



**CRIMEAN
HUMAN RIGHTS
GROUP**



РЕГІОНАЛЬНИЙ ЦЕНТР ПРАВ ЛЮДИНИ
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**UKRAINIAN
HELSINKI
HUMAN RIGHTS
UNION**



Universal Periodic Review of Russia

30th session of the United Nations Human Rights Council
Working Group on the Universal Periodic Review

Submitting NGOs

- Crimean Human Rights Group (CHRG)
- Human Rights Information Centre (HRIC)
- Regional Centre for Human Rights (RCHR)
- Ukrainian Helsinki Human Rights Union (UHHRU)

About the coalition of NGOs

The Crimean Human Rights Group (CHRG)¹, the Ukrainian Helsinki Human Rights Union (UHHRU)², the Regional Centre for Human Rights (RCHR)³, and the Human Rights Information Centre (HRIC)⁴ have been monitoring the human rights situation in Crimea since the beginning of the Russian occupation. These organisations have provided first hand and reliable information on the worsening human rights situation in Crimea in the last three years while also addressing shortcomings in Ukraine's policy towards its occupied territories. The information submitted in this report is mainly based on the observations and calls made by these organisations.

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Introduction

1. This report is a joint contribution to the 30th session of the Universal Periodic Review (UPR) for Russia. It was prepared by a coalition of Ukrainian NGOs with the support of the Human Rights House Foundation (HRRF) and People in Need (PiN).
2. The present report focuses on human rights violations linked to the illegal annexation of Crimea by the Russian Federation. The authors of this report wish to stress that the underlying responsibility for the current dire human rights situation in Crimea lies with the

¹ Crimean Human Rights Group website: <http://crimeahrg.org/>

² Ukrainian Helsinki Human Rights Union website: <http://helsinki.org.ua>

³ Regional Centre for Human Rights websites: <http://rchr.org.ua> and additional resource found here: <http://precedent.crimea.ua/>

⁴ Human Rights Information Centre website: <http://humanrights.org.ua/>

local *de facto* authorities and with the authorities of the Russian Federation that is to be held accountable as occupying power.

General recommendations

3. **That Russia upholds all obligations under applicable international law as an occupying power;**
4. **That Crimea be made accessible for international organisations, including, but not limited to the United Nations, OSCE, European Union, Council of Europe structures and independent representatives, representatives of international human rights organisations and human rights organisations of Ukraine, and ombudsmen of the Parliament of Ukraine to monitor the observance of human rights.**

Political prisoners

5. More than 60 people have been prosecuted in politically motivated cases in Crimea since the occupation of the peninsula. 40 of those are currently serving sentences in places of detention, 10 people are under investigation, 10 people were convicted in criminal cases, the judgments for which were conditional or in the form of a fine. The number of political prisoners continues to grow. These cases are characterized by gross falsifications, illegal methods of investigation, torture and psychological pressure.

Recommendation

6. **Release prisoners who were arrested in Crimea for political activities, including those peacefully protesting against the occupation.**

Torture

7. Politically motivated cases against Ukrainian citizens are closely linked to the use of torture and other cruel, inhuman or degrading treatment or punishment by the Russian authorities in Crimea. It is reliably known that torture was used against Alexander Kostenko, Andrei Kolomiets, and the figurants of the case of "Ukrainian saboteurs" Yevgeny Panov, Andrei Zakhtei and Vladimir Prisich. Volodymyr Balukh was subjected to constant pressure in a pre-trial detention center. At the same time, all attempts made by lawyers to initiate an investigation regarding the use of torture were completely ignored by the Russian authorities.
8. Torture and cruel treatment are used routinely by the police and the Russian Federation's Federal Security Service (FSB). These methods are used for forced confessions, inducing detainees to conclude a deal with the investigation, and forcing them to refuse the services of lawyers under the agreement in favour of court-appointed lawyers that work together with the FSB. To achieve these goals, victims are often beaten, tortured, throttled, threatened with sexual violence, and blackmailed by the fate of their loved ones.
9. For example, nine citizens of Ukraine were detained in Crimea in 2017. The FSB calls them 'members of the terror sabotage group of Defense of Ukraine' though without presenting

any evidence. There is good evidence they were subject to torture, resulting in forced admission of guilt. Three of them have subsequently, so far, received prison sentences.

10. In another example, during Volodymyr Balukh's trial, his defence presented evidence of the activist's innocence, including evidence tampering, serious violations committed during police searches, and other investigative actions. However, the judge did not accept the arguments, called them 'vicious' and handed him a three year, seven month sentence and fine of RUR 10,000 on 4 August 2017.
11. In an even more recent example, on 13 September 2017, Renat Paralamov was abducted by FSB officers from his house and taken to an unknown destination. However, after Paralamov signed a testimony against himself and other people being subjected to torture, he was thrown out at a bus station in Simferopol, severely injured.
12. The victims of torture are deprived of standard international mechanisms for protection against torture. In particular, representatives of neither the UN Committee against Torture nor the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment can visit Crimea. The UN monitoring mission in Ukraine also cannot effectively conduct its work without having the opportunity to visit Crimea.
13. Moreover the treatment and conditions of detention of persons in police custody and penitentiary establishments in Crimea are cruel, inhuman and degrading. There is also evidence of convicts who were tortured for refusing Russian citizenship; they were sent to a punishment cell or are put under pressure through other prisoners. Ill treatment is also used during the transportation of people from pre-detention centres to the court hearings. Prisoners continue to be transferred to Russia, where there are already documented cases of denial of medical assistance and death of convicted citizens of Ukraine.

Recommendations

14. **Bring an end to all discriminatory measures and practices, arbitrary detention, torture and other cruel, inhuman or degrading treatment, and revoke all discriminatory legislation;**
15. **Investigate and prosecute all cases of torture in Crimea.**

Enforced disappearance

16. Occupation of Crimea was accompanied by a number of enforced disappearances including the arrests, detention, abduction or any other form of deprivation of liberty by agents of the Russian Federation or by persons or groups of persons acting with the authorization, support or acquiescence of them. A sharp increase in cases occurred in March-May 2014 during the active phase of occupation when occupational authorities were trying to suppress the resistance from the local population⁵. Ukrainian and Crimean Tatar activists, journalists, documentary filmmakers among others, have been particularly targeted.

⁵ See also: The Peninsula of Fear : Chronicle of Occupation and Violation of Human Rights in Crimea / Under the general editorship of O. Skrypnyk and T. Pechonchyk. Second edition,

17. The first victim of enforced disappearances, Crimean Tatar Reshat activist Ametov, was abducted by men in camouflage uniforms in the centre of Simferopol on 3 March 2014 during a single picket against the occupation of Crimea by Russia. His body was later discovered in the village of Zemlyanichnoe. Handcuffs were found next to the body and his head was bound up with tape. He died from the penetrating stab wound to the eye.
18. At least 10 people who became victims of enforced disappearances among civilians as a result of the occupation are still missing, including an activist of Automaidan, Vasyl Chernysh, participants of Euromaidan Ivan Bondarets and Valeriy Vashchuk (missing since March 2014), activists of Ukrainian People's House, Tymur Shaimardanov and Seyran Zinedinov (missing since May 2014), Crimean Tatars Islyam Dzhepparov and Dzhavdet Islyamov (missing since September 2014), Mukhtar Arislanov (missing since August 2015) and a member of the executive board of the World Congress of Crimean Tatars, the former member of Bakhchisaray district council and a member of the regional Mejlis Ervin Ibragimov (missing since May 2016). None of these cases have been effectively investigated and no perpetrators have been brought to justice.
19. The members of the local paramilitary group, the so-called "Crimean self-defense", was involved in the majority of enforced disappearances in 2014⁶, having emerged as an illegal armed group on 20 February 2014.

Recommendations

20. **Effectively and impartially investigate all alleged and suspected cases of enforced disappearance in Crimea, and immediately disclose the fate and whereabouts of all those arbitrarily deprived of liberty and inform their families accordingly;**
21. **Investigate and prosecute all cases of arbitrary deprivation of liberty, unlawful killing or enforced disappearance.**

Freedom of movement

22. The occupation of Crimea has resulted in serious and unjustified breaches of free movement. This has included the denial of access to the territory of Crimea and denial of permission to leave the territory of Crimea, which is permission based, as well as the seizure of documents needed to enter or leave Crimea.
23. No provision has been made to leave Crimea in case a passport or any other identity document is lost, including for example, in cases when a citizen of Ukraine or a foreigner temporarily arrives in Crimea and loses their passport.

revised and corrected. – Kyiv: KBC, 2016. – P.58. - https://helsinki.org.ua/wp-content/uploads/2016/05/PeninsulaFear_Book_ENG.pdf

⁶ See also: The victims of enforced disappearance in Crimea as a result of the illegal establishment of the Russian Federation control (2014-2016), June 2016. - http://crimeahrg.org/wp-content/uploads/2016/06/CHRG_The-victims-of-enforced-disappearance_Crimea.pdf

24. There was considerable unilateral change in residency conditions for citizens of Ukraine, foreigners and stateless persons who were in Crimea at the time of occupation. This included, for example, in relation to Ukrainian citizens who resided in Crimea, but had their place of stay registered in other parts of Ukraine, or foreigners and stateless persons who had a permanent residence permit in Crimea, that was issued by the immigration authorities of Ukraine.
25. Children aged 14 to 16 years cannot leave Crimea without a Russian passport, greatly affecting the rights of those who do not have one.
26. An unlawful transfer of part of the civilian population (deportation) from Crimea has occurred in relation to persons kept in custodial settings. More than 4,700 civilian prisoners, Ukrainian citizens kept in places of detention, were transferred by the Russian authorities from Crimea, and now they are in at least 49 penal colonies located in 23 regions of the Russian Federation.
27. Additionally, the internal displacement of much of the population of Crimea (IDPs) to mainland Ukraine has furthered the atmosphere of fear. The official number of Crimean IDPs in mainland Ukraine, as registered with Ukrainian authorities, is approximately 20,000. However, Ukrainian NGOs working closely with IDPs at the Administrative Boundary Line and throughout Ukraine estimate the real figure to be closer to 40,000 or 50,000.

Recommendations

28. **Reverse changes to the conditions of residency of citizens of Ukraine, foreigners and stateless persons who were in Crimea at the beginning of occupation, including Russian Federation migration legislation which incorporates denial of access to Crimea and denial of permission to leave Crimea;**
29. **Transfer to Ukraine all convicted Ukrainian citizens who express such a wish, so that they may serve the remainder of their sentences in territories controlled by the Ukrainian authorities;**
30. **Bring an end to the displacement from Crimea to the Russian Federation of people that do not have Russian citizenship – including those sentenced to imprisonment – who have, whatever the circumstances, found themselves under the control of the Russian Federation in Crimea.**

Right to nationality

31. According to Article 4 of Russian Federation Constitutional Law 6-FKZ “from the date of the admitting to the Russian Federation the Republic of Crimea and establishing within the Russian Federation the new constituent entities Ukrainian nationals and stateless persons who had been permanently residing in the Republic of Crimea and the City of Federal Importance Sevastopol were recognized as nationals of the Russian Federation, except for persons who within one month thereafter declared their willingness to retain their and (or) their minor children’s other nationality or remain stateless.”

32. Due to a number of objective reasons, (reducing the period for the submission of the application to 18 days; small number of operating offices of the Federal Migrating Service, which received applications); and an unwillingness of the population to live as foreigners within the relevant restrictions (related to employment, the right to social benefits, migration control, prohibition of participation in political activities and to be engaged in public life, etc.), roughly 3,500 persons filed applications “declaring their will to keep their and (or) their minor children’s other nationality or remain stateless.”
33. Children in social care have been the most vulnerable to this imposition of citizenship. According to the Office of the Ukrainian Parliament Commissioner for Human Rights, as of 1 August 2014 there were 4,228 such children in Crimea. Since the beginning of the occupation, the Russian Federation took control over the administration of the institutions that provided care for such children. On the grounds of “respecting the best interests of the child” no applications were filed “declaring willingness to keep their existing... other nationality.”
34. Additionally, children born in Crimea since the beginning of the occupation are automatically recognized as citizens of the Russian Federation by the occupying authorities. Thus, in accordance with article 12 of the Federal Law "On the citizenship of the Russian Federation", a child acquires citizenship of the Russian Federation by birth, if at the date of the birth of the child both or the only parent have citizenship of the Russian Federation, (irrespective of the birthplace).
35. Consequently, children of those, who did not apply for retention of Ukrainian citizenship, born after the beginning of the occupation, are recognized as citizens of the Russian Federation. For example, in 2016 alone, 22,944 children were born in Crimea (not including the city of Sevastopol). Thus, the vast majority of them have been made citizens of the Russian Federation.

Recommendations

36. **End the imposition of citizenship of the Russian Federation on the population of Crimea;**
37. **End the discrimination of the population of Crimea on the basis of citizenship of Ukraine, and end the repressive actions by the Russian Federation against people loyal to the Ukrainian authorities in occupied Crimea.**

Right to property

38. The Russian Federation has started a wide-scale nationalisation of private as well as state property located in Crimea and the city of Sevastopol.
39. Subject to data based on official sources and decisions of the occupation power, more than 330 enterprises, institutions and organizations belonging to the state of Ukraine and labor unions, and 280 enterprises in private property have been nationalized. Mass nationalization happened in Crimea in 2014 and continued in 2015. According to another report, the number of nationalized businesses is as high as 4,000.

40. The wide-spread nature of nationalization of private property as well as instances of unlawful seizure of property are also confirmed in a number of reports by international governmental organization, including the OHCHR, Council of Europe and OSCE.
41. Since the second half of 2016 there has been a steady trend to increase the number of lawsuits for seizure of land and demolition of residential and non-residential buildings in the occupied peninsula. In the overwhelming majority of cases courts deliver decisions in favour of the occupation authorities and the prosecutor's office.

Recommendations

42. **End an extensive appropriation of state and private property in Crimea on the basis of regulations and orders of occupying authorities;**
43. **Provide financial compensation for property rights violations;**
44. **Ensure fairness and objectivity in lawsuits relating to seizure of land plots and demolition of residential and non-residential buildings within the courts.**

Thought, conscience and religion

45. Fines for participation in unsanctioned rallies have been levied on participants of religious events. In 2016, a court in Yalta fined a Krishnaite, because he walked along the Yalta embankment shouting "Hari Krishna". The judge regarded this as an unauthorized procession. In 2015 in the village of Maryanovka, nine members of the "Evangelical Christian Baptists" organization offered Easter-related greetings to people. The court fined each person between ten and twenty thousand rubles.
46. On 6 July 2016, two Federal laws and certain Russian Federation legislative instruments were introduced as additional actions to fight terrorism and ensure the public security. Article 8 of Law No 374-FZ has introduced the concept of 'missionary activity' with provisions on its restriction. The list of persons that may act as missionaries and the list of places where they may act as missionaries were limited.
47. The liability for violation of laws on freedom of conscience, freedom of religion, and faith based organizations (Article 5.26 of Russian Federation CAO) has been stiffened. Article 5.26 of RF CAO now includes Part 3, liability of religious institution for activities without indicating its full name, Part 4, liability for missionary activity with violations of legal provisions on freedom of conscience, freedom of religion, and faith-based organizations.
48. Among the six officially documented cases published online in the first nine months of 2017, a member of the Jehovah's Witnesses organization was fined by a "justice of the peace" in Yalta for worshipping, reading the Bible, singing songs and praying, in June 2017. In May 2017, the "Justice of the Peace of Bakhchisarai" fined a pastor of the local religious organization "Christian Faith Evangelical Church of Revival" for 30,000 rubles for the lack of a sign on the premises where sermons are held. On 27 June 2017 Mr Tulparov, 'justice of the peace' in Dzhankoy, chaired the court proceedings on the case of Mr Vitaliy Arseniuk accused of the illegal missionary activity. Mr Arseniuk had been a head of the local Jehovah's Witnesses Committee before the ban on this organization in the Russian

Federation. The same night, after the 'court' session, Mr Arseniuk passed away due to extensive infarction.⁷

49. On 20 April 2017, the Russian Federation Supreme Court declared the activity of Jehovah's Witnesses organization as extremist and banned it. The ban was extended to the occupied Crimea where 22 organization branches were included.
50. "Anti-terrorist" Russian legislation is used as a tool to oppress Muslims in Crimea. Criminal prosecution is based on the Court decision defining Hizb ut-Tahrir as a terrorist organization and banning its activities in the Russian Federation. This judgment provides justification for massive searches, and regular interrogations and arrests are conducted in the homes of Muslims.

Recommendations

51. **Stop unjustified criminal prosecution of Muslims on religious grounds;**
52. **End the unjustifiable restrictions placed on religious associations, including laws that severely restrict freedom of religion or belief such as Law No 374-FZ and Law No 375-FZ.**

Conscientious objection – and rights relating to the military

53. In violation of the Geneva Convention, 'Protection of Civilian Persons in Time of War' and Rome Statute of the International Criminal Court, the Russian Federation drafts citizens of Ukraine in Crimea into its army. It should be noted that a number of the Ukrainian citizens drafted into the Russian Federation Armed Forces are forcibly moved from the territory of Crimea to the territory of Russian Federation.
54. On 1 April 2017, 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 draft 2,400 Crimeans aged 18 to 27 years in the spring of 2017 into 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 Federation, which violates Article 49 and Article 51 of the Geneva Convention IV.
55. On 10 April 2017, the "military commissioner" of Crimea, Anatoly Maloletko reported that a criminal case was started against one citizen of Ukraine living in Crimea for evading military service in the Armed Forces of the Russian Federation, and about 200 citizens are listed as having "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.

⁷ See also: People in Crimea are being persecuted by court for their religious beliefs. - Crimean Human Rights Group, 05 July, 2017. - <http://crimeahrg.org/en/people-in-crimea-are-being-persecuted-by-court-for-their-religious-beliefs/>

56. On 18 July, the website of the TV and Radio Company of the Armed Forces of the Russian Federation Zvezda reported that within the framework of the 2017 spring draft campaign, approximately 400 residents of Sevastopol are called to the Armed Forces of the Russian Federation, 10 of them are sent to serve in the territory of the Russian Federation to join the Airborne Forces of the Russian Federation.
57. A significant component of Russia's information and communication includes persistent offers for Crimean residents to be contracted into the Russian Federation Armed Forces to continue the military service. Criminal and administrative laws, as well as information and economic resources, are used by the Russian Federation to force Crimean residents to serve in the Russian Forces armed and auxiliary forces. Article 51 of the Geneva Convention, 'Protection of Civilian Persons in Time of War', states that the Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. No pressure or propaganda which aims at securing voluntary enlistment is permitted. But Russia conducts mass propaganda not only among the adult population, but also among children.⁸
58. For example, the representatives of military commissariats deliver dedicated classes for children aimed at preparing for military service. For instance, on 15 February 2016, the Yalta Town Military Commissariat participated in the military patriotic classes in the Livadia educational orphanage as reported on the Crimean 'Government' website. The service in the Russian Federation army was promoted on such lessons.
59. Russian Federation military personnel participate in various children's events promoting service in the Russian army. For instance, a festival dedicated to the Day of Fatherland's Defender was held in Orlyonok Nursery School No 28 on 23 February 2017. Soldiers of Military Unit No 98546 of Russian Federation Armed Forces were invited to the celebrations at the nursery school.

Recommendations

- 60. Stop the illegal call for Ukrainian citizens to enter the Russian army;**
- 61. End the use of military propaganda among underage Crimean residents.**

Opinion and expression

62. Establishment of the Russian Federation's control over the Crimean territory was accompanied by a process of curtailment of freedom of speech and expression of opinions, in part, through the implementation of the law on countering extremist activity, criminal liability for "incitement to separatism", reduction of a number of alternative sources of information, harassment of journalists by law enforcement agencies and the "Crimean Self-Defense" and blocking media outlets online. Independent outlets were forcibly shut down,

⁸ See also: Human rights in Crimea militarization context: Situation with Human Rights in the Autonomous Republic of Crimea and Sevastopol City. Adverse Impact of Russian Militarization. Information and Analytical Report (April 2014 – May 2017) / under the general editorship of O.Skrypnyk and I.Sedova – Kyiv, 2017. - Crimean Human Rights Group, July, 2017. - http://crimeahrg.org/wp-content/uploads/2017/09/HUMAN-RIGHTS-IN-CRIMEA-MILITARIZATION-CONTEXT_EN-2017.pdf

transmissions of Ukrainian stations were replaced with broadcasts from Russia, access to a number of local and Ukrainian media outlets via the internet was blocked for users in Crimea, and many journalists fled Crimea to escape harassment, violence, and arrests.

63. Journalists and media workers in Crimea are subject to obstruction, arbitrary detention, interrogation, and seizure or damage of equipment. In January 2015, before Crimean Tatar TV Channel ATR ceased broadcasting from Crimea, the authorities raided its headquarters and confiscated equipment while ostensibly searching for footage of a 2014 protest.
64. Hundreds of media outlets were unable to obtain registration with Russian authorities by an April 2015 deadline, reducing the number allowed to operate in Crimea from more than 3,000 to just 232. Those barred from re-registering included several outlets—television, radio, print, and online—that served the Crimean Tatar minority⁹. More than 20 online media outlets were also blocked by Roskomnadzor, prosecutor's office and internet providers on the territory of Crimean peninsula in 2015 and 2016.
65. Journalists in Crimea are subject to trumped-up criminal charges for defamation, "extremism," incitement to separatism, and other offenses. A 2014 Russian law against inciting separatism—Article 280.1 of the penal code—was used to persecute Crimean journalists. Criminal cases have been opened against the editor of the BlackSeaNews Andriy Klymenko, journalists with the Center for Investigative Reporting Anna Andriyevska and author of the Radio Liberty Mykola Semena which carry up to five years in prison. While Klymenko and Andriyevska left Crimean peninsula, Semena is under the travel ban. On 22 September 2017 a local court found Mykola Semena guilty on a charge of 'separatism' and handed him a two-and-a-half-year suspended sentence. He was also barred from "public activities" - apparently including journalism - for three years.
66. In general, during 2014-2016 the Human Rights Information Center has documented over 500 single violations of freedom of speech and expression. Independent journalists that expressed dissent with occupational authorities were forced either to leave Crimea or to leave their profession. As a result of intimidation and restrictions, 10 Crimean media outlets moved to the mainland Ukraine (QHA, Radio Meidan, Crimean Tatar TV Channels ART and Children's Television Lale, BlackSeaNews, Radio Leader, 15 minutes, Center for Investigative Journalism, Chornomorska TV and Sobytiya.Info) where they continue to operate and cover Crimean issues from a distance while the majority of them are being blocked online in Crimea.

Recommendations

67. **Allow and facilitate media outlets that have been unlawfully closed, or forced to close, under the requirement to re-register under the Russian law, to reopen;**
68. **Ensure that journalists have unrestricted access to, and the freedom to conduct their professional activities in, Crimea, including those from mainland Ukraine;**

⁹ See also: Crimean Tatar Media in Crimea: situation in 2014 – 2016. – Human Rights Information Center, 10 April 2017. - https://humanrights.org.ua/en/material/tri_goda_nesvobody_polozhenije_krymskotatarskih_media_v_krymu

69. Investigate all reported instances of unlawful detention, intimidation and harassment of journalists in Crimea, and bring those suspected of criminal responsibility to justice in fair trials;
70. End the practice of blocking access to online resources on arbitrary grounds and without judicial authorisation;
71. Stop using 'anti-extremists' and 'anti-separatist' legislation to attack journalists and bloggers.

Peaceful assembly and association

72. The Russian authorities used brutal tactics against participants of peaceful assemblies in the first year of the occupation: attacks of so called 'Crimean self-defense' and other 'non-identified persons' on the events supporting the territorial integrity of Ukraine, abductions and murders of their participants in spring 2014, mass detentions, arrests of single activists, and the violent dispersal of protests. The occupation authorities represented by the police, the prosecutor's office, and the courts use administrative and criminal prosecution against participants of peaceful assemblies.
73. On 16 May 2014, 'Prime Minister' of Crimea Sergey Aksionov issued Edict No 29 that prohibited peaceful assemblies on the territory of Crimea till 6 June that year. The ban on peaceful assemblies was applied to the mourning events of 18 May 2014 dedicated to the 70th anniversary of the Crimean Tatar deportation. On 22 November 2015, a new moratorium on holding public events was introduced on the territory of Simferopol. Mr G. Bakharev, head of Simferopol Administration, decided 'to suspend temporarily actions on holding mass, public, cultural and entertainment and other events' on the territory of Simferopol starting from 22 November 2015 until further notice.
74. On 12 November 2014, the 'Council of Ministers of Crimea' issued resolution No 452 'On approving the list of places for holding public events on the territory of the Republic of Crimea', that indicates the places for holding peaceful assemblies. For instance, in Simferopol (a city with 400,000 residents) the peaceful assemblies may only be held in four places. On 4 July 2016, the 'Council of Ministers of Crimea' – by resolution no 315 - significantly reduced a list of places allowed for holding peaceful assemblies. For the whole of Crimea the total number of places for holding peaceful assemblies decreased from 717 to 360. The document restricts considerably the possibilities for the Crimean residents to hold a peaceful assembly within the 'sight and sound' of the audience they want to address.
75. Crimean human rights group conducted an analysis of judicial decisions that were made in Crimea since the beginning of the occupation. The analysis of the court decisions revealed 256 judgments that included punishment applied to participants for participating in peaceful assemblies. The fines collectively totalled more than RUR 2,700,000. The amount of some individual fines reached RUR 150,000. It should be noted that the average pension in Crimea is less than RUR 9,000.
76. In addition to the penalties, 14 decisions were passed, according to which participants in peaceful assemblies were sentenced to compulsory public works, from twenty to forty hours, and 22 people were arrested for a period from two to fifteen days. The prosecutions

are related to the participants in peaceful assemblies, which were held on grounds of national identity, discontent with the actions of local authorities, or in support of Crimean residents who are deprived of their liberty by the Russian authorities.

77. On 18 May 2017 in Bakhchisarai a group of Crimean Tatars including Mr Abdurefeyev, Mr Umerov, Mr Mamutov, Mr Mamutov and Mr Yusupov, were detained after driving cars with Crimean Tatar flags. They were accused of violating Article 20.2-5 of RF CAO (Violation of the peaceful assembly holding procedure). The local court imposed a RUR 10,000 fine on each of them.
78. The 76-year-old Crimean Tatar, Server Karametov, was fined RUR 10,000 fine for holding a single picket in support of political prisoner Akhtem Chyigoz, and was detained for ten days for “nonobservance” of the orders of police officers who detained him.
79. In addition to the administrative persecution, 40 people are currently deprived of their liberty and 9 are under criminal investigation for manifesting their political, national or religious position. Akhtem Chyigoz was sentenced to eight years in prison for organizing a peaceful rally on 26 February 2014, that is, at a time when even the Russian Federation considered Crimea as a part of Ukraine¹⁰.
80. In April 2016 the Crimean Tatars' Mejlis, an assembly representing the ethnic group's interests, was banned by the Russian Federation as an "extremist" organisation. This had followed the *de facto* Prosecutor of Crimea asking the Supreme Court of Crimea to suspend the Mejlis as an extremist organization. The assembly had been seen as a key body for the enjoyment of freedom of assembly, association and expression by the Crimean Tatar People and the move to ban it was roundly criticized by a number of international organisations, including the European Parliament¹¹ and the International Court of Justice¹².

Recommendations

- 81. Stop unjustified administrative and criminal persecutions of organisers and participants of peaceful assemblies;**
- 82. Immediately release persons deprived of liberty due to exercising their right to freedom of peaceful assembly and association and reimburse them the damage caused by the unlawful imprisonment, torture or other inhuman and degraded treatment;**
- 83. Refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis, and to protect against any attacks upon its members.**

¹⁰ See also: *Unsanctioned Freedom: Analytical review on violation of right to peaceful assembly in Crimea (March 2014 – March 2017)* / produced by A.Sedov, under the general editorship of O.Skrypnyk and literary editorship of M.Budzar. – Kyiv, 2017. – 43 p. - Crimean Human Rights Group, May, 2017. - <http://crimeahrg.org/wp-content/uploads/2017/06/book-EN.pdf>

¹¹ “EU Parliament adopts resolution on Crimean Tatars”, humanrightshouse.org/Articles/21611.html

¹² ICJ Press Release, 19 April 2017, <http://www.icj-cij.org/files/case-related/166/19412.pdf>

Discrimination in education

84. The number of pupils studying in Ukrainian has reduced 36 times during the three years of occupation. Correspondingly, the number of Ukrainian medium classes reduced 31 times for the same period. In the 2013/2014 academic year 13,589 people in the Autonomous Republic of Crimea were educated in Ukrainian in 875 classes. According to the 'Ministry of Education' of Crimea only 28 classes are reported to be left in Crimea in the academic year 2016/2017, where only 371 children of 188,517 pupils of Crimea (excluding Sevastopol) were educated in the Ukrainian medium, or 0.2 percent of the total number of pupils in Crimea in 2016¹³.
85. The census carried out by the Russian Federation in 2014 states that there were 18,706 children of Ukrainian nationality and 29,140 children of Crimean Tatar nationality in Crimea. So only 3.2 percent of Ukrainian children and 25.2 percent of Crimean Tatar children are educated in the native language. Other children of Ukrainian and Crimean Tatar nationalities are educated in Russian.
86. On 4 May 2017, representatives of the Sevastopol Ukrainian National Cultural Society requested Mr Rodikov, a director of Sevastopol education department, to return to Ukrainian medium education in Sevastopol schools. Mr Rodikov answered that the Ukrainian language was not a state language in Sevastopol, and there were no Russian educational programs in Ukrainian, so there were no legal grounds for teaching in Ukrainian medium in the city secondary schools.

Recommendation:

87. **Ensure full and unimpeded access to education in the native languages in Crimea, including Ukrainian and Crimean Tatar languages, and halt all discrimination against schools teaching in those mediums.**

¹³ See also: Situation with access to the education in the native language in Crimea. - Crimean Human Rights Group, 21 April, 2017. - <http://crimeahrg.org/en/situation-with-access-to-the-education-in-the-native-language-in-crimea/>