



CRIMEAN HUMAN RIGHTS GROUP

e-mail: crimeahrg@gmail.com

website: crimeahrg.org

CRIMEAN HUMAN RIGHTS SITUATION REVIEW

Monitoring review of the human rights situation in Crimea

December 2016

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

DETENTIONS

On 9 December, in the Orlovka village near Sevastopol after the Muslim religious service in the local mosque **11 Muslims** were detained and taken to the district police station. Eyewitness, Crimean activist Dilyaver Memetov said that police conducted the detention of Muslims under the pretext of search for persons suspected of committing offenses. All the detainees were fingerprinted and then released, but no grounds for detention were presented¹.

On 13 December, in Shelkino town members of paramilitary formation «Militia of Crimea» caused injuries to two local residents in an attempt to arrest them. Members of this paramilitary formation have decided to arrest two men, who were, in their words, in a state of alcoholic intoxication. Members of such groups have the right to detain people only with the assistance of a police officer. During this arrest members of the «people's militia» used violence and attacked the men's faces. Injured residents asked for forensic medical examination of the received beatings and filed a statement of crime to the police. However, victims are afraid that those found responsible of the beating will not be prosecuted because police officers said at the scene that they saw no grounds to initiate a criminal case².

On 15 December, in **Simferopol on the «Privoz» market** officers of Special Forces OMON, as well as unknown people in civilian clothes conducted a series of arrests. People who were unable to show identity documents, or were showing passports of Ukrainian citizens were arrested. The faces of riot policemen were hidden, and people in civilian clothes who participated in the detention, refused to show their documents and didn't name the grounds for detention. The detainees presumably were taken to the district police station³. According to the lawyer Emil Kurbedinov, during this operation by riot police at least five people were detained⁴.

SEARCHES

On 16 December, in Sevastopol officers of Russian Federal Security Service arrived at the place of work of **Igor Movenko**, detained him and confiscated office computer. Then handcuffed Movenko was taken to his apartment, where his wife was, and the search was conducted. During the search, the Russian Federal Security Service officers opened the front door of the apartment with a key, which was confiscated from Movenko. Movenko and his wife were read the court order to conduct a search, but Russian Federal Security Service refused to give a copy of the ruling. The Russian Federal Security Service said that the search was carried out in connection with the fact that Movenko is suspected in distributing of extremist materials. During the search the spouses Igor and Valentina Movenko were forbidden to communicate, but Igor was able to report to Valentina that after the arrest bodily injuries were caused to him.

¹ <http://ru.krymr.com/a/news/28167448.html>

² http://primechaniya.ru/home/news/dekabr_2016/krymskaya_samooborona_zverski_izbila_lyudej_v_shhelkino_foto_video/

³ <https://hromadskeradio.org/news/2016/12/15/omon-ocetil-simferopolskiy-privoz>

⁴ <https://www.facebook.com/emil.kurbedinov/posts/1300382843359643>



During the search laptop, hard drives, home computer, SIM card and mobile phone were confiscated. The search was carried out by 7 people, and was attended by two witnesses. After the search Movenko was taken to the Russian Federal Security Service office in Sevastopol. During the interrogation he was held for several hours without a lawyer, he was forced to confess to the fact of spreading of extremist materials on social networks and he was also threatened with a criminal case.

In the evening on 16 December Movenko was released after questioning, no charges were presented, personal belongings that were seized during the search were not returned.

Movenko connects these actions of the Russian Federal Security Service and the gross violations of his rights with the fact that since September 2016 he strives for the opening of a criminal case in connection with the attack on him. The attack on him was committed in connection with the fact that symbols of Ukraine and Ukrainian volunteer battalion «Azov» were placed on his bicycle. Movenko repeatedly appealed to the Interior Ministry with a request to open a criminal case on the fact of his injuries, but the investigation was not started.



POLITICALLY MOTIVATED CRIMINAL PROSECUTION

«26 FEBRUARY CASE»

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

Regular meetings on the case of Ahtem Chiygozatook place in December. During the hearing the judge continued to listen to witnesses and victims in the case and began its consideration of the evidences — photo and video materials.

On 1 December, the testimony of Valery Gritsay were heard; on 26 February, 2014 he held the position of Head of Research Affairs of Ukraine Public Security Bureau in Crimea. According to him, on that day there was no order to implement the plan of the Ministry of Interior in case of mass riots. Gritsay believes that there were no grounds for that.

On 6 December, testimony of a «secret witness» who testified against Ahtem Chiygoza were heard. Witness name was not announced, but the court reported that he is a member of the presidium of the Mejlis of the Crimean Tatar people⁵.

On 12 December, «Supreme Court» of Crimea extended the detention of Ahtem Chiygoza until 8 April, 2017⁶. On 22 December, «Supreme Court» of Crimea considered the complaint of the defence on the extension of detention and upheld its decision of 12 December 2016.

In December, hearings on the cases on other defendants in the «26 February case» continued — Mustafa Degermendzhi and Ali Asanov (are being held in Simferopol pre-detention centre), Arsene Yunusov, Eskander Kantemirov and Eskander Emirvaliev (are free under surety). Prosecution witnesses were listened at the court hearing.

On 26 December, Ahtem Chiygoza, Ali Asanov and Mustafa Degermendji were visited on pre-detention centre of Simferopol by Valeriya Lutkovskaya — Parliament Commissioner for Human Rights in Ukraine. The visit took place in the framework of bilateral agreements with the Human Rights Ombudsman of the Russian Federation Tatyana Moskalkova.

«HIZB UT-TAHRIR CASE»

As part of the «Hizb ut-Tahrir case» 19 people are in custody — **Ruslan Zeytulaev, Rustem Vaitov, Nuri Primov, Ferat Sayfulaev** (verdict of guilty), **Enver Bakirov, Vadim Siruk, Muslim Aliev, Emir Usein Kuku, Refat Alimov, Arsene Dzhepparov, Enver Mamutov, Remzi Memetov, Zevri Abseitov, Rustem Abiltarov, Teymur Abdullayev, 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 1 December, Vadim Siruk was transferred from the pre-detention facility in Simferopol to the «Crimean Republican clinical psychiatric hospital №1» for forced psychiatric examination⁷.

⁵ <https://www.facebook.com/nariman.dzhelalov/posts/1315171468546710>

⁶ <https://www.facebook.com/nikolay.polozov/posts/1226449060753821>

⁷ <https://www.facebook.com/anna.bogacheva.35/posts/1278255698911974?pnref=story>



On 5 December, «Kiev district court» prolonged detention of Arsen Dzhapparov and Muslim Aliyev till 8 February 2016⁸. The hearing was held without their participation, as both were in a psychiatric hospital for compulsory examination. On 15 December Dzhapparov and Aliyev were transferred from a psychiatric hospital back to the pre-detention centre⁹. On 16 December the judge of «Supreme Court» of Crimea Red'ko Galina upheld the decision on the detention of Muslim Aliyev till 8 February, 2017¹⁰.

On 6 December, the judge of the «Kiev district court» Mozhelyansky Victor extended the detention of Vadim Siruk till 8 February 2017. The lawyer Emil Kurbedinov reported that the meeting was held without the participation of the suspect¹¹. The same day the detention was extended for Uzair Abdullayev, Teymur Abdullayev, Aider Saledinov, Rustem Ismailov, Emil Dzhemadenov and Enver Bekirov¹² to 11 March, 2017¹³. The decision regarding Uzair Abdullayev and Emil Dzhemadenov was issued by the judge of «the Kiev district court» Rube Tatiana Alekseevna; against Rustem Ismailov and Eider Saledinov by Kamynina Valentina Frantsevna, against Teymur Abdulaev by Tihopoy Alexei Alexandrovich.

During the hearing Rustem Ismailov said that in pre-detention centre he is fed with «forbidden in Islam food», in connection with that he has to starve¹⁴.

On 8 December, the judge of «the Kiev district court» Belousov Mikhail extended periods of detention to Emir Usein Kuku and Refat Alimov until 8 February 2017. Hearing of the «court» took place without the participation of the accused, as on that day Emir Usein Kuku was placed in a psychiatric hospital for of compulsory examination¹⁵, and Refat Alimov already was there from 24 November, 2016.

On 15 December, Enver Bakirov was placed in a psychiatric hospital for involuntary psychiatric examination¹⁶, and Remzi Memetov was placed there on 29 December¹⁷. On 30 December Vadim Siruk was transferred back to pre-detention centre after undergoing a psychiatric examination¹⁸.

On 21 December, Uzeyir Abdullayev announced at the hearing of the «Supreme Court» of Crimea that while escorting him from the pre-detention centre to the courthouse Penitentiary Service officers tortured him. He said that «they are carried with their hands tied on the transport floor and beaten during transportation»¹⁹. Later on Aider Saledinov and Rustem Ismailov also stated about torture²⁰.

On 27 December, the hearing of the Supreme Court was held on the case of Ruslan Zeytullaev, Nuri Primov, Rustem Vaitov and Ferat Sayfullaev. The court took the decision to send the case of Ruslan Zeytullaev to the trial court for reconsideration; in respect of the other

⁸ <http://ru.krymr.com/a/news/28157162.html>

⁹ Muslim Aliyev was placed in a psychiatric hospital on November 17, Arsene Dzhapparov — November 24.

¹⁰ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=224281910&delo_id=4&new=0&text_number=1

¹¹ <https://www.facebook.com/emil.kurbedinov/posts/1290611381003456>

¹² https://www.facebook.com/permalink.php?story_fbid=1907922076102200&id=100006532780262

¹³ <https://www.facebook.com/groups/487906314740295/permalink/564497873747805/>

¹⁴ https://www.facebook.com/permalink.php?story_fbid=1903434153218571&id=100006560143339

¹⁵ <https://www.facebook.com/emil.kurbedinov/posts/1292793220785272?pnref=story>

¹⁶ <https://www.facebook.com/photo.php?fbid=706448729523689&set=a.216257595209474.1073741825.100004757052466&type=3&theater>

¹⁷ <http://15minut.org/news/167411-figuranta-dela-hizb-ut-tahrir-remzi-memetova-otpravili-na-prinuditelnuyu-psihiatricheskuyu-ekspertizu>

¹⁸ <https://www.facebook.com/anna.bogacheva.35/posts/1327099064027637>

¹⁹ https://www.facebook.com/permalink.php?story_fbid=1912102195685100&id=100006560143339

²⁰ <http://15minut.org/news/167165-fsb-izbivaet-krymskih-tatar-politzaklyuchennyh-po-delu-hizb-ut-tahrir>



three Muslims court upheld the verdict. Earlier, the lawyers have agreed the recharacterization of the charges for Zeytullaev from Part 1 of Article 205.5 of the Criminal Code of the Russian Federation (organization of activities of a terrorist organization) to Part 2 of Article 205.5 of the Criminal Code of the Russian Federation (participation in a terrorist organization). However, after the decision of the Supreme Court of the first instance court may reclassify the charge against Ruslan Zeytullaev again to Part 1 of Article 205.5 of the Criminal Code. In this case, the term of imprisonment may be increased.

ALEXANDER KOSTENKO CASE

On 30 December, the Supreme Court of the Russian Federation refused to consider the appeal against the sentence of **Alexander Kostenko**. The court found the arguments of the lawyer Dmitry Sotnikov that the search at the home of Kostenko was held with gross violations of the Russian Federation Code of Criminal Procedure insufficient. The court ignored the fact that the witnesses, who were present during the search, have not seen the barrel in the apartment. However, the barrel was presented in the indictment as an evidence of weapons storage. The court did not take into account the acts of torture against Kostenko²¹. Thus, the lawyer used all legal remedies in the system of Russian Federation. Alexander Kostenko intends to file a complaint to the ECHR.

«UKRAINIAN SABOTEURS' CASE»

On 5 December, «the Kiev district court» in Simferopol considered the complaint of lawyer of **Evgeniy Panov** regarding the actions of investigators, which prevented the admission of the lawyer to his client in Lefortovo pre-detention centre (Moscow). Judge Mikhail Belousov (former judge of Ukraine) dismissed the appeal and discontinued the proceedings on the complaint²².

On 5 December the judge of the Lefortovo court of Moscow Kotova Marina Nikolaevna extended the detention of **Evgeniy Panov** and **Andrey Zahtey** until March, 07, 2017²³.

The lawyer of Yevgeniy Panov Dmitry Dinze reported that his client sent the statement about the crime to the Investigation Committee of the Russian Federation — the application of torture for six days after his arrest by the Federal Security Service officers.

On 15 December, prosecutor office of Crimea (Kyiv) reported that criminal proceedings were opened regarding the abduction, torture and deprivation of liberty of a citizen of Ukraine Andriy Zahtey²⁴.

«Kyiv district court» has extended detention period for **Redvan Suleymanov** till 30 January 2017. The charge against him was changed from the Part 1 Article 207 of the Criminal Code of the Russian Federation «false report of an act of terrorism» to the Part 2, Article 207 of the Criminal Code of the Russian Federation «false report of an act of terrorism, which caused large damage or other grave consequences». The investigating authorities believe that the «message», «led to a loss in the amount of 4 million rubles»²⁵.

²¹ https://www.facebook.com/permalink.php?story_fbid=760763824100552&id=100005008243232

²² <http://crimeahrg.org/kryimskiy-sud-prekratil-proizvodstvo-po-zhalobe-o-nedopuske-advokatov-k-panovu/>

²³ https://zona.media/news/2016/05/12/zakh_p

²⁴ http://ark.gp.gov.ua/ua/news.html?_m=publications&c=view&t=rec&id=198542

²⁵ <https://www.facebook.com/emil.kurbedinov/posts/1312575588807035>



On 30 December, «the Leninsky District Court» of Sevastopol extended the detention period for **Dmitry Shtyblikov, Alexei Bessarabov** and **Vladimir Dudka** until 8 March, 2017. The information on these meetings of «court» is missing on the website.

Relatives of Vladimir Dudka appealed to the Commissioner of the Parliament of Ukraine on Human Rights Valeria Lutkovska and to the Commissioner on Human Rights in the Russian Federation Tatyana Moskalkova with a statement of the need of skilled medical help for Dudka. His health is getting worse due to recrudescence of chronic diseases.

Relatives of Dmitry Shtyblikov also approached the Commissioner of the Parliament of Ukraine on Human Rights with a statement that there is reason to fear for the life and health of Shtyblikov. He suffers from chronic diseases which are connected with the injury previously obtained during the service and kidney disease; the appropriate treatment is impossible to be provided in the conditions of the pre-detention centre.

VLADIMIR BALUKH CASE

On 8 December, the Russian Federal Security Service officers raided the homes of Ukrainian activist **Vladimir Balukh** and his mother in Serebryanka village of Razdolnenskiy region. Since 2014 Balukh places Ukrainian flag on the roof of his house. Earlier illegal searches were conducted twice in his house, during which the Ukrainian flag was seized. However, an activist again hung the flag. Also before the last search, on 29 November, he posted a sign «18 Heavenly hundred heroes Street» on the wall of his house (in memory of the victims of civil protesters on Independence Square in Kiev in February 2014).

On 8 December, searches were held for 4 hours with gross violations of the criminal procedural law of the Russian Federation. The activist was locked in a room, and the Russian Federal Security Service without his presence and the presence of his mother examined the attic of the house where allegedly ammunition was found. Individuals, who were witnesses, arrived in advance together with the Russian Federal Security Service. Balukh told the lawyer that as a witness was invited the man who had repeatedly filed denunciations on him.

Among the Russian Federal Security Service officers Alexei Leonov, a former employee of Security Service of Ukraine in Crimea, Aleksandr Lopatin, a former division of MIA of Ukraine employee «Berkut» participated in the search.

After the search Balukh was arrested.

On 9 December, the judge of «Razdolnenskiy District Court» Abelyashev Alexander Vital'evich made the decision to arrest Vladimir Balukh for 72 hours. On 12 December the same judge elected preventive measure in the form of detention for 30 days till 6 January 2017 for the activist²⁶. But on 27 December, the court extended his detention until 5 February 2017 — before the term of detention in the first decision of the court expired.

On 22 December, the judge of «Supreme Court» of Crimea Boris Balakhonov dismissed the protection complaints and upheld the decision to keep Vladimir Balukh in custody. The judge ignored the fact that the search in the house of Balukh was held with gross procedural violations, and the Russian Federal Security Service did not give sufficient grounds to conduct the search to the court. In addition, the judge had no grounds for a preventive measure in the form of detention,

²⁶ Постановление «Раздольненского районного суда» от 12 декабря 2016 года об избрании Владимиру Балуху меры пресечения в виде содержания под стражей, документ: <http://crimeahrg.org/wp-content/uploads/2017/01/2016-12-12-Mera-Presecheniya.pdf>



Balukh and his lawyer provided the necessary information to provide a basis to elect another preventive measure without involving deprivation of liberty. The prosecution did not submit evidence to the court, which would allow drawing a conclusion about the involvement of Balukh in committing the alleged crime.

Numerous violations in Vladimir Balukh case show the fabrication of a criminal case for political reasons against the Ukrainian activist. The right to liberty and security of person, the right to a fair trial, the right to defence, the right to freedom of expression, the right to respect for private and family life are violated in regards to Balukh. Balukh and lawyer believe that the criminal prosecution of Ukrainian is connected with the fact that he publicly expressed the view that Crimea was illegally annexed by Russia and is the territory of Ukraine.



FREEDOM OF SPEECH AND EXPRESSION*

On 22 December the judge of «Supreme Court» of Crimea Balakhonov Boris Lukyanovich dismissed the appeal of the editor of Alushta publication «Tvoja Gazeta» **Alexei Nazimov** on the extension of detention. Nazimov is left in custody until 6 January 2017²⁸. He is suspected of committing an offense under paragraph «B» Part 7, Article 204 of the Criminal Code of the Russian Federation (commercial bribery, extortion). During the meeting, the representative of the prosecution argued the need to extend the period of detention that Nazimov is a media editor, and can have an impact on public opinion. Nazimov reported that within three months of his detention consequently does not carry out the relevant investigation, except of a single examination. He believes that the case was fabricated against him.

OBSTRUCTION OF JOURNALISTIC ACTIVITIES

The accreditation in «Council of Ministers» of Crimea for the journalists of the newspaper «Krymskiy Telegraph» was cancelled and they were banned from attending its events. According to local journalists, the decision was made by Ekaterina Polonchuk who is a press secretary of Sergei Aksenov on the grounds that the publication was publishing photos of «the Council of Ministers» staff with ironic captions on their humour page. Polonchuk believes that in this way the journalists are «biased information on the activities of the authority».

NIKOLAY SEMENA CASE

On 7 December, the investigator of Russian Federal Security Service exhibited a charge to Ukrainian journalist **Nikolay Semena** and handed him a copy of the decision to summon him as a defendant in a criminal prosecution. The journalist was accused 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)²⁹.

ILMI UMEROV CASE

Ilmi Umerov is charged 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.

In Ilmi Umerov case investigators of Russian Federal Security Service take action to cancel his lawyer Nikolai Polozov a defender status. Thus, the investigator of the Russian Federal Security Service Skripka I.A. intended to attract a lawyer of Umerov Nikolai Polozov as a witness in the case of his client. The lawyer appealed against actions of the investigator, and «Kiev district court» of Simferopol invalidated the requirement to involve the lawyer as a witness in the case of the defendant. However, the investigator has appealed this decision, and on 8 November the judge «the Supreme Court» of Crimea Pribylova E.A. satisfied the complaint of the investigator of Russian

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

²⁸ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=251684733&result=1&dello_id=4&new=4

²⁹ <https://www.facebook.com/anton.naumlyuk/posts/1389229234445346>



Federal Security Service Skripka I.A. and attorney Pakula A.R. and sent the case to the trial court for a new trial³⁰.

On 13 December the judge of «the Kiev district court» in Simferopol Mozhelyansky Victor Anatolievich decided to draw Nikolai Polozov as a witness in the case of Ilmi Umerov where Polozov is a lawyer³¹. Nikolai Polozov filed a complaint against this decision. On 15 December Russian Federal Security Service investigator intended to give the lawyer summons for questioning, but Polozov refused to sign the summons and explained his actions by saying that the court's decision has not come into force³².

The fact of trying to attract a lawyer in this case as a witness is a gross violation of international standards for the protection of advocacy and norms of the Russian legislation, which are de facto applied in Crimea. Thus, the actions of investigators and judges violate Article 8 of the Federal Law of the Russian Federation «On Advocacy and the Legal Profession in the Russian Federation» and Part 3 Article 56 of the Code of Criminal Procedure of the Russian Federation. The rules forbid the questioning of the lawyer on circumstances that became known to him in connection with the provision of legal aid to the defendant. Polozov believes that in this way the investigators are trying to deprive Ilmi Umerov a defender as the questioning of the lawyer as a witness in the same case deprives him of the status of the defence in the future.

On 19 December the judge of «the Kiev district court» in Simferopol Mikhail Belousov upheld the refusal of Russian Federal Security Service investigators to grant Ilmi Umerov and his lawyers a copy of the linguistic expertise. This examination was carried out by representatives of the Federal Security Service and concluded that the statements of Umerov on APR TV channel contain elements of extremism. But they refused to provide a copy of the examination. The charges are based on this examination, but the refusal to provide a copy deprives lawyers from defending Ilmi Umerov fully³³. These actions of investigators and court violate Umerov's rights to a fair trial and an effective remedy.

Russian Federal Service for Financial Monitoring putted Ilmi Umerov in the «list of terrorists and extremists»³⁴. The presence of the person in this list imposes a significant limitation in conducting financial transactions. Thus on 29 December Ilmi Umerov reported that he could not pay the fine imposed by «Bakhchisaray district court» for participation in the meeting of the Mejlis of the Crimean Tatar people. Banking institutions refused Umerov in making payments on his behalf³⁵.

³⁰ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=218391442&delo_id=4&new=4&text_number=1

³¹ <https://www.facebook.com/nikolay.polozov/posts/1231062366959157>

³² <https://www.facebook.com/nikolay.polozov/posts/1231100646955329>

³³ <https://www.facebook.com/ayshe.umerova/videos/1207261959311626/>

³⁴ <http://fedsfm.ru/documents/terrorists-catalog-portal-act>

³⁵ https://www.facebook.com/permalink.php?story_fbid=1896610123917185&id=100007046477228



FREEDOM OF PEACEFUL ASSEMBLY

On 6 December, the judge of «Bakhchisaray district court» Nikishchenko Marina Igorevna adjudged **Enver Sherfiea** guilty of an offense under Part 6.1. Article 20.2 of the Administrative Code of the Russian Federation (violation of the established order of organizing or holding meetings, rallies, demonstrations, marches or picketing). He was sentenced to a fine of 15,000 rubles³⁶. On 12 May, 2016 Schershnev came to the «Salachik» cafe in Bakhchisaray during the detentions of Muslims in connection with the «Hizb ut-Tahrir case», to support the relatives of the detainees. This fact the court regarded as participation in an unsanctioned meeting. Earlier, the judge Nikishchenko appointed penalties for the same «offense» to the other inhabitants of Bakhchisarai: Marlen Asanov, Emin Belyalov, Emil Belyalov and Seyran Saliev.

On 12 December, activist **Sergey Akimov**, which organized on a single picket, and **Ilya Bolshedvorov**, who filmed this action on camera were detained on Lenin Square in Simferopol by the police. Earlier Simferopol administration banned the picket of Akimov named «For Russia, for the Constitution». In this regard, he went to the square for a single action. During the arrest, police Lieutenant-Colonel Nikitin motivated his actions this way: as one man stands with a sign, and the second is video footing at a distance of less than 50 meters from him, it is regarded as a mass event³⁷. The detainees were taken to the police department, where the reports on the violation of the order of holding mass events were drawn.

On 14 December, «the Kiev District Court» of Simferopol dismissed the charges from Anna Shaulsky who was the participant of the rally that didn't take place «Cheated Crimea». The judge ordered the absence of elements of an offense in her actions³⁸.

On 15 December and 22 December, «Supreme Court» of Crimea considered the complaints of participants of so-called «Sudak Four» **Seytumet Suytumerov, Enver Chavush, Alim Muslyadinov** and **Ablyakim Ablyakimov**. The court decided to reduce the size of the previously set fine up to 10,000 rubles. On 18 May, on the Day of Remembrance of the victims of the deportation of the Crimean Tatars, four Crimean Tatars were arrested in Sudak. They were driving in Sudak by cars with Crimean Tatar symbols. Police drawn up protocols for committing an administrative offense under 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». Initially, «Sudak City Court» has recognized four of the Crimean Tatars as not guilty in «organizing an unsanctioned mass event,» but «the Supreme Court» upheld the Crimean police appeal and returned the case to the trial court. During re-hearing «Sudak City Court» recognized activists guilty and sentenced to a fine in the amount of 20,000 rubles each. The activists filed a complaint against this decision to the «Supreme Court» of Crimea.

³⁶ https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=225162409&dello_id=1500001&new&text_number=1

³⁷ <https://www.youtube.com/watch?v=ipMFsnRqjA>

³⁸ <https://www.youtube.com/watch?v=9ivyGnBoQyU>



FREEDOM OF MOVEMENT AND ISSUES RELATED TO CHECKPOINTS PASSING

On 14 December, the Supreme Court of the Russian Federation upheld the ban on entry into the territory of the Russian Federation in respect to the member of parliament of Ukraine Mustafa Dzhemilev. This prohibition deprives Mustafa Dzhemilev opportunity to enter Crimea, as Russian ban applies to Crimea. Mustafa Dzhemilev intends to file a complaint to the ECHR.

Russian border guards denied **Leonid Kolesnikov** to exit the territory of Crimea. Earlier, Kolesnikov lived in Crimea, but after 2014 he moved to mainland Ukraine. During this time, in Crimea by the currently de facto acting Russian legislation arrears of maintenance obligations formed. He came to Crimea in December and paid the debt. However, information on debt repayment was not shown in the Russian border service database. Kolesnikov was not allowed to leave Crimea, despite the fact that he presented documents for payment of maintenance obligations. He was forced to stay in Crimea and has to wait for information about repayment of debt to appear in the Russian Federation Border Service database³⁹.

³⁹ <http://kerch.fm/2016/12/27/ukrainca-kotoryy-imeyul-zadolzhennost-po-alimentam-ne-vypustili-iz-kryma.html>



VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

FORCIBLE TRANSFER OF THE POPULATION

In violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, the Russian authorities continue to move the citizens of Ukraine and other persons at the occupied territory against their will from Crimea to the detention centres in Russia.

The citizen of Ukraine **Valery Makarov** has been moved from Crimea in the penal colony №1 of the Republic of Adygea (Russian Federation) to serve his sentence. Previously, «Armenian Town Court» of Crimea sentenced him to 12 years in prison. Lawyer of the Regional Centre for Human Rights, Sergei Mokrenyuk reported that Makarov was in urgent need of medical care. However, in the colony in the territory of the Russian Federation such assistance is not provided to him; in connection with this fact he began a hunger strike⁴⁰.

Crimean Tatar activist **Nedim Khalilov** was deported from Crimea and placed in an institution of temporary detention of foreign nationals in the Krasnodar region (Russia). To show his protest on 21 November, he announced a partial hunger strike demanding to return him to Crimea and to provide stateless status. His health worsened due to hunger strike. During the hunger period he has lost about 15 kg of weight and his weight was about 50 kg; necessary medical care is not provided to him.

On 29 December information was received that Khalilov was transferred to an institution in the Gulkevichi village in Rostov region⁴¹.

THE REVIEW WAS PREPARED BY:

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

Vissarion Aseev, *analyst of the Crimean Human Rights Group;*

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

⁴⁰ https://humanrights.org.ua/ru/material/u_rosiji_ukrajincja_zaprotorili_v_shtrafnij_izoljator_pislja_jogo_vimog_nadati_medichnu_dopomogu

⁴¹ <http://ru.krymr.com/a/news/28203398.html>