



# CRIMEAN HUMAN RIGHTS GROUP

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## CRIMEAN HUMAN RIGHTS SITUATION REVIEW

Monitoring review of the human rights situation in Crimea

**October 2016**

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

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## 1. INTRODUCTION

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

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

The main objectives of the **CHRG**:

- 1) Collection and analysis of the information regarding the human rights situation in 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

### RIGHT TO LIBERTY AND SECURITY OF THE PERSON

#### SEARCHES

On 5 October, in the town of Feodosia search was conducted in the house of **Suleiman Kadyrov** who is the regional member of the Mejlis of the Crimean Tatar people. During the search, a personal laptop and phone were confiscated. The search was conducted on the basis of the judge's decision Radionov Igor Ivanovich to conduct home inspection. Radionov Igor is currently a chairman «of the Supreme Court of the Republic of Crimea» (he was appointed on 13 November 2014 by the Russian presidential decree<sup>1</sup>). Kadyrov said that the search was carried out on suspicion of calling for non-recognition of the borders of the Russian Federation and the support of the Crimean Tatar battalion «Asker»<sup>2</sup> (details in «Freedom of speech and expression» section).

On 12 October, the staff of the Investigative Committee arrived to the apartment of the leader of the branch of «National liberation movement» in Sevastopol **Anatoliy Maret** to conduct a search. Maret was not at home, and his wife refused to let inspectors into the apartment. Anatoliy Maret soon arrived and voluntarily gave investigators a personal computer. A criminal case was opened with regard to Anatoly Maret by the Investigative Committee for defamation against the judge who issued the conviction to the developer Nikolay Sokolov. According to the investigation, the information which was published and authored by Anatoly Maret discredited honour, dignity and business reputation of the judge<sup>3</sup>.

On 15 October, police officers carried out the inspection of **Musa Isayev** house territory in Ayserez (Mezhurechie) village near the Sudak town. Their actions were explained by the fact that they conduct a search for a motorcycle that was stolen before. Activist Lenora Dulber informed CHRG that the inspection of the area was interrupted because of neighbours. Neighbours that saw the actions of the police questioned the legality of such action. For this reason, they called the police and informed about the actions of police officers. After the call the police arrived, and investigators stopped carrying out examination and left the territory. Such actions of investigators give justifiable doubts as if the inspection of Musa Isayev yard were authorized<sup>4</sup>.

On 20 October, the head of the Central Election Commission (CEC) of Kurultai Zair Smedlyayev reported that in the city of Bakhchisarai searches were conducted in the homes of **Enver Abduveliev, Enver and Asan Serverov**. According to his information, personal computers were seized as a result of searches. Witnesses reported that the search was carried out on suspicion of involvement or support of the battalion of Noman Chelebidzhinan and Lenur Islyamov (Lenur Islyamov - the head of the action «Crimea blockade», which was held in September and December 2015 on the border of the Kherson region and Crimea). Facebook network user Seyran Ikrimah, which, according to him, was a witness to these events, published a video of the place where searches in Bakhchisaray took place. According to him, the persons who conducted the search were looking for a man named Saeed, who is suspected of involvement in the battalion of Lenur Islyamov<sup>5</sup>.

<sup>1</sup> The presidential decree of Russia number 719 of 13/11/2014 «On the appointment of judges of the federal courts,» the document: <http://publication.pravo.gov.ru/Document/View/0001201411140011?index=0&rangeSize=1>

<sup>2</sup> <https://www.facebook.com/zair.smedlya/posts/1127757393926094>

<sup>3</sup> <http://sevastopol.su/news.php?id=91120>

<sup>4</sup> <http://avdet.org/ru/2016/10/15/pod-sudakom-vo-dvore-krymskogo-tatarina-iskali-ukradennyj-mototsikl/>

<sup>5</sup> <http://avdet.org/ru/2016/10/20/v-seti-poyavilis-video-s-mesta-obyskov-v-bahchisarae/>



On 26 October, search was conducted in the house of an activist **Alexei Shestakovich** in Simferopol. Shestakovich reported that he was detained on the street, and then he was brought together with the witnesses to his apartment. During the search nothing was found. Shestakovich published the report on home inspection, which indicated that during the search two hard drives from the computer have been taken and then were transferred to the Federal Security Service of the Russian Federation. The search was carried out by «Police Major» Shambazov Ruslan Rinatovich, a former employee of the Ministry of Interior of Ukraine<sup>6</sup>. On 17 September 2016 he also drew up a report on the placement by Shestakovich of an «extremist» post in the social network in 2010. In the present case «the Zhelznodorozhnyi court» of Simferopol sentenced Alexei Shestakovich to a fine of 1000 rubles. Also in January 2016 Shambazov detained a blogger Zair Akadyrov, who came to the hearing on the «case of 26 February».

It is important to note that one of the witnesses - Shlomovich Vasily Vladimirovich is held on politically motivated «case of 26 February» as a «victim» and is a member of paramilitary formation «people's militia» that has public anti-Ukrainian position. Shestakovich confirmed that «Cossacks» were brought as witnesses to the search.

On 27 October, after the search, «the District Court» of Simferopol found Alexei Shestakovich guilty in drug use and sentenced him to a fine of 4000 rubles.

The above facts give rise to doubts as to the impartiality of the investigator and a witness during the search of the apartment of pro-Ukrainian activist that, taking into account the illegal decisions made earlier in relation to the activist, may indicate on a politically motivated administrative prosecution of Shestakovich<sup>7</sup>.

<sup>6</sup> <https://www.facebook.com/groups/1140049122701123/permalink/1222867864419248/>

<sup>7</sup> <https://www.facebook.com/crimeahrg/posts/1796518183967148>



## POLITICALLY MOTIVATED CRIMINAL PROSECUTION

### PERSECUTION OF THE KIEV MAIDAN MEMBERS: ANDREY KOLOMIETS' CASE

On 27 October, the judge of the «the Supreme Court» of Crimea Red'ko Galina left the sentence of «the Kiev district court» of Simferopol unchanged in regards to Ukrainian citizen **Andrei Kolomiets**<sup>8</sup>. On 10 June, the judge Belousov acknowledged Kolomiets guilty (according to the Part 3 of Article 30, paragraphs «a, b, e, l» Part 2, Article 105 of the Criminal Code of the Russian Federation, and Part 2, Article 228 of the Criminal Code of the Russian Federation) and appointed sentence of 10 years' imprisonment in a strict regime colony. The defense appealed against the verdict, but the judge rejected all petitions of the lawyer Michael Kushpel.

During the hearing the interests of Kolomiets were represented by the lawyer Taras Omelchenko. He reported that the judge made a decision, even without going to the deliberation room. The only requirement that was satisfied by the judge was the required to inform Kolomiets in language which he understands. During the hearing the judge Red'ko switched to Ukrainian language.

The judge Redko G.V. also issued decisions in other politically motivated criminal cases. Thus, she has decided to extend the period of detention in the case of a Deputy of the Mejlis of the Crimean Tatar people Ahtem Chiyoza.

After the decision of the «Supreme Court» of Crimea Andrei Kolomiets will be convoyed from the territory of Crimea to Russia to serve the sentence.

### «CASE OF FEBRUARY 26»

The hearings on the «26 February case» continue in Crimea. The case was divided into two processes: the first - in the case of the deputy head of the Mejlis of the Crimean Tatars **Ahtem Chiyoza** as «riots organizer» near the Crimean parliament, the second - in the case of the other defendants (including **Ali Asanov and Mustafa Degermendzhi**) as «rioters».

On 3 October, the first hearing took place on the case of «unrest participants» on 26 February 2014 that was allocated into a separate case in «the Central District Court» of Simferopol. Among the defendants: **Ali Asanov and Mustafa Degermendzhi** (in custody), **Eskender Kantemirov, Eskender Emirvaliev and Arsen Yunusov**<sup>9</sup>.

The lawyer of Asanov Edem Smedlyayev reported that the process has begun with violations of the Criminal Procedure Code of the Russian Federation. Thus, all parties involved were informed two days before the hearing, and Asanov and Degermendzhi learned that they will be taken to the court the evening before the meeting. On 7 October a meeting was held, but this time the lawyer was not notified. As the lawyer has not been notified, he could not come into the court, but instead the hearing was attended by the court-appointed lawyer.

On 7 October, the «Central District Court» of Simferopol extended the detention period for Mustafa Degermendzhi and Ali Asanov until 7 January 2017. According to Mavile the sister of Mustafa Degermendzhi, relatives were not allowed into the courtroom, and the hearing was held behind closed doors.

<sup>8</sup> The Website of «the supreme court» of Crimea, the information on the Andrei Kolomiets's case (case № 22-3003/2016): [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=194046492&result=1&delo\\_id=4&new=4](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=194046492&result=1&delo_id=4&new=4)

<sup>9</sup> [https://centr-simph--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=191852965&result=1&delo\\_id=1540006&new=](https://centr-simph--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=191852965&result=1&delo_id=1540006&new=)



On 17 October, the «Central District Court» held a regular meeting of the court on the case of Asanov, Degermendzhi, Kantemirov, Emirvaliev and Yunusov. The next meeting is scheduled for 1 November.

On 18 October, «the Supreme Court of Crimea» upheld the decision to extend the detention for Asanov until 7 January 2017. The judge also denied a defence motion so the defendant would be next to a lawyer, and not in an iron cage<sup>10</sup>.

There were 11 court sessions in October on the case of Ahtem Chiygoz which was considered as a separate proceeding and one meeting on the consideration of the complaint regarding the extension of the period of detention. During the hearing, in addition to questioning «victims», «witnesses» also were interrogated. As during previous interrogations, the majority of the victims — are the members of paramilitary formations «Crimea self-defence», which is controlled by the «prime minister» of Crimea Sergey Aksenov. Ahtem Chiygoz continues to participate in the proceedings on-line, not being present in the courtroom. The lawyers repeatedly filed an application for that Ahtem Chiygoz was present in the meeting room, but the judge did not satisfy these requests.

During the meetings in the case of Chiygoz the prosecutor Supryaga acknowledged about the reluctance of the alleged «victims» to appear at the court session. According to her, the bailiff service has made insufficient efforts for the delivery of «victims» in the courtroom.

#### «CASE OF HIZB UT-TAHRIR»

In October, the number of Crimean Muslims that were detained in regards to the «Hizb-ut-Tahrir» case has increased. There are 19 people that are under arrest - **Ruslan Zeytulaev, Rustem Vaitov, Nuri Primov, Ferat Sayfulaev** (judgement of conviction), **Anvar Bekirov, Vadim Siruk, Muslim Aliev, Emir-Usein Kuku, Refat Alimov, Arsen Dzhepparov, Enver Mamutov, Remzi Memetov, Zevri Abseitov, Rustem Abiltarov, Timur Abdullaev, Rustam Ismailov, Eider Saledinov, Uzeyir Abdullayev and Emil Dzhemadenov** (in custody). They were charged under Part 1 of Article 205.5 of the Criminal Code of the Russian Federation (Creation of a terrorist organization) and / or Part 2 of Article 205.5 of the Criminal Code of the Russian Federation (participation in a terrorist organization).

On 12 October, massive searches were conducted in Simferopol and in the village of Strogonovka. According to the lawyer Emil Kurbedinov, searches took place in connection with a criminal investigation for involvement in Hizb ut-Tahrir. After the searches Timur Abdullaev (charged under Part 1 of Article 205.5 of the Criminal Code of the Russian Federation), Rustam Ismailov, Aider Saledinov, Uzeyir Abdullayev and Emil Dzhemadenov (charged under Part 2 of Article 205.5 of the Criminal Code of the Russian Federation) were detained.

On 13 October, «the Kiev District Court» of Simferopol chose all four detainees a preventive measure — detention until 11 December 2016.

On 8 October, «Central District Court» of Simferopol extended the detention until 12 January 2017 for Enver Mamutov, Remzi Memetov, Rustem Abiltarov and Zevri Abseitov<sup>11</sup> (they were arrested on 12 May 2016 in Bakhchisaray).

On 20 October, «the Supreme Court of Crimea», dismissed the complaint of Enver Mamutov, Remzi Memetov, Rustem Abiltarov and Zevri Abseitov regarding the extension of the period of

<sup>10</sup> <https://www.facebook.com/photo.php?fbid=671980996303796&set=a.216257595209474.1073741825.100004757052466&type=3&theater>

<sup>11</sup> <https://www.facebook.com/emil.kurbedinov/posts/1223502747714320>



detention. The judge Melnik Tatiana left all four in custody until 12 January 2017. The judge Melnik also disregarded the arguments of the lawyers about the inconsistency of accusations position. In addition, the court ignored the requirement of defence to consider the marital status of the accused: one of them has six children and a sick mother dependent on him, each of the other two has four children.

### «UKRAINIAN SABOTEURS' CASE»

After the independent lawyer was able to visit Evgeniy Panov in prison in Simferopol on 29 September and found out from him about the torture, human rights activists and relatives have fears that Panov may be taken from the per-detention center.

On 7 October, the information was received by the CHRG that **Yevgeniy Panov and Andrew Zahtey** were taken from pre-detention center in Simferopol. Lawyers were not notified about it.

On 13 October, the message appeared at «Open Russia» website; it stated that the members of the Public Oversight Commission of Moscow during a routine inspection found Ukrainians Evgeniy Panov and Andrey Zahtey in pre-detention center «Lefortovo». According to the Russian human rights activist Zoya Svetovaya, POC members saw the wounds and bruises from the handcuffs on hands of Panov and Zahtey. Ukrainians explained that these marks were left after the arrest in August 2016. Panov said that escorting from Simferopol to Moscow took place in such a way: «We were transferred by helicopter to the mainland and then by car - to Moscow»<sup>12</sup>.

On 18 October, «Supreme Court» of Crimea considered the complaint of lawyer Andrey Zahtey regarding the decision of «the Kiev district court» in Simferopol on the arrest of Zahtey for up to 7 December 2016. According to the lawyer, Zahtey didn't participate in the appeal. He was in Moscow in Lefortovo pre-detention center and participated in the meeting via video link. The court upheld the appeal. The court did not take into account the information of the defence that the lawyer was not notified regarding the date and place of the court session on the election of a preventive measure on 26 September<sup>13</sup>. Thus, the court ignored the fact that, with regard to Zahtey the right to a defense and a fair trial was violated.

On 26 October, member of the Public Oversight Commission of Moscow Zoya Svetova reported that she visited Eugeny Panov and Andrei Zahtey in pre-detention center «Lefortovo». They said that in the absence of lawyers investigators come to them, which violates the Code of Criminal Procedure of the Russian Federation<sup>14</sup>.

Relatives of Evgeniy Panov said that Panov does not receive their transfers and letters.

<sup>12</sup> <https://www.openrussia.org/post/view/18547/>

<sup>13</sup> <https://hromadskeradio.org/programs/prava-lyudyny/pry-aresteya-advokat-ukraynskogo-dyversanta>

<sup>14</sup> <https://www.facebook.com/zoiassetova/posts/1258067297592659?pnref=story>





## FREEDOM OF SPEECH AND EXPRESSION\*

On 4 October, the editor of the publication «Your Newspaper» **Alex Nazimov**, video operator of the publication **Andrey Oblezov** and member of Alushta City Council **Pavel Stepanchenko** were detained in Alushta by the Federal Security Service Directorate officers in Crimea and Sevastopol. On 6 October the Investigative Committee of the Russian Federation in Crimea reported about a criminal case against Alexei Nazimov and Pavel Stepanchenko. They are suspected of committing crimes under paragraph «B» Part 7, Article 204 of the Criminal Code of the Russian Federation (commercial bribery, extortion, coupled with the subject of bribery object) and paragraph «A» Part 2 Article 204.1 of the Criminal Code of the Russian Federation (mediation in commercial bribery committed by a group of persons by prior agreement)<sup>16</sup>.

According to investigators, Nazimov intended by means of blackmail to obtain 150 thousand rubles from the member of the party «United Russia» promising to distribute media information discrediting the reputation of the politic. Stepanchenko, according to investigators, acted as an intermediary in the transfer of money.

The lawyer of Nazimov Alexander Osipkov-Ermichine considers the charges to be unlawful. According to him, the agreement with a member of the «United Russia» involved only publications in social networks and on the website «Your Newspaper» and his client did not extort money. Money transferred to Nazimov was the payment for advertising on the site. Nazimov, according to the lawyer, is a natural person and acted as a blogger; on these bases of the charge of «commercial bribery» is inappropriate. In addition, the printed edition «Your newspaper», founded by Nazim does not go to the press since November 2015<sup>17</sup>.

On 6 October, the Alushta City Court elected a preventive measure in the form of detention in respect of the detainees. On 18 October the judge of «the Supreme Court» of Crimea Anatoliy Osochenko dismissed the appeals against the decision of the arrest of Alexei Nazimov and Pavel Stepanchenko. The lawyers asked the court to change the measure of restraint in the form of custody to house arrest, but the judge refused<sup>18</sup>.

Relatives of Alexei Nazimov and Pavel Stepanchenko suggest that the case was fabricated because of political reasons. Earlier Nazimov and Stepanchenko represented the Communist Party of the Russian Federation and have repeatedly criticized the actions of the local members of the «United Russia» party. In this regard, they imply motives of eliminating the opponents by the members of the ruling party.

With regard to the third person involved in the case, journalist Andrei Oblezov, information was received that the investigators put pressure on him to persuade him to testify in exchange for electing of a more lenient preventive measure for him.

On 21 October according to the press service of the Federal Security Service Directorate of Russia in Crimea and Sevastopol it became known that «the Leninsky District Court» of Sevastopol convicted **24-year-old local resident** «in public calls for extremism, war and rehabilitation of Nazism». According to the prosecution, «in the social network «VKontakte» a resident of Sevastopol was calling for the overthrow of the Russian authorities in Crimea and Sevastopol as well as to «a violation of the territorial integrity of the Russian Federation through a military invasion of

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

<sup>16</sup> <http://crim.sledcom.ru/news/item/1071514>

<sup>17</sup> <http://ktelegraf.com.ru/2016/10/21/snizili-nakal.html>

<sup>18</sup> <http://an-crimea.ru/page/news/146631>



Crimea, or conducting of military operations on its territory». The court has given a suspended sentence to him for two years with the prohibition to be engaged in the provision of services related to the administration of sites and the spreading of text, photo, video, multimedia, and other information and news content on the Internet<sup>19</sup>.

**Igor Movenko** filed a complaint against the decision of the Gagarin Court in Sevastopol (from 22 September 2016), for which he was sentenced to an administrative fine of 2,000 rubles according to Part 1 of Article 20.3 of the Administrative Code of the Russian Federation (Promoting a public display of Nazi paraphernalia or symbols). Protocol on administrative law violation was made for the placement of stickers on his bike with the emblem of Ukraine and symbols of Ukrainian battalion «Azov». The appeal is scheduled for 7 November in the Municipal Court of Sevastopol.

However, a criminal investigation regarding the beating and inflicting bodily injuries to Igor Movenko in Sevastopol was never opened. He was beaten on 7 September 2016 in Sevastopol. The reason for the attack was stickers on his bike; he was found guilty in administrative law violation for placement of the stickers. However no actions in regards of those who beaten Movenko the de facto law enforcement agencies are not currently undertaking<sup>20</sup>.

## OBSTRUCTION OF JOURNALISTIC ACTIVITIES

In October, a journalist of «Rossiyskaya Gazeta» newspaper (Crimean branch) **Marina Reznikova** was fired. Colleagues believe that the reason for her dismissal was a video that she made about the house of the current head of Crimea Sergey Aksenov. Another reason for her dismissal is considered that the journalist was involved in an information campaign to protect trees from being cut down on the main street of Simferopol. Other campaigners against deforestation reported about the pressure - journalists Oleg Kryuchkov, Dmitriy Zhmutskiy and Maxim Groznov.

On 27 October, in Simferopol in the «Supreme Court» of Crimea before the announcement of the decision on the appeal of political prisoner Andrei Kolomiets regarding the verdict against him the bailiff with the badge OP 27716 without explaining the reasons prohibited the correspondent of «Novaya Gazeta» **Ivan Zhilin** to enter the meeting room with the other visitors.

On 28 October, in Simferopol the film crew of the **Internet project Crimeantatarsclub** was prohibited from entering the place of the event of the solemn laying of the foundation stone of the mosque by muftiat representatives and local authorities. The reason for the ban was the lack of licenses of media workers, as well as the opinion that the subjects of this Internet project will be used by the ATR Crimean Tatar TV channel (which is located in Kiev).

## THE NIKOLAY SEMENA'S CASE

On 11 October, the «Supreme Court» of Crimea upheld the decision of «the Kiev district court» of Simferopol about banning journalist **Nikolay Semena** to leave Crimea. Earlier, the journalist's lawyers petitioned the abolition of restriction on leaving Crimea so he could travel to Kiev for medical treatment.

<sup>19</sup> <http://sevastopol.su/news.php?id=91361>

<sup>20</sup> <http://crimeahrg.org/v-kryimu-delo-tak-i-ne-vozbudili-po-faktu-izbieniya-za-ukrainskuyu-simvoliku-igorya-movenko/>



## THE ILMI UMEROV'S CASE

On 20 October, **Ilmi Umerov** was summoned to the Russian Federal Security Service. Criminal case was opened against him under Part 2 Article 280.1 of the Criminal Code of the Russian Federation «Public calls for the implementation of actions aimed at violation of the territorial integrity of the Russian Federation, committed by using information and telecommunications networks (including the Internet)» for his public statements that Crimea is the territory of Ukraine. He was familiarized with the results of the linguistic and forensic psychiatric examination. According to Umerov, linguistic expertise conclusions stated that his speech on the TV channel ATR on 19 March 2016 contains calls to violate the territorial integrity of the Russian Federation. Also, he was told that a psychiatric examination concludes that it has no mental illness<sup>21</sup>.

## THE SULEYMAN KADYROV'S CASE

On 5 October, search was conducted in the house of **Suleiman Kadyrov** who is a member of the regional Mejlis of the Crimean Tatar people in Feodosiya; the search was conducted according to the order of the chairman of «the Supreme Court of the Republic of Crimea» Radionov I.I. The reason for the search were suspicions that, according to the Russian Federal Security Service, Kadyrov called for the non-recognition of the borders of the Russian Federation and the support of the Crimean Tatar battalion «Asker» in one of the reports on 29 March 2016.

On 11 October, during the questioning of Suleyman Kadyrov in the Russian Federal Security Service it became known that the Russian Federal Security Service opened a criminal case against him under Part 2 of Article 280.1 of the Criminal Code of the Russian Federation - public calls for the implementation of actions aimed at violation of the territorial integrity of the Russian Federation, committed with the use of any electronic media or information-telecommunication networks (including «Internet» network). Lawyer Emil Kurbedinov reported that the investigator of the Russian Federal Security Service refused to give a copy of the decision to institute criminal proceedings, which is a gross violation of procedural rules<sup>22</sup>.

On 18 October, the Russian Federal Security Service officers familiarized Suleiman Kadyrov with the decision to hold a linguistic examination, during which the contents of the video message of Demian Demyachenko and Kadyrov's comments on this will be studied. According to another lawyer Andrew Sabinin, Russian Federal Security Service officers asked Kadyrov lawyers to sign a non-disclosure of investigative actions on the criminal case<sup>23</sup>.

<sup>21</sup> [https://www.facebook.com/permalink.php?story\\_fbid=1850650505179814&id=100007046477228](https://www.facebook.com/permalink.php?story_fbid=1850650505179814&id=100007046477228)

<sup>22</sup> <https://www.facebook.com/emil.kurbedinov/posts/1226978274033434?pnref=story>

<sup>23</sup> <http://ctrcenter.org/ru/news/256-fsb-provedet-ekspertizu-video-pod-kotorym-sulejman-kadyrov-yakoby-napisal-kommentarij>



## FREEDOM OF PEACEFUL ASSEMBLY

On 25 October, the «Sevastopol City Court» upheld the refusal to organizers in holding gay parade on 6-7 May 2016 by «Sevastopol Government». «The government of Sevastopol» has justified its refusal by the fact that the gay pride parade was scheduled in the streets and squares, where child care facilities and playgrounds are situated.

The organizers appealed the decision. However, «the Leninsky District Court» of Sevastopol and «Sevastopol City Court» made decision that the ban on carrying out such action is lawful. Court referred to the Federal Law «On protection of children from information harmful to their health and development.» The law prohibits «propaganda of nontraditional sexual relations among minors.» Thus, referring to the law, local authorities can prohibit any action in support of the LGBT community, as almost always there is a probability that a minor will be near the action<sup>24</sup>.

## FREEDOM OF ASSEMBLY VIOLATIONS IN CONNECTION WITH REMEMBRANCE DAY OF THE VICTIMS OF CRIMEAN TATARS DEPORTATION

On 18 May, on the Day of Remembrance of the victims of deportation in Sudak four Crimean Tatars were detained for participating in the rally with Crimean Tatar flags according to part 2, Article 20.2 of the Administrative Code of the Russian Federation «Violation of the order of organizing or holding meetings, rallies, demonstrations, marches and pickets.» The judge of Sudak City Court ordered the dismissal of the case against the detainees<sup>25</sup>. However, the police of Sudak appealed against the decision. On 1 September, «the Supreme Court» of Crimea upheld the police complaint and returned the case for review.

On 27 October, re-examination of an administrative case against four Crimean Tatars took place in Sudak. At this time, **Alim Muslyadinov, Ablyakimov Ablyakim, Enver Chavush, Seytumerov Seytmanut** were found guilty of an administrative offense and each of them was assigned to a fine of 20 thousand rubles<sup>26</sup>.

<sup>24</sup> The «Sevastopol City Court» website: [http://gs.sev.sudrf.ru/modules.php?name=press\\_dep&op=1&did=127](http://gs.sev.sudrf.ru/modules.php?name=press_dep&op=1&did=127)

<sup>25</sup> [https://sudak--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=151343641&result=1&delo\\_id=1500001](https://sudak--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=151343641&result=1&delo_id=1500001)

<sup>26</sup> <https://www.facebook.com/lenora.dyulber/videos/vb.100001852246809/1244940598911003/?type=2&theater>



## FREEDOM OF ASSOCIATION

On 26 April 2016 «The Supreme Court» of Crimea has recognized the Mejlis of the Crimean Tatar people as an extremist organization and banned its activities on the territory of the Russian Federation. This decision was appealed. On 29 September 2016 the Supreme Court of Russian Federation rejected the defence appeal in the case «On the prohibition of Mejlis» and upheld the decision of the Court of Crimea of 26 April 2016 on the prohibition of the activities of the Mejlis.

After these decisions CHRG records administrative cases against members of the Mejlis. In October, «Bakhchisaray district court» made several such decisions with fines orders for violation of Article 20.28 of the Administrative Code of the Russian Federation «Organization of activity of a public or religious association, in respect of which there is the decision to suspend its activities».

On 4 October, **Sadikhov Tabah**<sup>27</sup>, **Shevket Kaybullaev**<sup>28</sup> and **Bekir Mamutov**<sup>29</sup> were ordered fines by the Bakhchisarai court for participating in the meetings of the Mejlis as a «social organization banned in Russia and in Crimea.» Kaybullaev got a fine of 500 rubles, Tabah and Mamutov- 750 rubles. Bekir Mamutov intends to appeal this decision.

On 14 October, the Bakhchisarai court sentenced the Mejlis manager on Educational controls **Emine Avamileva**<sup>30</sup> to a fine of 750 rubles. On 19 October, member of Mejlis **Abduraman Egiz**<sup>31</sup> was sentenced to a fine of 750 rubles by the court. On 24 October, **Dilyaver Akiyev**<sup>32</sup> was appointed a fine of 500 rubles by the court. In late October the hearings on the same administrative proceedings against **Mustafa Maushev and Zeynur Yakubov** continue.

On 26 October, the court granted the defence motion regarding Zeynur Yakubov on further hearing of the case in the Crimean Tatar language. The next court session is scheduled for 1 November<sup>33</sup>.

<sup>27</sup> The decision of «Bakhchisaray district court» Crimea on 10/04/2016 against Sadikhov Tabah: [https://bahchisarai--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=doc&number=201409633&delo\\_id=1500001&new=0&text\\_number=1](https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=201409633&delo_id=1500001&new=0&text_number=1)

<sup>28</sup> The decision of «Bakhchisaray district court» Crimea on 10/04/2016 against Shevket Kaybullaev: [https://bahchisarai--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=doc&number=201409639&delo\\_id=1500001&new=0&text\\_number=1](https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=201409639&delo_id=1500001&new=0&text_number=1)

<sup>29</sup> The decision of «Bakhchisaray district court» Crimea on 10/04/2016 against Bekir Mamutov: [https://bahchisarai--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=doc&number=201409630&delo\\_id=1500001&new=0&text\\_number=1](https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=201409630&delo_id=1500001&new=0&text_number=1)

<sup>30</sup> The decision of «Bakhchisaray district court» Crimea on 10/14/2016 against Emine Avamileva: [https://bahchisarai--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=201190831&result=1&delo\\_id=1500001](https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=201190831&result=1&delo_id=1500001)

<sup>31</sup> The decision of «Bakhchisaray district court» Crimea on 10/19/2016 against Abduraman Egiz: [https://bahchisarai--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=201191047&result=1&delo\\_id=1500001](https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=201191047&result=1&delo_id=1500001)

<sup>32</sup> The decision of «Bakhchisaray district court» Crimea on 10/24/2016 against Dilyaver Akiyev: [https://bahchisarai--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=201190825&result=1&delo\\_id=1500001](https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=201190825&result=1&delo_id=1500001)

<sup>33</sup> <https://www.facebook.com/nariman.dzhelalov/videos/vb.100001616084112/1266733453390512/?type=2&theater>



## **FREEDOM OF MOVEMENT AND THE ISSUES CONNECTED WITH THE CHECKPOINT PASSING**

In the afternoon on 18 October the border guards of the Russian Federal Security Service detained Crimean Tatar **Shevket Velilyaev** at the «Chongar» checkpoint. His wife Anna Velilyaeva said to CHRG that her husband spend more than 4 hours with Russian Federal Security Service. His documents and cell phone were temporarily seized. In this case, the Russian Federal Security Service officers are required to file a report, but the report was not made. After four hours of detention Velilyaev was released, and he went home to Bakhchisarai.

On 19 October, **Archbishop of Simferopol and Crimea of UOC-KP Kliment** reported that the Russian border guards kept him at the checkpoint for an hour, without explaining the reason for such detention<sup>34</sup>.

<sup>34</sup> <http://voicecrimea.com.ua/main/mainnews/vladika-kliment-moye-zatrimannya-na-krimskomu-kordonni-nagaduye-situaciyu-z-dzhemilyevim-chubarovim-ta-shukurdzhiyevim.html>



## VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

### FORCIBLE TRANSFER OF THE POPULATION

In violation of Article 49 of the Geneva Convention IV (the Protection of Civilian Persons in Time of War), the Russian authorities continue to move Ukrainian citizens against their will from the pre-detention centres on the territory of Crimea to the corrections facilities on the territory of the Russian Federation. According to the expert of the Regional Centre for Human Rights, lawyer Roman Martynovskiy, only for the period of the occupation of Crimea not less than 2200 detained citizens of Ukraine, 240 women among them, were moved in the correctional institutions of Russian Federation<sup>35</sup>.

In addition, according to the expert's information, a citizen of Ukraine, **Valeriy Kerimov** (born in Genichesk) died on 8 September 2016 in the colony number 1 of the Republic of Adygea (Russia). He was transferred to the Russian colony from the detention facility of Crimea. He was sick with hepatitis and tuberculosis; he was not provided with medical assistance in time as a result of what he died. Another citizen of Ukraine **Sergey Glinyanyk** from Sevastopol died on 30 August 2016 in Simferopol pre-detention centre number 1 due to lack of medical care. There are serious fears for the lives of the other two citizens of Ukraine. **Yuri Sayenko** is in the correctional institution-2 in Rostov-on-Don, and **Leyla Huseynova** — in Simferopol pre-detention centre. Both prisoners were found HIV and hepatitis; they are in urgent need of medical care.

### COERCION TO SERVE IN THE RUSSIAN MILITARY FORCES

The autumn conscription campaign to the Russian armed forces started in Crimea. According to official statements by the de facto authorities it is planned to encourage the 1,500 residents of Crimea to the army of the Russian Federation in the course of the campaign. Crimean residents drafted in the Armed Forces as part of the recruiting campaign will serve in the territory of Crimea. But starting from the spring of 2017 Crimean residents will perform military service on the territory of the Russian Federation. «Military Commissar» of Crimea Anatoliy Maloletko said that a criminal case for evading conscription into the Russian army was opened in respect of one of the residents of Crimea<sup>36</sup>.

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<sup>35</sup> <https://hromadskeradio.org/programs/kyiv-donbas/peremeshchenie-zaklyuchennyh-iz-kryma-v-rf-voennoe-prestuplenie-martynovskiy>

<sup>36</sup> <http://www.c-inform.info/news/id/44336>