



**CRIMEAN
HUMAN RIGHTS
GROUP**

Those arrested in Crimea on charges of sabotage are deprived of the right to defence

Crimean Human Rights Group (CHRG) has documented violations of the right to protection in the case of the accused in sabotage Crimean Vladimir Dudka.

The lawyer, who was attracted by the relatives of Vladimir Dudka, that was detained in Crimea, for his defence, was not warned about the conduction of the interrogation of the defendant.

On the evening 12 November, "the investigator of RC FSB of Russia and the city of Sevastopol" interrogated Vladimir Dudka in the presence of court-appointed lawyer Akulenko Oksana. She is likely to have been summoned by an investigator on a call. At the same time, the independent lawyer was not notified regarding the investigative activities.

The experts of CHRG believe that the FSB keeps detained Crimean so the lawyers could not represent him during the investigation.

It is important to note that according to the norms of the Criminal Code of the Russian Federation, which are in fact used in Crimea, a court-appointed lawyer is attracted the case of absence of a lawyer.

In case of absence of a lawyer under the agreement within 5 days from the date of the application request for the invitation of the defender the investigator or the court may suggest to invite another defender for the suspect. If the accused refuses to choose a lawyer, then the court-appointed lawyer can be called, if a lawyer on agreement did not appear within 24 hours after the arrest or detention, then the investigator takes measures for the defence purpose.

However, in the case of Vladimir Dudka there is no reason to call a court-appointed lawyer, because he has a lawyer, attracted by relatives.

Moreover, the appointed lawyer Akulenko was not on duty at that time according to the schedule on duty lawyers. In this regard, it looks strange that she (rather than duty lawyers) has been directed to participate in the proceedings of the case of Dudka. It is a violation of the rights to defence of the Crimean and evidences collected in this way are unacceptable.

Oksana Akulenko was court-appointed defender also in other politically motivated criminal cases. She was a court-appointed lawyer for Andrei Zahtey that was detained in August for the first "case of saboteurs". She did not carry out her duties as the defender, did not appeal the actions of investigators, did not fix tortures, and did not collect evidence of innocence of her client.

Thus, there are legitimate concerns that the lawyer Akulenko will not protect the interests of Vladimir Dudka, and her formal participation will be used by investigators to hinder the work of independent lawyers.

Earlier, on 10 November 2016 according to the decree of "Leninsky District Court of Sevastopol" Vladimir Dudka was given a preventive measure in the form of imprisonment, followed by his transfer to the Pre-detention Center-1 of Simferopol. However, so far he was not delivered to Pre-detention Center-1. From 9 November his whereabouts are unknown. Neither relatives nor lawyers, attracted by the family, cannot receive information about his whereabouts and organize a meeting with him.

Experts of CHRG and relatives consider that all three of the detainees (**Aleksey Bessarabov, Dmitry Shtyblikov, Vladimir Dudka**) are in a temporary detention facility in the city of Bakhchisarai.