



CRIMEAN HUMAN RIGHTS GROUP

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CRIMEAN HUMAN RIGHTS SITUATION REVIEW

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

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CONTENTS

1. INTRODUCTION	2
2. CIVIL AND POLITICAL RIGHTS	3
Right to liberty and security of the person.....	3
<i>Detentions</i>	3
<i>Searches</i>	4
<i>Arrests</i>	5
Politically motivated criminal prosecution.....	6
«26 February case».....	6
«Hizb ut-Tahrir case».....	6
<i>Alexander Kostenko case</i>	8
«Ukrainian saboteurs' case».....	8
<i>Vladimir Balukh case</i>	9
Freedom of speech and expression of opinions.....	10
<i>Obstruction of journalistic activities</i>	10
<i>Nikolai Semena case</i>	10
<i>Ilmi Umerov case</i>	11
<i>Sulayman Kadyrov case</i>	11
<i>Igor Movenko case</i>	11
Freedom of peaceful assembly.....	13
Freedom of conscience and religion.....	14
Violations of international humanitarian law.....	15
<i>Forcible transfer of the population</i>	15
<i>Forcing to military service and propaganda for the voluntary entry into the army of the occupying country</i>	15
<i>Limitations on the civilian population from the side of the military formations</i>	16
3. ANNEXES	17



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 6 April, several dozens of people were detained at **the Central Market of Simferopol** by officers of OMON and the National Guard of the Russian Federation. According to various sources, from 50 to 100 people were detained on the market, but there is no exact data.

The detained people were placed in «Gazelle» vehicles and «Central» police department No. 3 of the Ministry of Internal Affairs of Russia in Simferopol (20, Futbolistov Street). Also, journalist **Taras Ibrahimov** and blogger **Andrei Krisko** were detained; they arrived at the Central Market to record events.

In the police department, the detainees were required to present identification documents, samples for DNA analysis, fingerprints, photographs were taken. After these actions, the detainees were released, but the relevant protocols on detention in violation of the law were not drawn up.

Andrei Krisko and Taras Ibragimov were taken to the Interior Ministry's Center for Combating Extremism (Center E) from the police department. They used the services of lawyer Dzhemil Temishev and refused to give explanations, after two hours (about 17:00) they were released.

One of the detainees **Timur Yalabov** was in the «Center E» until about 20:00. He intended to take photos and videotaping of detentions in the market, but was detained by OMON officers. Police officers threatened him with administrative arrest if he refused to provide fingerprints.

The press service of the Ministry of Internal Affairs in Crimea called mass detentions in the Central market of Simferopol as «planned work measures aimed at identifying and suppressing criminal manifestations and ensuring the safety of citizens»¹. The Ministry of Internal Affairs did not explain the reasons for such violation of procedural norms in the course of mass detentions to the police department.

On 21 April, a resident of the Pionerskoe village of Simferopol district, **Abibe Reshatova**, was illegally detained in the post office, where she worked as a postman. Law enforcement officers forced her into a car. In the car, she was in the back seat with two unknown men; she was put on a bag on her head. According to her words, she was like that for an hour or two. Men asked her questions about her husband, about her, about her religious beliefs. After that, she was taken to the Interior Ministry's Centre for Combating Extremism in Simferopol. She was asked about her husband and whether she belongs to the organization Hizb ut-Tahrir. She said that she had not seen her husband for a long time, since he is in Turkey and because of the complexities of the migration legislation of the Russian Federation he cannot come to Crimea. After such rude and illegal actions, the woman was again put in a car and dropped on the road near the Pionerskoe village.

¹ <http://www.c-inform.info/news/id/51196>



SEARCHES

On 13 April, early in the morning a number of searches and detentions took place in Bakhchisaray in the homes of Crimeans — **Seydamet Mustafayev** and **Riza Muzhdaba**. In the video, eyewitnesses recorded that roads in the area of the search were blocked².

The group «Crimean political prisoners of the Kremlin» reported that OMON officers detained Mustafa and Shevket Abduramanov (son and father), Eskender Memetov and Remzi Zudiev near the house of Seydamet Mustafayev. Also it was reported about the use of nightsticks and shots in the air. The photographer Seytumer Seytumerov, who came to support Seidam Mustafayev, lost consciousness because of the situation³. The activist of the movement «Crimean solidarity» Server Mustafayev confirmed the facts of the attack of law enforcement officers on people, and also published photographs of two cartridge cases, which, he said, were found on the site of shooting⁴.

In a video⁵ published by the group «Crimean Solidarity», it was recorded that at least 40 officers of the OMON were involved in the detention of Seidam Mustafayev, and the traffic was blocked by law enforcement officers.

Lutfie Zudiyeva, the daughter of the detainee after the search of Remzi Zudiev reported that her father underwent a serious heart surgery, suffers from diabetes and needs regular medication.

The wife of Riza Muzhdaba reported that at the beginning of the search mobile phones and computer equipment were checked⁶. The lawyer Dzhemil Temishev reported that in the house Muzhdaba an inspection was conducted, two phones, a system unit, two flash cards, one book were seized. Based on the results of the inspection, a report on the administrative violation was drawn up and his son Midat Muzhdaba was detained.

Midat Mujdab, Seydamet Mustafayev and four detainees near the Mustafayev's house (**Mustafa** and **Shevket Abduramanovs, Eskender Memetov** and **Remzi Zudiev**) were taken to the Bakhchisaray police department.

Later Seytumer Seytumerov published a video of the detention of Ametkhan Umerov and Aziz Azizov, who were taken to the police department of Bakhchisaray⁷. Ametkhan Umerov was later released.

On the same day, the judges of the «Bakhchisarai District Court» Herman Atamanyuk, Alexander Skisov, Marina Nikishchenko sentenced Aziz Azizov and Mustafa Abduramanov to 7 days, Remzi Zudiev — to 3 days, Eskender Memetov — to 2 days of administrative arrest, Shevket Abduramanov — to a fine of 10,000 Rubles for violation of Part 6.1 of Article 20.2 of the Code of Administrative Offenses (Holding an unauthorized meeting that interfered with the traffic).

Seidamet Mustafayev and Midat Mujdaba, in whose homes the searches (examination of premises) were conducted, were found guilty by the judge Vasily Koshelev of violating Part 1 of Article 20.3 of Administrative Code (Public demonstration of the symbols of an extremist organization) for posting publications in social networks with the «Hizb-ut Tahrir» symbols. They were sentenced to 10 and 3 days of administrative arrest, respectively.

² <https://www.facebook.com/namatullaev/posts/1357335924346833>

³ <https://www.facebook.com/photo.php?fbid=316201232132932&set=a.136103340142723.1073741829.100012291735545&type=3&theater>

⁴ <https://www.facebook.com/server.mustafayev/posts/1567962239940903>

⁵ <https://www.youtube.com/watch?v=x6fdVngyck&feature=youtu.be>

⁶ <https://www.facebook.com/server.mustafayev/videos/1567845163285944/>

⁷ <https://www.facebook.com/said.krimskiy/posts/1393730024021882>



On 14 April, the judge Vasily Koshelev sentenced Seidam Mustafayev to 5 days of administrative arrest for violation of Part 6.1 of Article 20.2 of the Code of Administrative Offenses (Holding an unauthorized meeting that interfered with the traffic).

Olga Kondrashova, the head of the press service of the Ministry of Internal Affairs of the Russian Federation for Crimea, said that searches and detentions in Bakhchisaray are conducted in the framework of searches for persons suspected of involvement in the Hizb ut-Tahrir organization.

On 20 April, the judges of the «Supreme Court» of Crimea Yevgeny Pavlovsky, Louise Yusupova, Vladimir Agin, Yekaterina Timoshenko, Natalia Mostovenko refused to satisfy complaints about administrative decisions that were issued on 13 April⁸.

ARRESTS

On 2 April, activist **Remzi Bekirov** was released after serving three days of administrative arrest⁹. He was accused of placing a post in the social network «VKontakte», the contents of which are included in the list of extremist materials. Judge Svetlana Belik ignored the fact that the post was posted in 2010 in Crimea, and at the time of drafting the protocol the post was already removed¹⁰.

On 10 April, the «Supreme Court» of Crimea considered the appeal of the defence of **Kabir Mohammad** against the decision of the «Armenian City Court» of 9 March 2017 to extend his term of detention until 9 June, 2017. The lawyer asked to cancel the preventive measure in the form of detention because of health and conduct his medical examination. The defence provided documents from the consulate of the Islamic Republic of Afghanistan confirming that Kabir Mohammad that was detained in Crimea has nothing to do with the terrorist wanted by Interpol. The Ukrainian citizen has a surname — Mohammad, and the name Kabir, his father is Mohammad Kadir. But, according to the documents, the name of the wanted person is Niyazi, and the double name is Mohammad Kabir. However, the judge Timur Slizko refused to attach these documents, citing the fact that the source of their origin is unknown. Also, the judge rejected all defence motions¹¹.

⁸ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=20.04.2017

⁹ https://www.facebook.com/permalink.php?story_fbid=1970448996516174&id=100006532780262

¹⁰ <http://europeancourt.ru/konvenciya-o-zashhite-prav-cheloveka-i-drugie-oficialnye-dokumenty/konvenciya-o-zashhite-prav-cheloveka-i-osnovnyx-svobod/#7>

¹¹ <http://crimeahrg.org/en/supreme-court-of-crimea-again-left-ukrainian-citizen-kabir-mohammad-in-custody/>



POLITICALLY MOTIVATED CRIMINAL PROSECUTION

«26 FEBRUARY CASE»

«26 February case» is considered in two trials: the first in the «Supreme Court» of Crimea in the case of **Ahtem Chiygoz** (in custody) as the «organizer of unrest» near the Crimean parliament, the second in the «Central District Court» of Simferopol in the case of other defendants (**Ali Asanov** and **Mustafa Degermenji** were in custody, with regard to **Eskender Katemirov**, **Eskender Emirvaliev** and **Arsen Yunusov**, a preventive measure was chosen — personal bail) as «participants in the riots.»

On 5 April, during a hearing of the appellate complaint against the decision to extend the detention of Ahtim Chiyhoz, the judges of the «Supreme Court» of Crimea Yuri Gritsenko, Sergey Rubanov and Timur Slezko unreasonably decided to remove Chiygoz and his lawyer Nikolai Polozov from the trial. Since Chiygoz and Polozov were present at the meeting by means of a video connection from the pre-detention centre, they were disconnected from video communication. In addition, the judges announced that, with regard to the lawyer Polozov, a determination was made with his subsequent referral to the Moscow Bar Association to initiate disciplinary proceedings. After this decision, lawyer Alexander Lesovoy, who was in the courtroom, filed a motion to refuse to participate in the trial because of the refusal of his client from his services. The court upheld the decision to extend the detention of Chiygoz, the judges announced the decision in the absence of Chiygoz and his lawyers¹².

On 6 April, the «Central District Court» of Simferopol decided to change the measure of restraint to Mustafa Degermenji and Ali Asanov from custody to house arrest. They were in pre-detention centre since the spring of 2015¹³.

«HIZB UT-TACHRIR CASE»

19 people are imprisoned in connection with the «Hizb ut-Tahrir case»: **Ruslan Zeitullaev**, **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 3 April, Ruslan Zeytullayev announced an indefinite hunger strike to protest against the politically motivated persecution of Crimean Muslims. The case of Zeytullaev is again reviewed in the North Caucasus District Military Court (RF)¹⁴. Zeytullaev demanded that the consul of Ukraine could visit him, that the court decision on the three Crimean Tatars, who had been previously convicted along with him, to be cancelled and him and other three Ukrainian prisoners were sent as Ukrainian citizens.

¹² <https://www.facebook.com/nikolay.polozov/posts/1347050372027022>

¹³ <https://www.facebook.com/photo.php?fbid=774661762702385>

¹⁴ <https://www.facebook.com/emil.kurbedinov/posts/1408184729246120>



On 10 April, representatives of the Consulate General of Ukraine in Rostov stated that they were denied a visit to Zeytullaev¹⁵.

On 14 April, the North Caucasian District Military Court refused to satisfy Zaitullayev's petition for interrogation of experts, witnesses and other persons¹⁶. Lawyer Emil Kurbedinov said that the client, after 10 days of hunger strike, was exhausted and unable to testify standing at the meeting¹⁷.

On 26 April, the judge Anatoly Kolesnik sentenced Ruslan Zeytullayev to 12 years of imprisonment in a strict-security colony under Part 1 of Article 205.5 of the Criminal Code of the Russian Federation¹⁸. Thus, Zeytullaev was re-qualified with the accusation of part 2 Article 205.5 (Participation in the activities of a terrorist organization) on part 1 Article 205.5 (Organization of the activities of a terrorist organization) and significantly increased the term of imprisonment. Earlier, on 7 September, 2016 he was sentenced to 7 years in prison, but the new sentence increased this term to 12 years.

After the verdict was announced, Zeytullaev said that he is stopping hunger strike on 22nd day¹⁹.

On April 06, relatives were not allowed to the meeting to review the measures of restraint for six persons, that were detained in Yalta and involved in the Hizb ut-Tahrir case²⁰, the judge decided to hold the sitting in closed session²¹.

The «Supreme Court» of Crimea extended term of detention until 8 June, 2017 to all six detainees; the investigator Sergey Makhnev petitioned for an extension of the terms²². With regard to Emir-Usain Kuku, Arsen Dzepparov and Muslim Aliyev, the decision was taken by Judge Oleg Lebed; against Vadim Siruk, Inver Bekirov and Refat Alimov by Konstantin Karavaev.

On 20 April, judges of the «Supreme Court» of Crimea Nelya Farina, Sergei Rubanov, Natalya Cherevatenko, Yuri Gritsenko, Timur Slezko, Anatoly Osochenko refused to satisfy complaints about the decision to extend the terms of detention.

Lawyer Edem Sememlyaev said that the trial of Refat Alimov was held in closed session allegedly because of the «threat of terrorist acts»²³. After the meeting lawyer Dzhemil Temishev reported regarding the failure to provide medical assistance to his client Arsen Dzepparov, who, due to inflammation, couldn't hear with his left ear²⁴. The lawyer believes that the pre-detention centre administration deliberately refuses to take Dzepparov for the surgery operation because of psychological pressure. Temishev appeals against the administration of the pre-detention centre failure to act²⁵.

On 6 April, members of the Kurgan Region Public Opinion Commission visited Rustem Vaitov in the colony. According to their information, Vaitov informed the members of the POC that he was constantly «punished» by placing him in punishment cell for refusing to inform the colony administration of other prisoners. In the colony, he is forced to get a Russian passport and he is not provided with medical assistance²⁶.

¹⁵ <http://ru.krymr.com/a/28421573.html>

¹⁶ <https://www.facebook.com/emil.kurbedinov/posts/1422277517836841>

¹⁷ <https://www.facebook.com/emil.kurbedinov/posts/1422040764527183>

¹⁸ http://ovs.skav.sudrf.ru/modules.php?name=press_dep&op=1&did=1232

¹⁹ <https://www.facebook.com/photo.php?fbid=787485751419986>

²⁰ <https://www.facebook.com/emil.kurbedinov/posts/1410804375650822>

²¹ <https://www.facebook.com/emil.kurbedinov/posts/1410804375650822>

²² <https://www.facebook.com/crimeansolidarity/posts/419106545123474>

²³ <http://ru.krymr.com/a/news/28441162.html>

²⁴ <https://www.facebook.com/100006532780262/videos/vb.100006532780262/1981302535430820/?type=2&theater>

²⁵ <https://www.facebook.com/crimeansolidarity/videos/432074143826714/>

²⁶ <https://www.facebook.com/photo.php?fbid=10212616619756579>



On 9 April, the terms of detention were extended until 11 May, 2017 by the Kyiv District Court of Simferopol for Enver Mamutov, Rustem Abil'tarov, Zevri Abseitov and Remzi Memetov²⁷. The trial was held in closed session. On 24 April, a judge of the «Supreme Court» of Crimea, Tatyana Fedorova, upheld these decisions²⁸.

On 20 April, lawyer Emil Kurbedinov reported that a new charge under article 30 and article 278 of the Criminal Code of the Russian Federation (attempted forcible seizure of power) was given to Enver Mamutov who is another person involved in Hizb ut-Tahrir case²⁹.

ALEXANDER KOSTENKO CASE

The Supreme Court of the Russian Federation refused to consider the cassation appeal of the defence of **Alexander Kostenko** on the refusal of the court to examine the petition to replace the remaining part of the imprisonment for a milder form of punishment. In the decision of the Supreme Court of the Russian Federation, the refusal is motivated by the fact that since 31 March, 2016 Kostenko is on the preventive control, «as the one who studies, propagate or spread extremist ideology», and since 26 March, 2016 «as inclined to escape». But at the same time, the court did not specify a single fact, on the basis of which it came to such conclusions³⁰.

«UKRAINIAN SABOTEURS' CASE»

On 6 April, in the «Zheleznodorozhnyi District Court» of Simferopol, a hearing was held in the case of **Redvan Suleymanov**. Lawyer Emil Kurbedinov³¹, reported that during the meeting Suleymanov pleaded guilty under Part 2 of Article 207 of the Criminal Code of the Russian Federation (a knowingly false report on the act of terrorism), but did not agree with the claimed amount of damage, since there are no documents confirming the indicated amount. On 12 April, at the second session of the Suleymanov case, an employee of the economic service of the «Simferopol» airport announced the amount of indirect costs incurred by the company as a result of a false report about the terrorist attack. According to her, the costs were 239 thousand rubles. However, she noted that documents confirming this amount were not transferred to conduct financial examination in the criminal case³².

In the end of April, lawyers of **Yevgeniy Panov** were able to get acquainted with the results of the inspection on Panov's application regarding the criminal prosecution of FSS officers for using physical violence and torture against him. The materials stated that on 10 February, 2017, the investigator for particularly important cases of the military investigation department of the Criminal Code of the Russian Federation for the Black Sea Fleet, the captain of justice Marchukov R. A. made a decision to refuse to open a criminal investigation into the fact of Panov's statement. On 7 March, 2017 Deputy Military Prosecutor of the Black Sea Fleet Martynov P.V. recognized this decision as lawful and justified, and returned the verification materials to the Investigative Committee of the Russian Federation for the Black Sea Fleet (Annex 1). Despite the

²⁷ <https://www.facebook.com/crimeansolidarity/posts/420798201620975>

²⁸ https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=453443170&result=1&delo_id=4&new=4

²⁹ <https://www.facebook.com/emil.kurbedinov/posts/1429670897097503>

³⁰ <http://crimeahrg.org/en/the-supreme-court-of-the-russian-federation-refused-to-consider-complaints-of-the-defence-of-ukrainian-kostenko-for-political-reasons/>

³¹ <https://www.facebook.com/KRYM.SOS/videos/1304369479639668/>

³² <http://ru.krymr.com/a/news/28425574.html>



presence of traces of physical violence on the body of Panov and his statement, he was denied in investigation of this fact. In addition, the check was completed in early March, but lawyers were given the opportunity to see its results only at the end of April.

VLADIMIR BALUKH CASE

On 4 April, a regular session of the court was held in the case of **Vladimir Balukh**, at which two lawyers Dmitry Dinze and Taras Omelchenko (defenders since December 2016) acted as his defenders. At the meeting it became known that prosecutor of Razdolnensky district Dmitry Shmelev is now the prosecutor in the case.

During the meeting, the prosecution witness was interrogated; it was the criminal investigation officer Evgeny Bobrov, , who is indicated in the examination protocol of the premises as the person who found the cartridges during the search in Balukh's house. Bobrov could not explain his role and the legal status in which he was at the time of the search. Moreover, Bobrov confirmed that on that day he was not working and all the actions were carried out by order of two persons whom he considered employees of the FSS. His testimony showed that not all of the actions that he was making were recorded in the search record with his signature. In particular, the protocol does not indicate that Bobrov conducted a search not only in the attic, but also in the house of the activist. According to CHRГ, this «witness» was not present at previous court hearings.

On 7 April, during a regular meeting, the lawyer filed a petition, in which on 14 pages he indicated numerous violations during the investigation. Thus, the investigator of the Department of Russian Ministry of Internal Affairs for Razdolnensky district Uhina O.N. on 8 December, 2016 opened a criminal case against Balukh on Article 222 Part 1 of the Criminal Code even before the Ministry of Internal Affairs received materials for the opening of the case from the FSS in Crimea. Thus, this confirms that the criminal case was opened unlawfully and unreasonably. The lawyer demanded that the case was returned to the prosecutor to elimination of contradictions and violations, and that Balukh should be immediately released from custody.

The judge of the Razdolnensky District Court of Crimea Bedritskaya M.A. rejected this motion. The lawyer filed another petition for dactyloscopic, biological, genetic and psychological examinations, as well as a survey using a polygraph. After three hours, the judge granted the petition partially, allowing conducting dactyloscopic, genetic and biological examinations of seized cartridges (Annex 2). Despite the fact that, according to the Russian Federation Code of Criminal Procedure, the decision to conduct such an examination cannot be appealed, the prosecutor filed a complaint against this decision.

On 24 April, Vladimir Balukh was visited in pre-detention centre by a representative of the Russian ombudsman and the Crimean «ombudsman». The visit was related to the appeal of Balukh lawyers on the fact of discriminatory treatment of Balukh as an ethnic Ukrainian by the officers of the pre-detention centre in Razdolnoye. He said that the staff insulted him because he openly expressed his pro-Ukrainian views³³.

³³ <http://crimeahrg.org/en/the-ukrainian-citizen-balukh-declared-about-the-ethnic-discrimination-from-the-side-of-temporary-detention-facility-workers-in-crimea/>



FREEDOM OF SPEECH AND EXPRESSION OF OPINIONS*

On 27 April, Ukrainian activist **Irina Gorelikova** reported that police officers verbally threatened her with reconduction if she would refuse to get to the police department of the Nakhimovsky district of Sevastopol³⁵. On 28 April, in the Investigation Department of the Nakhimovsky District of the Investigative Directorate of the Investigation Committee of the Russian Federation for the City of Sevastopol, she was told that it was planned to close the criminal case against her. The investigator told her that a criminal case had been opened against her in 2015 under article 319 of the Criminal Code of the Russian Federation (Insulting the representative of power) for her publication in 2015 in the social network Odnoklassniki, which contained sharp criticism of President Vladimir Putin. However, earlier Gorelikova had not received agendas or other documents in regards to this case. In the presence of the court-appointed lawyer Gorelikova, on the recommendation of the investigator, filed a petition to close the criminal case upon the expiration of the limitation period³⁶.

OBSTRUCTION OF JOURNALISTIC ACTIVITIES

On 3 April, the judge of the «Railway District Court» of Simferopol, Shkolnaya Nadezhda Igorevna, denied to the journalist in permission to take photo and video during the meeting on the criminal case of Nikolai Semena.

On 6 April in Simferopol near the Central Market journalist **Taras Ibrahimov** was detained; he was videotaping and making photography of mass detentions of workers and market visitors by Special Police Force and National Guard officers. An unidentified person in a mask ordered to detain the journalist. First Ibragimov was sent to the Special Police Force officers, whom he showed a journalist's certificate. After that, he was taken to the Central Internal Affairs Directorate in the city of Simferopol and held for 3.5 hours without drafting the necessary procedural documents. Then the journalist was taken to the Centre of the Ministry of Internal Affairs of the Russian Federation to counter extremism. He was released an hour after the lawyer arrived.

NIKOLAI SEMENA CASE

On 3 April, the first session was held in the «Zheleznodorozhny District Court» of Simferopol regarding the case of the journalist **Nikolai Semena**, which is accused 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 Russian Federation using the media) for his article in the media. At the first hearing, two FSS officers and two witnesses were questioned³⁷. The testimony of the operational officer of the FSS Khomenko testifies that the wiretapping of the phone and computer of Semena was established earlier than it was authorized by the «Supreme Court» of Crimea. Lawyer Alexander Popkov said that the FSS officers could not name the legitimate grounds for conducting the wiretapping. Two employees of the local department of education, who read an article whose authorship, according to investigators, belongs to Semena were represented as witnesses³⁸. They were outraged by this article and they reported it to the FSS.

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

³⁵ <https://www.facebook.com/gorelikovruslan/posts/1036911119774886>

³⁶ <http://crimeahrg.org/en/ukrainian-activist-visited-the-interrogations-in-crimea-regarding-the-posts-in-social-networks/>

³⁷ <http://krymsos.com/ru/news/58e27685ad227/>

³⁸ <http://ru.krymr.com/a/27240750.html>



On 18 April, the second meeting took place, at which the witness was interrogated. She was present during the documentation of the fact that the article was present on the Internet. However, according to her testimony, part of the data of the interrogation was entered to the record by the investigator, and she signed the protocol.

ILMI UMEROV CASE

In the case of **Ilmi Umerov**, who is charged 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 information and telecommunication networks (including the Internet)» the FSS deprived his lawyer **Nikolai Polozov** of the status of the defender for his public statements that Crimea is the territory of Ukraine. In addition, the Investigative Committee accuses the lawyer under article 308 of the Criminal Code (refusal of a witness or a victim to testify). The case was opened on the application of the FSS investigator Igor Skripka, to whom Polozov refused to testify as a witness in the case of his client Umerov³⁹.

On 3 April, Nikolay Polozov filed an appeal against the decision of the Kyiv District Court of Simferopol, which refused to recognize the actions of the FSS investigator Igor Skripka as illegal in relation to the lawyer⁴⁰. On 27 April, the «Supreme Court» of Crimea refused to satisfy this complaint⁴¹.

The actions of the investigator of the FSS and the judges violate Polozov's right to a fair trial and protection of the lawyer's secret, as well as Ilmi Umerov's right to defend himself through his chosen lawyer. In addition, the attempted criminal prosecution regarding Polozov is pressure on a lawyer to force him to violate a lawyer's secret.

SULAYMAN KADYROV CASE

The Federal Service for Financial Monitoring of the Russian Federation placed an activist **Suleiman Kadyrov** to the «List of organizations and individuals regarding which there is evidence of their involvement in extremist activities or terrorism»⁴². According to the Crimean Tatar resource centre, after that Kadyrov cannot use the bank card and get a pension in the bank⁴³.

On 7 April, Kadyrov was notified in writing about the extension of the investigation in the criminal case against him till 7 July, 2017, on charges of violation of Part 1 of Article 280 of the Criminal Code of the Russian Federation (Public calls for actions aimed at violating the territorial integrity of the Russian Federation) for comments on the social network in which, according to the conclusion of a linguistic examination, he favourably spoke about the actions of the Crimean Tatar Battalion «Asker».

IGOR MOVENKO CASE

On 6 April, the CHRG learned that the Ukrainian activist **Igor Movenko** was charged under part 2 of Article 280 of the Criminal Code of the Russian Federation (Public calls for the implementation of extremist activities). In respect of him, a preventive measure was chosen in the form of a written undertaking not to leave the place. The criminal case is open for posting

³⁹ <https://www.facebook.com/photo.php?fbid=1310024205729639>

⁴⁰ <https://www.facebook.com/photo.php?fbid=1344574628941263>

⁴¹ <https://www.facebook.com/nikolay.polozov/posts/1369300316468694>

⁴² <http://fedsfm.ru/documents/terrorists-catalog-portal-act>

⁴³ <http://ctrcenter.org/ru/news/395-sulejmana-kadyrova-vnesli-v-spisok-ekstremistov-i-zablokirovali-bankovskuyu-kartu>



a pro-Ukrainian comment, which, according to investigators, Movenko published in the group «Crimea-Ukraine» in the social network «Vkontakte» in the summer of 2016⁴⁴.

The criminal case testifies to the continuation of the persecution of the activist. So, on 7 September, 2016, Igor was beaten in Sevastopol, and then fined for placing the symbols of the Ukrainian battalion «Azov» on his bicycle. The CHRG found that the man who beat Igor Movenko was Vladimir Sukhodolsky, a former employee of the Ukrainian Interior Ministry Berkut, and currently is a member of the special unit of the Special Police Force Berkut, and a candidate for master of sports in hand-to-hand combat and army hand-to-hand combat⁴⁵.

On 16 December, 2016, FSS officers searched the workplace and the house of Movenko, during which they seized a laptop, hard drives, a mobile phone, and sim-cards.

⁴⁴ <http://crimeahrg.org/en/ukrainian-igor-movenko-was-charged-on-a-criminal-charge-in-crimea-for-the-comment-in-social-network-vkontakte/>

⁴⁵ <http://crimeahrg.org/en/a-policeman-who-beat-ukrainian-activist-movenko-in-crimea-is-an-employee-of-the-berkut/>



FREEDOM OF PEACEFUL ASSEMBLY

On 12 April, «Department of Public Communications of the City of Sevastopol» represented by director Andrey Perl refused to the citizens' organization «**Anarchists of Sevastopol**» in holding a public event. On April 10 «Anarchists of Sevastopol» sent the notification regarding the intention to hold a public event «Ecological picket» on 22 April, 2017 in Ushakov Square in Sevastopol to Ovsyannikov D.V. who is the «Chairman of the Government» of Sevastopol. The purpose of the picket was «propaganda of the ecological way of life and informing the population about the rules of behaviour in nature». De facto authorities denied because they believed that the event would prevent the cleaning of the street⁴⁶. Thus, using far-fetched reasons for refusing to hold a picket, de facto authorities violate the basic principles of freedom of assembly, including the presumption in favour of holding meetings.

On 5 April, after 10 days of administrative arrest, activist **Dmitry Kisiev**, coordinator of the «Navalny 2018 Crimea» public initiative and organizer of single pickets against corruption in Simferopol, was released. He was detained on 26 March and sentenced by the «Railway District Court» to 10 days of administrative arrest under article 19.3 of the Administrative Code of the Russian Federation (Disobedience to the lawful order of a police officer)⁴⁷. On 14 April, the «Supreme Court» of Crimea refused to satisfy the appeal of Kisiev and left the verdict of the first instance court in force⁴⁸.

On 29 April, Dmitry Kisiev was again detained in Simferopol. Lawyer Alexey Ladin said that Kisiev was detained on the way to study. The officer of the patrol service in his report indicates next reasons for detention: «.. an unknown young man who was not dressed in season, was wearing a black drape coat, a winter sweater, had a pale face and an uneasy, excited state» . Thus, police officers could not name the legitimate grounds for detention, and their actions violated Part 1 of Article 13 of the Federal Law «On Police» (which acts de facto in Crimea). On the same day, the judge of the «Railway District Court» of Simferopol, Maria Domnikova, found Kisiev guilty of violating Part 1 of Article 19.3 of the Administrative Code of the Russian Federation (Disobedience to the lawful order of a police officer) and sentenced to administrative detention for 15 days⁴⁹.

On 29 April, **Alexei Efremov**, an activist of the movement in support of Alexei Navalny, was also detained. Efremov was already detained on 26 March and sentenced to a fine on charges of violating Part 1 of Article 19.3 of the Administrative Code of the Russian Federation (Disobedience to the lawful order of a police officer). This time, Efremov was accused of violating article 20.2 of the Administrative Code of the Russian Federation (Violation of the established procedure for holding a rally) for participating in the «#Надоел» action. However, Efremov claimed that he did not plan to participate in it⁵⁰. In addition, he was accused of violating Part 1 of Article 19.3 of the Administrative Code of the Russian Federation (Disobedience to the lawful order of a police officer)⁵¹. The court sentenced the activist to administrative detention for 10 days.

⁴⁶ <http://crimeahrg.org/en/the-authorities-refused-to-conduct-environmental-picket-by-the-social-activists-in-sevastopol/>

⁴⁷ <http://ru.krymr.com/a/news/28414130.html>

⁴⁸ <http://ru.krymr.com/a/news/28429573.html>

⁴⁹ <https://www.facebook.com/photo.php?fbid=1238789579571758>

⁵⁰ https://vk.com/krimoved?w=wall64972578_10760

⁵¹ https://vk.com/krimoved?w=wall64972578_10770



FREEDOM OF CONSCIENCE AND RELIGION

On 20 April, the Supreme Court of the Russian Federation recognized «**Jehovah's Witnesses Administrative Center in Russia**» as the extremist organization. The court decided to liquidate it and ban activities in the territory of the Russian Federation⁵². The court also decided to convert the property of the organization into state revenue. The ban also applies to 22 organizations of «Jehovah's Witnesses» in Crimea⁵³. According to the portal «Jehovah's Witnesses in Russia», there are 8,000 believers living in Crimea belonging to this religious trend.

⁵² <https://ria.ru/incidents/20170420/1492720045.html>

⁵³ <https://www.jw-russia.org/news/17033011-120.html>



VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

FORCIBLE TRANSFER OF THE POPULATION

Article 3 of Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms on the provision of certain rights and freedoms other than those already included in the Convention and the first Protocol to it prohibits the expulsion of citizens from the territory of the state of which he is a citizen. Article 49 of the Fourth Geneva Convention prohibits the deportation of persons from the occupied territory to the territory of the occupying country. The CHRГ continues to record violations of these norms in Crimea.

A citizen of Ukraine, **Andrei Lugin**, was serving a sentence of life imprisonment in the Simferopol prison at the time of the occupation. On 24 April he started a «dry hunger strike» in protest against forcing him to Russian citizenship and transferring him to a colony on the territory of the Russian Federation. He demanded to transfer him for serving his sentence in a colony on the territory controlled by Ukraine⁵⁴. For the same reasons, **Yury Mikhailov**, who is serving a sentence in prison, declared the hunger strike⁵⁵.

On 26 April, Andrei Lugin's wife informed the CHRГ that during the attempt of prison transfer Lugin cut his throat. He was taken to the intensive care unit of Simferopol City Hospital No. 6. in serious condition⁵⁶ (Annex 3).

Yuri Mikhailov, despite the announced hunger strike, was prison transferred on 26 April in the Russian Federation, to the colony on Ognenny Island.

Nedim Khalilov continues to be in the special distribution center in the Krasnodar Territory after being forcibly taken from Crimea for «exceeding the period of stay on the territory of the Russian Federation.» His situation is complicated by the fact that he was convicted in Crimea as a citizen of Uzbekistan, but he has not been since 2009. For this reason, the Russian authorities could not deport him to Uzbekistan. However, the Russian authorities refused to return him to Crimea, where he lived since 1986⁵⁷.

FORCING TO MILITARY SERVICE AND PROPAGANDA FOR THE VOLUNTARY ENTRY INTO THE ARMY OF THE OCCUPYING COUNTRY

On 1 April, the **spring campaign** on the call of the residents of Crimea to the armed forces of the Russian Federation started. The Russian government plans to call 2,400 Crimeans aged 18 to 27 years in the spring of 2017 in the ranks of the Russian Armed Forces. This year the Crimeans will be distributed not only in the Armed Forces of the Russian Federation in Crimea, but also will be moved to the territory of the Russian Federation⁵⁸, which violates Article 49 and Article 51 of the Geneva Convention IV.

On 10 April, the «military commissioner» of Crimea, Anatoly Maloletko reported⁵⁹ that a criminal case was started against one citizen of Ukraine living in Crimea for evading military service

⁵⁴ https://www.facebook.com/permalink.php?story_fbid=785815131587048&id=100004757052466

⁵⁵ <http://crimeahrg.org/en/crimeans-lugin-and-mikhailov-started-a-hunger-strike-in-the-simferopol-remand-prison/>

⁵⁶ <http://ru.krymr.com/a/news/28452978.html>

⁵⁷ <http://ru.krymr.com/a/28451497.html>

⁵⁸ https://ria.ru/defense_safety/20170401/1491249815.html

⁵⁹ https://video.img.ria.ru/Out/Flv/direct/2017_04_10_t_r2u1rfpa.5qy.mp4 (21:00 — 24:00)



in the Armed Forces of the Russian Federation, and about 200 citizens are listed as «not received» the draft notice. He also reported that about 20 people will serve outside Crimea — on the territory of the Russian Federation. «The head of the department of preparation and drafting of citizens for military service of the military commissariat of Crimea» Vadim Meshalkin and Anatoly Maloletko confirmed that the Crimean citizens that were called for the military service have Ukrainian citizenship.

LIMITATIONS ON THE CIVILIAN POPULATION FROM THE SIDE OF THE MILITARY FORMATIONS

On 26 April, armed men cordoned off part of the Marat-4 residential district in Kerch. In the enclosed zone there were several houses, a school and a kindergarten. At the time of the operation, the children were in educational institutions. As a result, within 2 hours, residents could not return home, and parents could not to pick up children from the school and kindergarten. According to witnesses, there was no mobile connection. In addition, armed men threatened journalists who recorded on the video what was happening⁶⁰.

THE REVIEW WAS PREPARED BY:

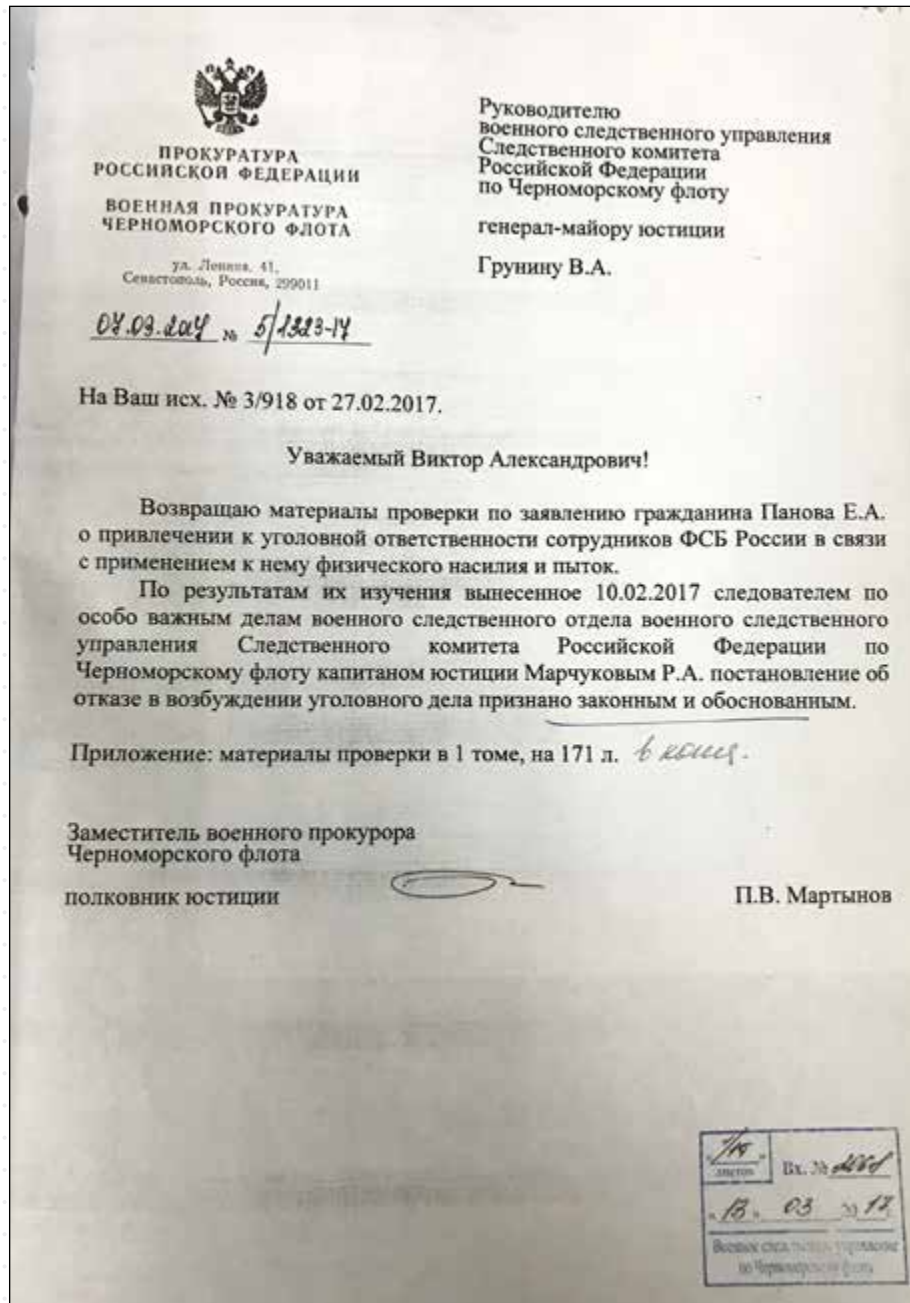
Olga Skrypnyk, *coordinator of the Crimean Human Rights Group;*
Vissarion Aseev, *analyst of the Crimean Human Rights Group;*
Alexander Sedov, *analyst of the Crimean Human Rights Group.*

⁶⁰ <https://www.youtube.com/watch?v=GP8fccFu9Cw>



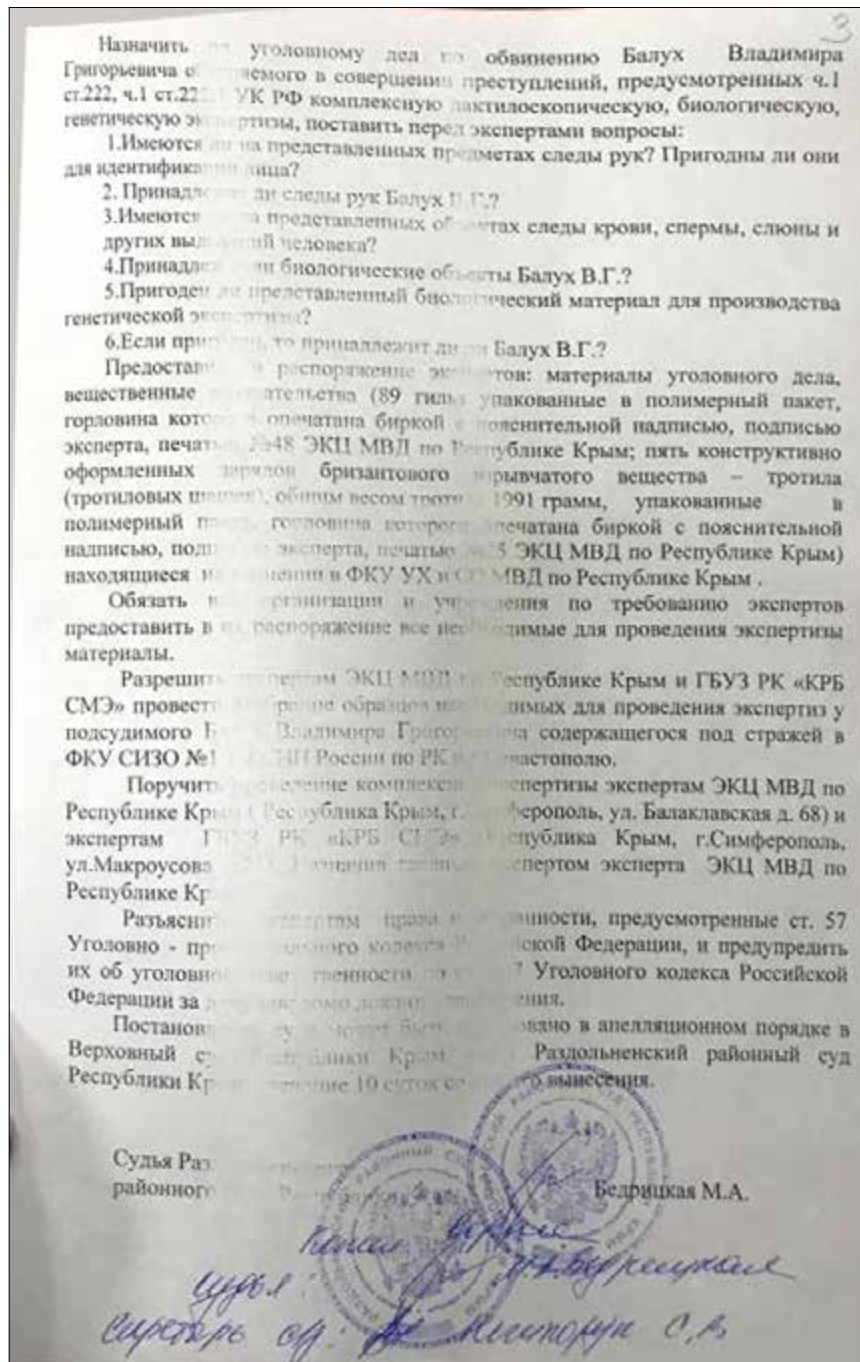
ANNEXES

ANNEX 1



A letter of Deputy Military Prosecutor of the Black Sea Fleet Martynov P.V. on the verification materials returning to the Investigative Committee of the Russian Federation for the Black Sea Fleet concerning using physical violence and torture against Yevgeniy Panov. March 7, 2017

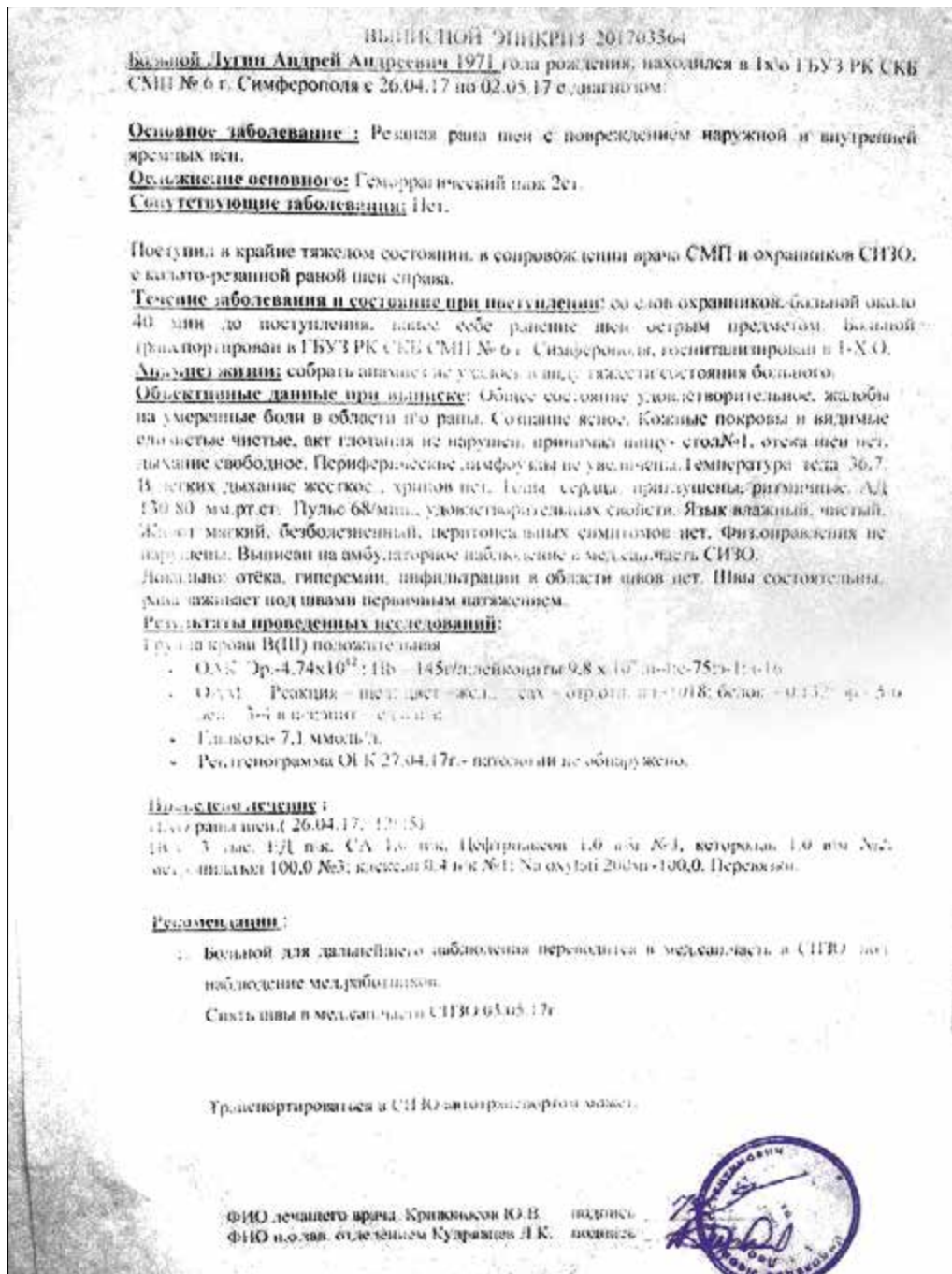
ANNEX 2



«Razdolnensky District Court» of Crimea statement on conducting dactyloscopic, biological and genetic examinations



ANNEX 3



Discharge epicrisis (medical report) on Andrei Lugin's health status