



CRIMEAN HUMAN RIGHTS GROUP

e-mail: crimeahrg@gmail.com

website: crimeahrg.org

CRIMEAN HUMAN RIGHTS SITUATION REVIEW

January 2018

The monitoring review was prepared
by the Crimean Human Rights Group
on the basis of materials collected
in January 2018

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1. INTRODUCTION	2
2. CIVIL AND POLITICAL RIGHTS	3
Prohibition of torture	3
Right to liberty and security of the person	4
<i>Searches</i>	4
Politically motivated criminal prosecution	6
«February 26 case»	6
«Case of Crimean Muslims»	6
«Ukrainian saboteurs' case»	7
<i>Volodymyr Balukh's case</i>	7
<i>Vedjie Kashka's case</i>	8
Freedom of speech and expression of opinions	10
<i>Obstruction of journalistic activities</i>	10
<i>Suleiman Kadyrov's case</i>	10
<i>Igor Movenko's case</i>	10
<i>Larisa Kitayskaya's case</i>	11
Freedom of peaceful assembly and association	12
Freedom of movement and issues of passing check points	14
3. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW	14
Coercion to military service and propaganda of joining voluntarily	14
the army of occupying power	
Compelling to swear allegiance to a hostile power	14
4. ANNEXES	16



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

PROHIBITION OF TORTURE

On January 10th lawyer Aleksandr Popkov informed that his client, **Mr Emir-Usein Kuku**, defendant in the case of 'Crimean Muslims' was kept in the overcrowded cell: there were 17 people in the cell designed only for 8 prisoners. Due to this reason he and other prisoners had to sleep in turn¹, that testified a unhuman and degrading treatment.

Mr Ismail Ramazanov informed that on January 23rd the IF MIA policemen were beating him when detaining and transporting to the police station and the temporarily detention unit. On January 24th he informed that he had not been given any water or food for more than 35 hours (*For more details see Section 'Right to liberty and personal security'*).

¹ <https://www.facebook.com/anton.naumlyuk/posts/1821349347899997>



RIGHT TO LIBERTY AND SECURITY OF THE PERSON

SEARCHES

On January 5th the officers of RF MIA Anti-Extremism Center (Center E) searched houses of sisters **Mrs Khatidje Kantemirova** and **Mrs Zera Bazirova**. When searching, religious literature, a phone and a tablet were expropriated.²

On January 18th a search was held at **Mr Girai Kulametov's**, a participant of 14 October 2017 single-man pickets. The Kulametov's house was surrounded, and a prison truck was at the entrance. The relatives informed that Mr Kulametov was charged with distributing 'extremist materials' in social networks. After the search he was detained, and his computer was expropriated. Mr Kulametov was convoyed to Kirovskoye District police station where an administrative report under CoAO Article 20.3-1 was drawn up (Propaganda or public demonstration of extremist organization attributes or symbols). The same day Mr Roman Mikhaylov, a judge of Kirovskoye District Court, issued a decree of 10-day's administrative arrest for publishing a video clip with 'Hizb-ut-Tahrir' organization symbols in 2012.

On January 22nd the police came to the house of Mr Kulametov's mother — **Mrs Zarema Kulametova** under the pretense of received 'claim on abuse addressed to the head of Kirovskoye District police unit'. But the policemen refused presenting the claim and the search warrant. Mrs Kulametova rejected speaking with the police and they left.³

On January 26th Ms Yekaterina Timoshenko, a judge of 'Supreme Court of Crimea', upheld a decision on administrative arrest for Mr Kulametov, despite a retrospective application of the RF laws.⁴

On January 18th a search was held at Mr Kemal Seityayev's, a participant of 14 October pickets, in Belogorsk. After the search he was convoyed to Belogorsk District police station, where an administrative report under CoAO Article 20.29 was drawn up (Production and distribution of extremist materials) — he was charged with publishing a Timur Mutsurayev's song, included into the 'list of extremist materials' of RF MinJustice, in the social network. The same day he was fined to RUR1,000.⁵

On January 23rd houses of Mr **Djambaz Mukhsin's parents** (Stary Krym) and of Mr **Ismail Ramazanov** (Novy Mir village) were searched.

The Russian police informed that a reason for searching Mr Ismail Ramazanov's house was a charge of extremism. When the search started, Mr Ramazanov was placed in handcuffs, and his phone, tablet and Ukrainian documents were expropriated. The policemen reported that over 20 cartridges had been found under the bed. Mr Ramazanov was convoyed to the RF Investigation Committee Department (RF SK). Mr Mammet Mambetov, a lawyer, informed that on the way to the RF SK Mr Ramazanov had been beaten⁶, and then from RF SK he was transported to the temporary holding cell (IVS) in Simferopol. The investigator told the lawyer that on the way from the SK to the IVS Mr Ramazanov had complained about his health so he was taken to various medical establishments.⁷

² <https://www.facebook.com/crimeansolidarity/posts/543420166025444>

³ https://www.facebook.com/permalink.php?story_fbid=254901091712861&id=100015789158062

⁴ "Supreme Court of Republic of Crimea" | List of cases to be heard on 26 Jan 2018 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=26.01.2018

⁵ <https://www.facebook.com/crimeansolidarity/posts/548976265469834>

⁶ <https://www.facebook.com/crimeansolidarity/posts/551574038543390>

⁷ https://www.facebook.com/crimeansolidarity/?hc_ref=ARTnwkrDnrg2rhne_WJE5Kf4F2Yhu5EVaQ6cvi0_U_cjhRePWkvYUyhbrUJhAnrmxyPA&fref=fbf



On January 23rd the RF SK published information about starting a case against a resident of Simferopol District under RF CC Article 282-1 ('Actions aimed at inciting hatred or enmity as well as violating a dignity of group of persons by nationality as well as by affiliation of any social group, performed through Internet) for statements made on the air of ZELLO web station.⁸

On January 24th Mr Ramazanov said in the 'Simferopol District Court' that when he had been examined he was beaten in the left shoulder, in the belly, in the kidney area as well as he was left without meals and water for over 35 hours since the moment of detention. At the hearing the prosecutor informed that in September — October 2017 Mr Ramazanov had 'published information aimed at incitement of ethnic hatred'. Lawyer Aleksey Ladin pointed out that there were no evidence of Mr Ramazanov's involvement and even the crime itself.⁹ Judge Irina Kirilova decreed to select detention on remand till February 23rd 2018 as restriction measure for Mr Ramazanov.¹⁰

During the search of Mr Djambaz Mukhsin's parents' house the windows were broken out when there was only an old mother inside. Mr Mukhsin came home when the search had started already, when he informed thereof.¹¹ The information on search reasons is being clarified.

On January 25th the house of Mr **Enver Krosh**, an activist, in Djankoy was searched, with a mobile, a tablet and a laptop expropriated. After the search Mr Krosh was convoyed to the Djankoy Police Station. The police refused informing the relatives where Mr Krosh was and threatened with a fine of RUR25,000 if they did not leave the police building.¹²

The same day Mr Stanislav Yurchenko, a 'Djankoy District Court' judge, issued a decree on 10-day's administrative arrest for Mr Korsh under RF CoAO Article 20.3-1¹³ for a post in the social network published before the occupation of Crimea.¹⁴

It is important to mention that in December 2015 Mr Abdureshit Djepparov informed about torturing Mr Enver Krosh by the RF FSB officers with electric current to make him collaborate.¹⁵

On January 25th Center E officers searched the house of Mr Ebazer Isliamov in the village of Razlivy, Nizhnegorsk District, followed with his convoying to Nizhnegorsk District Police Station. From the police Mr Isliamov was transported to Nizhnegorsk District Court where Judge Artur Avakian found him guilty of violating RF CoAO Article 20.3-1 and imposed a fine of RUR2,000. The judge made him liable for publication in VKontakte social network in 2010, justifying his decision that Mr Isliamov was to delete the post in 2014.¹⁶

The searched fixed in January were held with involving a lot of Russian policemen and dedicated vehicles — prison trucks. During the searched the houses were encircled, and none was allowed to approach the search location. However, an official reason for searches was publications in the internet or suspicions on storing religious literature, and most cases the searches were held within were administrative. Considering this, applying these methods by the police for the searches was non-proportional and did not comply with official search reasons.

⁸ Main Investigation Department | A resident of Simferopol District is Suspected of Extremism <http://crim.sledcom.ru/news/item/1197480/>

⁹ <https://www.facebook.com/crimeansolidarity/posts/552257658475028>

¹⁰ "Simferopol District Court | process on file No 3/1-5/2018 https://simpheropolskiy--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=1494160905&delold=1610001&caseType=0&new=0&srv_num=1

¹¹ <https://www.facebook.com/crimeansolidarity/posts/551574038543390>

¹² <https://www.facebook.com/crimeansolidarity/posts/552541491779978>

¹³ Propaganda or demonstration on public of Nazi attributes and symbols or attributes or symbols of extremist organizations or other attributes or symbols which propaganda or demonstration on public are prohibited by federal laws

¹⁴ <https://www.facebook.com/crimeansolidarity/videos/552752535092207/>

¹⁵ 112 UKRAINA | RF FSB Officers Torturing Crimean Tatar with Electric Current — Djepparov <https://112.ua/glavnye-novosti/sotrudniki-fsb-rf-pytali-krymskogo-tatarina-elektricheskim-tokom-dzhepparov-280241.html>

¹⁶ "Nizhnegorsk District Court" | Decree on case No 5-12/2018 https://nizhnegorskiy--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=1494884575&delold=1500001&caseType=0&new=0&doc=1&srv_num=1



POLITICALLY MOTIVATED CRIMINAL PROSECUTION

«FEBRUARY 26 CASE»

The 'February 26 Case' (events at the Parliament of Crimea in 2014) is being heard at two legal proceedings. The first one is the case of Mr **Akhtem Chygoz**, with a verdict of eight-year's sentence. Due to the negotiations between Presidents of Turkey and the RF, Mr Recep Erdoğan and Mr Vladimir Putin, and the meeting between Mr Erdogan and Mr Petro Poroshenko, President of Ukraine, Mr Chygoz was freed and now he is in Kyiv.

The second legal proceeding is in progress at the 'Tsentralny District Court' of Simferopol within the case of 'mass riot participants': Mr **Ali Asanov** and Mr **Mustafa Degermendji** are under the house arrest, the restriction selected for Mr **Eskender Katemirov**, Mr **Eskender Emirvaliyev**, Mr **Arsen Yunusov** is personal surety; Mr **Eskender Nebiyev** and Mr **Taliat Yunusov** were given a suspended sentence.

On January 18th Mr **Degermendji** announced a petition at the court with a demand to be explained a sense of a new version of indictment made in December, to specify the country the crime he was charged had been performed, the time and the specific place where the crime had been performed, and the provisions of the laws that had been violated. The prosecutor did not answer these questions and stated that 'there is no need in detailed specification to make an indictment'.¹⁷

On January 22 Mr Sergey Demeniuk, a judge of Tsentralny District Court of Simferopol, extended a house arrest period for Mr **Ali Asanov** and Mr **Mustafa Degermendji** for 2 months.¹⁸

In January 4 hearings on the merits of 'February 26 case' were held at the Tsentralny District Court: January 11th, 18th, 22nd, and 26th.

On January 30th Mr Konstantin Karavayev, a judge of 'Supreme Court of Republic of Crimea', upheld a decision on extending the house arrest period for Mr **Mustafa Degermendji**.¹⁹

«CASE OF CRIMEAN MUSLIMS»

Under the 'Case of Crimean Muslims' who are accused of being 'Hizb-ut-Tahrir' members **25** people are in custody as of the late January: **Ruslan Zeitullayev, Rustem Vaitov, Nuri Primov, Feirat Saifullayev** (all convicted), **Inver Bekirov, Vadim Siruk, Muslim Aliyev, Emir Usein Kuku, Refat Alimov, Arsen Djepparov, Enver Mamutov, Remzi Memetov, Zevri Abseitov, Rustem Abiltarov, Teimur Abdullayev, Rustem Ismailov, Aider Saledinov, Uzeir Abdullayev, Emil Djemadenov, Marlen Asanov, Seyran Saliyev, Memet Belialov, Timur Ibragimov, Server Zekiryayev and Ernes Ametov** (in custody). They are accused under Article 205.5.1 of RF CC (Creation of terrorist organization) and/or Article 205.5.2 of RF CC (Membership in the terrorist organization). Later some defendants have been also charged under Article 278 of RF CC (Violent coup or violent retention of power).

¹⁷ Krym Realiij Crimea: at the court on "February 26 Case" a prosecutor found it difficult to name the country the defendants acted in: <https://ru.krymr.com/a/news/28983005.html>

¹⁸ <https://www.facebook.com/100017810343695/videos/181025915834419/>

¹⁹ "Supreme Court of Republic of Crimea" | Case No 22K-344/2018 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=1530049446&result=1&delo_id=4&new=4



On January 10th the first hearing on the merits of the case of Muslims detained in Yalta in February and April 2015 was to be held (**Refat Alimov, Arsen Djepparov, Emir Usein Kuku, Muslim Aliyev, Inver Bekirov, Vadim Siruk** (charged under RF CC Articles 205.5 and 278). The hearing was transferred January 24th because Mr Bekirov was not convoyed from Krasnodar.²⁰

On January 11th Mr Igor Kriuchkov, a judge of 'Supreme Court of Republic of Crimea', dismissed an appeal against extending the arrest of Mr Uzeir Abdullayev²¹ till February 11 2018.²² The decision on extending the detention period for Mr Abdullayev that was appealed had been taken at the same court on December 8th 2017.

On January 17th Mr Sergey Rubanov, a judge of 'Supreme Court of Republic of Crimea', upheld a decision of detention on remand for Mr **Ernes Ametov, Marlen Asanov, and Server Zekiryayev**²³ till March 9 2018.²⁴

Mr Saliyev and Mr Zekiryayev were put for 28 days in insane hospital to be subject to a compulsory psychiatric examination.²⁵ Mr Mambet Mambetov, a defence lawyer, informed that according to investigators' statement, the examination was to be performed due to a terrorist focus of the charge²⁶.

In addition, in January a criminal case against **Mr Renat Suleymanov, Mr Arsen Kubedinov** (are in the detention center), and **Mr Taliat Abdurakhmanov, and Mr Seyran Mustafayev** (house arrest) went on under RF CC Clause 282.2 (Organization of extremist institution activities) on the charge of membership in the 'Tablighi Jamaat'.

«UKRAINIAN SABOTEURS' CASE»

In January 12 people who, when detained by the RF FSB, had been accused of 'preparation of sabotage and espionage' were still in custody: **Mr Yevgeniy Panov, Mr Andrey Zakhtey, Mr Redvan Suleymanov, Mr Vladimir Prisich, Mr Vladimir Dudka, Mr Dmitriy Shtyblikov, Mr Aleksey Bessarabov, Mr Gleb Shabliy, Mr Aleksey Stogniy, Mr Gennadiy Limeshko, Ms Anna Sukhonosova, Mr Dmitriy Dolgopolov**. Unlawful methods of investigation and torturing for securing confessions were recorded in these cases.

On January 29th a spouse of Mr Zakhtey informed that a bill of indictment regarding Mr Zakhtey had been approved and the 'Prosecutor's Office' of Crimea had submitted a relevant indictment to the 'Supreme Court of Crimea'.²⁷

VOLODYMYR BALUKH'S CASE

On January 10th and 12th hearings of Mr Volodymyr Balukh's case on the merits were held. He was charged under RF CC Article 222-1 'illegal procurement, transfer, sales, storage, transportation or bearing of weapons, their components, ammunitions' and RF CC Clause 222.1.1 'illegal

²⁰ <https://www.facebook.com/emil.kurbedinov/posts/1690919607639296>

²¹ Uzeir and Teymur Abdullayev, Aider Saledinov, Rustem Ismailov, Emil Djemadenov were detained by RF FSB in settlements close to Simferopol on 12 October 2016 and are charged under Article 205.5 of RF CC

²² "Supreme Court of Republic of Crimea" | Case No 22K-141/2018 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=1345737330&result=1&delo_id=4&new=4

²³ Server Zekiryayev, Marlen Asanov, Ernes Ametov, Seyran Saliyev, Memet Belialov, and Timur Ibragimov were detained by RF FSB in Bakhchisarai on October 11th 2017 and charged under Article 205.5 of RF CC

²⁴ "Supreme Court of Republic of Crimea" | List of cases to be heard on 17 Jan 2018 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=17.01.2018

²⁵ <https://www.facebook.com/anton.naumlyuk/posts/1833794093322189>

²⁶ <https://www.facebook.com/crimeansolidarity/posts/551641005203360>

²⁷ <https://ru.krymr.com/a/news/29005290.html>



procurement, transfer, sales, storage, transportation or bearing of explosive substances or devices'. The court disregarded a request of lawyer Ms Olga Dinze on transferring these hearings to other dates due to her unavailability.²⁸

During the hearings the defence witnesses were interrogated. The court rejected a petition on handwriting examination of two procedure documents signed by Mr Viktor Palagin, head ' of 'FSB Department for Republic of Crimea and Sevastopol'. These documents contradict each other, and they may be falsified. The examination might have verified this but the court rejected it. The investigation failed to establish a connection between Mr Balukh and cartridges, the lawyers asked for taking actions on establishing how specifically the cartridges from Barnaul had appeared in Crimea, but the court rejected this, too.

On January 15th in the course of oral arguments prosecutor Dmitriy Korolev requested a punishment of 5 years and 1 month's imprisonment in the open colony, and a fine of RUR20,000. In addition, the prosecutor placed a motion on changing a restrictive measure from house arrest to remand in custody.

On January 16th Ms Yelena Tedeyeva, a judge of 'Razdolnoye District Court', sentenced Mr Volodymyr Balukh to 3 years and 7 months of imprisonment in the open colony, and a fine of RUR10,000. Though the sentence did not come in force, Mr Balukh, due to the prosecutor's motion, was placed in detention in the court room once the sentence was read out. Mr Balukh did not admit his guilt, and during the court sessions he had stated many times illegal actions of Russia in Crimea and that Crimea was a part of Ukraine.²⁹

When reconsidering the case, the judge disregarded also evidence of activist innocence and facts of evidence falsification. In addition, in the course of investigation and court consideration the major issue whether the cartridges found could be used for explosion, had remained unstudied, so there was no crime subject — an explosive substance that might cause explosion and damage.

With the verdict having been read out, Mr Balukh was convoyed to Razdolnoye temporary holding facility, and then to Simferopol Detention Center.

The lawyers placed appeals against the decision on placing in detention and the verdict for Mr Balukh in which they demanded to cancel the unlawful and unjustified verdict.

VEDJIE KASHKA'S CASE

Mr Bekir Degermendji, Mr Asan Chapukh, Mr Kiazim Ametov and Mr Ruslan Trubach were detained on November 23rd due to a fake charge of extorting the money from a citizen of Turkey. During the detention Mrs Vedjie Kashka, a Crimean Tatar movement veteran, whom, as the detained said, the citizen of Turkey was to return the borrowed money, died.

On January 2nd Mr Bekir Degermendji, as his daughter Mavile said, despite serious health problems, was moved from the pulmonary hospital department to detention center. The relatives managed to transfer necessary medicines to Mr Degermendji only January 9th, because there were holidays until January 9th, and due to this reason the detention center staff did not accept any supplies from the relatives.³⁰

²⁸ Krym Realii | Lawyers Ask for Postponing a Session of Ukrainian Activist Balukh's Case <https://ru.krymr.com/a/news/28965447.html>

²⁹ <http://crimeahrg.org/zastavit-lyubit-novuyu-rodinu-u-vas-ne-poluchitsya-vladimir-baluh-v-sude/>

³⁰ <https://www.facebook.com/crimeahrg/posts/2002625156689782>



On January 12th Mr Viktor Mozheliansky, a judge of “Kievsky District Court’, upon a motion placed by Mr M.A.Rudkovsky, an investigator, extended periods of detention on remand for Mr Bekir Degermendji, Mr Asan Chapukh, Mr Kiazim Ametov and Mr Ruslan Trubach till March 15th 2018.³¹ The hearing was in camera. As lawyers said, the judge disregarded a medical opinion of the hospital that due to the health condition Mr Degermendji could not stay at the detention center (**Annex 1**). The judge justified his refusal in considering the medical opinion, saying that the lawyer had presented a copy of the notice certified by the detention center administration instead of the original. However the lawyer pointed out that only an investigator might get an original of the document. The investigator confirmed that he had such a notice, but his explanations were interrupted by the judge.³²

³¹ “Kievsky District Court of Simferopol”| List of cases to be heard on 12 Jan 2018 https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=12.01.2018

³² <https://www.facebook.com/server.mustafayev/videos/1944677165602740/?fref=mentions>



FREEDOM OF SPEECH AND EXPRESSION OF OPINIONS*

On January 19th Mr Marlen Mustafayev, a Crimean Tatar activist, and his spouse Elnara were summoned to RF Investigation Committee for questioning (**Annex 2**). There was no indication of a procedure status they were called for questioning, in the summons that constitutes a violation. When being questioned, Mr Mustafayev was informed that he was suspected of distributing 'extremist' video clips in VKontakte social network.

On January 22nd the RF FSB press office informed mass media that Mr Vitaliy Kukharenko, a Kerch resident, was sentenced to 2 years and 6 months of suspended imprisonment and a fine of RUR50,000 for violation of RF CC Article 282-1 (Incitement of hatred or enmity as well as human dignity violation). i.e. for anti-Russian statements in the attachment for the web radio as well as for storing weapons and explosive substances he had found in Crimea before 2000.

OBSTRUCTION OF JOURNALISTIC ACTIVITIES

On January 23rd a hearing on the case of Mr Shevket Razzakov charged under RF CC Article 319 for spitting a policeman during searches in Bakhchisarai was held at 'the justice court No 27 of Bakhchisarai Court District'. For a sake of security the court administration declared a hearing in camera and forbid journalists to enter the building. The similar decision was also taken during the hearing of January 30th.

On January 31st a video conference was organized at the "Crimean Military Garrison Court" in Simferopol within the session of North Caucasus Area Military Court on 'Crimean Muslims' Case. Though there was no decision on hearing in camera, the court marshals forbid the journalists to be present and advised them to go to Roston-na-Donu where the hearing took place in fact.

SULEIMAN KADYROV'S CASE

On January 22nd a hearing on the merits of the **Suleyman Kadyrov's** case was held at 'Feodosiya City Court'. He is accused under RF CC Article 280.1.2 (Public appeals to actions aimed at violating the territorial integrity of the RF) for comments 'Suleyman Kadyrov agrees! Crimea is Ukraine. Was, is and will be! Thanks to the author for the video! Supporting!' to the other user's video in the social network

Mr Aleksandr Vishnya, a RF FSB officer, was interviewed as witness at the hearing. He pointed out that he had seen S.Kadyrov's comment stating that he had agreed with the opinion of other user 'Crimea has always been Ukrainian and will remain the same'.³⁴ A next hearing is scheduled for February 12th.

IGOR MOVENKO'S CASE

On January 31st the first hearing on the merits of Mr Igor Movenko's case was held in the 'Gagarinsky District Court of Sevastopol'. Mr Movenko is charged by the FSB under RF CC Article 280-2 (Public appeals to extremist actions) for the comment which, as the investigation states,

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

³⁴ Krym,Realii | A FSB Officer Questioned at Court in Feodosiya Within Crimean Tatar Activist Kadyrov's Case <https://ru.krymr.com/a/news/28989204.html>



he published in the summer of 2016 in KRYM — UKRAINA (Crimea – Ukraine) Group in VKontakte social network. The case is considered by Judge Pavel Kryllo.

The persecution witnesses were questioned at the hearing. The first one was Mr Aleksey Mursa, a FSB officer who had searched Mr Movenko's house. Then the testimony was given by one of search witnesses who confirmed that during the search Mr Movenko had been handcuffed, his hands had been fixed behind his back, and the activist had been deprived from possibility to contact a lawyer. Two witnesses who were members of KRYM — UKRAINA group in VKontakte social network were interrogated at the court. The witnesses stated that they considered the comment to be extremist. They explained that they had participated in the group for curiosity and they were sure that Crimea was Russian. It was established at the court that a brother of one of two witnesses was a FSB officer.

LARISA KITAYSKAYA'S CASE

In January the defence of Larisa Kitayskaya appealed against the decision of Mr Vladimir Romanenko, a judge of 'Yalta Town Court', of 26 December 2017 that sentenced the Ukrainian activist to a 2-year's suspended imprisonment, with a ban to leave the territory of Yalta Town, under RF CC Article 282-1 (Incitement of hatred or enmity as well as human dignity violation) for a post in the social network against Russia's actions in Crimea.



FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION

On January 11th 'the Tsentralny District Court of Simferopol' found Mr **Rustem Usmanov**, a participant of peaceful single-man pickets on October 14th 2017, guilty of violating CoAO Clause 20.2-5 (Participation in the unauthorized public action) and imposed a fine of RUR10,000.й.³⁵

On January 12th Ms Yelena Gurova and Mr Adnrey Terentyev, judges of 'Feodosiya City Court', decreed a fine of RUR10,000 for participants of single-man pickets on October 14th 2017: **Mr Rustem Mustafayev and Mr Enver Mustafayev**.³⁶

On January 15th Ms Yelena Gurova and Mr Adnrey Terentyev, judges of 'Feodosiya City Court', decreed fines of RUR10,000 for each of other participants of single-man pickets on October 14th 2017: **Mr Aziz Urimov, Mr Ruslan Rustemov, and Mr Eral Dani**³⁷. According to the court rulings, police reports on Mr Aziz Azizov, Mr Ruslan Rustemov, and Mr Rustem Mustafayev were made on December 22nd 2017, i.e. 2 months after the single-man picket date that constitutes a gross violation of procedure norm (CoAO of RF, Article 28.5).

Though the activists held single-man pickets in Feodosiya, they were accused of violating the procedure of holding a meeting, a rally, a demonstration, a procession or picketing, i.e. mass events (RF CoAO, Article 20.2–5). The judges justified this by referring to single man pickets held all over the Crimea with the similar requirements. The single-man pickets are not subject to restrictions imposed by the Russian laws on mass peaceful assemblies, so single-man picket participants are not administratively liable. However, as to October 14 single-man pickets, the judges determine clearly single-man form pickets as mass events to persecute activists administratively for participation in this form of protest.

On January 31st the Supreme Court of Republic of Crimea started considering appeals against sentences for single man picket participants. Judge Vladimir Agin decreed to reduce a fine amount of **Mr Aider Zekeryayev and Mr Rustem Ametov** from RUR15,000 to RUR10,000. Judge Sergey Yakovlev upheld a RUR10,000 fine decree for **Mr Abdulmalik Susanov and Mr Rustem Kurkchi**.³⁸

Given the decrees made before, by the end of January at least 81 court sessions on administrative cases against October 14 single-man picket participants had been held in Crimea. According to the information available for CHRГ, the fines imposed on the picketers within this case totaled **RUR850,000**. Therefore, unjustified and unlawful punishments were enforced on participants of peaceful single-man protests that constitutes a gross violation of freedom of assemblies.

On January 18th Mr Pilipchuk, a RF police officer in Kirovskoye Settlement, made 'a notice on inadmissibility of holding an unauthorized event' to friends and relatives of Mr Girai Kulametov who came to Kirovskoye District Police Station. Officer Pilipchuk stated that people who came to the police station building to get the information on detained Kulametov were holding, as he thought, an assembly.³⁹

The Simferopol Administration refused authorizing 'Putin — Our President' picket to be held on January 20th at Lenina Square. The head of city administration justified his refusal referring to

³⁵ <https://www.facebook.com/crimeansolidarity/posts/546172965750164>

³⁶ "Feodosiya City Court" List of cases to be heard on 12 Jan 2018 https://feodosiya--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=12.01.2018

³⁷ "Feodosiya City Court" | List of cases to be heard on 15 Jan 2018 https://feodosiya--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=15.01.2018

³⁸ "Supreme Court of Republic of Crimea " | List of cases to be heard on 31 Jan 2018 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=31.01.2018

³⁹ <https://www.facebook.com/crimeansolidarity/videos/549113265456134/>



another event planned for the same place. Mr Ilya Bolshedvorov, an event organizer, believes that the refusal refers to the picket purpose — to make de facto authorities provide the land to Crimean Tatars by a simplified procedure.⁴⁰

On January 24th Mr Vladimir Agin, a judge of 'Supreme Court of Republic of Crimea', upheld a decree of imposing a RUR10,000 fine on **Mr Rustem Osmanov** (decision of December 11th 2017) for his presence close to the place of searches and detentions in Bakhchisarai in April 2017,⁴¹ that is confirmed by 'the court' website.⁴²

On January 27th the RF police (special police forces, Anti-Extremism Center) and the Russian Guard soldiers encircled a building in Sudak where a meeting of '**Crimean Solidarity**' Public Initiative was held. Prison trucks were placed around the building. The policemen, without any legal and justified reasons, entered the building and demanded the present to show their documents and to explain in writing the meeting objectives. The meeting was attended by defence lawyers and relatives of victims of political persecutions in Crimea. The police stated that their actions were justified by some anonymous message that armed people were inside. Their demand on showing the documents was explained by the fact that Sudak Town was a border control area. The policemen failed to explain clearly and presented several versions of the contents of the anonymous message they stated to receive. In addition, the police demanded to name 'mass event' organizers. But the lawyers pointed out that the meeting was held in the closed room and was not a mass event. Some policemen recorded also a video of people present at the 'Crimean Solidarity' meeting. The police allowed people to leave the building only after copying their passport data. In case of refusal they threatened with 'putting everybody in the prison trucks and conveying to the police station'.⁴³ About 60-70 policemen were involved into this MIA operation.

⁴⁰ Meridian Sevastopol | Putin — Our President Picket Forbidden in Simferopol <http://meridian.in.ua/news/32362.html>

⁴¹ <https://www.facebook.com/crimeansolidarity/posts/552054971828630>

⁴² "Supreme Court of Republic of Crimea" | Case no 12-51/2018 (12-1399/2017;) https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=1337121706&result=1&delo_id=1502001

⁴³ <https://www.facebook.com/server.mustafayev/videos/1965729893497467/>



FREEDOM OF MOVEMENT AND ISSUES OF PASSING CHECK POINTS

On January 10th it became known that the RF FSB border guard officers detained a citizen of Ukraine at ARMIANSK check point during the attempt to enter Crimea. The press office of RF SB Border Guard Department informed that the citizen of Ukraine was forbidden to visit the RF until 2020. A ban to visit the RF was expanded by the FSB staff on the occupied Crimea, too.⁴⁴

3. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

COERCION TO MILITARY SERVICE AND PROPAGANDA OF JOINING VOLUNTARILY THE ARMY OF OCCUPYING POWER

Military engineers of Engineer Regiment 68 of the RF Black Sea Navy trained Crimean school-children in Yevpatoria on installing and defusing explosive devices. The event was held on the territory of one of military units, with about 100 children involved, the youngest being 12 years old. The children were trained not only to defuse mines, but also to install them. In addition, self-made explosive devices and suicide belts were used as visual materials for the children. Commander of Engineer Regiment 68 of the RF Black Sea Navy said that doing this, they tried to attract children to sign contracts with the RF army in the future.⁴⁵

On January 24th the KERCH FM website editorial office received a letter from acting as head of Kerch Town investigation unit Mr Denis Zakhozhykh⁴⁶. The letter informed that three criminal actions were brought against Kerch residents Mr O.O.Nekhoroshev, Mr V.Ye.Busarkin, and Mr V.I.Artemov under RF CC Article 328-1 (evasion of military and alternative civil service) since they did not come to Kerch Military Commissariat. The letter stated that during the investigation 'the suspected had expressed a wish to apologize publicly to Kerch Town Military Commissariat' and committed to join the military service during 'Spring 2018' Draft Call.

COMPELLING TO SWEAR ALLEGIANCE TO A HOSTILE POWER

Having adopted a norm on 'automatic' Russian citizenship for Crimean residents, the RF established economic, social and legal conditions to force Crimean residents to obtain RF citizenship. Such actions of RF violate a ban on compelling the inhabitants of an occupied territory to swear allegiance to a power they may consider as hostile established by Convention respecting the laws and customs of war on land of 18 October 1907.

The most vulnerable category regarding this are persons in prisons that have no opportunity to reject the Russian citizenship. For instance, Ms Tatiana Moskal'kova, the RF Ombudsperson,

⁴⁴ RIA NEWS | Border Guards Detained a Ukrainian Trying to Enter Illegally Crimea <https://ria.ru/incidents/20180110/1512343857.html>

⁴⁵ Euronews | Crimean kids learn how to defuse landmines <http://www.euronews.com/2018/01/23/crimean-kids-learn-how-to-defuse-landmines>

⁴⁶ http://crimeahrg.org/wp-content/uploads/2018/02/Prilozhenie-3-Redaktor-u-sayta-Kerch.FM_.pdf



informed in her letter to Ms Valeria Lutkovskaya, the Ukraine Ombudsperson, that **Mr Andrei Lugin** could not be transferred to Ukraine to serve a sentence since the RF considered him to be a citizen of Russia (**Annex 3**). Mr A.Lugin, a citizen of Ukraine, sentenced by the Ukrainian court before the occupation for organizing an armed gang, has stated many times that he did not receive a RF passport and considers himself a citizen of Ukraine.

The same answers were given by the Russian authorities regarding political prisoners — citizens of Ukraine **Mr Oleh Sentsov** and **Mr Aleksandr Kol'chenko**.

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*



4. ANNEXES

ANNEX 1

Государственный орган здравоохранения
Форма медицинского заключения
Медицинское заключение о наличии (отсутствии) тяжелого заболевания, включенного в перечень тяжелых заболеваний, препятствующих содержанию под стражей подозреваемых или обвиняемых в совершении преступлений

Выдано 17 января 2018 г. № 4
 (наименование и адрес учреждения здравоохранения)

по результатам медицинского освидетельствования Бекерманджи Демир
Бекерманджи Демир (фамилия, имя, отчество, дата рождения)
 подозреваемого (обвиняемого) в совершении преступления, предусмотренного статьей (статьями) 1906 Уголовного кодекса Российской Федерации, содержащегося под стражей в ИВС
 (наименование, почтовый адрес места содержания под стражей)

Медицинское освидетельствование проведено на основании направления ИВС
 (сведения о лице (органах) либо начальнике места содержания под стражей, выдавшем направление)

Сведения о ранее проведенных медицинских освидетельствованиях:
Состоялся осмотр в СИЗО и тюрьме № 104301 МЧЗ, сведения о результатах в приложении

Результаты медицинского освидетельствования: Состоялся осмотр в СИЗО № 104301 МЧЗ, сведения о результатах в приложении
 (краткий выжим, результаты обследования)

Врачебной комиссией по результатам медицинского освидетельствования установлено отсутствие (наличие (отсутствие) заболевания, включенного в перечень тяжелых заболеваний, препятствующих содержанию под стражей подозреваемых или обвиняемых в совершении преступления)

необходимость дополнительного обследования предложить справку от лечащего врача
 (указываются наименование тяжелого заболевания в соответствии с указанным перечнем или необходимые дополнительные обследования и срок их проведения)

Председатель комиссии Сидяков (Ф.И.О.)
 Члены комиссии: Захаров И.А. (Ф.И.О.)
Рутенко И.В. (Ф.И.О.)

Место печати
 Нанужно зачеркнуть

Верно



Иванов И.И.
 начальник МЧЗ
 ф.и.о. МЧЗ 91 ф.и.о.
 Россия
 см. табельный №. подпись
Сидяков Е.В.

The medical report on the Mr Bekir Degermendji's health status



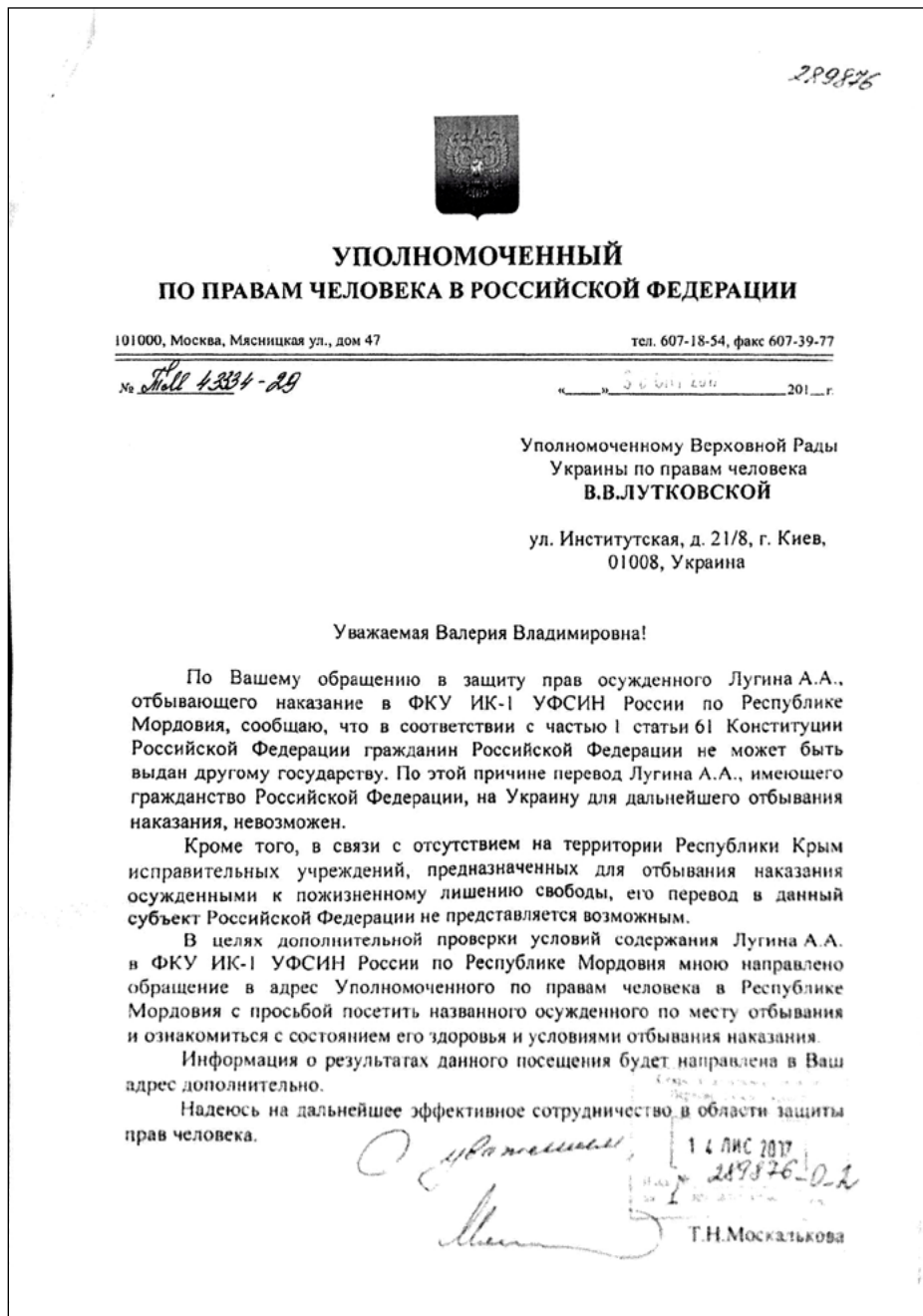
ANNEX 2



The summons on the call to the investigator of Mr Marlen Mustafayev, a Crimean Tatar activist, and his spouse Mrs Elnara Mustafayeva



ANNEX 3



The refusal of Ms Tatiana Moskal'kova, the RF Ombudsperson, to the request of Ms Valeria Lutkovskaya, the Ukraine Ombudsperson, about the transfer of Mr Andrei Lugin to Ukraine to serve a sentence