



CRIMEAN HUMAN RIGHTS GROUP

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CRIMEAN HUMAN RIGHTS SITUATION REVIEW

Monitoring review of the human rights situation in Crimea

February 2017

This monitoring review was prepared
by the Crimean Human Rights Group
on the basis of materials collected
in February 2017

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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 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 17 February, it became known that the employees of the Border Department of the Federal Security Service of the Russian Federation detained a citizen of Ukraine, a resident of Dzhankoy, a 19-year-old **Seit-Ibrahim Zaitullayev**. The border guards reported that he was trying to cross the “border” bypassing the checkpoint and when he was examined a certificate of the participant of the civil formation “Asker” was found¹. A criminal case was started in relation to Zaitullayev according to part 1 of Article 322 of the Criminal Code of the Russian Federation “Illegal crossing of the state border of the Russian Federation”.

Russian media referring to the FSB of the Russian Federation published a video of Zaitullayev's detention, where he says that he was going to his girlfriend in Dzhankoy. Russian media called him a Ukrainian saboteur, despite the fact that he was not charged with articles on sabotage. There was also a video of the staging interrogation of Zaitullayev, where he says that he was trained in sabotage activities in the Asker battalion².

Zaitullayev's mother Lilia reported that Seit-Ibrahim Zaitullayev was detained on the night of 9 to 10 February, being kept in pre-detention facility No. 1 of Simferopol and he was assigned a lawyer³.

CHRG found out that on 11 February, the judge of the “Kiev District Court” of Simferopol, Tatyana Rube, appointed Seit-Ibrahim Zaitullayev a preventive measure in the form of detention for a period of 1 month. “Judge” Rube referred to the availability of some operational data about the alleged involvement of the Crimean resident in illegal activities, but she did not indicate any specific facts. During the trial, the judge violated Zaitullayev's right to defence, forbidding the lawyer to communicate with his client⁴. On 28 February the Judge Alla Nikolaevna Khinkevich upheld Tatiana Rube's decision⁵. According to the lawyer, the judge justified her decision by the fact that the accused is a citizen of Ukraine and for this reason may abscond from the investigation.

ARRESTS

On 21 February, in the Kamenka village the search was conducted in the house of **Marlen Mustafayev**⁶. During the search, the house and the adjacent territory were surrounded by the officers of the Ministry of Internal Affairs and Special Police Force units⁷. Mustafayev's wife, his mother and a child of 4 months of age were present in the house. After the search, Mustafayev was taken to the Interior Ministry's Centre for Combating Extremism (Centre E).

¹ <http://tass.ru/proisshestiya/4033679>

² <https://ren.tv/player/167573>

³ <http://krymsos.com/ru/news/zatrimanii-v-krimu-zaitullayev-vzhe-bilshe-tizhny-perebuvaye-v-sizo/>

⁴ <http://crimeahrg.org/zaitullayev-zaderzhannyiy-fsb-pri-popyitke-popast-v-kryim-zaklyuchen-pod-strazhu-do-9-marta/>

⁵ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=360293158&result=1&delo_id=4&new=4

⁶ <https://www.facebook.com/photo.php?fbid=1473502746017994>

⁷ <https://www.facebook.com/100006560143339/videos/1944436555784997/>



In addition, the Interior Ministry officers detained 10 local residents who came to Mustafayev's house and intended to document the events⁸. The formal grounds for the detention of **Remzi Bekirov, Osman Arifmemetov, Riza Izetov, Ruslan Suleymanov, Seran Murtazayev, Alim Karimov, Abyakim Abdurakhmanov, Medzhit Abdurakhmanov, Enver Tasinov, Valery Grigor** were that police officers regarded their actions as a violation of the legislation on mass events — an unauthorized meeting.

Marlen Mustafayev was found guilty of committing an administrative offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation “Demonstration of the symbolism of an extremist organization” for the publication on the Internet in which were present the symbols of Hizb ut-Tahrir. The judge of the Kyiv District Court Viktor Mozhelyansky ordered an 11-day administrative arrest. It is important to note that the protocol on administrative violation was compiled by Ruslan Shambazov⁹ which is the employee of the Centre E, who repeatedly drafted protocols for Ukrainian and Crimean Tatar activists. The judge rejected the petition of the lawyer Emil Kurbedinov about the presence of the prosecutor, interrogation of a specialist who recognized the materials posted by Mustafayev as extremist¹⁰.

10 people who were detained near the house of Mustafayev were found guilty of violating Article 20.2. of Administrative Code of the Russian Federation. They were sentenced to administrative detention for a period of 5 days. Lawyer Emil Kurbedinov said that his clients had stated that after the detention from morning till late evening they intentionally were not given food and drink by the employees of the Ministry of Internal Affairs. In addition, for a long time the detainees were in a vehicle that was not heated. Valery Grigory said that he was beaten in the car by members of the Interior Ministry¹¹. The court ignored these circumstances and statements.

On 1 February, the “Supreme Court” of Crimea considered the complaints of **Emil Kurbedinov** and his lawyer Konstantin Rustemov against the decision of the “Railway District Court” of Simferopol to arrest Kurbedinov on 26 January. Judge Pavlovsky Evgeny Gennadyevich refused to satisfy complaints and upheld the decision. In addition, the judge refused to satisfy the defence petition about the presence of Emil Kurbedinov at the court session. The judge explained his decision with the “terrorist” nature of the crime, which contradicts the charge against Kurbedinov¹².

On 5 February, after serving 10 days of administrative arrest, Emil Kurbedinov was released.

On 17 February, equipment that was seized during a search on 26 January in the house of Kurbedinov and in the office of lawyers was returned to the lawyers Emil Kurbedinov and Edem Semydyaev¹³.

On 7 February, after serving 12 days of administrative arrest, **Seyran Saliev** was released. He was arrested on 26 January, same as Emil Kurbedinov. Seyran Saliev served an administrative arrest in the temporary detention facility of Bakhchisaray.

Seyran Saliev's defence appealed both decisions of the Bakhchisaray District Court from 26 January (charges under two articles of the Administrative Code of the Russian Federation)

⁸ <https://www.facebook.com/photo.php?fbid=1473551302679805>

⁹ <https://www.facebook.com/anton.naumlyuk/posts/1473701662664769>

¹⁰ <https://www.facebook.com/emil.kurbedinov/posts/1365679486829978>

¹¹ <https://www.facebook.com/emil.kurbedinov/posts/1365950106802916>

¹² <https://www.facebook.com/n.sheikhmambet/posts/1345147098894116>

¹³ <https://www.facebook.com/anton.naumlyuk/posts/1468379993196936>



in the Supreme Court of Crimea. On 4 February, Judge Mostovenko Natalia Rudolfovna upheld the decision on Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation¹⁴. On 8 February, Tymoshenko Yekaterina Grigoryevna, upheld the decision under Article 2.29 of the Administrative Code¹⁵.

On 8 February, according to the mother of Seyran Zudia Saliyeva, the FSS officers came to their house to talk with Saliev. Saliev considers such a visit as pressure on him and his family, and also as a threat to further persecution. In this regard, he had to leave Crimea.

¹⁴ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=279514130&delo_id=1502001&new=0&text_number=1

¹⁵ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=280080216&delo_id=1502001&new=0&text_number=1



POLITICALLY MOTIVATED CRIMINAL PROSECUTION

«26 FEBRUARY CASE»

«The case of 26 February» was divided into two processes. The first one takes place in the Crimean Supreme Court regarding the case of the deputy head of the Mejlis of the Crimean Tatars, **Akhtem Chyigoz** (in custody) as the «organizer of the riots» near the Crimean parliament, the second in the «Central District Court of Simferopol» regarding the case of the other defendants (**Ali Asanov and Mustafa Degermenji** are in custody, with regard to **Eskender Katemirov, Eskender Emirvaliev and Arsen Yunusov**, a preventive measure — personal guarantee — was chosen) as «participants in mass riots».

On 2 February, during the hearing on the case of Akhtem Chyigoz, the evidence of the prosecution witness Enver Arpatly was heard. He was the head of the Alushinsky regional Mejlis in late February 2014. Arpatly reported that Chyigoz and the management of the Mejlis did not plan the organization of mass riots. According to him, the responsible for organizing the rally in February 2014 was not Akhtem Chyigoz, but Zaur Smirnov, who is a member of the government of Sergei Aksenov at the moment. The witness insisted that the investigator and the prosecutor, during the drawing up the record of his interrogation, changed the meaning of the testimony given by him¹⁶. The testimony of Arpatly in court refutes the previously given testimony of Sergei Aksenov and «secret» witness against Akhtem Chyigoz.

On 6 February, the defence filed a petition to change the measure of restraint against Akhtem Chyigoz, as the prosecution did not provide evidence of Chyigoz's culpability. However, the judge Zinkov Viktor Ivanovich dismissed the petition and left Chyigoz in custody until 8 April, 2017.

In February, the «Central District Court» of Simferopol continued the consideration of the case against Mustafa Degermenji, Ali Asanov, Eskender Kantemirov, Eskender Emirvaliev and Arsen Yunusov.

«HIZB UT-TAHRIR CASE»

19 people are being imprisoned regarding the «Hizb ut-Tahrir case»: **Ruslan Zeitulayev, Rustem Vaitov, Nuri Primov, Ferat Sayfulaev (convicted), Inver Bekirov, Vadim Siruk, Muslim Aliyev, Emir-Usain Kuku, Refat Alimov, Arsen Jepparov, Enver Mamutov, Remzi Memetov, Zevri Abseitov, Rustem Abil'tarov, Teymur Abdullayev, Rustem Ismailov, Aider Sabedinov, Uzeir Abdullayev and Emil Jemadenov** (in custody). They are accused of Part 1 of Article 205.5 of the Criminal Code of the Russian Federation (Establishment 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). Later, some of the defendants were also charged under article 278 of the Criminal Code of the Russian Federation (Forcible seizure of power or forcible retention of power).

On 2 February, the judge of the Kyiv District Court of Simferopol Tsykurenko Anton Sergeevich prolonged the detention of Arsen Dzepparov and Refat Aliyev until 8 April, 2017. During the hearings, the suspects were kept in a cage, despite the lawyer's request¹⁷. The lawyer Edem Semedlyayev reported that new accusations appeared: to the charges under article 205.5 (participation in the activities of an organization recognized as terrorist in the Russian Federation), accusations under article 278 of the Criminal Code (forcible seizure of power) were added.

¹⁶ https://soundcloud.com/hxplh8qjgg54/witness-arpatly?utm_source=soundcloud&utm_campaign=share&utm_medium=facebook

¹⁷ <https://www.facebook.com/n.sheikhmambet/videos/1346252195450273/>



On 3 February, the “Supreme Court” of Crimea extended the terms of detention of Emir-Usain Kuku, Muslim Aliyev, Inver Bekirov and Vadim Siruk until 8 April, 2017. With regard to Emir-Usain Kuku and Muslim Aliyev, the decision was made by Judge Lebed Oleg Dmitrievich, against Inver Bekirov and Vadim Siruk — by the judge Karavaev Konstantin Nikolaevich. The interrogator Makhneev S.V.¹⁸, interrogated for prolongation of terms for four Muslims. On 17 February, the Crimean Supreme Court (consisting of judges Slezko Timur Vasilevich, Elena Spasenova, Natalia Evgenievna Cherevatenko) dismissed the defence’s appeal against the decision to extend the detention of Syruk, Bekirov and Aliyev¹⁹. On 21 February, a similar decision was taken against Emir-Usain Kuku. During the hearing, Kuku said that he was being fed pork in the pre-detention centre, which he could not eat as a Muslim²⁰.

On 21 February, the “Supreme Court” of Crimea considered appeals for the extension of the terms of detention of Enver Mamutov, Rustem Abil’tarov, Zevri Abseitov, Remzi Memetov. The judge Pogrebnyak Sergey Nikolayevich left them in the pre-detention centre until 12 April, 2017.

It is important to note that after the FSS added article 278 of the Criminal Code of the Russian Federation to the Hizb ut-Tahrir case, the decisions on extending the terms of detention and appeals against such decisions are heard in the same place — in the “Supreme Court” of Crimea.

On 7 February, it became known that Nuri Primov was taken to the correctional facility number 5 in the Mari El Republic (RF) for serving his sentence²¹. On 17 February, Rustem Vaitov’s mother reported that Rustem Vaitov arrived in the colony No. 1 of Kurgan town of the Kurgan region of the Ural Federal District of the Russian Federation²². Nuri Primov and Rustem Vaitov were sentenced to 5 years imprisonment in a general regime colony. Information about the location of Ferat Sayfullaev is not yet available. Ruslan Zeytullaev continues to be in the pre-trial detention centre in Rostov-on-Don (RF) in connection with the review of the case.

On 13 February, in the North Caucasus District Military Court in Rostov, the first session was held regarding the Zeytullayev case, which was returned for reconsideration. According to the lawyer Emil Kurbedinov²³, Zeytullaev was led into handcuffs that were fastened behind his back in such a way that he was forced to move bent. The petition of the defence against the inadmissibility of using special methods during the attachment into the courtroom and from the courtroom by the convoy’s officers and keeping of Zeytullaev in the cage during the trial was rejected. The court also rejected Zeytullayev’s petition for the removal of the prosecutor and the appointed lawyer.

Lawyer Emil Kurbedinov reported that Zeytullaev’s health is getting worse, and he needs medications. However, members of staff of the pre-detention centre in Rostov obstruct the representatives of the Ukrainian consul in organizing medical assistance and visiting of Zeytullaev²⁴.

On 22 February, according to the wife of Rustem Fatima Ismailova, Rustem Ismailov and Aider Saedinov were placed in a psychiatric clinic for compulsory examination²⁵.

¹⁸ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=03.02.2017

¹⁹ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=17.02.2017

²⁰ <https://www.facebook.com/photo.php?fbid=1472709859430616>

²¹ <https://www.facebook.com/photo.php?fbid=10212058369320667>

²² <http://krymsos.com/ru/news/zasudzhenii-u--spravi-khizb-uttakhrir--rustem-vayitov-pribuv-v-koloniyu-v-kurgani/>

²³ <https://www.facebook.com/emil.kurbedinov/posts/1357818680949392>

²⁴ <https://www.facebook.com/emil.kurbedinov/posts/1357884464276147>

²⁵ <https://www.facebook.com/photo.php?fbid=989359887862149>



THE ANDREI KOLOMIETS' CASE

On 23 February, the political prisoner Andrei Kolomiets was sent to the penal isolation ward for 5 days. His wife Galina Kolomiets (Zalikhanova) informed the CHRG that the reason for the punishment was that fact of smoking in the wrong place. With regard to the Ukrainian, it is the second time they use the punishment in the form of placement in the punishment cell in Colony No. 14 in the Krasnodar Territory (RF). According to his spouse, Andrei Kolomiets's state of health worsened — the disease with psoriasis is progressing.

«UKRAINIAN SABOTEURS' CASE»

On 10 February, Evgeny Panov's mother Vera Kotelyanets was denied a visit to her son in the pre-detention centre²⁶. Investigator of the FSB of the Russian Federation Konstantin Selivanov (formerly an employee of the Security Service of Ukraine) motivated the refusal by saying that giving visits to relatives "is the right, but not the duty of the investigator". Panov's relatives reported that for all the time the Ukrainian was in the Lefortovo detention centre in Moscow, relatives were never allowed to meet with Panov.

The lawyer of Andrei Zakhitei Ilya Novikov reported that his client was brought pressure in the Russian pre-detention centre. He is pushed to testify against another figure of the "case of Ukrainian saboteurs" Evgeny Panov, in exchange for which he is promised that the term of imprisonment would be reduced to 5 years²⁷.

On 15 February, Ilya Novikov, a lawyer, reported that Andrei Zakhitei and Yevgeny Panov had been sent to Crimea, to the pre-detention centre of Simferopol²⁸.

On 16 February, the Kyiv District Court of Simferopol extended the detention term of Redvan Suleymanov until 20 March 2017²⁹.

THE VLADIMIR BALUKH' CASE

On 3 February, the judge of the Razdolnensky District Court, Alexander Abelyashev, extended the measure of restraint in the form of detention for another month, until 4 March, to Ukrainian activist Vladimir Balukh. During the court hearing, Balukh was taken from the Simferopol pre-detention centre.

On 14 and 15 February, hearings of the "Supreme Court" of Crimea were scheduled to review appeals of defence against the decisions of "Razdolnensky District Court" of 27 December and 3 February on the extension of the detention of Balukh. However, the hearings did not take place. The court reported that it sent the materials of the appeals to the court of first instance. Consideration of complaints was held on 28 February. Judge Slezko Timur Vasilyevich rejected both complaints of the defence and left Balukh in custody³⁰.

Vladimir Balukh reported the lawyer that he continues to suffer from kidney disease, and because of poor quality of food in the pre-detention centre stomach diseases began to develop.

²⁶ <http://crimeahrg.org/wp-content/uploads/2017/02/otkaz.jpg>

²⁷ <https://styler.rbc.ua/rus/zhizn/ilya-novikov-v-rossii-horoshio-izvestno-putin-1486988599.html>

²⁸ <https://www.facebook.com/Ilya.S.Novikov/posts/10207037040604240>

²⁹ <https://www.facebook.com/anton.naumlyuk/posts/1467211866647082>

³⁰ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=360293201&result=1&delo_id=4&new=4



FREEDOM OF SPEECH AND EXPRESSION*

On 24 February, the scientist Guriy Korniliev, who lives in Yalta, was summoned over the telephone for the questioning at the border guard department of the FSB in Simferopol. When summoning for interrogation and during conducting of the interrogation, the FSB officer repeatedly violated the procedural norms of Russian legislation (de facto acting in Crimea). Korniliev told the CHRГ that the officer that was calling did not identify himself and did not name the reasons for calling for an interrogation. He also refused to introduce himself during the interrogation on 27 February, referring to the “secrecy” of his position. Korniliev was asked questions about the sports he was involved in, the suitability for service in the army, the presence of acquaintances among Ukrainian military and law enforcement officers, trips to Ukraine, participation in the Maidan events in Kiev in 2013-2014 and other Ukrainian rallies, the reasons for the rejection from the Russian passport, about the possibility of “transferring scientific information to the mainland via the Internet” at work and the purposes of using the Internet at the workplace.

These actions of FSB officer Korniliev connects with the rejection from the Russian citizenship in Crimea and the statement of an open pro-Ukrainian position. So, in 2014, Korniliev informed his colleagues, scientists from Russia and the Customs Union countries, in writing that in Crimea there is an open military intervention by Russian troops³².

OBSTACLE OF JOURNALISTIC ACTIVITY

On 16 February, police officers in Simferopol detained a film crew of the Ukrainian STB television channel: Alena Lunkova, Andrei Shurin, Sergei Sivko, Vitaly Kikot and journalist of Gromadske Radio **Irina Romaliskaya**. They were detained during a survey of local residents on various social topics on K. Liebknecht Street. Police officers spent an hour checking documents of journalists, after which they were released without drafting protocols³³. On 18 February, journalists reported that they were again detained. They were interviewed, photographed and fingerprinted, and then released³⁴.

On 20 February, the “Supreme Court” of Crimea denied the motion of the «**France 24**» TV channel, thus prohibiting videotaping during the trial of the case of Ahtem Chygoz. The judges referred to the fact that videotaping may violate the rights of the participants in the trial — witnesses, representatives of the prosecution and others. At the same time, the court ignored the position of the defence that journalists can place the equipment so as they wouldn't film the other participants in the trial, except for the defendant.

On 16 and 21 February, the judges of the Kyiv District Court of Simferopol ignored the petition of journalist **Anton Naumlyuk** to conduct photo and video filming during the meetings.

THE NIKOLAI SEMENA' CASE

On 28 February, a preliminary hearing was held in the Zheleznodorozhny District Court of Simferopol regarding the case of journalist **Nikolai Semena**. He is charged under part 2 of Article 280.1 of the Criminal Code of the Russian Federation (Public calls for actions aimed at violating the territorial integrity of the RF). According to investigators, the journalist “prepared an article

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

³² <http://crimeahrg.org/uchenogo-iz-yaltyi-v-fsb-doprashivali-o-svyazyah-s-ukrainoy/>

³³ <https://www.facebook.com/crimeaahrg/posts/1853904744895158>

³⁴ <https://www.facebook.com/lunkovaalyona/posts/10207097998042783>



“The blockade is the necessary first step towards the liberation of Crimea”, in which appeals to violate the territorial integrity of the Russian Federation were found³⁵.”

Lawyer Sabinin filed a petition for the return of the case for the correction of the errors of the investigation. According to the lawyer, the linguistic examination was not carried out correctly, because the expert gave a legal, not linguistic, evaluation of Semena's text, which is inadmissible³⁶.” On 20 March it is planned to consider the case on the merits.

THE ILMU UMEROV' CASE

Iلمي Umerov is charged under part 2 of Article 280.1 of the Criminal Code of the Russian Federation “Public appeals for the implementation of actions aimed at violating the territorial integrity of the Russian Federation, committed using information and telecommunication networks (including the Internet)” for his public statements that Crimea is the territory of Ukraine. Investigators of the FSS take action to deprive his lawyer Nikolai Polozov of the status of a defender in this case by bringing in a lawyer Polozov as a witness in the case of his client.

Nikolay Polozov filed a complaint against the actions of the FSS investigator, who intends to attract him as a witness³⁷. The actions of FSS investigators are a gross violation of international standards for the protection of advocacy, the law “On advocacy and advocacy in the Russian Federation” and the Code of Criminal Procedure.

On 14 February, the “Supreme Court” of Crimea rejected the appeal of Polozov against the decision of the judge of the Kyiv District Court Viktor Mozhelyansky, which allows investigator of the FSS of Russia Igor Skripka to interrogate Polozov as a witness in the case of Iلمي Umerov. Judge Latynin Yuri Anatolyevich presided at this meeting³⁸.

“Supreme Court” of the Crimea refused to consider the appeal of Iلمي Umerov to the decision of Judge Mozhelyansky. According to the court, the involvement of the lawyer Polozov as a witness in the case, in which Umerov is accused, “does not affect his rights” (Appendix 1). However, in this situation Umerov loses his defender.

THE SULEIMAN KADYROV' CASE

Investigator of the FSS of the Russian Federation Konstantin Selivanov extended the term of the preliminary investigation into the case of a member of the regional Mejlis in Feodosia **Suleiman Kadyrov** until 7 April, 2017. A criminal case has been initiated 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 violating the territorial integrity of the Russian Federation, committed with the use of the media or electronic or information and telecommunications networks (including the Internet).”

The extension of the investigation period is connected with the additional psychological-linguistic expertise, appointed in January 2017. The results of the first examination carried out showed that Suleiman Kadyrov's comments in the social network are not an appeal, but an acceptance of the actions of the Crimean Tatar battalion “Asker”³⁹. However, investigators do not agree with such conclusions and have appointed additional expertise.

³⁵ <https://www.facebook.com/emil.kurbedinov/posts/1332646720133255>

³⁶ <http://ru.krymr.com/a/news/28338484.html>

³⁷ <http://ru.krymr.com/a/news/28284886.html>

³⁸ <https://www.facebook.com/nikolay.polozov/posts/1291177684280958>

³⁹ <http://ctrcenter.org/ru/news/347-sulejmanu-kadyrovu-prodlili-srok-predvaritelnogo-sledstviya-do-7-aprelya-2017-goda>



FREEDOM OF PEACEFUL ASSEMBLY

On 6 February, police detained activist **Sergei Bolshedvorov**, who held a solitary picket “Stolen Simferopol — The Shame Board” in Simferopol. The activist protested against the actions of the “head” of the administration of Simferopol Gennady Bakharev. **Sergey Akimov** was also detained; he did not hold a picket, but carried out video shooting of the picket of Bolshedvorov. The published video⁴⁰ shows a reluctance on the part of police officers to draw up a protocol of detention and an unlawful requirement to “visit” the police department. The protocol was drawn up with gross violations of procedural norms. Thus, the protocol does not specify articles of the Administrative Offenses Code of the Russian Federation, in violation of which they accuse Bolshedvorov (Appendix 2). Police officers explained the detention of Sergei Akimov by the fact that the video recording of the picket, in their opinion, is participation in the picket.

On 7 February, during a solitary picket at the entrance to the building of the Prosecutor’s Office of Simferopol, pro-Russian activist Yuri Belov and a member of the Crimean Cossacks Sergei Akimov were detained. Belov demanded “to draw the attention of the prosecutor’s office to the unlawful actions of the leadership of the public security police of Simferopol to end public events,” and Akimov was making a video of the picket⁴¹. After the detention, they were taken to the police station “Central”, where Akimov was fingerprinted⁴². Akimov filed a police report regarding the people who introduced themselves as the “Headquarters of the People’s Militia — Self-Defence of Crimea” and intended to check his documents and stop the picket⁴³. However, the next day Belov was invited to an appointment with the prosecutor’s office on the issue of his demands that he stated during the picket.

On 11 February, Victor Popov, reported on his page in the social network VKontakte that police officers detained the activist of the Public Front, Andrei (no surname). The organization takes a strongly expressed position of support of the president of the Russian Federation Vladimir Putin. Popov said that the representative of this organization was detained during a meeting with the public, accusing the organization of an unsanctioned rally⁴⁴. However, later the publication with this information was removed from the page of Viktor Popov.

On 16 February, deputy of Mejlis of Crimean Tatars Ilmi Umerov reported that several Crimean Tatar activists were summoned for questioning to the FSB of the Russian Federation. Among them: **Musa Tatarov**, **Mustafa Mustafayev** and 80-year-old brother of MP of Ukraine Mustafa Dzhemilev **Asan Dzhemilev**. FSB officers asked questions about the preparations for the celebration of Muslim holidays in 2013 and 2015 on the territory of the sixth districts of Bakhchisaray⁴⁵.

⁴⁰ <https://www.facebook.com/ilya.bolshedvorov/videos/1028193430619503/>

⁴¹ <https://www.facebook.com/ilya.bolshedvorov/videos/1029362457169267/>

⁴² <https://www.facebook.com/ilya.bolshedvorov/videos/1029393760499470/>

⁴³ <https://www.facebook.com/ilya.bolshedvorov/posts/1029418470496999>

⁴⁴ <https://www.facebook.com/crimeahrg/photos/a.1677121552573479.1073741828.1676669515952016/1851166658502300/?type=3&theater>

⁴⁵ https://www.facebook.com/permalink.php?story_fbid=1931889153722615&id=10000704647228



FREEDOM OF MOVEMENT AND THE ISSUES CONNECTED WITH THE CHECKPOINT PASSING

On 9 February, the coordinator of the Crimean Contact Group for Human Rights **Abdureshit Jepparov** returned to Crimea on the Novoalekseevka-Simferopol route. He crossed the Russian checkpoint in a taxi, in which there were four passengers. Customs officers conducted an inspection of the car and did not make any claims. Jepparov's documents were checked, according to him, for forty minutes. After returning to the car of Dzepparov, customs officers of the Russian Federation decided to conduct a second inspection of the car. The customs officers inspected the things of all the passengers, the notebook of Jepparov, and the driver was shot on the video camera. The taxi driver said that such a thorough double inspection happens for the first time in his practice. Dzepparov connects such prejudiced attitude of the Russian Checkpoint staff with his human rights activities.

One of the main problems on the Ukrainian checkpoints continues to be the decree of the Cabinet of Ministers of Ukraine No. 1035, which unreasonably restricts the transportation of personal belongings through Ukrainian checkpoints. In February, the CHRG recorded new cases of refusals to take through the checkpoint personal belongings of Ukrainian citizens on the basis of CMU Decree No. 1035.

Thus, on 4 February, employees of the State Fiscal Service of Ukraine (customs), at the "Kalan-chak" checkpoint refused the citizen of Ukraine Sergei Psarev in carrying children's toys, household coffee machine and dish wares to Crimea.

On 7 February, at the Chaplynka checkpoint, Ilya Ilyin, a citizen of Ukraine, was denied access to take personal belongings through the checkpoint, namely: microwave oven, coffee maker, aero grill, toaster, puncher and drill. All household appliances were in personal use and transported to a new place of residence. He was also denied at the "Kalanchak" checkpoint. During 33 hours, he insisted his things to be let through. However, he was forced to return things to Crimea and go to Kiev without these things.

On 24 February, Ukrainian customs officials refused to let the car to pass the checkpoint. Their decision they justified by the presence of license plates issued by the Russian authorities in Crimea in the trunk. According to the legislation of Ukraine, such license plates are invalid and do not entail legal consequences. However, customs officials said that they regard such signs as souvenir products, and souvenir products are not included in the list of personal belongings allowed to be transported through Ukrainian checkpoints according to Cabinet of Ministers resolution No. 1035⁴⁶.

THE REVIEW WAS PREPARED BY:

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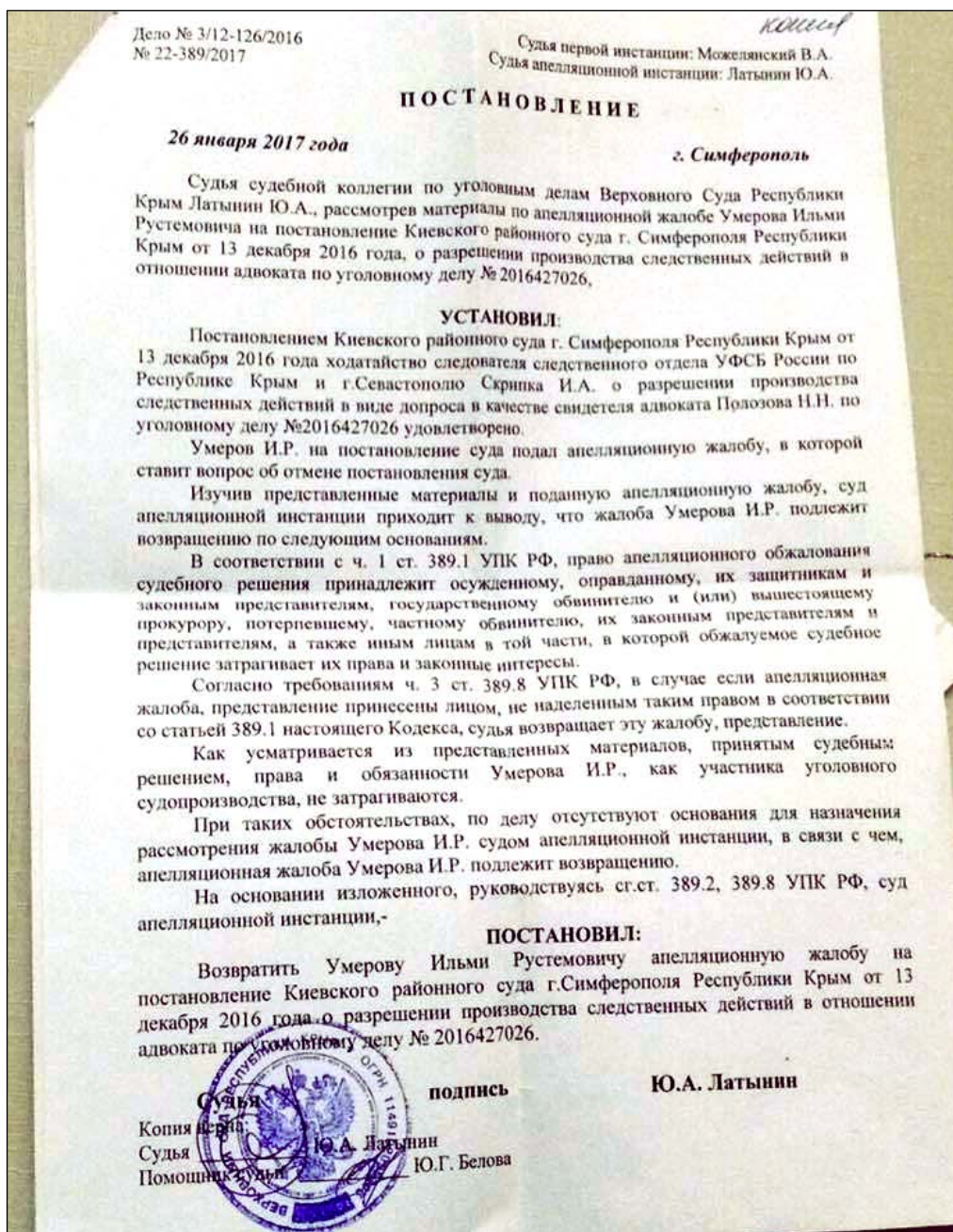
Alexander Sedov, *analyst of the Crimean Human Rights Group.*

⁴⁶ <https://goo.gl/VlgQlf>



ANNEXES

ANNEX 1



The resolution of the “Supreme Court” of Crimea on the return of Ili Umerov his complaint against the decision of the “Kiev District Court” of Simferopol on permission to engage a lawyer as a witness in his case



ANNEX 2

**ПРОТОКОЛ
о доставлении**

(к протоколу об административном правонарушении № ПК _____)

"06" 02 2017 г. "13" час. "12" мин. г. Симферополь, ул. _____
(дата составления) (время составления) (место составления)

Я, полковник полиции Владимир Иванович / рейс № ОБП ПСО ЧМД России
(должность, специальное звание, подразделение, фамилия/инициалы должностного лица, составившего протокол)

№: Симферопольское срисоектное отделение ЖЭМ №1 ВР
в соответствии со статьей 27.2 Кодекса Российской Федерации об административных правонарушениях составил настоящий протокол о том, что гражданин(ка)

Б О Л Ш Е Д В О Р О В И А Ъ Я В А С И Л Ь Е В И Ч _____
(Фамилия имя отчество)

16.05.1980 г. г. Киев Украинской обл.
(дата и место рождения)

гражданство Россия, русским языком владеет
(владеет/не владеет)

в услугах переводчика менюгидает перевод протокола не требуется
(нуждается/не нуждается) (требуется/не требуется)

зарегистрированный(ая) по месту жительства/пребывания Крым, г. _____
тел.: _____

фактически проживающий(ая) по месту регистрации
тел.: _____

работающий(ая)/учащийся(ая) официально не трудоустроен
(название и адрес организации/учреждения) _____, должность _____

паспорт (документ, удостоверяющий личность) Данной РФ: _____
(серия, номер, когда и кем выдан, код подразделения)

Дата и место государственной регистрации, ИНН _____

(для индивидуальных предпринимателей без образования юридического лица)

"06" 02 2017 г. в "13" час. "12" мин.
(дата, время составления)

при наличии оснований (ненужное зачеркнуть):
невозможность составления протокола об административном правонарушении на месте выявления административного правонарушения, предусмотренного частью _____ статьи _____ Кодекса Российской Федерации об административных правонарушениях, составление протокола о котором является обязательным;
принятие решения об административном задержании лица, совершившего административное правонарушение, предусмотренное частью _____ статьи _____ Кодекса Российской Федерации об административных правонарушениях, влекущего административный арест,
доставлен(а) в ОП №3 "Кендалмский" г. Симферополь ул. Рабочий ст. 20
(наименование служебного помещения органа внутренних дел (полный), органа местного самоуправления сельского поселения)

Подпись должностного лица, составившего протокол В.И. Волков

Копию протокола получил(а) Илья Владимирович Болshedvorov
(подпись доставленного лицу по ст. 11(1) Закона № 152-ФЗ от 07.02.2017 № 152-ФЗ) 3:45

The protocol on the delivery of Ilya Bolshedvorov to the police office