



# CRIMEAN HUMAN RIGHTS GROUP

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## CRIMEAN HUMAN RIGHTS SITUATION REVIEW

**February 2016**

This monitoring review was prepared  
by the Crimean Human Rights Group  
on the basis of materials collected  
in February 2016

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## CONTENTS

1. INTRODUCTION .....	2
2. CIVIL AND POLITICAL RIGHTS .....	3
The right to life, the disappearances .....	3
Right to liberty and security .....	3
Detentions .....	3
Arrests .....	3
Searches.....	4
Right to privacy .....	5
Progress of the high-profile criminal cases .....	5
Freedom of speech and expression.....	7
Freedom of association .....	8
Freedom of peaceful assembly .....	9
Freedom of religion and belief.....	9
Issues related to citizenship.....	10
Freedom of movement and issues related to checkpoints passing .....	11
3. ANNEXES.....	12



## 1. INTRODUCTION

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

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

*The main objectives of the CHRG:*

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

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

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



## 2. CIVIL AND POLITICAL RIGHTS

### *The right to life, the disappearances*

On 9 February it became known about the location of **Elvina Razakova**, who disappeared in Crimea on 13 January. This information was confirmed by the Crimean Contact Group on Human Rights<sup>1</sup>. After appearance of Elvina Razakova, she, along with his family members had been invited by the Investigative Committee of the Russian Federation in Crimea for questioning. Law enforcement authorities have explained the need for questioning by the high control over the progress of the case by the central law enforcement bodies of the Russian Federation, as well as presence of Elvina in the international search<sup>2</sup>.

On 16 February **Zarina Ametova**, the widow of slain **Reshat Ametov** said that the Russian authorities had resumed investigation of the murder of Reshat Ametov, which occurred in Crimea two years ago. The investigator told Reshat's widow, Zarina Ametova, about the resumption of the investigation when he visited her at her home<sup>3</sup>.

### *Right to liberty and security*

#### DETENTIONS

On 11 and 12 February, 14 people were detained during mass searches. Detainees were held under interrogation for several hours, after which 10 persons were released, and 4 were taken into custody. Read more details in the “arrests” and “searches” sections.

#### ARRESTS

On 12 February Kiev District Court of Simferopol ruled to detain **Enver Bekirov, Vadim Siruk, Muslim Aliyev** and **Emir-Usein Kuku** for 2 months, for the period until the 8 April. They were detained on 11 February after the mass searches in the homes of Muslims. The decision was handed down by the judge Tsikurenko Anton Sergeyeovich. The Crimean Supreme Court reviewed appeals against decisions of the Kiev District Court on 29 February. The website of the Mejlis of Crimean Tatar People announced that those arrested were charged under the Part 2 of Article 205.5 of the Criminal Code of Russia — “The organization of the activities of a terrorist organization and participation in the activities of such an organization”<sup>4</sup>. During the trial the above persons declared inhumane conditions of detention, they complained about bedbugs, fleas and cockroaches in the place of detention. Despite the arguments of the lawyers on trumped up charges by the Federal Security Service, the Crimean Supreme Court did not reverse the decision of the arrest<sup>5</sup>.

1 Emil Dervishov. “Good news! Elvina Razakova is found! All media was talking regarding her disappearance.” Facebook. 9 February 2016, [11 March 2016, <https://www.facebook.com/emil.kurbedinov/posts/1046271738770756>]

2 Emil Kurbedinov. “Family of Elvina R. and herself finally visited Investigation Committee and went through the questioning. The police was very regardful.” Facebook. 9 February 2016, [11 March 2016, <https://www.facebook.com/emil.kurbedinov/posts/1046373265427270?pnref=story>]

3 QHA, The investigation regarding the murder of Reshat Ametov was renewed in Crimea, 16 February 2016, follow the link for more information: <http://qha.com.ua/ru/obschestvo/v-krimu-vozobnovili-rassledovanie-ubiistva-reshata-ametova/155179/> [last access date 11 March 2016]

4 The official website of the Mejlis of the Crimean Tatar people. Four detained Crimean Muslim left in custody <http://goo.gl/I5l8N5> [last access date 15 March 2016]

5 Emil Kurbedinov. “Today, four hearings were held in the Supreme Court regarding the case of four Crimean Muslims — Bakirov Anvar, Siruk Vadim, Kuku Emir-Usein, Aliyev Muslim — which are accused of terrorism by the Federal Security Service.” Facebook. 29 February 2016, [11 March 2016, <https://www.facebook.com/emil.kurbedinov/posts/1058205304244066>]



## SEARCHES

According to the Crimean journalist **Lilia Burdjurova**, on 1 February, the Russian Federal Security Service (according to witnesses) who were wearing masks, raided the building of the motor transport company “Sim City Trans” in Simferopol, where previously the offices of the Crimean Tatar TV the ATR, Lale and Meydan radio were housed. According to Burdjurova information, security forces did not explain their actions and did not present documents that would constitute the basis for the search<sup>6</sup>.

According to Kerch.FM, in the morning on 4 February, Federal Security Service officers with assault rifles and wearing masks made a search of the building of Kerch commercial port. Kerch.FM reported that this information was confirmed by the employees of the enterprise, but the port authorities refused to comment on the situation<sup>7</sup>.

Mass searches were performed in the homes of Crimean Tatars on 11 February. The searches began at 6 am. They took place in the homes of 12 Muslim families, most of whom are Crimean Tatars; one is the **Meskhethian Turk** (Muslim Mazmanov). For more information, refer to the table below:

No.	Name	Location	Action	Outcome
1	Muslim Aliev	Bolshaya Alushta, Verhnyaya Kutuzovka village	Search	Detention Under arrest
2	Enver Bekirov	Bolshaya Yalta, Krasnokamyanka village	Search	Detention Under arrest
3	Shamil Ilyasov	Bolshaya Yalta, Krasnokamyanka village	Search	Detention Released after questioning
4	Emir-Usein Kuku	Yalta	Search	Detention Under arrest
5	Nariman Mamedinov	Bahchysarayskyy region, Kholmovka village	Search	Detention Released after questioning
6	Damir Minadirov	Yalta	Search	Detention Released after questioning
7	Moskovskiy Aider	Bahchysarayskyy region, Viktorovka village	Search	Detention Released after questioning
8	Moskovskiy Ruslan	Bahchysarayskyy region, Viktorovka village	Search	Detention Released after questioning
9	Rustem Osmanov	Bahchysaray	Search	Detention Released after questioning
10	Vadim Siruk	Yalta	Search	Detention Under arrest
11	Bakhtiyar Topuz	Yalta	Search	Detention Released after questioning
12	Arsen Khalilov	Bahchysarayskyy region, Kholmovka village	Search	Detention Released after questioning
13	Muslim Mazmanov	Bahchysarayskyy region, Uglovoe village	Search	Detention Released after questioning

6 Lilya Budjurova. “Masks show on SimSitiTrans. Unknown persons, including some in full combat gear — wearing masks, body armor, with guns seized the administrative building of SimSitiTrans, it is completely blocked.” Facebook. 1 February 2016, [11 March 2016, [https://www.facebook.com/lilya.takosh/posts/830722627049983?\\_mref=message\\_bubble](https://www.facebook.com/lilya.takosh/posts/830722627049983?_mref=message_bubble)]

7 Kerch.FM, Kerch commercial port was searched by people in masks and with guns 4 February 2016, follow the link for more information: <http://kerch.fm/2016/02/04/v-kerchenskom-torgovom-portu-prohodil-obysk.html> [last access date 11 March 2016]



On 11 February, a search was also conducted in the house of the parents of **Vadim Siruk** in Nizhnegorsky region, Semennoe village<sup>8</sup>.

The searches were carried out on the basis of a court decision on a possible involvement in terrorist activities. During the searches they were looking for weapons, drugs, prohibited literature. However, according to the detainees and their relatives, nothing was found. The property has been damaged in some homes during the searches. For example, during a search in the house of **Bakhtiyar Topuz** law enforcement officials damaged the windows and furniture (*Annex 1*). All detainees were held under questioning for several hours. Damir Minadirov said that the questioning took 7 hours, no charges were brought against him. Most of the questions were asked by the Federal Security Service investigator Kompaneytsev Alexander.

The search was performed in the house of **Eldar Selyamiev** in Bakhchsaray region, Victorovka village on 12 February. During the raid, Eldar was arrested and released after the questioning.

On 18 February, a search was conducted in the house of **Akim Bekirov's family** in Simferopol region, Kurcy village. Security forces broke into the house at a time when there were two children of 12 and 15 years old in the absence of adults. During the search the relatives of Akim Bekirov that live in the neighbourhood tried to come into the house, but the security forces didn't let them to do this. During the search, household appliances, books and CDs were taken from the house.

## RIGHT TO PRIVACY

On 2 February, in Shebetovka village, people who identified themselves as employees of the Federal Migration Service of Crimea came to the house of Mustafa Dzhemilev's grandson **Erol Abdulzhelilov**. Erol's relatives informed CHRG on this issue. Federal Migration Service Employees said that the passport control is carried out and asked everyone to show their passports. When the passports were given to employees, they started to copy all the data from the documents. After checking the documents, they left. But soon one of the cars came back. Two men entered Erol's house, one of them introduced as the captain of police, and the other did not introduced. According to the documents, one of the men was the captain of Koktebel police — Ali Fazilov.

The police captain insisted that Erol was taken to the department for a questioning. Erol refused to go to the department, referring to the non-compliance procedure of the call for questioning and lack of the draft notice. The police captain and his companion left, warning that Erol will be summoned for questioning.

## PROGRESS OF THE HIGH-PROFILE CRIMINAL CASES

### PERSECUTION OF THE KIEV MAIDAN MEMBERS (ALEXANDER KOSTENKO'S CASE AND ANDREI KOLOMIETS'S CASE)

On 3 February, the first court session on the case of bodily injury caused to Crimean officers of Special Forces "Berkut" during mass protests in Kiev in the winter of 2013-2014 took place in the Supreme Court of the Crimea in Simferopol<sup>9</sup>. There is no information regarding the results of

<sup>8</sup> Edem Semedliaev. "According to Emil Kurbedinov lawyer today the search is taking place in Siruk Vadim parents home. He was detained yesterday in the city of Yalta. The search takes place in Smeshnoe village Nizhnegorsky area." Facebook. 12 February 2016, [11 March 2016, [https://www.facebook.com/permalink.php?story\\_fbid=557734881061742&id=100004757052466%D0%AD%D0%B4%D0%B5%D0%BC&hc\\_location=ufi](https://www.facebook.com/permalink.php?story_fbid=557734881061742&id=100004757052466%D0%AD%D0%B4%D0%B5%D0%BC&hc_location=ufi)]

<sup>9</sup> News agency KRYM.inform, Crimean Supreme Court begins hearing regarding the criminal case on the riots in Kiev, 3 February 2016, link to the site: <http://www.c-inform.info/news/id/34818> [last access date 11 March 2016]





the court session yet. Earlier, **Alexander Kostenko** and **Andrei Kolomiets** were detained on charges of causing bodily injury to “Berkut” employees.

On 18 February, Yevgeny Kostenko was summoned for the questioning without a lawyer. Yevgeny Kostenko is the brother of the political prisoner Alexander Kostenko. Yevgeny arrived for questioning, where he intended to tell the investigator that he refuses to answer questions and participate in the investigation without a lawyer. However, in response to this, the investigator informed Yevgeny that the psychological and psychiatric examination against him could take place. Yevgeny Kostenko's lawyer states that use of this type of examination in the case of Kostenko is illegal<sup>10</sup>.

On 26 February, the Crimean Supreme Court considered the cassation appeal on the case of Alexander Kostenko. As a result of the court hearing, it was decided to reduce the term of imprisonment of Kostenko to 3 years and 6 months. This term of imprisonment is 5 months less than the term of imprisonment assigned by the court of appeal, and 8 months less than the term assigned by the verdict of the first instance. In addition, during the hearing that took place on 26 February, Alexander Kostenko told the court via video conferencing that after he was beaten by the Federal Security Service officers during the arrest, no medical assistance was given. As a result he has medical issues with a hand.

Railway police department in Simferopol is continuing the investigation regarding the beating of Alexander Kostenko in Gagarin Park in Simferopol on 5 February 2015. The investigator Litvinova V. L. is responsible for the case. Kostenko A. F. was questioned regarding the case, while the witness Ryabenko changed his place of residence, and witness Novikova was afraid to let law enforcement officers to her apartment, did not open the door and did not come out. In addition, the interrogating officer got the decision from the military-investigative department of not to institute criminal proceedings against the Federal Security Service officers. This indicates an unwillingness to conduct the criminal prosecution against them.

On 29 February, Chief Investigative Committee's of the Russian Federation in the Republic of Crimea senior investigator of the Kiev District Court of Simferopol discerned indictment ruling against Yevgeny Kostenko. He was accused of the fact that on 15 May, 2015 during the trial against his brother Alexander Kostenko, being in the courtroom, showed his middle finger in the direction of the judge of the Kiev District Court of Simferopol. Yevgeny Kostenko is accused of committing a crime under the Part 2 Article 297 of the Criminal Code of Russia – contempt of court, expressed by insulting the judges involved in the administration of justice. According to the lawyer of Yevgeny Kostenko, Dmitry Sotnikov, in this case the preventive measure of recognizance not to leave was chosen to Yevgeny<sup>11</sup>.

Andrei Kolomiets is Ukrainian citizen, a resident of Kiev region, participant in protests on the Maidan is in remand prison of Simferopol because of the case similar to the Alexander Kostenko case. He was arrested on the territory of the Russian Federation on 15 May 2015 with a violation of procedural norms of the Criminal Code of Russia. After his arrest, Kolomiets was taken to the territory of Crimea and since 13 August, 2015 he is in remand prison in Simferopol. Kolomiets is accused of committing a crime under the Article 105 of the Criminal Code of Russia — an

10 Kasparov.Ru, brother of political prisoner Kostenko is forced to the check for sanity, 18 February 2016, link to the site: <http://anonymouse.org/cgi-bin/anon-www.cgi/http://www.kasparov.ru/material.php?id=56C58B75C5149> [last access date 11 March 2016]

11 Dmitry Sotnikov. “So Evgeny Kostenko got the preventive measure as a subscription on their own recognizance. We expected to get acquainted with the case according to Article 217 Code of Criminal Procedure, but the investigator said that the management had not yet examined the materials and did not give “his agreement” for the completion of the investigation” Facebook. 1 March 2016, [11 March 2016, <https://www.facebook.com/photo.php?fbid=601224646721138&set=a.454546241388980.1073741826.100005008243232&type=3&theater> ]



unfinished murder of two or more persons and Article 228 — possession of drugs. The victims in the case are former employees of a Crimean division of “Berkut”. Allegedly, during the protests on the Maidan in Kiev in February 2014 Kolomiets attempted murder of two “Berkut” employees. The testimony of two former employees of the Crimean branch of “Berkut” and two alleged witnesses who are also former employees of the “Berkut” is used in the case.

Upon detention of A. Kolomiets the Main Department of National Police of the Autonomous Republic of Crimea and Sevastopol in Ukraine started the criminal proceedings on the grounds of a criminal offense under the Part 2 of Article 146 of the Criminal Code of Ukraine — “Illegal imprisonment or kidnapping” on 27 January, 2016 (*Annex 2*).

#### “FEBRUARY 26 CASE”

On 15 February, according to the results of the court hearing, the Supreme Court of Crimea has decided to return the case of **Akhtem Chygoza** to the prosecutor's office for the further investigation. Crimean prosecutor Poklonskaya considers this decision of the Supreme Court as illegal and stated that she would appeal against it<sup>12</sup>.

#### THE CASE OF VLADIMIR BALUCH

In Crimea on 5 February, Tatyana Pyrkalo, the Judge of the Razdolnenskiy District Court, sentenced **Vladimir Baluch** to 320 hours of compulsory labour. He was found guilty of committing a crime under the Article 319 of the Criminal Code of Russia (insulting a government official). Vladimir Baluch told the representatives of the Crimea Human Rights Group that he intends to appeal the court's decision (*Annex 3*).

### *Freedom of speech and expression*

On 3 February, during the expanded board of the Prosecutor's Office of the Crimea, prosecutor Natalia Poklonskaya stated that during 2015 the extremist materials were found by the Crimean prosecutor's office on the 54 sites on the Internet<sup>13</sup>.

On 9 February, the Federal Service for Supervision in the Sphere of Telecom, Information Technologies and Mass Communications (Roskomnadzor) sent a warning to “Ukrainian Truth” media to remove news article, which states that Refat Chubarov calls on Ukraine to the open war with Russia<sup>14</sup>. After this, on 13 February, the “Ukrainian Truth” has received a message from Roskomnadzor to restrict access to a resource “in the information and telecommunications networks, including the network “Internet”, on the basis of the Russian Prosecutor General's Office claims from 30.09.2015” because of the message that “includes calls to riots, extremist activities, participation in mass (public) events held in violation of the established order”<sup>15</sup>. On 15 February, residents of Simferopol and Kerch informed CHRG that they cannot enter the “Ukrainian Truth” site.

In addition, residents of Simferopol and Kerch informed CHRG that they also cannot enter the “Censor.net” site. When attempting to enter this site in Crimea it was reported on the screen of

12 News agency KRYM.inform, Poklonskaya considers illegal the decision of the court to return for the additional investigation the case regarding the riots in Crimea on 26 February 2014, 15 February 2016, link to the site: <http://www.c-inform.info/news/id/35281> [last access date 11 March 2016]

13 News agency KRYM.inform, the Crimean prosecutor's office has identified extremist material on the 54 websites, 3 February 2016, link to the site: <http://www.c-inform.info/news/id/34827> [last access date 11 March 2016]

14 Ukrainian Pravda, Ukraine should be ready for an open war with Russia — Chubarov, 1 April 2015, link to the site: <http://www.pravda.com.ua/rus/news/2015/04/1/7063421/?attempt=1> [last access date 11 March 2016]

15 Ukrainian Pravda, Roskomnadzor announced the “restricted access” to the UP, 13 February 2016, link to the site: <http://www.pravda.com.ua/rus/news/2016/02/13/7098887/> [last access date 11 March 2016]





the Crimean in Simferopol that access is limited because the site allegedly contains information, the spreading of which is prohibited in the Russian Federation. While the other Crimean in Kerch saw an empty box instead of “Censor.net” site.

The Ukrainian web-site “Apostrophe” also reported blocking<sup>16</sup>. On 9 February, Roskomnadzor sent a letter to the “Apostrophe” media in which it informed about the violation of the order of information spreading in the Russian Federation. According to the website report, blocking of the site is also connected with the publication of the article in which Refat Chubarov called for war with Russia.

The Ministry of Communications has prepared a draft law that proposes to introduce responsibilities for telecom operators for violation of the rules of blocking sites. If the draft law is adopted, operators will be fined up to \$100 thousand roubles for each unlocked link or IP-address, which were included to the blacklist of banned information in Russia by Roskomnadzor<sup>17</sup>.

### *Freedom of association*

On 11 February, the prosecutor’s office of the Republic of Crimea has summoned the deputy chairman of the Mejlis of the Crimean Tatar people **Nariman Dzhelyalov** in order to get an explanation about the complaints to the police on the activities of the Mejlis. According to Nariman Dzhelyalov, complaints from citizens were not substantive but were general in nature. In the prosecutor’s office, where Nariman Jalalov arrived with a lawyer, he was asked about current activities of the Mejlis in Crimea, what his short-term plans, and what role of Jalalov in the work of the Mejlis<sup>18</sup>.

On 15 February, 2016 it became known that the Crimean prosecutor Natalia Poklonskaya appealed to the Supreme Court of the Crimea with the statement “On the prohibition of the activity of the public association in the manner and on the grounds stipulated by Article of the Federal law from 25.07.2002 number 114-FZ “On Countering Extremist Activity”<sup>19</sup>. Prosecutor Poklonskaya asks to recognize the Mejlis of the Crimean Tatar people as an extremist organization and ban its activity in the territory of the Russian Federation. In the case of recognition of the Mejlis of the Crimean Tatar people as an extremist organization all the members are at risk of persecution according to a number of articles of the Criminal Code of Russia: Article 280 “Public calls for extremist activity”, Article 282.1. “The organization of an extremist community”, Article 282.2 “The organization of an extremist organization” and others. These articles suggest criminal penalties including imprisonment for up to 8 years. The Mejlis of the Crimean Tatar people has publicly opposed to the holding of so-called “referendum” on 16 March, 2014 in Crimea. The Mejlis of the Crimean Tatar people took part in the organization and holding of pro-Ukrainian rallies in Crimea in the period February-

16 The Apostrophe, it is necessary to prepare for open war with Russia — the news “apostrophe”, 10 February 2016, link to the site: <http://apostrophe.com.ua/article/society/2016-02-10/nujno-gotovitsya-k-otkryitoy-voyne-s-rossiey--novost-apostrofa/3291> [last access date 11 March 2016]

17 Ligazakon.Ru, For one not blocked link 100,000 roubles fine, link to the site: <http://www.ligazakon.ru/main/13939-za-odnu-nezablokirovannuyu-ssylku-oshtrafuyut-na-100000-rublej.html> [last access date 11 March 2016]

18 QHA, Nariman Dzhelyalov is summoned to the prosecutor’s office, 11 February 2016, link to the site: [http://qha.com.ua/ru/politika/narimana-djelyala-vizvali-v-prokuraturu/154938/?utm\\_source=dlvr.it&utm\\_medium=facebook](http://qha.com.ua/ru/politika/narimana-djelyala-vizvali-v-prokuraturu/154938/?utm_source=dlvr.it&utm_medium=facebook) [last access date 11 March 2016]

19 The Crimean Human Rights Group, N. Poklonsky Statement “On the prohibition of activities of a public association in the manner and on the grounds stipulated by Article FZ from 25.07.2002 number 114-FZ “On Countering Extremist», link to the site: <http://crimeahrg.org/wp-content/uploads/2016/03/Zayavlenie-Poklonskoy-v-sud-1-.pdf> [last access date 15 March 2016]



March 2014. Speaker of the Mejlis of the Crimean Tatar people Refat Chubarov and many members of the Mejlis of the Crimean Tatar people do not recognize publicly the annexation of Crimea to Russia and come out in support of Ukraine's territorial integrity.

According to the deputy chairman of the Mejlis of the Crimean Tatar people Nariman Jalalov, on 21 February unknown people broke into the yard and the building of one of the offices of the Mejlis of the Crimean Tatar people at the address 40 Jidkova street, in Simferopol. They smashed windows at the rear of the building and got inside, where they broken glass doors in the rooms. According to the "Crimea" fund representative, at first glance, nothing was stolen<sup>20</sup>. This message is also confirmed by the reports of the General Director of "Crimea" fund Riza Shevkiev who is a member of the Mejlis of the Crimean Tatar people<sup>21</sup>.

### *Freedom of peaceful assembly*

On 14 February, the Simferopol city administration banned a picket against littering in Crimean villages. According to the organizers of the rally, they received a warning about the responsibility for holding uncoordinated mass action from the employees of the Simferopol Interior Ministry, despite the fact that on February 2nd permission to hold such a rally was given by the officials, who warned the organizers of the need to follow the rules of public events<sup>22</sup>.

On 15 February, the Department of Education of the city of Sevastopol issued an order, in which schools of Sevastopol were instructed to take 10 000 children to celebrate Defender of the Fatherland Day at the Nakhimov Square on 22 February. In the appendix to the order there was a schedule of children's participation in the celebration with the times of "duty" of pupils from each school in the town square, as well as the quota, indicating how many pupils each school must present. Thus, based on the order of the Department of Education of the city of Sevastopol from 20 to 700 students from each of school were forced to come to the square and stay there for several hours on 22 February<sup>23</sup>.

### *Freedom of religion and belief*

On 4 February, the General Prosecutor's Office of the Autonomous Republic of Crimea in Ukraine has started proceedings on the fact of resistance to the exercise of religious rites at the Holy Protection Church of Ukrainian Orthodox Church, which is located in Perevalnoe village in Simferopol district of Crimea. It was found by the prosecutor's office that during the implementation of the ceremony masked men and the Cossacks came in the temple, and expelled congregation and rector of the church from the premises of the temple<sup>24</sup>.

20 Nariman Dzhelalov. "This afternoon, unknown broke into the yard and the building of one of the offices of the Mejlis of the Crimean Tatar people by the address Jidkova street in Simferopol. Unknown, presumably three, broke the gate and entered the yard." Facebook. 21 February 2016, [11 March 2016, <https://www.facebook.com/nariman.dzhelalov/posts/1049360355127824>]

21 Riza Shevkiyev. "Once again, we saw the «face» of the Crimea invaders. This time the robbery was in the building of «Fund» Crimea» that is located at the registered office address of the Fund, Zhidkova street, 40, Simferopol" Facebook. 22 February 2016, [11 March 2016, <https://www.facebook.com/riza.shevkiyev/posts/968951983141023?pnref=story>]

22 Crimea. Reality, A rally against littering in Crimean villages is forbidden in Simferopol 13 February 2016, link to the site <http://ru.krymr.com/content/news/27548868.html> [last access date 11 March 2016]

23 Sevastopol news portal Forpost, Sevastopol Schools were ordered to withdraw 10 thousand children on Nakhimov Square, 18 February 2016, link to the site: <http://sevastopol.su/news.php?id=84716> [last access date 11 March 2016]

24 General Prosecutor of Ukraine, on the fact of impeding the exercise of religious rites at the Holy Protection Church



On 12 February, Clement — the manager of the Crimean Diocese of the Ukrainian Orthodox Church of the Kyivan Patriarchate, Archbishop of Simferopol and Crimea – said that there is the threat of liquidation of the church in the city of Yevpatoriya. He states that a recent phone call that he received from the head of the municipal government which is engaged in interethnic and interfaith relations is the evidence. The requirements to the Ukrainian Orthodox Church of the Kyivan Patriarchate to stop its operations due to the fact that it is not registered were received in the call<sup>25</sup>.

### *Issues related to citizenship*

On 4 February, press service of the Federal Bailiff Service of the Republic of Crimea reported that a married couple who have citizenships of Israel and Ukraine and who live in the city of Kerch in the apartment, which is in their ownership, were placed in the migrant detention centre for deportation. They arrived in the Krasnodar region from Israel in October 2014, without a visa. As soon as they arrived in Kerch, husband and wife registered. Two months later, they provided all documents for registration of a temporary residence permit in the Russian Federation to the territorial department of the Federal Migration Service. Taking into account that the period of consideration of the case is 60 days, they applied for the extension of stay in the Russian Federation before the paperwork for the temporary residence permit is completed. The statement has not been satisfied, the request was refused and it was demanded that they leave the territory of the Russian Federation<sup>26</sup>.

On 4 February, the CHRG received a response from the traffic police regarding the information requests about the timing of the re-registration of vehicles in the territory of Crimea. According to the information provided, Crimean people will not be able to leave the Ukrainian numbers plates on cars because from April 1, in Crimea, they will be fined for it and a driver's license could be deprived. The initial limit of the fine for the Crimean people who are driving the car with the Ukrainian number plates in Crimea is 500 roubles. For repeated offences drivers can be deprived from driving for a period from one to three months. At the same time, Crimean people will not be able to travel to mainland Ukraine on the cars with the number plates issued in Crimea (*Annex 4*).

On 17 February, a Crimean person was refused in their attempt to leave the Ukrainian number plates by the Supreme Court. Vyacheslav Mulyar, a resident of Sevastopol, appealed to the Court. He asked the government to disable the decision made on 31 October 2015, according to which all the registration documents for the car, as well as number plates issued prior to 18 March, 2014 in Ukraine, should be replaced by Russian plates. The applicant argued that this regulation is contrary to the Article 12 of the Federal Law "On the adoption of the Russian Federation Republic of Crimea", which states that the right stating documents will apply indefinitely. Despite the applicant's arguments, the Supreme Court of Russia upheld the decision of the Government ordering Crimean motorists to replace Ukrainian registration documents and number plates for the Russian before 1 April<sup>27</sup>.

UOC-KP in Crimea criminal proceedings are opened, 4 February 2016, link to the site: [http://www.gp.gov.ua/ua/news.html?\\_m=publications&\\_c=view&\\_t=rec&id=168805](http://www.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=168805) [last access date 11 March 2016]

25 Crimea.Reality, Local community in Yevpatoriya demands to cease operations of the UOC KP, 12 February 2016, link to the site: <http://ru.krymr.com/content/news/27549255.html> [last access date 11 March 2016]

26 Office of the Federal Bailiff Service of the Republic of Crimea, Spouses offenders, 4 February 2016, link to the site <http://r82.fssprus.ru/news/document23477331/> [last access date 11 March 2016]

27 BFM.RU, The Supreme Court has legalized the requirement for replacement of Crimean car number plates for Russian, 17 February 2016, link to the site: <http://www.bfm.ru/news/315708> [last access date 11 March 2016]



### *Freedom of movement and issues related to checkpoints passing*

On 5 February, at the entrance to Crimea, pro-Ukrainian activist Veldar Shukurdzhev was detained by the Russian border guards. According to the information, which he provided to the Crimea Human Rights Group, after long conversations with border guards, before witnesses he was given a notice of the ban on entry into the Russian Federation until 2030. However, after some time border guards returned and asked to return the document. They took the notice, but warned that he is allowed to enter Crimea for the last time. According to the information provided by the border guards, if Veldar Shukurdzhev wants to stay in Crimea, he must get a Russian passport. This information was also confirmed by the witnesses of the incident.

On 22 February, during the entrance to the Crimea through the Russian check point «Chongar» CHRГ has documented that men — the Crimean Tatars, arriving in the Crimea from the mainland of Ukraine, were taken into a special room for interviews. Many of them were asked about their stay in Ukraine, and then released. This was applied only to Crimean Tatar men, the average age of whom was about 30 years. One of the questioned said to the CHRГ that he was kept on the street separated from his wife and two children for about 40 minutes, then released, without asking any questions.

On 25 February, the Russian authorities denied entry into Crimea until 2020 to Ukrainian journalist Anastasia Ringis. Ringis was born in Gurzuf and her parents live in Crimea. The decision regarding the ban entry was given to her by the Federal Security Service, when she tried to enter Crimea (*Annex 5*).

According to the information provided by CHRГ, on 29 February, the Russian special services have detained activists of the Ukrainian Cultural Centre Michael Bartak, Irina Danilovich and Galina Balaban at the entrance to Crimea. Three activists were searched. All the contacts from Michael Bartak's mobile phone were copied. Activists were asked questions about their relatives, the purpose of their trip to Kiev, and the books in the Ukrainian language, which they carried with them. Activists were held for about 1.5 hours. Then all three of them were released. Interrogation protocols were not completed.

Crimean people reported to the CHRГ about cases of extortion and arbitrary restrictions on the entry-exit from Crimea by Ukrainian border guards. CHRГ addressed the State Border Service of Ukraine with an appropriate application. On 8 February, the State Border Service officially announced that they will examine the application of the CHRГ.

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*The review was prepared by:*

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

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

**Olga Morkova**, analyst of the Crimean Human Rights Group, Project Director of the Open Mission;

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





## ANNEXES

### ANNEX 1



Photos of Bakhtiar Topuz home after the search on 11 February



ANNEX 2



The answer of the Main Department of National Police of the Autonomous Republic of Crimea and Sevastopol in Ukraine regarding the criminal proceedings on the grounds of a criminal offense under the Part 2 Article 146 of the Criminal Code of Ukraine - "Illegal imprisonment or kidnapping" on the fact of detention of Andrei Kolomiets in the detention centre in Simferopol





**ANNEX 3**

К делу № 1-5/2016

**ПРИГОВОР  
ИМЕНЕМ РОССИЙСКОЙ ФЕДЕРАЦИИ**

05 февраля 2016 года  
Раздольненский районный суд Республики Крым в составе:  
председательствующего- судьи \_\_\_\_\_ пгт. Раздольное  
при секретаре \_\_\_\_\_ Пыржало Т.В.,  
с участием государственного обвинителя- прокурора \_\_\_\_\_ Маловичко В.В.,  
подсудимого \_\_\_\_\_ Королева Д.С.,  
защитника подсудимого – адвоката \_\_\_\_\_ Балух В.Г.,  
потерпевшего \_\_\_\_\_ Либовой О.Н.,  
Баранова Е.В.,  
рассмотрев в открытом судебном заседании в общем порядке судебного разбирательства уголовное дело по обвинению:  
- Балух Владимира Григорьевича, родившегося 08.02.1971 года в с. Серебрянка Раздольненского района Крым, гражданина Украины, с высшим образованием, не женатого, не работающего, не судимого, зарегистрированного по адресу: с. Серебрянка Раздольненского района Республики Крым, ул. Мира, 20, фактически проживающего по адресу: с. Серебрянка Раздольненского района Республики Крым, по у  
в совершении преступления, предусмотренного ст. 319 УК Российской Федерации,

**УСТАНОВИЛ:**

Балух В.Г. обвиняется в совершении преступления, предусмотренного ст. 319 УК Российской Федерации - публичное оскорбление представителя власти при исполнении им своих должностных обязанностей, при следующих обстоятельствах:

14.11.2015 около 10.30 часов, точное время не установлено, Балух В.Г., находясь в доме \_\_\_\_\_ с. Серебрянка Раздольненского района Республики Крым, действуя умышленно, осознавая, что старший оперуполномоченный группы по борьбе с преступлениями в сфере незаконного оборота наркотиков отделения уголовного розыска отдела МВД России по Раздольненскому району Республики Крым лейтенант полиции Баранов Е.В., назначенный на данную должность приказом начальника отдела МВД России по Раздольненскому району Республики Крым № 15 д/с от 27.08.2014, находится в силу должностных инструкций и Федерального закона «О полиции» при исполнении своих должностных обязанностей и является представителем власти по признаку надления его в установленном законом порядке распорядительными полномочиями в отношении лиц, не находящихся от него в служебной зависимости, в связи с тем, что Баранов Е.В. в соответствии с п.п.11 ч.1 ст.12 Федерального закона «О полиции», пресекает совершаемое им административное правонарушение, предусмотренное ч. 1 ст. 19.3 КоАП РФ (Неповиновение законному распоряжению или требованию сотрудника полиции, военнослужащего либо сотрудника органа или учреждения уголовно-исполнительной системы в связи с исполнением ими обязанностей по охране общественного порядка и обеспечению общественной безопасности, а равно воспрепятствование исполнению ими

Исключительных обстоятельств, для применения ст.64 УК Российской Федерации по делу не имеется.  
На основании изложенного, руководствуясь ст. ст. 307-309, 389.15 УПК РФ, суд,

**ПРИГОВОРИЛ:**

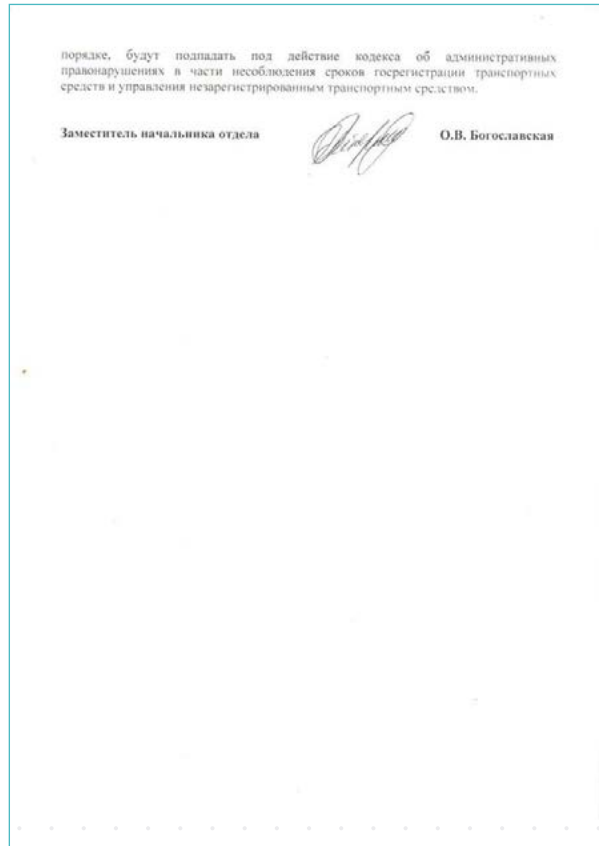
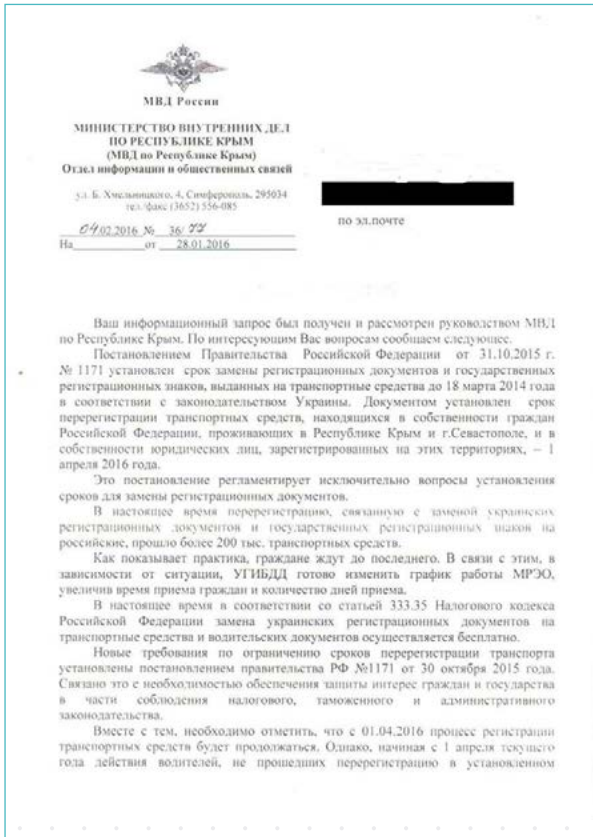
Балух Владимира Григорьевича признать виновным в совершении преступления, предусмотренного ст. 319 УК РФ, и назначить ему наказание в виде 320 (трехсот двадцати) часов обязательных работ.  
Приговор может быть обжалован в апелляционном порядке в Апелляционный суд Республики Крым через Раздольненский районный суд Республики Крым в течение 10 суток со дня его провозглашения. В случае подачи апелляционной жалобы осужденный вправе ходатайствовать о своем участии в рассмотрении уголовного дела судом апелляционной инстанции, указав об этом в апелляционной жалобе либо в возражениях на жалобу, представлении, принесенные другими участниками уголовного процесса.

Председательствующий: /подпись/ \_\_\_\_\_  
Копия верна \_\_\_\_\_  
Судья \_\_\_\_\_ Т.В. Пыржало  
Пом. судьи \_\_\_\_\_ Ю.Л. Погосий

The Razdolnenskiy District court's decision against Vladimir Baluch, February 5, 2016



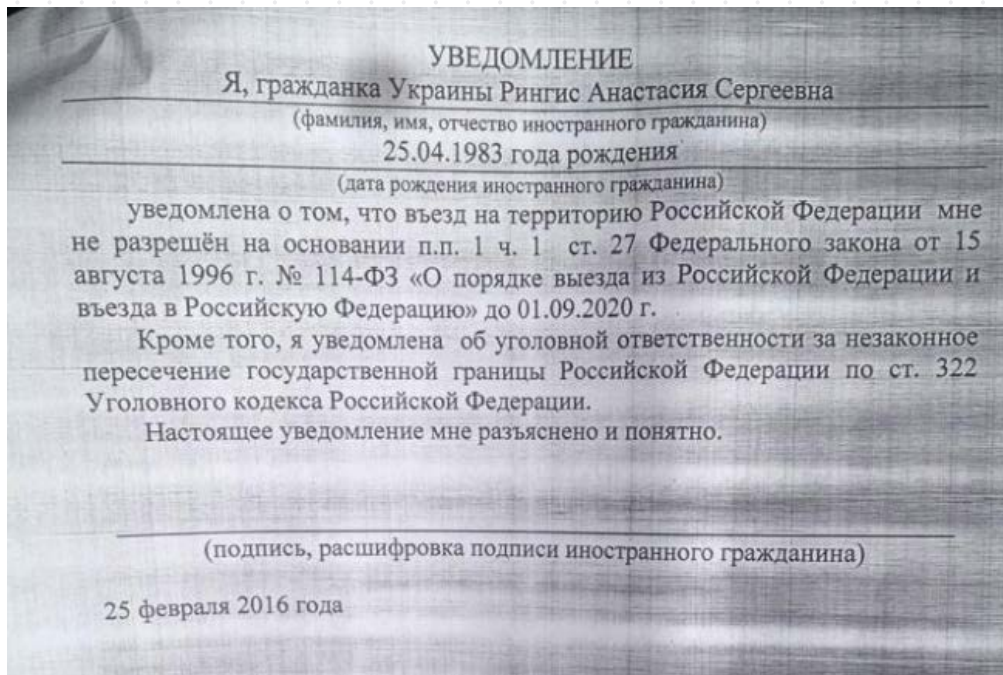
**ANNEX 4**



**Traffic police response to the information request regarding the terms of re-registration of vehicles on the territory of Crimea**



## ANNEX 5



Prohibition of entry to Crimea till 2020 for the Ukrainian journalist Anastasia Ringis