crimea.

In January 2016, the Head of the city administration on interethnic and interconfessional relations of the city of Yevpatoriya demanded the local UOC-KP community to terminate their activities in the city. The Crimean Archbishop of the UOC-KP Kliment said that the threat of elimination of the church in Yevpatoriya emerged before his trip to Kyiv for a meeting with the Council of Europe special mission on human rights.[22] The formal reason for the termination of activities by the church offered by the official was absence of registration of the religious organizations under the Russian law and «negative feedback from local citizens», although she refused to be more specific.

The Crimean Archbishop of the UOC-KP Kliment intends to continue defending the interests of the church congregation, but the consistency and scale of the oppression of the Ukrainian Church in Crimea seriously threaten elimination of the UOC-KP in Crimea.

[21] Press Conference «Crimea: political persecution on religious grounds», attended by Archbishop of Simferopol and the Crimea of the UOC-KP Kliment, January 28, 2016, Kyiv: *http://voicecrimea.com.ua/main/video/ki%D1%97vskomu-patriarxatu-v-krimu-zagrozhuye-likvidaciya.html*

[22] *http://ru.krymr.com/content/news/27549255.html*

DISCRIMINATION ON GROUNDS OF THE UKRAINIAN CITIZENSHIP AND ELIMINATION OF UKRAINIAN INSTITUTIONS OF CULTURE AND EDUCATION

DISCRIMINATION ON GROUNDS OF THE UKRAINIAN CITIZENSHIP

One of the main directions of local policies, supported by the Russian authorities, has been the coercion of the Crimean residents to receive the Russian citizenship. In March 2014, the population in the Peninsula was over 2 million 200 thousand people. The majority of the Crimean residents are citizens of Ukraine. After the occupation of the Peninsula, however, Russia applied to the Crimeans the so-called «automatic citizenship» principle. The provision is contained in the N 6-FKZ of the Russian Federation «On the adoption of the Republic of Crimea to the Russian Federation and the formation of new entities within the Russian Federation — the Republic of Crimea and the federal city of Sevastopol», dated March 21, 2014.[23] According to Article 4, Ukrainian citizens and stateless persons permanently residing in Crimea as of March 18, 2014, with the exception of persons who, within one month after that date, express their intention to retain the citizenship of Ukraine for them and (or) their minor children, citizenship of another state or to remain stateless, shall be recognized as Russian citizens. Therefore, the citizens of Ukraine residing in Crimea were recognized as Russian citizens against their will, which violates the right to the choice of citizenship.

In March, for the Ukrainian citizens residing in Crimea, a short-term procedure to «preserve» the citizenship of Ukraine was announced for persons permanently residing in Crimea. Those persons had to submit to the Russian Federal Migration Service a statement of their «wish to maintain the effective Ukrainian citizenship for themselves and their minor children». It was necessary to specify in the statement that the citizen «refuses to recognize themselves and their minor children as citizens of the Russian Federation, and has been informed on the legal status of a foreign citizen, stateless person, and the need to secure an appropriate instrument, and also with legal consequences of the decision so taken».

A sample document for the «preservation» of Ukrainian citizenship for the Crimean residents, April 2, 2014

Many Ukrainian citizens who had resided in Crimea refused to submit such statements regarding «preservation» of the Ukrainian citizenship because the procedure ran contrary to the Ukrainian legislation and international standards; others did not recognize the Russian authorities in Crimea, and consequently, any documents issued by those bodies; still others were not informed about such a procedure.

However, even if the Ukrainian citizens agreed to that procedure, they faced discrimination. First, in Crimea, with the population of over 2 million, only 8 stations to receive such applications were opened. At the same time, 250 stations were opened in the Peninsula to receive applications for Russian citizenship by a simplified procedure. That is, the number of stations to get a Russian passport was

[23] N 6-FKZ of the Russian Federation «On the adoption of the Republic of the Crimea to the Russian Federation and the formation of new entities within the Russian Federation – the Republic of the Crimea and the federal city of Sevastopol», dated March 21, 2014: *http://pravo.gov.ru/proxy/ips/?docbody=&nd=102171897*

A notice in a medical facility in Yalta stating that medical assistance is only provided in presence of a mandatory health insurance policy

30 times higher than the number of stations for the «preservation» of the Ukrainian citizenship. Besides, the stations for preservation of the Ukrainian citizenship only worked one month, from March 18 to April 18, 2014, although in fact the stations began their work on April 1 only, i.e., such statements were accepted for only two weeks in eight stations across Crimea. To get the Russian citizenship in Crimea by a simplified procedure is possible until now.

Citizens of Ukraine, who applied for the preservation of Ukrainian citizenship, were able to secure residence permits in Crimea by a simplified procedure in accordance with the Russian legislation. The residence permit made it possible for them to reside in the territory of Crimea. Those Ukrainian citizens who, for various reasons, did not submit such applications, fell within the scope of the Russian Federation's migration laws and were treated as foreigners, despite the fact that they had previously resided in Crimea. Since such citizens, according to the provisions of the Russian legislation, faced deportation from Crimea in 90 days, many were forced to receive Russian citizenship in order to continue tolive in Crimea.[24]

Besides, a deliberate policy of coercion to receive the Russian citizenship is carried out in Crimea. Conditions have been established when the exercise of social and economic rights, property rights,labor rights are dependent on the presence of the passport of a citizen of the Russian Federation. Ukrainian citizens who do not have a Russian passport face discrimination in almost every sphere of publiclife.

For example, medical services in all medical institutions in Crimea are provided in presence of a policy of mandatory health insurance (MHI). In the absence of an MHI policy, the Crimean residents are denied medical assistance (except for emergency and rescue assistance). For example, a woman of retirement age, a citizen of Ukraine, applied to a city hospital with high blood pressure and a suspected stroke. She was denied assistance, however, since she did not have an MHI policy. Citizens of Ukraine who have not received of Russian passports in Crimea are in a discriminated position. They are practically unable to receive specialized assistance in primary health care facilities, since they are required to produce an MHI policy, but in order to obtain that policy, they are required to present a passport of the Russian Federation, which they do not have.

Discriminatory practices against citizens of Ukraine who did not receive Russian passports are also applied in the area of employment, education and social services, registration of property rights, etc.

A separate problem is the nationality of minors residing in Crimea. According to law citizens of Ukraine receive a passport of a citizen of Ukraine at the age of 16. However, Russian authorities regard all persons who resided in the territory of Crimea and Sevastopol as of March 18, 2014, to be citizens of Russia. Citizens of the Russian

[24] More details on the problems in the area of citizenship and residence in a theme publication «Crimea without rules. Freedom of movement and freedom to choose a place of residence». RHRC, UHHRU, CHROT: h*ttps://books.google.com/books?id=oawPCwAAQBAJ*

Federation receive Russian passports at the age of 14. When crossing the Russian border, persons who have reached the age of 14 are required to present a passport of a citizen of the Russian Federation. Therefore, the citizens of Ukraine who are 14 years old and residing in Crimea must receive a Russian passport to leave the territory of the Peninsula in order to get a passport of a citizen of Ukraine on the territory controlled by Ukraine.

Local governments prevent attempts by Ukrainians, who became «automatic citizens» of the Russian Federation, to surrender the Russian citizenship. For example, a resident of Krasnoperekopsk did not have sufficient time to apply for the «preservation» of the Ukrainian citizenship and also refuses to receive a Russian passport because she only wishes to remain a citizen of Ukraine. In that connection, she must obtain a residence permit to make it possible for her to continue residing in Crimea. She was refused to be issued a residence permit because she had been automatically granted the citizenship of the Russian Federation. She decided to surrender her Russian citizenship in accordance with the Russian law and subsequently obtain a residence permit as a citizen of Ukraine. In response to her address, Ombudsman of the Russian Federation Ella Pamfilova stated that «for the residents of Crimea who have been recognized to be citizens of the Russian Federation but who have not received a Russian passport, applications on surrendering their Russian citizenship are accepted by the FMS only by valid passports of a citizen of Ukraine. Ukrainian citizens residing in Crimea, who wish to surrender their Russian citizenship are entitled to receive a residence permit of a foreign citizen following the approved procedure». In spite of E. Pamfilova's explanations, for over one year now the woman has not been able to surrender her Russian citizenship and to obtain a residence permit.

For surrendering her Russian citizenship she was requested to present a package of other documents, apart from a passport of a Ukrainian citizen: an application, photographs, a certificate from the tax authorities about absence of outstanding debts before the Russian Federation. In September 2014, she and her husband provided all the necessary documents for the surrender of the Russian citizenship and documents for issuance of a residence permit. After a long wait, in March 2015 they applied to the FMS to obtain a residence permit. The FMS, however, informed them that the entire package of their documents had been lost. They were advised to submit all the documents again, both for the surrender of the Russian citizenship and for the issuance of the residence permit. The couple had to collect the documents again. A mandatory document for the surrender of citizenship of the Russian Federation is a statement from the tax authorities confirming absence of outstanding debts before the Russian Federation. The tax authorities, however, refused to issue them the certificate on the grounds that they do not possess Russian passports, and they are the automatic citizens of the Russian Federation, therefore the tax authorities refused to serve them without Russian passports. It is necessary to note that in 2014 the Krasnoperekopsk Tax Inspectorate issued them such a certificate without the Russian passports, explaining that is was done within the transition period. However, The FMS, however, demands a new certificate for 2015, since their documents were lost, and they are applying again in 2015.

Therefore, for formal reasons the spouses cannot surrender the «automatic citizenship of the Russian Federation» until they have received Russian passports. And since they cannot surrender the Russian citizenship, they cannot obtain the residence permit as citizens of Ukraine. They were recognized as citizens of the Russian Federation without their consent, and conditions are created when they are unable to surrender the Russian citizenship.

The Russian FMS authorities have repeatedly made public statements that they had «passportized» virtually the entire population of Crimea. The immigration authorities, however, do not provide any information about the conditions, created in Crimea, when a Russian passport is required for normal existence and social services.

ELIMINATION OF INSTITUTIONS OF THE UKRAINIAN CULTURE AND EDUCATION

Since March 2014, the Crimean local de facto authorities have pursued a policy of eliminating the Ukrainian media (the Ukrainian Krasnaya Svetlitsa newspaper has not been published in Crimea since 2014) and various institutions of the Ukrainian culture, restricting the use of the Ukrainian language, and access to the Ukrainian mass media and information resources.

The Ukrainian-language school №20, named after the Ukrainian poetess Olena Teliga before and after the occupation (only school №20), Feodosia

As of 1 January 2014, there were 7 Ukrainian-language schools and nearly 500 classes with teaching in Ukrainian in Crimea. During 2014, however, the teaching language in almost all of them was changed for Russian. 177,984 students in 576 schools in Crimea are educated in Russian. Out of the 7 schools that used to teach in Ukrainian, only 1 remained in Crimea, in the city of Yalta. According to the official response by the Crimean Council of Ministers, in the 2013-2014 academic year, 12,694 were taught in Ukrainian in educational institutions of Crimea, and in the 2014-2015 academic year, only 1,990 students. Thus, within six months the number of students learning in the Ukrainian language decreased 6 times. In the 2013-2014 academic year, the Ukrainian language in secondary schools and classes was previously studied by 162,764 students, and in 2014-2015 — only 39,150, that is, 4 times fewer. Therefore, the total number of children receiving education in the Ukrainianlanguage has changed to 1.2% of the total number of students. Before the occupation of the Peninsula, 8.2% of students in secondary schools were taught in Ukrainian.

The number of teachers of the Ukrainian language and literature has decreased. 276 teachers of the Ukrainianlanguage andliterature have been sent for professional retraining in «Philology. The Russian language and literature». In 2013, there were 1,573 of such teachers, and in 2014, the number of teachers of languages and literature other than Russian, which includes teachers of other languages, not only Ukrainian, was 777. Within six months the number of teachers of the Ukrainian language andliterature atleast halved.

One of the general education schools, school №3 with the Ukrainian language of instruction, was eliminated by joining it with the Russian-language school in the town of Shchelkino in Leninsky District of Crimea. In the city of Kerch, there was only one school with partial teaching in the Ukrainian language, but now the language of instruction has been changed into Russian altogether. In Feodosia, the Ukrainian-language school №20, named after the Ukrainian poetess Olena Teliga, was renamed and the language of instruction was changed to Russian.

Textbooks published by the Ministry of Education and Science of Ukraine and sent to the Crimean schools, were removed from many schools and delivered for processing to the «Krymbumaga» enterprise.

The Crimean de facto authorities issued a Decree №651, dated December 30, 2014, to approve the «State Program for Development of Education and Science in the Republic of Crimea for 2015-2017». The program does not envisage access to education in a nativelanguage.

In September 2014, the Vernadsky National University eliminated the Ukrainian Philology

Department, which now operates as a chair exists as a sub-department within the so-called Faculty of Slavic Philology and Journalism of the Crimean Vernadsky Federal University. In a similar way the Faculty of the Ukrainian Philology at the Crimean Humanitarian University was transformed. In order to keep their jobs, teachers of the Ukrainian language and philology in higher education institutions are forced to undergo retraining and teach other subjects.

In Sevastopol, the department of the All-Ukrainian T. Shevchenko «Enlightenment» Society has been discontinued, after it had functioned since 1989. Using the premises and facilities of the organization, the Russian regional branch of the «Enlightenment» Union of Ukrainians of Sevastopol was established, which is controlled by the Sevastopol authorities and is unable to conduct independent information and cultural activities.

The National Writers Union of Ukraine (NSPU) was deprived of the possibility to use the Anton Chekhov Art Center in in Yalta, and later was forced to stop its activities.

Ukrainian Scientific institutions are also systematically eliminated. On December 6, 2014, following instructions of the Russian Prime Minister Dmitry Medvedev, the decision was taken to transfer the majority of research institutions under the jurisdiction of the Federal Agency of Scientific Organizations (FANO of Russia). In May 2014, the FANO included the Kovalevsky Institute of Biology of the Southern Seas and the Marine Hydrophysical Institute of the National Academy of Sciences of Ukraine.

In fulfillment of an instruction by the President of Russian Federation Vladimir Putin № Pr-702, dated April 3, 2014, the «State Budget-Funded Research Institution of the Republic of Crimea 'Institute of Archaeology of Crimea'» was established on the basis of the Crimean branch of the Institute of Archaeology of the National Academy of Sciences of Ukraine. At present, the Institute is threatened with the actual elimination, since the employees are planned to be evicted from the buildings that the Institute occupies, as well as its archive and library. The Institute was not offered different premises to continue its activities.

Due to the pressure and intolerance to the citizens of Ukraine who support the integrity of Ukraine, many Crimean academia and teachers were forced to leave the Peninsula and continue to work in other regions of Ukraine or in the European countries.

HATE SPEECH AND AGGRESSIVE PROPAGANDA AGAINST THE UKRAINIANS AND UKRAINE

Since February 2014, the Crimean de facto authorities, supported by local controlled media and controlled non-governmental organizations, as well as by the Russian media, have created an atmosphere of intolerance to both the leadership of Ukraine, Ukrainian politicians and activists, and to any manifestation of the Ukrainian identity.

Hate speech is primarily targeted at the following pro-Ukrainian groups: 1) the Crimean activists, human rights activists and public figures who did not support the Crimean occupation; 2) local residents and activists who do not conceal their leaning towards Ukraine and stay in touch with the Ukrainian community; 3) Ukrainian politicians, officials and People's Deputies; 4) Ukrainian military and members of the Ukrainian volunteer units; 5) all people of Ukraine who reside on the territories controlled by Ukraine.

Hate speech is not only used in Russian and Crimean media, but is also applied on the so-called official level, that is, used by representatives of the Crimean de facto authorities in public speeches. For example, the statement by the «State Council of the Republic of Crimea» under the title «On the situation in the South-Eastern Ukraine», contains the following expressions in relation to the Ukrainian government: «self-constituted authorities in Kyiv», «Kyiv impostors», «the Kyiv junta», «madmen who seized power in Kyiv», etc.[25] The Crimean Prosecutor Natalia Poklonskaya in her public statements called Ukrainian Euromaidan activists «Nazis», «fascists», «pro-Banderite Nazis», etc. The «Congratulations of the Presidium of the State Council

[25] Statement on the web site of the «State Council of the Republic of Crimea» «On the situation in the South-Eastern Ukraine»: *http://crimea.gov.ru/act/12066*

A leaflet with an appeal to submit reports to the FSB concerning «people who were against the return of Crimea to the Russian Federation», Simferopol

A leaflet with an appeal «to put a black mark in the mailbox» of activist Aleksandra Dvoretskaya from Simferopol

of the Republic of Crimea on the 70th anniversary of the liberation of Crimea from the German Nazi invaders», published on the website, says: «On March 16, 2014, the Peninsula was liberated from the «brown plague». The descendants of the great victorious soldiers have once again liberated Crimea, ridding it of lies and reviving the truth of the Russian world».[26] In late 2015, the head of Crimea Sergey Aksenov demanded that the Ukrainian media be disconnected in Crimea: «Mop up the Ukrainian media as a class! I don't even want to hear that someone is watching those strange TV shows».[27] Thus, the de facto authorities effectively allow and sometimes even encourage the use of hate speech against certain pro-Ukrainian groups.

The greatest concern is caused by the use of hate speech against those members of the pro-Ukrainian groups who continue to reside in the territory of Crimea, or were forced to leave their places of permanent residence in Crimea, but whose relatives stay in the Peninsula. Various kinds of hate speech are used against them, including direct and concealed calls for violence and discrimination; allegations of all kinds of inferiority and moral deficiency of such groups; direct and veiled calls for the inadmissibility of such people living in Crimea. In general, it creates a negative image of any group or individuals who in some way support Ukraine, speak Ukrainian or show other signs of the Ukrainian identity. The level of intolerance to the representatives of such groups creates a real threat of hate crimes or unsubstantiated criminal or administrative prosecution.

For example, in respect on the «Euromaidan-Crimea» activists various calls for specific actions have been spread, such as submitting

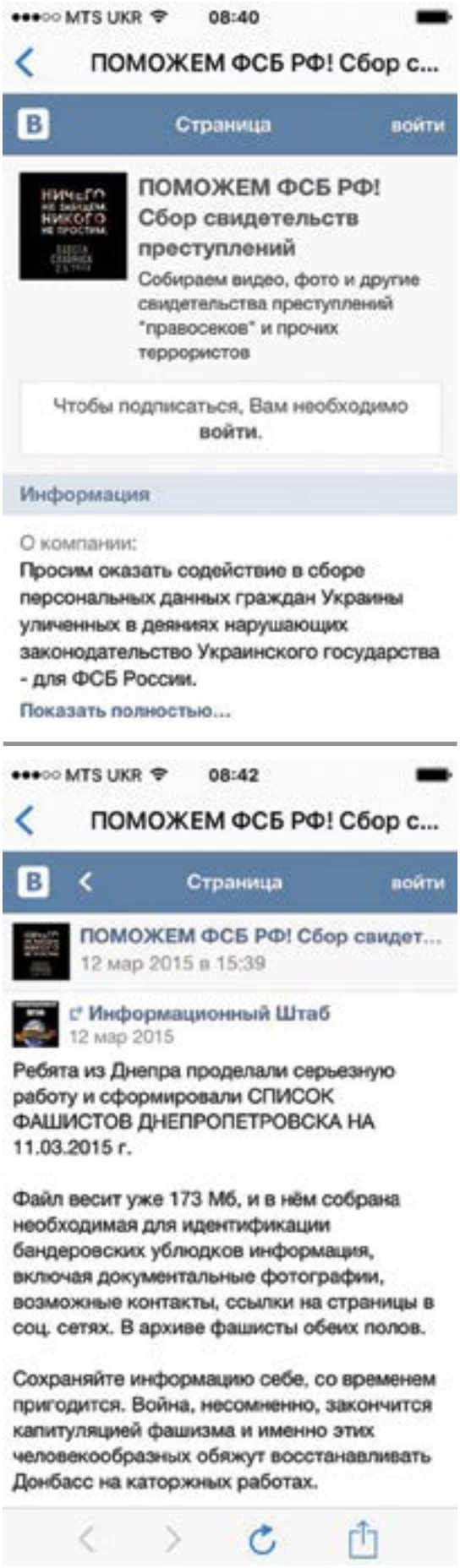
[26] «Congratulations of the Presidium of the State Council of the Republic of Crimea on the 70th anniversary of the liberation of Crimea from German Nazi invaders»: http://crimea.gov.ru/news/08_04_14

[27] Aksenov demanded to «mop up» the Ukrainian media in the Crimea: *http://www.interfax.ru/russia/481807*

reports to the FSB for further prosecution of such people by FSB and the Prosecutor's Office, the placement of «black marks» in the places of residence of the activists. Activists distributed In the notices being spread the activists are defined as «traitors», «people who were against the return of Crimea to the Russian Federation», «violators of peace and calm». The greatest threat in such materials is posed by indication, along with calls for specific actions, of the activists' actual residence addresses. For example, in respect of the Ukrainian human rights activist Aleksandra Dvoretskaya, distributors ofleaflets called «to put a black mark in her mailbox» and indicate her address of residence. Dvoretskaya currently resides outside of Crimea, but her parents stilllive in Crimea and risk falling victim to hate actions.

A number of Crimean forums and topic groups in social networks organized collection of personal data of the Ukrainian activists, military officers and volunteers. One Sevastopol forum placed calls to acts of violence against Crimean activists who participated in Euromaidan and also published home addresses of those activists and their parents. The vKontakte social network posted the following appeal under the title «Let's help the FSB!»: «Please assist in collection of personal data of the Ukrainian citizens caught in acts of violating thelegislation of the Ukrainian state — for the Russian FSB». The group collecting such information includes the Crimean residents too. Besides, the group posted personal information about the people: «the file contains all information necessary for identification of the Banderite bastards, including documentary photos, possible contacts, andlinks to pages in the social networks».

Hate speech is used in relation to a group that is not defined by ethnicity but on the basis of beliefs. For example, local media use hate speech in relation to the Crimean Tatar Veldar Shukurdzhiev because of his public support of Ukraine. He participated in many Ukrainian rallies in Crimea, came out in public places with a Ukrainian flag, and took part in the activities of the Ukrainian Cultural Center. For example, the website at *http://antifashist.com/*, in its publication «Russian Border Guards Let a Maidown[28] Instigator Pass



[28] «Maidown» is derogatory portmanteau composed of «Maidan (supporter)» and «Down Syndrome» – *Transl.*

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Российская погранслужба пропустила в Крым майдауна-провокатора

Суббота, 06 Февраль 2016 Илья Сергеев

Российская

hotline Подар

погранслужба все-таки пропустила майданного провокатора Вельдара Шукурджиева на территорию Республики Крым.

«Прорыв» майдауна информационно поддерживали известные жидобандеровские структуры – т.н. Крымская правозащитная группа и фейк-портал Крым. Реалии, подвизающийся на «Украинской правде». Как сообщалось, Шукурджиев пытался провезти из Херсонской области через пункт пропуска «Каланчак».

Поначалу его задержали пограничники. Однако тут же вонь в сети подняла Крымская правозащитная группа: *«Проукраинский активист уже более часа находится на «беседе» с ФСБ!..»*

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Шукурджиева называют одним из создателей в Крыму т.н. «Украинского культурного центра». Неоднократно был задержан полицейскими за провокации с использованием украинской атрибутики. Так, минувшей весной в день рождения Тараса Шевченко устроил акцию с желто-блакитным прапором, где было намалевано «Крим – це Україна».

С этой гадостью в руках свободно ходил по крымской столице. И толерантные крымчане не разбили ему голову, как поступили бы бандерлоги на материке, выйди он с триколором «Крым – это Россия».

Даже сотрудники ФСБ оказалось либеральными душками по сравнению с СБУ. Просто отвели в суд, оштрафовали негодяя на смешные 10 тысяч рублей и отпустили гулять дальше.

Штраф не помешал «активисту» уже через месяц провести в Симферополе конференцию о конституции Пилипа Орлика – сподвижника Мазепы. Собралось полтора десятка маргинальных персонажей, однако шум в украинских СМИ прошел громкий.

Через две недели после мазепинской конференции Шукурджиев благоразумно слинял в Киев. Там давал многочисленные интервью о «крымском сопротивлении российской оккупации». Вот их типичный пассаж:

- Мы как были гражданами Украины, так ими и останемся. У нас один флаг – сине-желтый... Есть мой национальный флаг, не менее любимый и почитаемый крымско-татарский. Это голубой стяг с желтой тамгой...

Excerpts from the article «The Russian Border Guards Let a Maidown Instigator Pass to Crimea» at http:// antifashist.com/

to Crimea»,[29] uses various wrongful and abusive expressions aimed at discrediting the activist: «Maidan provocateur», «bastard», and calls the Ukrainian flag «filth». Besides, the author regrets that «Crimeans did not break his (Shukurdzhiev's) head». The publication describes the man's activities from the position of the undesirability of his presence in Crimea.

Hate speech is not only used in respect of the Ukrainian activist himself, but also in relation to specific organizations that reported violation of Shukurdzhiev's rights by the Russian border guards. The article says: « The Maidown's breakthrough was supported by the well-known Judeo-Banderite structures — the so-called Crimean Human Rights Group and the fake portal Krym.Realii, active at the «Ukrainska Pravda». As was reported, Shukurdzhiev tried to come from Kherson Oblast through the «Kalanchak» checkpoint. At first, border guards detained him. But the Crimean Human Rights Group immediately raised a stink in the network: «A pro-Ukrainian activist has been kept for more than an hour in a «conversation» with the FSB!».

In Crimea, hate speech is also used for the purposes of aggressive propaganda. First of all, the Russian propaganda is aimed at spreading the idea of «political inferiority» of Ukraine, and its culture and history. The hate speech creates a negative, often hostile image of the Ukrainian nation. The sources of hate speech in Crimea are not only online media, but also the print media, television and fictionliterature.

For example, in 2014, a book under the title «Ukraine in blood. Banderite Genocide» appeared on sale all across Crimea. Throughout the text, hate speech is commonly used, which creates both a negative attitude towards Ukraine and Ukrainians and aggression towards them. Thus, the Ukrainian central authorities are branded as «the Kyiv junta», and Ukrainians and the Ukrainian army — «Nazi punishers» and «fascists».

[29] The article «Russian Border Guards Let a Maidown Instigator Pass to the Crimea»: *http://antifashist.com/item/rossijskaya-pogransluzhba-propustila-v-krym-majdauna-provokatora.html*

The book «Ukraine in blood. Banderite Genocide» readily available on sale in Crimea

In order to spread Russian myths about Ukraine in Crimea, various techniques to manipulate public opinion are widely used. One of those is the distortion of historical facts and the statement of a deliberately false information as a fact.

For example, in the article «State Duma to Give Sevastopol a Monument to Potemkin», published on the website of the «Legislative Assembly of the City of Sevastopol», its author Aleksandr Mishchenko questions the territorial belonging of Crimea to Ukraine since 1991. The article asserts: «The first two defenses of Sevastopol are known worldwide. The third andlast one — as the years that the city had been within Ukraine are often called — lasted twenty-three years and ended in the spring of 2014 with the reunification with Russia. Back in the day, Europeans, stubbornly oblivious to how Novorossia, Kherson, Ekaterinoslav, Nikolaev, Sevastopol, and the entire Crimea, had grown and developed, kept spreading rumors about the infamous «Potemkin villages». Today, they in the same way lie about Crimea «occupied» Russia. Sooner orlater, however, justice will prevail: a monument to Potemkin will appear in Sevastopol, and Europe and the rest of the world will realize that the city has always been and will always be part of the great Russia».[30]

In 2015, Nikolai Starikov's book «Ukraine. Chaos and Revolution — the Dollar's Weapons» began to be sold all across Crimea. Even the book note contains text that denies the very existence of the present-day Ukraine as a state, and maintains the myth about the disintegration and fall of the Ukrainian state: «The book is dedicated to the collapse of the Ukrainian state that followed the coup engineered by the US secret services in Kyiv in February 2014. Chaos and revolution have firmly established in the life of the «civilized world». One after another, seemingly prosperous countries become overtaken by unrest and find themselves on the verge of collapsing».

[30] The article «State Duma to Give Sevastopol a Monument to Potemkin», published on the website of the «Legislative Assembly of the city of Sevastopol» by Aleksandr Mashchenko: *http://sevzakon.ru/view/1044/allnews/4425/4440/*

A discount system for Nikolai Starikov's book «Ukraine. Chaos and Revolution – the Dollar's Weapons»

Thus, various forms of statements used in Crimea to form intolerance towards a group on grounds of convictions, namely, on grounds of allegiance and support for Ukraine, its territorial integrity and culture. Such statements encourage and justify the discrimination and hostility towards the group of the so-called pro-Ukrainian population or the peopleloyal to Ukraine. The high level presence of hate speech against that group creates a serious threat to the life and health of the Ukrainian activists or people openly demonstrating their Ukrainian identity.

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