

FREEDOM OF RELIGION AND BELIEFS IN CRIMEA

Analytical Review on Situation Regarding Freedom
of Religion and Beliefs in Occupied Crimea
(April 2014 – January 2018)



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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.

During preparation and spreading of the information the CHRG is guided by principles of objectivity, reliability and timeliness. 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. The **CHRG** pays a major attention to the human rights violations due to the unlawful actions of the Russian Federation in Crimea.

The Crimean Human Rights Group appreciates a contribution of Mr. **Dmitrii Kabak**, a member of the OSCE / ODIHR Expert Council on Freedom of Religion or Belief to the analytical review preparation.

The review has summed up outcomes of the consistent and comprehensive work of the Crimean Human Rights Group on monitoring and documenting the facts of violating the freedom of religion and beliefs on the territory of Crimea after the occupation and unlawful annexation of the peninsula. The review is made in line with the international human rights law standards, following the relevant documents. The review includes also conclusions and recommendations for international organizations, authorities of Ukraine and authorities of the Russian Federation.



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1. INTRODUCTION

The illegitimate occupation¹ and further annexation of the Autonomous Republic of Crimea and Sevastopol City by the Russian Federation have resulted into large-scale violations of fundamental rights and freedoms as well as introduction of system of bans and restrictions in the sphere of freedom of peaceful assemblies, freedom of speech, freedom of religion and beliefs. The constant worsening of human rights respect in Crimea has been verified by UN Resolutions² and a report of UN High Commissioner for Human Rights.³

The situation of religious communities and organizations has changed substantially to the worse due to applying the Russian laws on the territory of Crimea. They faced a need to register mandatorily the communities as organizations and to register religious facilities, a monitoring over publishing and distributing religious printed materials, high penalties for a failure to meet requirements on registering the religious organizations and for activities of communities without state registration as well as non-compliance with requirements to the religious printed materials (labelling, admissible places for distribution or sales).

Violating norms of international, Ukrainian and Russian laws, the RF authorities appointed judges, prosecutors and other officials in Crimea only from the local residents loyal to the Kremlin policy or sent Russian citizens from the territory of Russia to Crimea. Since legitimacy and impartiality of such officials are reasonably questionable, names of officials and authorities de facto are in quotation marks.

The report authors have studied the situation with freedom of religion and beliefs in Crimea regarding both registered religious associations and communities without a legal entity status. The report pays also attention to differences in the situation of the faithful and religious communities before and after the occupation of Crimea.

The information was collected and reviewed, with involvement of 'field' monitors in Crimea and experts in freedom of religion and beliefs. Among the information sources were court judgments, open source publications, information of witnesses and victims of human rights disrespect.

The team that has prepared the report, hopes that this publication would make its contribution into protecting human rights and freedoms on the territory of Crimea.

¹ Resolution of UN GA OOH A/RES/68/262 of 27 March 2014 'Territorial Integrity of Ukraine, <http://www.un.org/ru/documents/ods.asp?m=A/RES/68/262>

² Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine) (UN Resolution 71/205 of 19 December 2016) and Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine) (UN Resolution 72/190 of 19 December, 2017)

³ UN High Commissioner for Human Rights report 'Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)': http://www.ohchr.org/Documents/Countries/UA/Crimea2014_2017_EN.pdf



2. LIST OF ACRONYMS

DUMK	Spiritual Administration of Muslims of Crimea
CoAO	the Code of Administrative Violations
CHRG	Crimean Human Rights Group
MIA	the Ministry of Internal Affairs of the Russian Federation
ROC	the Russian Orthodox Church
RF	Russian Federation
UGCC	The Ukrainian Greek Catholic Church
CC	Criminal Code
KP UOC	the Ukrainian Orthodox Church of Kyivan Patriarchate
MP UOC	the Ukrainian Orthodox Church of Moscow Patriarchate
FSB	the Federal Security Service of the Russian Federation
E Center	RF MIA Anti-Extremism Center



3. ADMINISTRATIVE PERSECUTION FOR STORING RELIGIOUS LITERATURE

Since Crimea was occupied and the RF jurisdiction came in force on the territory of the peninsula, new practices of administrative and criminal persecution that did not exist before 2014, are applied. One of such practices is applying the 'list of extremist materials existing in the RF'⁴. Production and distribution of these materials are subject to administrative penalty according to RF CoAO Article 20.29⁵. As the Article states, mass distribution of extremist materials as well as their production and storage for mass distribution purposes shall be persecuted. However, the review of court statements shows that mass distribution means even a publication (post) or a comment in the social network. Having one book included into the prohibited literature list makes a sufficient reason for charging with storage for distribution purposes.

The books are included into the 'list of extremist materials' due to statements of RF courts, rather often even without any sufficient legal grounds or as a general list consisting of several materials. A lot of religious books, first of all Islamic, are in this extremist material list. Before the Crimean occupation these books had been in free access in the libraries, mosques, madrassas (Koran schools), and in the private property. Crimean residents have not experienced earlier the ban on literature and liability for its storage.

When Crimea had appeared under the RF control, neither books in the libraries nor the posts published in the social networks were checked regarding the list of extremist materials. This provided the officers of the RF MIA, Prosecutor's Office, and the FSB the grounds to initiate numerous searches in Crimea in order to reveal prohibited materials. The searches are held, first of all, in the Muslim religious organizations: in the mosques and madrassas — as well as at the Islamic public figures'. Despite the regular searches, the amount of expropriated books does not verify a statement of authorities de facto on a large-scale distribution of prohibited materials. In several recorded cases imams (worship leaders) of mosques that were searched, claimed that the books had been planted by the RF enforcement body staff during the search.

On the pretext of searching for extremist materials homes of lawyers and activists are searched. Such searches usually result into expropriating mobile phones, tables and laptops/ desktops rather than the printed materials. Such actions are accompanied with violations of procedure laws and rights of the suspected/ accused to a defense and a free selection of lawyer as well as guarantees of lawyer's business are not secured.

Posts in the social networks referring to materials included into the extremist list also provide the RF authorities the grounds to charge a person with a mass distribution of prohibited materials. It should be pointed out that in most cases these posts were published long before the peninsula annexation, i.e. before the time when the RF put the peninsula under its jurisdiction. So when decreeing administrative penalties 'judges' apply retrospectively the Russian laws in Crimea.

Facts of suppressing the religious organizations with searches pretending to find extremist printed materials as well as persecutions of Crimean residents for storing the religious books enlisted by the RF Ministry for Justice as extremist ones are presented below.

⁴ RF Ministry for Justice | Federal List of Extremist Materials. <http://minjust.ru/ru/extremist-materials>

⁵ <https://www.zakonrf.info/koap/20.29/>



3.1 Searches in the madrassas (*Islamic educational establishments, schools*)

On June 24th 2014 people in camouflage uniforms entered a madrassa in the village of Kolchugino, Simferopol District, Crimea when students were there. As witnessed reported, about 30 men in OMON and BERKUT⁶ uniforms got into the building, having broken the door and damaged the building walls. A madrassa student informed that these people had questioned the director, collected all students in one room, took away their mobiles, and asked them about purposes of studying at the madrassa and reading the Quran. After the search the uniform wearing people took Mr Aider Osmanov, deputy madrassa principal, for interview and expropriate several desktops.⁷ Ms Usniye Asanova, principal of School No 2, village of Kolchugino, stated that the search had been carried out by officers of RF MIA Anti-Extremism Center (E Center)⁸.



Photo 1. Searches in the madrassas in the village of Kolchugino, June 24th 2014. Source QHA

On August 15th 2014 deputy Mufti⁹ of Muslims of Crimea Esadullah Bairov reported that several madrassas had been simultaneously searched in Crimea — Krasnogvardeysk hafiz¹⁰ madrassa and Azov madrassas for men and women. As he said, the search had been carried out as general inspection involving representatives of Prosecutor's Office, RF FSB, sanitary and epidemiological, firefighting and other departments. He also informed that three madrassas of Simferopol — Educational Center, Kamenka madrassa for women and Seit Settar Simferopol madrasa — had been searched on August 13th. The mufti mentioned that shortly before the Russian authorities had demanded him to send a notice to the Crimean Muslim educational establishments on a need of removing the books included into the extremist material list, but the searches were held just the next day after this notice had been sent. The RF authorities, in fact, did not give any time to meet their requirements. Moreover, the searches were held during the vacations when almost no professors were present in the madrassas to fulfil the demand on removing the prohibited books. Based on the held searched findings, several people were subjected to administrative liability.

⁶ Special police forces

⁷ Blacksea tv | Unknown in Masks Ran into Madrassa of Kolchugino Village and Seized the Building https://www.youtube.com/watch?v=NBUt_m3kgoU

⁸ QHA | FSB Searching Madrassa in Kolchugino <http://qha.com.ua/ru/politika/fsb-provodit-obisk-v-medrese-v-kolchugino/137404/>

⁹ Religious head of Muslim Community

¹⁰ a term used by Muslims for people who have completely memorized the Qur'an



On August 28th 2014 Mr Denis Didenko, a judge of 'Kievsky District Court of Simferopol, ordered two similar decrees on collecting a fine from Mr R.G.Bairov¹¹ and Mr Emir-Asan Umerov¹², Azov Madrassa principal, as 'they had allowed storing books declared 'extremist materials' in the building'. The 'judge' considered these actions as storage for mass distribution purpose.

On August 29th 2014 Mr Leonid Miazgov, a judge of 'Krasnogvardeysk District Court', sentenced Mr Sh.Z.Suleymanov, deputy principal of Krasnogvardeysk madrassa, to a fine of RUR2,000 as 'he had allowed storing several books from the extremist material list in the madrassa library'¹³.

A part of books found and expropriated during searches in Azov madrassas for men and women were not in the list of extremist materials, but, upon the motion of Prosecutor Natalia Poklonskaya, 'Kievsky District Court' made a ruling on including them into the list¹⁴.

3.2 Searches in the mosques

On September 17th 2014 'Prosecutor's Office' officials searched **Bor Çoçraq djamisi Mosque in Simferopol**. Despite the search, the faithful were allowed to enter the mosque for a midday namaz (prayer)¹⁵.

On September 19th 2014 RF MIA officers searched **Tahtali Djami Mosque in Yevpatoria**. Two books 'Overview of Islam' and 'Fundamentals of Muslim Faith in View of the Quran and the Sunnah' were found during the search. Based on this Mr Aleksey Nanarov, a judge of 'Yevpatoria City Court', decreed on a RUR1,000 fine for **Mr E.A.Raimov** though he had informed the 'court' that he was not aware of including these books into the list of extremist materials.¹⁶

On September 22nd 2014 Mr Aider Ismailov, deputy Chairman of Spiritual Administration of Muslims of Crimea (DUMK), informed that several dozens of armed men had been searching **Derekey Mosque in Yalta** for seven hours. After the search several books were expropriated that, as Mr Ismailov stated, nobody had seen in the mosque before'. As he said, FSB officers called a teacher from Turkey who worked at the mosque for interview¹⁷.

On September 24th 2014, after the search in Yalta mosque, Mr Aleksandr Altunin, a 'judge of Yalta Town Court, fined **Mr Mekhmet Dagly** for RUR3,000. He was charged because 'extremist materials' had been found in the mosque building, and, as the 'judge' thought, he had been storing them for mass distribution purpose. No evidence that the books were owned by Mr Dagly and that he intended to distribute them on mass scale was presented at the 'court'¹⁸.

¹¹ Kievsky District Court of Simferopol» | Case No 5-812/2014 https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=308083176&deloid=1500001&caseType=0&new=0&srv_num=1

¹² Kievsky District Court of Simferopol» | Case No 5-811/2014 https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=308083171&deloid=1500001&caseType=0&new=0&srv_num=1

¹³ «Krasnogvardeysk District Court of Republic of Crimea. Case No № 5-411/2014 https://krasnogvardeiskiy--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=149990228&deloid=1500001&caseType=0&new=0&doc=1&srv_num=1

¹⁴ «Prosecutor's Office of Republic o Crimea» | Some Publications Declared Extremist Upon Statement of Natalia Poklonskaya, Prosecutor of Republic <http://rkproc.ru/ru/news/po-zayavleniyu-prokurora-respubliki-natali-poklonskoy-priznany-ekstremistskimi-ryad-pechatnyh>

¹⁵ Center for Journalist Investigations | Muslims Allowed for Namaz in the Mosque being Searched <https://investigator.org.ua/news/136940/>

¹⁶ «Yevpatoria Town Court» | Decree for Case No 5-1457/2014 https://evpatoriya--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=218031921&deloid=1500001&caseType=0&new=0&doc=1&srv_num=1

¹⁷ Avdet | Yalta Mosque Searched for 7 Hours <https://avdet.org/ru/2014/09/29/yaltinskuyu-mechet-obyskivali-7-chasov/>

¹⁸ «Yalta own Court» | Decree for Case No 5-736/2014 https://yalta--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=440615653&deloid=1500001&caseType=0&new=0&srv_num=1



On May 20th 2015 the **mosque of Kamenka Settlement close to Simferopol** was searched, with three books and a journal from the list of extremist materials found. On May 26th 2015 Mr Viktor Mozheliansky, a judge of 'Kievsky District Court of Simferopol', imposed a RUR3,000 fine on **Mr Ruslan Saitvaliyev** for storing the materials found in the mosque. The court ruling stated that Mr Saitvaliyev, being Mufti of the Spiritual Center of Muslims of Crimea, stored extremist materials in the mosque. Mr Saitvaliyev claimed in the 'court' that he had nothing in common with the found books, and they might have been brought by the people visiting the mosque.¹⁹ On July 2nd 2015, when an appeal was being considered in the "Supreme Court of Republic of Crimea", he also stated that he had been just a guest in the mosque, and he had not procured and stored any extremist books. These books had been brought by the faithful. But 'Judge' Natalia Mostovenko upheld the penalty ruling²⁰

On January 28th 2016, upon the information of Mr Said Ismailov, Mufti of Spiritual Administration of Muslims of Crimea, the RF police encircled a **mosque of the Islamic Cultural Center in Simferopol**, 7 Mokrousova Street, and searched it. The Muslims who had come for the prayer were not allowed to enter. Mr Ismailov informed that this was the third search in the mosque. He added that several books declared prohibited in the RF had been planted the previous time in the mosque that had become a reason for starting administrative cases. Therefore imams had to check the mosque everyday to prevent planting anything in the mosque. On January 28th during the search the 'prohibited' books were found again. The imam confirms that he did not see those books at that place in the evening, when he was closing the mosque. The found books were 'Muslim's Fortress' Prayer Book, and 'Kitab At-Tawhid' (The Book of Monotheism) by Muhammad bin Abdul-Wahhab²¹. As imams claimed, the Islamic Cultural Center of Simferopol mosques and libraries had never had the Book of Monotheism²².

On February 26th 2016 Ms Tatiana Rube, 'a judge of Kievsky District Center of Simferopol, imposed a RUR2,000 fine on **Mr Mokhammad Takha Ali**, President of Association for Supporting Implementation of Social and Cultural Projects, for storing the materials found in the Islamic Cultural Center mosque on January 28th. The 'judge' pointed out in the decree that Mr Takha Ali 'had allowed for storing the materials in the mosque premises' and considered this to be 'mass distribution'²³.

Earlier, on October 8th 2014, Mr Takha Ali had been fined of RUR3,000 for the printed materials found during the search of 26 August 2014 in the Islamic Cultural Center mosque. He also claimed that he was not liable for the books in the free accessed room. 'Judge' Viktor Mozheliansky disregarded this statement and made a ruling on administrative penalty²⁴.

On September 5th 2016 Mr Said Ismailov reported a new search in the **Islamic Cultural Center mosque in Simferopol**. As the mufti said, special purpose police unit entered the mosque about noon and blocked all entrances. The faithful were not allowed to pray in the mosque during the whole day. This time a package with two books 'Al-Usool-uth-Thalaatha" (The Three Fundamental Principles) by Muhammad bin Abdul-Wahhab was found on the mosque territory. The books were found in the yard close to the W.C. The mufti is sure that this was fabricated because the Muslims

¹⁹ «Kievsky District Court of Simferopol» | Decree for Case No 5-1277/2015 https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=284060009&deloid=1500001&caseType=0&new=0&srv_num=1

²⁰ «Supreme Court of Republic of Crimea» Judgement for Case No 12-835/2015 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=865085105&delo_id=1502001&new=0&text_number=1

²¹ As explained by Mr Nafigulla Ashyrov, Mufti of Spiritual Administration of Muslims of Asian Part of Russia in 2007: 'The Book of Monotheism' was first published 150 years ago. It has been in Russian for 15 years. It has been prohibited for the last 3 years, <https://www.islamnews.ru/news-5562.html>.

²² <https://www.facebook.com/said.ismagilov/posts/947641651994098>

²³ «Kievsky District Court of Simferopol» | Decree for Case No 5-994/2016 https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=284083617&deloid=1500001&caseType=0&new=0&doc=1&srv_num=1

²⁴ «Kievsky District Court of Simferopol» | Decree for Case No 5-994/2014 https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=308084334&deloid=1500001&caseType=0&new=0&srv_num=1



do not visit a W.C. with books, and certainly not with religious ones. According to Mr Ismailov's information, the mosque imams claim that there has been never 'The Three Fundamental Principles' in the mosque, even before the peninsula occupation²⁵.

On November 14th 2016 **Juma-Jami Mosque in Yevpatoria** was searched. Mr Elmar Abdulganiyev, the mosque imam, reported that three people — one introduced himself as a prosecutor's officer, and other two — RF FSC officers — came to the mosque at 07.00pm. They expressed an intention to search the mosque, though failed to present any proper documents. The electricity in the mosque had been switched off before their coming. When these people were suggested to wait with the search until the electricity was switched on, they said that they were in a hurry and searched in the darkness without search witnesses. When searching, one of the SB officers announced that he found a prohibited religious book beneath the carpet behind the pillar. The bystanders placed a search video demonstrating that the search had been carried out in the light of pocket lamps²⁶. The power supply was restarted once the search had finished. Later the imam found out that the prohibited books had been brought and left in the mosque by a Asan from Bakhchisarai. As he said, he had found three books that were revealed during the search, in the bus and brought them to the mosque to show to the imam²⁷.



Photo 2. Searches in the Juma-Jami Mosque in Yevpatoria, November 14th 2016. Screenshot

On November 24th 2016 the Russian police detained imam **Elmar Abdulganiyev**. The published video of detention²⁸ shows that no grounds for detaining had been mentioned during the detention, and there had been no procedure document on detention. The imam was conveyed to the court, while the people accompanying Mr Abdulganiyev were not allowed to be present at the court session. Judge Ruslan Izmaylov found Mr Abdulganiyev guilty of storing and distributing the extremist books (RF CoAO Article 20.29), and sentenced to a RUR2,000 fine²⁹. As Mr Abdulganiyev said, the judge assigned him 30 minutes for finding a lawyer, but the

²⁵ <https://www.facebook.com/said.ismagilov/posts/1093264800765115>

²⁶ <https://www.youtube.com/watch?v=-JiPbu2ocdA&featu=3>

²⁷ <http://krimsegodnya.ru/religiia/religiia/obrashchenie-imama-khan-dzhami-k-glave-respubliki-krym-aksenovu-s-v-2>

²⁸ <https://www.youtube.com/watch?v=tF4xMMIKqkM>

²⁹ «Yevpatoria Town Court» | Decree for Case No 5-3309/2016 <https://evpatoriya--krm.sudrf.ru/modules.php?name=sud>



imam did not manage to find the lawyer for this time. The published video recorded words of Mr Ametkhan Almezhytov, a resident of Yevpatoria. He says that he was presented to the court as a witness against Mr Abdulganiyev and as if he had reported that the imam was distributing extremist books. But Mr Almezhytov himself informed the court that he had not said this. The judge rejected Mr Almezhytov's request to see his own statement in order to verify his signature. On the video Mr Almezhytov informed that he had seen the found books only in the hands of RF FSB officer.

On November 27th 2016 Mr Nariman Djelialov, an activist, reported that four **mosques of Simeiz, Koreiz, Derekoj, and Ai-Vasil** had been searched in Crimea in late October 2016. The activist informed that 'The Fortress of the Muslim' book had been found during the search in Koreiz mosque³⁰. This information is verified by the data from 'Yalta Town Court' website. On November 8th 2016 a session on case No 5-3185/2016 regarding Mr F.N.Tasinov, imam of the mosque on 5 Sovetskaya Street, Settlement of Simeiz, was held at the 'Yalta Town Court'. 'Judge' Vladimir Romanenko charged the imam with storing 'The Fortress of the Muslim' book in the mosque for mass distribution and sentenced to a fine of RUR1,000. The book was found during the search of October 28th 2016. The 'judge' disregarded the Tasinov's statement that he was not a book owner, and that the mosque was a public place³¹.

The same day, November 8th 2016, 'Judge' Vladimir Romanenko sentenced, on the same charge, Mr R.M.Useinov, imam of the mosque on 6 Goremykinykh Street, settlement of Koreiz, to a fine of RUR1,000³². It is worth mentioning that wording of decrees passed by 'judge' Romanenko regarding Mr Useinov and Mr Tasinov is absolutely the same, with only difference being the names of accused and addresses of mosques.

3.3 Searches in educational establishments and libraries

Upon the outcomes of the inspection held in Belogorsk Secondary School No 4, on September 16th Mr Yevgeniy Borisenko, a 'judge of Belogorsk District Court', sentenced **Ms Asie Abdulveliyeva**, a teacher for Crimean Tatar language and literature, to a fine of RUR1,000 fine for storing 'Questions and Answers about Islam (Vol.2) by Fethullah Gülen, "General Introduction to Islam' by Ali At-Tantawi, and 'Islamic Faith' tract³³.

On September 9th 2014 a **boarding school for intellectually gifted children in the village of Tankovoye, Bakhchisarai District**, was searched. As a mother of one of schoolchildren said, six or seven people in civvies walked straight to the library where they found three religious books. She added that the books had been expropriated, and a report had been made. After the library these people visited all school rooms and demanded to remove all Crimean Tatar symbols³⁴. On October 4th 2014 Mr Vasiliy Koshelev, 'a judge of Bakhchisarai District Court', imposed a RUR1,000 fine on **Ms E.R.Yusupova**, a school librarian, because 'Essay on Nature', 'A Guide for Youth', 'Belief and Man', and 'Short Words' by Said Nursi Bediuzzaman had been found in the library. In the decree

[delo&name_op=case& id=1456086160& delold=1500001& caseType=0& new=0& doc=1&srv_num=1](https://www.facebook.com/nariman.dzhelalov/posts/1303247546405769?pnref=story.unseen-section)

³⁰ <https://www.facebook.com/nariman.dzhelalov/posts/1303247546405769?pnref=story.unseen-section>

³¹ «Yalta Town Court» | Decree for Case No 5-3185/2016 https://yalta--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case& id=440675186& delold=1500001& caseType=0& new=0&srv_num=1

³² «Yalta Town Court» | Decree for Case No 5-3186/2016 https://yalta--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case& id=440675195& delold=1500001& caseType=0& new=0&srv_num=1

³³ «BelogorskTown Court» | Decree for Case No 5-357/2014 https://belogorskiy--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case& id=90425865& delold=1500001& caseType=0& new=0&srv_num=1

³⁴ Center for Journalist Investigations | Search in Crimean School — Looking for Books Prohibited in RF <https://investigator.org.ua/news/136386/>



the judge pointed out that the librarian 'had performed a mass distribution of extremist materials' though just few books had been found.³⁵

On September 17th 2014 a **Crimean Tatar medium school in the settlement of Zuya** was searched. Based on the information of Ms Zarina Vaapova, a journalist, the law enforcement officers were looking for the prohibited books. As the locals said, the library, the offices of teachers wearing Muslim clothes, and the principal's office had been searched³⁶.

On September 11th 2014 Ms **Liudmila Dragileva**, a CEO of KRYMKNIGA (Crimean Book) Private JSC, was fined for RUR2,000 when the book 'When the Moon Split' by Safiur Rahman Mubarakpuri had been found during the search in one of the shop. Ms Dragileva informed the court that the book had been received by the shop in 2012, and the single copy of the book sold was not its mass distribution. Mr Vitaliy Mikhaylov, 'a judge of Tsentralny District Court of Simferopol', did not take into account Ms Dragileva's comments and decreed a RUR1,000 fine³⁷.

In September – October 2014 'the prosecutor's office' checked Kerch Town libraries. The inspection resulted in finding 'Fundamentals of Islam' book and drawing up a report on **Ms Liudmila Popova, Director of Kerch Central Library System**. On October 30th 2014 Ms Inessa Grigoryevskaya, 'a judge of Kerch Town Court', decreed imposing a RUR2,000 fine on Ms Popova. 'The 'judge' did not consider Ms Popova's arguments that at the moment of inspecting the Central Library System of the town had been registered and had operated in line with the Ukrainian laws that did not establish such bans³⁸.

On April 3rd 2015 a **dormitory of S.I.Georgieyevsky Medical Academy in Simferopol** was searched. During the search the 'When the Moon Split' by Safiur Rahman Mubarakpuri was found in the room for praying. The report was drawn up on Ms V.N.Berezniak, a dormitory manager. On May 25th 2015 during the session at the "Zheleznodorozhny District Court of Simferopol' Ms Berezniak informed that she being a woman had no access to the praying room. 'Judge' Vasiliy Zlotnikov disregarded this fact and stated that Ms Berezniak as dormitory manager was responsible for all dormitory premises. The manager was imposed to a RUR2,000 fine for storing the extremist books for a mass distribution purpose³⁹.

A particular attention should be paid to the case of **Ms N.V.Chigrina, director of Taurida National University library**. The RF police searched the university scientific library in October 2014, found two religious books included into the extremist material list, and drew up a report on the director. Mr Viktor Kozlenko, a 'judge of Kievsky District Court of Simferopol', stated in his decree on the case that storing books in the closed room should not constitute a mass distribution, and dismissed the case because of a lack of evidence⁴⁰.

However in the similar cases when the books were also found in the closed premises the judges called this a mass distribution of prohibited materials. Such facts testify a selective practice of applying the Russian legal norms and a biased attitude of judges to administrative case defendants.

Recorded facts of searches and administrative persecution show that most of mosques, madrassas, libraries and educational establishments of Crimea had been searched and checked to find books from the 'list of extremist materials'.

³⁵ «Bakhchisarai District Court» | Decree for Case no 5-627/2014 https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&_id=662972131&_deloid=1500001&_caseType=0&_new=0&_doc=1&_srv_num=1

³⁶ Center for Journalist Investigations | Crimean Tatar School Searched in Crimea <https://investigator.org.ua/news/136942/>

³⁷ «Tsentralny District Court of Simferopol» | Case No-889/2014 https://centr-simph--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&_id=79869956&_deloid=1500001&_caseType=0&_new=0&_srv_num=1

³⁸ SYSTEM OF JUSTICE State Automated System | Decree for Case no 5-797/2014 <https://goo.gl/BJ4c7q>

³⁹ SYSTEM OF JUSTICE State Automated System | Decree for Case no 5-790/2015 <https://goo.gl/cFt4vT>

⁴⁰ «Kievsky District Court of Simferopol» | Case No 5-1116/2014 https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&_id=308085186&_deloid=1500001&_caseType=0&_new=0&_srv_num=1



Rulings of Crimean ‘courts’ speak for a wide and prejudiced interpretation of RF CoAO Article 20.29 provisions by ‘judges’. In addition, the ‘judges’ do not consider it necessary to study storing in terms of mass distribution of materials, though this refers to corpus delicti. Decrees are issued even when there is no evidence that the materials found are property of the accused. Thus, the ‘judges’ in Crimea, when considering cases under RF CoAO Article 20.29, do not strive for justice, they pass judgements based on political motives or personal attitude to the accused or a certain group of persons the accused makes a part of.

3.4 Searches at the citizens under a pretext of looking for prohibited books

The homes of Crimean Muslims are regularly searched. And most of them are grounded by suspicions of ‘membership in terrorist or extremist organizations’. Searches of local residents’ homes ‘to find prohibited religious literature’ have been also recorded.

On February 18th 2016 a house of **Mr Akir Bekirov, village of Kurtsy, Simferopol District**, was searched. The neighbors informed the CHRG that there had been no adults in the house during the search, only children 12 and 15 years old. The search was held without search witnesses. It resulted into expropriating all hardware, religious books, disks with information.

On December 6th 2017 the house of **Mr Fazil Ibragimov**, an activist, was searched in **Simferopol**.⁴¹ He reported that the search grounds had been explained as ‘looking for Islamic books and documents about ‘protest lawn’ participants⁴². Mr Ibragimov had been held administratively liable before (a 5-day’s arrest) for criticizing actions of Simferopol administration.

On January 5th 2018 houses of sisters **Ms Khatidje Kantemirova and Ms Zera Bazirova** were searched by RF MIA Anti-Extremism Center officers (Center E). During the search they expropriated religious books, a mobile, a tablet and said that they would call if necessary⁴³.

3.5 Persecution for publishing religious files in Internet

According to the information of ‘Prosecutor’s Office of Republic of Crimea’ Press Office of 8 May 2015, an administrative case under RF CoAO Article 20.29, was opened by a prosecutor of Simferopol against a founder of ‘Imam Abū Hanīfa Mosque’ group in VKontakte social network. The ‘prosecutor’s press office informed that based on outcomes of considering the prosecutor’s check files the ‘Tsentralny District Court’ of Simferopol imposed a RUR2,000 fine on the administrator for placing files prohibited by the RF MinJustice at the group page⁴⁴.

Apart from publishing the religious materials prohibited in the RF, the Crimean residents are also persecuted for placing religious organization symbols in the social networks (*for more detailed information see Section ‘Persecution on Charge of Membership in Terrorist or Extremist Organizations’*).

⁴¹ <https://www.facebook.com/crimeansolidarity/videos/530016310699163/>

⁴² «Protest Lawns» — an association of people, mostly Crimean Tatars, seeking for being granted permissions on using dwellings built unapproved by local administration

⁴³ <https://www.facebook.com/crimeansolidarity/posts/543420166025444>

⁴⁴ «Prosecutor’s Office of Republic of Crimea» | Thanks to Actions of Prosecutor’s Office of Simferopol Extremist Files Deleted from VKontakte Network <http://rkproc.ru/ru/news/prinyatymi-prokuratury-g-simferopolya-merami-iz-seti-vkontakte-udaleny-materialy-ekstremistkoy>



4. ADMINISTRATIVE PERSECUTION FOR MISSIONARY ACTIVITIES⁴⁵

On July 6th the RF President signed Federal Law no 374-FZ 'On amending Federal Law 'On counter-acting terrorism' and certain legal acts of the Russian Federation to introduce additional actions on counteracting terrorism and ensuring public security'. The law was adopted within a package of amendments suggested by Ms Irina Yarovaya, Russian Duma (Parliament) Member to strengthen penalties for 'extremist' and 'terrorist' activities (so called 'Yarovaya's Package')⁴⁶.

Law no 374 FZ introduces the 'missionary activities' concept, with these activities performance area to be limited to cult buildings, structures or land plots owned by religious organizations, on the cemeteries and at the pilgrimage places. The missionary activities, as stated by the law, may be carried on only by the persons authorized by religious organization in writing. In addition, this law completed RF CoAO Article 5.26 (Violation of laws on freedom of religion, freedom of conscience, and on religious associations) with parts 3 and 4.

So RF CoAO Article 5.26-3 provides for imposing an administrative penalty of RUR 30,000 to 50,000, with confiscation of literature, printed, audio and video materials, for 'religious organization acting without indication of its official full name, including production or distribution of literature, printed, audio and video materials without labelling with this name or with incomplete or deliberately false labelling, within its missionary activities'.

RF CoAO Article 5.26-4 provides for imposing an administrative penalty of RUR5,000 to 50,000 on the physical persons and RUR100,000 to RUR1,000,000 on the legal entities for carrying missionary activities with violating of legal provisions on freedom of religion, freedom of conscience, and on religious associations.

These amendments allow for persecuting administratively the citizens for missionary activities beyond the dedicated places as well as for services in the premises where a full name of religious organization is not indicated.

The RF has expanded these restrictions on the occupied Crimea, too.

The review of information of authorities de facto websites 'Justices of Peace of Republic of Crimea'⁴⁷ and 'Justices of Peace of Sevastopol'⁴⁸ proves that the amendments made by 'Yarova's Package' to RF CoAO are widely applied in Crimea.

On December 26th 2016 Ms Natalia Kucherenko, a 'judge of Tsentralny District Court of Simferopol' imposed a fine of RUR30,000 on the '**First Church of Evangelical Christian Baptists of Simferopol City**' because the sign with the inscription 'House of Prayer. Church of Evangelical Christian Baptists of Simferopol City' on the church building did not reflect the full organization name⁴⁹.

⁴⁵ RF CoAO Article 5.26

⁴⁶ RF President website | Federal Law of 364FZ of 6 July 2017 <http://kremlin.ru/acts/bank/41108/page/1>

⁴⁷ <http://mirsud82.rk.gov.ru/>

⁴⁸ <http://mirsud.sev.gov.ru/>

⁴⁹ «Tsentralny District Court of Simferopol» | Decree on Case no 5-2684/2016 https://centr-simph--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=225073183&delold=1500001&caseType=0&new=0&doc=1&srv_num=1



On February 9th 2017 Mr Artem Cherkashyn, ‘a justice of peace of Bakhchisarai District’, imposed an administrative fine on Mr **Arsen Ganiyev**, a resident of Crimea, a Muslim, under RF CoAO Article 5.26-4, for distributing calendars for 2017, fly-sheets about a planned MAULID event (Birthday of Prophet Mohammed) and ‘Mevlud ayi Hayirli olsun’ book. ‘The judge’ regarded this to be missionary activities in the unauthorized place⁵⁰.

On February 13th 2017 Ms Elena Bekenstein, a ‘justice of peace of Yalta Judicial Area’, imposed a fine of RUR30,000 on Mr **Grigoriy Stasiuk**, leader of the local religious organization ‘**the Seventh Day Adventist Church of Yalta Town**’, for absence of sign on the building where the church sermons are held (RF CoAO Article 5.26-3). Mr Stasiuk explained that the sign had been removed due to the façade repairs and placed temporarily in the church vestibule. The ‘judge’ pointed out in the decree that since the sign had been removed the organization was to cease its activities (though being a legal entity)⁵¹.

On April 28th 2017 Ms Olga Chepil, ‘a justice of peace of Simferopol Judicial Area’, imposed a fine of RUR5,000 on Mr **Ivan Vasilyev**⁵². According to the ‘court’ decree, Mr Vasilyev, being a member of ‘Crimean Society of Krishna Conscience’, had carried on missionary activities on the pretext of an event dedicated to the healthy mode of life. The witness for prosecution testified that a man with a microphone had been saying that they were against smoking and alcohol, they enjoyed life because sang prayers. This speech was regarded to be a call for joining the society. According to the information of “Moskovsky Komsomolets’ newspaper, the prosecutor’s office sent a letter to Simferopol administration demanding to punish an official who had approved this procession⁵³.

On April 28th 2017 Mr Khazret Chikh, a ‘justice of peace of Kerch Judicial Area’, imposed a fine of RUR50,000 on Mr **Aleksandr Segal**, a head of ‘**Jehovah’s Witnesses’ Kerch religious organization**, because the sign on the building owned by the organization — ‘Kingdom Hall of Jehovah’s Witnesses’ — did not indicate the full name of the organization as in the registration documents⁵⁴.

On May 11th 2017 Ms Elena Yesina, ‘a justice of peace of Bakhchisarai District’, passed a decree of a RUR30,000 fine on Mr **Nikolay Blyschik**, pastor of local ‘**Renaissance Church of Evangelic Faith Christians’ religious organization** due to the absence of the sign on the premise where the sermons were held (RF CoAO, Article 5.26-3)⁵⁵.

In June 2017 Mr Khazret Chikh, a ‘justice of peace of Kerch Judicial Area’, penalized Mr **S.V, Martiushov**⁵⁶ and Mr **E.A.Kudin**⁵⁷, RUR5,000 each, for participation in the religious service of the local ‘Jehovah’s Witnesses’ branch (RF CoAO, Article 5.26-4). In the view of the ‘judge’, they, not being authorized members of the ‘**Jehovah’s Witnesses**’ organization, are guilty of communicating and reading the Bible aloud in the organization room⁵⁸.

On June 13th 2017 Ms Yekaterina Seliviorstova, ‘a justice of peace of Leninsky Judicial District of Sevastopol City’, imposed a RUR5,000 fine on Mr **Sergey Kolomoyets**, a pastor of ‘**New Generation’ Evangelical Faith Christian religious group**, because the group had worshipped God before the group registration by the RF Ministry for Justice⁵⁹.

⁵⁰ Case 05-0029/29/2017 <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=17553&year=2017>

⁵¹ Case 05-0030/96/2017 <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=7433&year=2017>

⁵² Case 05-0138/16/2017 <http://mirsud82.rk.gov.ru/officework/dectextsas/?pn=0&id=246263&year=2018>

⁵³ Moskovsky Komsomolets | Religious Street Processions Banned in Crimea <http://www.mk.ru/politics/2017/05/15/v-krymu-zapretili-religioznye-shestviya-po-ulicam.html>

⁵⁴ Case 05-0127/46/2017 <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=115561&year=2017>

⁵⁵ Case 05-0136/29/2017 <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=20997&year=2017>

⁵⁶ Case 05-0160/46/2017 <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=32402&year=2017>

⁵⁷ Case 05-0396/14/2017 <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=27901&year=2017>

⁵⁸ See Article 18 of International Covenant on Civil and Political Rights, www.un.org/ru/documents/decl_conv/conventions/pactpol.shtml, and Article 9 Convention for the Protection of Human Rights and Fundamental Freedoms, www.echr.eu/documents/doc/2440800/2440800-002.htm.

⁵⁹ Case 05-0161/46/2017 <http://mirsud.sev.gov.ru/officework/dectextsas/?id=22692&year=2017>



On June 15th 2017 Ms Natalia Kiosa, a 'justice of peace of Yevpatoria Judicial District', imposed a fine of min RUR30,000⁶⁰ on **Mr Vladimir Yeremeyev, a pastor of 'Living Water Church' local Evangelical Faith Christian religious organization** because the religious organization had been carrying on its activities without an organization name sign (RF CoAO, Article 5.26-3)⁶¹.

On June 19th 2017 Mr Petr Kireyev, a 'justice of peace of Yalta Judicial District', fined **Mr D.G.Sazonov** of RUR5,000 under RF CoAO Article 5.26-4. 'The judge' charged him with reading the Bible, signing songs and praying during the services, though he was not authorized by the '**Jehovah's Witnesses**' organization. The 'judge' regarded this to be missionary activities⁶².

On June 22nd 2017 Mr Konstantin Volkov, a justice of peace of Gagarinsky Judicial District of Sevastopol City', imposed a fine of RUR30,000, under RF CoAO Article 5.26-3, on **Mr Yevgeniy Butsiy, a head of local PRIMORSKOE Christian religious 'Jehovah's Witnesses' organization**, because there had been no sign with the full name of the organization on the building owned previously by the organization. Mr Butsiy informed that the organization, as at the moment of 'court' hearing, had ceased its activities, but this was not taken into account for issuing the decree.⁶³ On August 16th 2017 Mr Butsiy managed to obtain a fine decree cancellation at the 'Gagarinsky District Court of Sevastopol City'.

On 27th June 2017 Mr Alkhaz Tulparov, a 'justice of peace', held a court session in Dzhankoy on the **Mr Vitaliy Arseniuk** case who was charged with illegal missionary activities under RF CoAO article 5.26-4. Mr Arseniuk had been a head of local '**Jehovah's Witnesses**' **Committee** before this organization was prohibited in Russia. The same night, after the court session, Mr Arseniuk died of extensive myocardial infarction⁶⁴.

On July 7th 2017 Ms Svetlana Bernatskaya, a 'justice of peace of Bakhchisarai District', imposed a minimum RUR30,000 fine on the head of the local '**Jehovah's Witnesses**' **religious organization, Mr Vadim Oliakin**, for the absence of the sign with a full organization name on the building where the services were held (RF CoAO Article 5.26-3)⁶⁵.

On July 26th 2017 Ms Oksana Gordiyenko, a 'judge of Tsentralny District Court of Simferopol', imposed a RUR10,000 fine on **Mr Pavel Shpak, a presbyter of the First Church of Evangelic Christian Baptists of Simferopol City**', because he had distributed flyers inviting to the house of prayer⁶⁶.

On July 28th 2017 Ms Yekaterina Seliviorstova, 'a justice of peace of Leninsky Judicial District of Sevastopol City', imposed a min RUR30,000 fine on the local religious organization — **Catholic Church of Byzantine Rite — Holy Mother of God Assumption Parish in Sevastopol City**' (former Ukrainian Greek Catholic Church) for the absence of the sign with a full organization name on the church building (RF CoAO Article 5.26-3)⁶⁷.

On October 20th 2017 Ms Anastasia Kudriashova, a 'justice of peace of Leninsky Judicial District of Sevastopol City', sentenced the Sevastopol religious organization "**Church of Jesus Christ Latter Day Saints**" to a RUR30,000 fine, with confiscation of religious materials and

⁶⁰ Pursuant to RF CoAO Article 5.26-3, a minimum amount of administrative fine shall be RUR30,000. Due to this, if a precise amount of fine under RF CoAO Article 5.26-3 is not indicated, the CHRG refers to the minimum fine amount

⁶¹ Case 05-0187/42/2017 <http://mirsud82.rk.gov.ru/office/work/dectextsas/?id=61798&year=2017>

⁶² Case 05-0175/94/2017 <http://mirsud82.rk.gov.ru/office/work/dectextsas/?id=90926&year=2017>

⁶³ Case 05-0139/8/2017 <http://mirsud.sev.gov.ru/office/work/dectextsas/?id=45777&year=2017>

⁶⁴ Krym Reali | Death of Jehovah's Witnesses Follower After His Trial Reported in Crimea <https://ru.krymr.com/a/news/28588304.html>

⁶⁵ Case 05-0165/28/2017 <http://mirsud82.rk.gov.ru/office/work/dectextsas/?id=43640&year=2017>

⁶⁶ «Tsentralny District Court of Simferopol» | Decree on Case No 5-509/2017 https://centr-simph--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=471786184&deloid=1500001&caseType=0&new=0&srv_num=1

⁶⁷ Case 5-0165/11/2017 <http://mirsud.sev.gov.ru/office/work/dectextsas/?id=56344&year=2017>



printed literature. The reason for this was a religious literature found in the room rented by the church, without a full religious organization name. Both ‘the justice of peace and Ms Anna Gulo, ‘a judge of Leninsky District Court’ disregarded the fact that the Church of Jesus Christ Latter Day Saints” did not deal with book printing⁶⁸.

On November 1st 2017 Mr Petr Kireyev, ‘a justice of peace of Yalta Judicial District’, imposed a RUR5,000 fine on **Ms Olga Sabitova**, for her inviting everybody interested to perform together a set of Falun Gong recreational gymnastics exercises. The ‘judge’ regarded as the missionary activities that Ms Sabitova had planned to perform gymnastics in line with Falun Gong book contents. The ‘judge’ ignored Sabitova’s words that she was Orthodox, and the gymnastics was not a religion or beliefs, while Falun Gong qigong exercises were based on studying the practices by Falun Gong book⁶⁹. Ms Sabitova filed an appeal at the ‘Yalta Town Court’ against the ‘justice of peace’ decree, but Judge Valentina Sokolova upheld the decree on the fine⁷⁰.

On December 19th 2017 Ms Viktor Prosolov, a ‘justice of peace of Krasnogvardeysk District’, imposed a fine of min RUR30,000 on the local religious organization — ‘**Native Home’ Evangelic Christian Church** because when the report had been made, there had been no sign with a full organization name⁷¹.

This section does not cover samples of all decrees the CHRG recorded in Crimea. According to the CHRG information, (*since the moment of ‘Yarovaya’s Package’ enforcement*) at least 23 decrees under RF CoAO Article 5.26 for the total amount of minimum **RUR415,000** have been adopted in Crimea.

It is important to state that amendments introduced by ‘Yarovaya’s Package’ materially restrict the capacity of religious organizations to disseminate or exercise their beliefs. The practice of applying RF CoAO Article 5.26-3 and -4 shows that people in Crimea are persecuted for distributing religious materials beyond the churches, for communicating with a religious organization, for recommending to visit the service if this recommendation is given by a person without authorities verified in writing or if this recommendation is given by an authorized person beyond the cult building walls.

At the same time the Orthodox Church provides for some ceremonies to be performed beyond the locations permitted by ‘Yarovaya’s Package’, for instance, funeral services or blessing of the real estate. But as the practice of applying RF CoAO Article 5.26 shows, the Orthodox Church is not subject to sanctions that may indicate a selective application of the administrative laws (*for more details — see section ‘Discrimination’*).

⁶⁸ «Leninsky District Court of Sevastopol» | Judgement for Case no 12-508/2017 https://leninskiy--sev.sudrf.ru/modules.php?name=sud_delo&name_op=case&_id=1039523753&_deloid=1502001&_caseType=0&_new=0&_srv_num=1

⁶⁹ Case 05-0318/94/2017 <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=153506&year=2017>

⁷⁰ https://yalta--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&_id=899933926&_deloid=1502001&_caseType=0&_new=0&_srv_num=1

⁷¹ Case 05-0300/55/2017 <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=164702&year=2017>



5. SEARCHES AND ADMINISTRATIVE PERSECUTION NOT ASSOCIATED WITH MISSIONARY ACTIVITIES AND RELIGIOUS LITERATURE

5.1 Searches and detentions

The mosques are searched by RF authorities not only to find religious literature, they also raided on a large scale to check the documents of the faithful. The RF enforcement bodies use a Friday Juma prayer⁷² as a time when the most Muslims come to one place. Then a mosque is blocked, documents of all present are checked, many are taken away for questioning, fingerprinting, and sampling saliva to test DNA with violation of procedure norms because this material can be presented by the citizens only voluntarily.

On April 22nd 2016 Crimean News Agency informed that one of Sevastopol mosques had been encircled by police after the Juma prayer and all present inside had been forced to show documents identifying a person. The police explained their actions by checking a passport regime⁷³.

On May 6th 2016 the Russian policemen including special purpose unit, raided **the mosque of Molodezhnoye Village of Simferopol District** to check the documents of mosque members. The law enforcement officers demanded the local Muslims leaving the mosque to show the documents identifying a person. Those Muslims who did not have the documents with them were forced to go to the police bus and transported to a police district station of Simferopol. The people claimed to be told reasons for such inspections and detentions⁷⁴.

According to lawyer Emil Kurbedinov's information, several dozens of Muslims had been conveyed to the police station⁷⁵, others were obliged to come to the station by themselves. With the identity checked, they were allowed to go. The Spiritual Administration of Muslims of Crimea and Sevastopol City addressed the law enforcement bodies for explaining such actions in the village of Molodezhnoye. The Miftiat of Crimea received an answer that 'this had been a scheduled raid of the Federal Migration Service to check the observance of the RF migration laws'⁷⁶.

The next day — on May 7th 2016 — the Spiritual Administration of Muslims of Crimea and Sevastopol City (DUMKS) announced a request to carry person identification documents when visiting the mosque⁷⁷.

On May 13th 2016 **the mosque of Vishennoye Village of Belogorsk District** was searched on Friday⁷⁸

⁷² Juma Namaz or Friday Namaz a mandatory collective prayer prescribed by the Quran

⁷³ QHA | Police Ran to Mosque in Crimea <http://qha.com.ua/ru/politika/v-krimu-politsiya-nagryanula-v-mechet/158544/>

⁷⁴ <https://www.youtube.com/watch?v=G9MH3T97sTQ>

⁷⁵ <https://www.facebook.com/emil.kurbedinov/posts/1106311846100078?pnref=story>

⁷⁶ <https://www.facebook.com/emil.kurbedinov/posts/1106321809432415>

⁷⁷ Crimea Events | Crimean Muftiat Recommended Muslims to Carry Documents on Permanent Base http://www.sobytiya.info/news/16/62535?utm_source=twitterfeed&utm_medium=twitter

⁷⁸ <https://www.facebook.com/zair.smedlya/posts/1028579167177251?pnref=story>



Photo 3. Searches in the mosque of Vishennoye Village, May 13th 2016. Source QHA

On December 9th 2016 11 Muslims were detained and convoyed to the district police station after the Juma namaz in the local mosque in **the settlement of Orlovka** next to Sevastopol. The event witness Mr Diliaver Memetov, an activist, informed that the police had detained the Muslims on the pretext of searching for the people suspected of legal violations. The detained were fingerprinted and then released, though no grounds for detention had been ever presented⁷⁹.

5.2 Administrative persecution

The missionary activities in Crimea had not been persecuted before the ‘Yarovaya’s Package’ came in force. To persecute religious organizations for holding events the RF authorities had applied RF CoAO provisions restricting a right to freedom of peaceful assemblies, i.e. RF CoAO Article 20.2 (Violation of established procedure for organizing or holding an assembly, a rally, a demonstration, a procession or picketing). The RF police and ‘judges’ had charged the religious assembly participants in holding unauthorized public events.

On May 10th 2015 8 members of the **Evangelic Christian Baptists** organization came from the town of Saki to the village of Maryanovka, Krasnogvardeysk District, to wish the locals Happy Easter. They assembled in the courtyard of many-flat building and sang with musical accompaniment. Mr A.V.Rusanov, a head of village council, approached them and demanded to stop the event. Then, following hi, the police came and convoyed all faithful to the local police station where the reports were drawn up on them, they were finger tipped, and the van, books, and appliance were searched. They were released on May 11th, at 01.45am, with summons handed⁸⁰.

On May 19th 2015 the first hearings on the cases of Easter Congratulation in Maryanovka participants were held in ‘Krasnogvardeysk District Court’. **Mr Denis Vinnikov, Mr Semen Vinnikov, Mr Anatoliy Gerasimenko, Mr Mark Dombrovsky, Ms Yelena Kuskova** as event participants were imposed a RUR10,000 fine, and **Mr Sergey Shokha** as an organizer — ti a RUR20,000 fine⁸¹.

⁷⁹ Krym. Realii | Human Right Defender Confirmed Mass Detention of Muslims <http://ru.krymr.com/a/news/28167448.html>

⁸⁰ Voice of Sufferers | Saki, Crimea, Faithful Harassment <http://voiceofsufferers.org/2015/05/27/1351>

⁸¹ «Krasnogvardeysky District Court» | List of cases to be heard on 19.05.2015 https://krasnogvardeiskiy--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=19.05.2015



The 'court' judgements double each other, with only names of accused changed. The judgements state that Easter congratulations of Evangelic Christian Baptists organization members for Mary-anovka residents is a public event and can't be held unauthorized by the local administration. On May 20th 2015 the similar judgement of RUR10,000 fine was passed on **Ms Galina Romanovich**⁸², and on June 24th — on **Ms Kristina Matofonova**⁸³. All judgements on assigning a punishment were issued by 'Judge' Irina Shevchenko.

On June 2nd 2015 Simferopol policemen draw up 8 administrative reports on members of '**Jehovah's Witnesses**' religious community for violating the procedure of holding rallies, demonstrations, or picketing. The reports were issued on the people who offered to look through the literature at 4 'Jehovah's Witnesses' desks, for violating the established procedure for organizing or holding an assembly, a rally, a demonstration, a procession or picketing (RF CoAO Article 20.2-1)⁸⁴.

On January 30th 2016 the RF policemen detained a group of the Vaishnavists. These people as according to the witnesses' testimonies in the court later, had been walking in the street, shouting 'Hare Krishna, Hare Rama' and offering tracts. On February 26th 2016 the hearings on the case of one of this procession participants — **Mr S.S.Sharapov** — were held in the 'Yalta Town Court'. 'Judge' Yuriy Bereschansky charged him with holding an unauthorized public event and sentenced to a RUR10,000 fine under RF CoAO 20.2-1⁸⁵. On May 10th 2016 Mr Yevgeniy Pavlovsky, a 'judge of Supreme Court of Republic of Crimea', found the judgement of fine on Mr Sharapov legal and upheld it⁸⁶.

⁸² «Krasnogvardeysky District Court» | Decree on case No 5-570/2015 https://krasnogvardeiskiy--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=149998443&deloid=1500001&caseType=0&new=0&srv_num=1

⁸³ «Krasnogvardeysky District Court» | Decree on case No 5-555/2015 https://krasnogvardeiskiy--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=149998309&deloid=1500001&caseType=0&new=0&srv_num=1

⁸⁴ Jehovah's Witnesses in Russia | In Crimea Reports Drawn Up on Jehovah's Witnesses for Serving with Desks Made This Equal to Picketing http://jw-ru.blogspot.ru/2015/07/blog-post_5.html

⁸⁵ «Yalta Town Court» | Decree on case No 5-358/2016 https://yalta--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=440650010&deloid=1500001&caseType=0&new=0&srv_num=1

⁸⁶ «Supreme Court of Republic of Crimea» | Statement for Case no 12-439/2016 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=doc&number=600078465&delo_id=1502001&new=0&text_number=1



6. PERSECUTION UNDER CHARGING WITH MEMBERSHIP IN TERRORIST OR EXTREMIST ORGANIZATIONS

A criminal persecution for membership in the religious organizations in the RF starts with declaring such organization a terrorist or extremist one. Consequently, members of the organization are persecuted for membership or establishment of a terrorist or extremist organization under RF CC Article 205.5 (Organizing activities of terrorist organization and participation in such organization activities) and Article 282.2 (Organizing activities of extremist organization). This approach has been applied by the RF authorities to the occupied territory of Ukraine — Crimea, too.

Recorded facts testify that Muslims are subjected to religious criminal persecution in Crimea. The most typical charges for Muslims are under RF CC Article 205.5 — ‘Hizb-ut-Tahrir’ membership, and RF CC Article 282.2 — ‘Tablighi Jamaat’ membership. However, on April 20th 2017 the RF Supreme Court declared extremist the ‘Jehovah’s Witnesses’ religious organization that would also threaten the organization member with persecution under RF CC Article 282.2.

6.1 Charge with ‘Hizb-ut-Tahrir’ membership⁸⁷

‘Hizb-ut-Tahrir al Islami is a party, a political organization that proclaims re-establishing a fair Islamic mode of life and an Islamic caliphate by political non-violent methods its aim.

In the RF ‘Hizb-ut-Tahrir’ has been declared a terrorist organization by Statement of the RF Supreme Court of 11 February 2003, No GKPI 03-116⁸⁸. The statement on declaring terrorist organizations was taken for a list of 15 organizations, including the ‘Hizb-ut-Tahrir’. The court statement did not indicate any fact of ‘Hizb-ut-Tahrir’ contribution to performing or preparing an act of terror.

Before the occupation of Crimea the ‘Hizb-ut-Tahrir’ had not been prohibited in Ukraine, and its activities had not been restricted. When the RF had included illegally Crimea in its jurisdiction, the RF FSB started persecuting the Crimean residents. The reasons for persecution are information on the membership before the occupation, Islamic literature found during the searches, posts in the social networks. Herewith, the Muslims are subjected to persecution for the publications in the social networks placed before the occupation of Crimea.

6.1.1. Criminal persecution

An unjustified declaration of the organization to be terrorist and an unproven charge with the membership allow the RF FSB to accuse almost any Muslim of Crimea of participating in or organizing a terrorist group. Taking to account the ‘Yarovaya’s Package’ adopted in July 2016

⁸⁷ Hizb-ut-Tahrir’ (full name & Hizb-ut-Tahrir al Islami, Islamic Party of Liberation in the Arabic) is an international pan-Islamist political party founded in 1953 in Eastern Jerusalem by Taqiuddin al-Nabhan, a judge of local Shariat appeals court. The activities of Hizb-ut-Tahrir are prohibited because the party was declared a terrorist organization, <http://www.fsb.ru/fsb/npd/terror.htm>.

⁸⁸ National Anti-Terrorist Committee | Statement of the RF Supreme Court of 11 February 2003, No GKPI 03-116 <http://nac.gov.ru/zakonodatelstvo/sudebnye-resheniya/reshenie-verhovnogo-suda-rf-ot-14-fevralya.html>



that provides for strengthening the penalties for terrorist and extremist activities, the Crimean residents accused under RF CC Article 205.5, face imprisonment up to a life sentence. Since January 2017, the accused of 'Hizb-ut-Tahrir' membership under RF CC Article 205.5 have been added a new charge — RF CC Article 30-1 and Article 278 (Attempt of violent upheaval). The additional charge cause, as declared in the indictment, is the purpose of organization — establishment of Islamic Caliphate ('since Ferghana Valley located on the territory of several Central Asian states has been chosen for creating the Caliphate, the activities of 'Hizb-ut-Tahrir' are prohibited as endangering the constitutional system'). According to the 'Hizb-ut-Tahrir' statements, this party declares non-violent methods for achieving their purposes.

As of January 2018 **25** people accused of being 'Hizb-ut-Tahrir' members were in custody: **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).

The first detained were four Muslims from Sevastopol: **Yuriy Primov, Rustem Vaitov, Ruslan Zeitullayev** who were detained on January 23rd 2015, and **Feirat Saifullayev** was detained on April 2nd same year. They all were first in the detention facility no 1 of Simferopol, then they were transported to the RF for hearings at the North Caucasian Area Military Court in Rostov-na-Donu. On September 7th 2016 Yuriy Primov, Rustem Vaitov and Feirat Saifullayev were given a five-year sentence. Mr Ruslan Zeitullayev was given a seven year's sentence but the Supreme Court of RF, upon the prosecutor's request, remitted the case. After the re-consideration on April 26th 2017 the North Caucasian Area Military Court found Mr Zeitullayev guilty in creating the Crimean Hizb-ut-Tahrir organization and gave him 12 year's sentence in the maximum security penal colony. On July 27th 2017 when the case of Mr Zeitullayev was re-heard, the RF Supreme Court prolonged his sentence in the maximum security penal colony up to 15 years.

In February and April of 2016 the RF FSB detained six more people in the settlements in the vicinity of Yalta. **Emir Usein Kuku, Inver Bekirov, Muslim Aliyev, Vadim Siruk** were detained on February 11th 2016. **Refat Alimov** and **Arsen Djepparov** on April 18th same year. In January 2017 the accusation of Muslims detained in Yalta under RF CC Article 205.5 was topped up with Article 30.1 and Article 278 of RF CC (Attempt of violent upheaval). From the moment of detention till December 2017 the Yalta case defendants were in the detention facility no 1 of Simferopol, then they were convoyed to the Rostov-na-Donu Detention Center where the merits hearing was to be held. On December 29th Mr Aleksandr Popkov, a defence lawyer, informed that he had got an information on torturing Mr Kuku and Mr Siruk on indicatively December 26th and 27th when they were at Krasnodar Detention Center. The men had been dogged, beaten and promised 'to be lost' when convoying⁸⁹.

On May 12th 2016 Enver Mamutov, Rustem Abiltarov, Zevri Abseitov, Remzi Memetov were detained in Bakhchisarai. Since the moment of detention all they have been in the detention facility No 1 of Simferopol. They were also, in addition to the terrorist organization membership, were charged with an attempt of violent upheaval.

On October 12th 2016 5 people were detained in Simferopol. These are Teimur Abdullayev, Uzeir Abdullayev, Rustem Ismailov, Aider Saledinov, Emil Djemadenov.

On October 11th 2017 6 people were detained in Bakhchisarai: Marlen Asanov, Seyran Saliyev, Memet Belialov, Timur Ibragimov, Server Zekiryayev and Ernes Ametov.

⁸⁹ <https://www.facebook.com/alexander.popkov.7/posts/1624544190965928?pnref=story>



Photo 4. Detention of Muslims in Bakhchisarai, May 12th 2016. Screenshot

The detained in October 2016 and October 2017 are in the Simferopol Detention Facility No 1. It should be noted that as they were detained after adoption of the ‘Yarovaya’s Package’, the accused of ‘Hizb-ut-Tahrir’ membership face even 10 to 12 years’ imprisonment, and those accused of organizing — a life sentence.

The criminal persecution of the Muslims mentioned above has common features that allow for consolidating these cases in the unified politically reasoned ‘Case of Crimean Muslims’. So, the accusations are built up on testimonies of RF law enforcement body staff or persons who, as proved by the defense lawyers, show hostile feelings towards the accused. The searches within these cases were accompanied with numerous procedure violations, and the ‘judges’ disregarded grounds presented by the defense on applying a measure of restraint not related to the detention. The investigation bodies failed to present direct evidence of the defendants participating in acts of terror or their preparation. The detained and their lawyers reported many times a physical and psychological pressure the investigation bodies subjected them to. The recorded facts testify violations of the detained’s right to liberty and security of person as well as the right to a fair trial.

6.1.2. Administrative persecutions

Apart from criminal persecution of the Muslims, administrative persecution for placing publications with ‘Hizb-ut-Tahrir’ symbols in the social networks is also used in Crimea. ‘Center E’ officials draw up a report on an administrative offence under RF CoAO Article 20.3 (Propaganda or demonstrating in public of Nazi attributes and symbols or attributes and symbols of extremist organizations or other attributes or symbols which propagating or demonstrating in public is prohibited by federal laws). Herewith, both ‘Center E’ officers and the ‘judges’ disregard the fact that the posts were published before the occupation of peninsula. Therefore, the authorities de facto apply RF CoAO articles retrospectively to punish local residents that violates one of basic law principles and fundamental human rights.

Moreover, within such administrative cases searches are carried out at the Muslims’, with expropriations of the computer hardware, mobiles, and religious books.



It is important to point out that in most cases the socially active Muslims are subjected to criminal or administrative persecutions.

On January 26th 2016 Mr **Seyran Saliyev** was detained in Bakhchisarai after the search. Mr Aleksandr Skisov, a 'judge of Bakhchisarai District Court', sentenced him to a 12-day's administrative arrest for the publication with 'Hizb-ut-Tahrir' symbols⁹⁰. Earlier Mr Saliyev had been penalized for an attempt to attract the attention of people during detaining the Muslims on May 12th 2016 in Bakhchisarai. But after administrative cases on October 11th 2017 he was charged with 'Hizb-ut-Tahrir' membership and placed under detention.

The same day, on January 26th 2017, lawyer **Emil Kurbedinov** who was driving to provide assistance to Mr Saliyev was detained. Simultaneously his office was searched that resulted into expropriating the computers. The reason for detaining and searching was declared to be a post in the social network with 'Hizb-ut-Tahrir' symbols that Mr Kurbedinov published in 2013. On January 26th 2017 Ms Tatiana Belinchuk, a judge of 'Zheleznodorozhny District Court of Simferopol' sentenced him to a 10-day's administrative arrest. Mr Emil Kurbedinov is a lawyer who defends in many politically reasoned cases in Crimea.

On February 21st 2017 Mr **Marlen Mustafayev** was detained in Simferopol for a post with 'Hizb-ut-Tahrir' symbols in the social network. Mr Viktor Mozheliansky, a 'judge of Kievsky District Court, sentenced him to an 11-day's administrative arrest⁹¹. Apart from Mr Mustafayev, 10 people more who came to his house to find out a reason for search and detention were subjected to a 5-day's administrative arrest. They were charged with an unauthorized public event.

On April 13th 2017 Mr **Midat Muzhdaba** and Mr **Server Mustafayev** were detained for posts in the social networks. Mr Vasiliy Koshelev, a 'judge of Bakhchisarai District Court', sentenced Mr Muzhdaba to 3 days and Mr Mustafayev to 10 days of administrative arrests⁹². Five more people who came to support Mr Muzhdaba and Mr Mustafayev were detained together with them by the Russian police.



Photo 5. Detention of Mr Marlen Mustafayev in Simferopol, February 21st 2017. Photo by Anton Naumliuk

⁹⁰ «Bakhchisarai District Court» | Statement for case no 5-110/2017 https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=663035094&deloid=1500001&caseType=0&new=0&srv_num=1

⁹¹ «Kievsky District Court of Simferopol» | Statement for case no 5-479/2017 https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=418670965&deloid=1500001&caseType=0&new=0&srv_num=1

⁹² «Bakhchisarai District Court» | List of cases to be heard on 13.04.2017 https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=13.04.2017



On November 8th 2017 **Mr Seytumer Seytumerov** was detained after the search in Simferopol for the publication with 'Hizb-ut-Tahrir' symbols in the social network and imposed a RUR2,000 fine⁹³.

On January 18th 2018 the search was carried out at the **Mr Girai Kulametov's**, an activist and one participants of 14 October 2017 single-man pickets, in Stary Krym. After the search he was detained and his computer was expropriated. The same day Mr Roman Mikhaylov, a 'judge of Kirovskoye District Court', issued a decree on a 10-day's administrative arrest for publication a video with 'Hizb-ut-Tahrir' symbols in 2012⁹⁴. On January 26th Ms Yekaterina Timoshenko, a 'judge of Supreme Court of Republic of Crimea', upheld the decree on arrest for Mr Kulametov.⁹⁵

It is important to point out that many administrative reports under RF CoAO Article 20.3 on the Crimean Muslims were drawn up by one and the same man — Mr Ruslan Shambazov, 'RF police major', a former officer of the MIA of Ukraine.

More details on persecutions due to a charge with the 'Hizb-ut-Tahrir' membership, detentions, searches, sentences passed and decrees on placing the defendants under detention may be found in the monthly monitoring reviews at the CHRNG website⁹⁶.

6.2 Charge with Tablighi Jamaat' membership⁹⁷

Tablighi Jamaat is declared to be a voluntary pacifist Islamic movement aimed at calling to live on Islamic commandments in the traditionally Islamic countries.

On October 3rd 2017, after the search, 4 Muslims were detained on the charge of Tablighi Jamaat membership. These are **Mr Renat Suleymanov** and **Mr Taliat Abdurakhmanov**, residents of Molodezhnoye, and **Mr Arsen Kubedinov** and **Mr Seyran Mustafayev**, residents of Simferopol. As 'Tablighi Jamaat', opposite to 'Hizb-ut-Tahrir', is declared an extremist, not a terrorist organization in the RF, the detained Muslims were charged under RF CC Article 282.2 (Organization of extremist organization activities). Mr Suleymanov and Mr Kubedinov were placed under detention as measure of restraint, and Mr Mustafayev and Mr Abdurakhmanov are placed under house arrest.

The 'Tablighi Jamaat' movement was declared extremist in Russia and prohibited by Statement of the RF Supreme Court of May 7th 2009 No GKPI 09-525⁹⁸.

6.3 Ban on activities of 'Jehovah's Witnesses' religious organization

On April 20th 2017 the RF Supreme Court declared 'the Administrative Center of Jehovah's Witnesses in Russia' an extremist organization⁹⁹. The Court ruled to liquidate it and prohibit its activities on the territory of RF. The court also decreed on forfeiting the organization's property to the state income. The ban was applied also to 22 'Jehovah's Witnesses' organizations in Crimea¹⁰⁰.

⁹³ «Bakhchisarai District Court» | Statement for case no 5-391/2017 https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=820151475&deloid=1500001&caseType=0&new=0&doc=1&srv_num=1

⁹⁴ «Kirovskoye District Court» | Statement for case no 5-11/2018 https://kirovskiy--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=1426127393&deloid=1500001&caseType=0&new=0&srv_num=1

⁹⁵ "Supreme Court of Crimea" | List of cases to be heard on 26.01.2018 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=26.01.2018

⁹⁶ Crimean Human Rights Group/Monitoring. <http://crimeahrg.org/category/monitor/>

⁹⁷ Tablighi Jamaat (Jamaat Tablighi is also used) is a religious movement started in 1926 by Muhammad Ilyas al-Kandhlawi in India. In Russia activities of the Tablighi Jamaat movement is prohibited.

⁹⁸ Statement of RF Supreme Court on prohibiting Tablighi Jamaat" <http://www.lawfulstate.ru/index.php/zashitaprav/2010-03-28-13-27-47/q-q/the-decision-on-an-interdiction-of-tablighi-dzhamaat.html>

⁹⁹ <https://ria.ru/incidents/20170420/1492720045.html>

¹⁰⁰ <https://www.jw-russia.org/news/17033011-120.html>



According to the of 'Jehovah's Witnesses in Russia' site, 8,000 faithful of Jehovah's Witnesses live in Crimea.

On July 17th 2017 the RF Supreme Court upheld the statement on declaring the Jehovah's Witnesses' religious organization extremist and prohibiting its activities on the territory of RF¹⁰¹. The statement was applied also for the territory of Crimea.

On August 16th 2017 the RF Ministry for Justice included the 'the Administrative Center of Jehovah's Witnesses in Russia' and 395 local religious organizations¹⁰² making parts of its structure, into the list of extremist organizations. Among them are 18 religious organizations of Crimea¹⁰³ which activities are now prohibited.

For the moment there is no information on criminal persecution of Crimean residents for 'Jehovah's Witnesses' membership, but, with the organization having been included into the list of extremist ones, its members face a threat of being charged under RF CC Article 282.2.

¹⁰¹ <http://www.interfax.ru/russia/570941>

¹⁰² <http://minjust.ru/ru/novosti/religioznaya-organizaciya-upravlencheskiy-centr-svideteley-iegovy-v-rossii-vklyuchena-v>

¹⁰³ http://minjust.ru/ru/nko/perechen_zapret



7. EXPROPRIATION OF RELIGIOUS ORGANIZATION PROPERTY OR BAN ON ITS USING

One of the methods of pressing the religious groups in Crimea is expropriation of the cult structures they own or ban on using these structures for religious ceremonies.

So since December 2nd 2016 the local religious organization of Evangelic Christians '**Voice of Hope Church**' cannot have its divine services in its church in Bakhchisarai. In addition to the church premise, the RF authorities forbid using the premises of center for rehabilitation drug and alcohol addicted people.

The fact that the church building was not officially commissioned according to the RF norms was declared to be an official reason. However, as pastor Rustam Fatullayev informed the CHRG representatives, the actual reason was construction of RF FSB department building started on the opposite side of the street¹⁰⁴. As he said, when communicating privately with the church representatives, the RF FSB officers suggested them moving to another place. According to Mr Fatullayev, the RF FSB officers grounded their demand, saying that 'an American sect' and drug-dependent people could not be next to the RF FSB building. After this conversation several out-of-scheduled inspections initiated by the local prosecutor's office have been held in the church since August 2016.

Upon the outcomes of one of them, the church was fined for RUR150,000 for violating the fire safety though the inspector's requirements were met. After the second inspection the church was forbidden to use the building till a permit was obtained, but the supervising bodies have denied issuing the approval to the 'Voice of Hope Church' under various pretexts.

Since the first day of occupation **the Ukrainian Orthodox Church (Kyivan Patriarchate)** (hereinafter KP UOC) parishes have been attacked by pro-Russian paramilitary units (the Kazaks and Crimean Self-Defence) and experienced the Russian authorities pressure.

In 2014 the RF authorities demanded all Crimean religious organizations to be re-registered according to the Russian law provisions. By the end of 2017 many organizations had passed this procedure. However, the KP UOC rejected registering in the Russian legal environment, considering the registration as legitimizing the RF presence in Crimea. The priests denied receiving the Russian citizenship.

In this situation the churches are unable to pay the utility invoices that the authorities de facto use as an official reason for their seizure.

According to Archbishop Clement's information, before the occupation the KP UOC had had 52 religious organizations in Crimea, but as of January 2018 only 9 parishes remained.

On June 1st 2014 a group of armed people wearing Russian Kazak uniforms broke the door, penetrated illegally into the hall of **Church of Holy Mother of God Intercession in the village of Perevalnoye**, Simferopol District, and destroyed Orthodox relics. A pregnant churchwoman and a daughter of priest suffering cerebral palsy became victims of the bashing, and the priest's car was damaged. Archbishop Clement informed that the police had rejected accepting a statement on the crime against the faithful. The application of the Crimean Field Mission to the Crimea 'Prosecutor's

¹⁰⁴ RIA KRYM | New UFSB Building Opened in Bakhchisarai <http://crimea.ria.ru/society/20170117/1108763645.html>

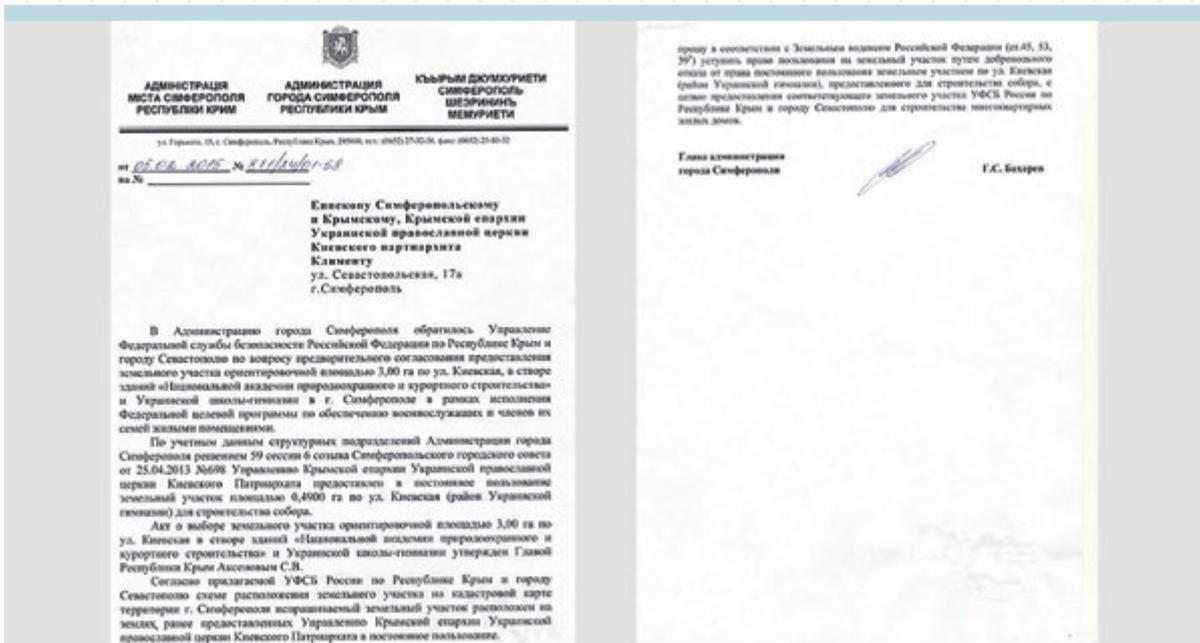


Photo 6. The letter to Archbishop Clement from 'Simferopol Administration', February 5th 2015

Office due to the fact of attacking the parishioners of the church in the village of Perevalnoye was replied in June that 'based on the inspection findings it was decided to refuse to initiate a criminal case'. The Prosecutor's Office of Simferopol District cancelled this resolution, and the documents were sent for an additional inspection'.¹⁰⁵

In February of 2015 Archbishop of Simferopol and Crimea Clement informed that several churches had been seized from KP UOC: in Kerch (village of Osovino), Sevastopol (at Nakhimov College), and in Krasnoperekopsk, without any information their further use, and the church in village of Perevalnoye that was taken by force and transferred to the Moscow Patriarchate church¹⁰⁶.

On February 5th 2015 Mr Gennadiy Bakharev, 'head of Simferopol Administration', sent a letter to Archbishop Clement, suggesting to reject voluntarily a plot of land allocated earlier for construction of the cathedral in Simferopol, in favor of the RF FSB.

Premises of the **KP UOC Cathedral of Sts Olha and Volodymyr Equal to Apostles** appeared under the threat of seizure.

On May 16th 2001 premises in 17 Sevastopolskaya Street, with area of 1,475.7sq m in total, were granted for a free of charge use to the KP UOC Crimean Eparchy Administration till 2050 by the resolution of Supreme Council of Autonomous Republic of Crimea¹⁰⁷. On April 14th 2014 'the State Council of Republic of Crimea' established by the Russian authorities in Crimea, amended illegally this resolution and instructed 'the Ministry for property and land relations of Crimea' to calculate a tenancy fee¹⁰⁸. As a result, the area of premises granted for renting reduced to 1,016.1sq m, with the tenancy fee, though the rent had been free of charge before, being stated as RUR90,906.62 per month.

¹⁰⁵ Krym Realii | Church of KP UOC in Perevalnoye Seized. For whose favor? <https://ru.krymr.com/a/25406300.html>

¹⁰⁶ Crimean Human Rights Field Mission. Brief Overview of Situation in Crimea http://crimeahrg.org/wp-content/uploads/2016/10/Crimea_Field_Mission_Review_February_2015_RU.pdf

¹⁰⁷ Resolution of Supreme Council of ARoC no 1801-2/01 <http://zakon5.rada.gov.ua/krym/show/rb1801002-01>

¹⁰⁸ «State Council of Republic of Crimea» | On amending the resolution of Supreme Council of Autonomous Republic of Crimea of 16 May 2011 no 1801-2/01 «On transferring a part of building located in 17 Sevastopolskaya Street, Simferopol, to the Crimean Eparchy Administration of Ukrainian Orthodox Church of Kyivan Patriarchate <http://crimea.gov.ru/act/12091>



Photo 7. The KP UOC Cathedral of Sts Olha and Volodymyr Equal to Apostles, Simferopol



On May 29th 2015 sales on renting the premise of 112.6 sq m at the cathedral address were held. This premise had been rented before by the KP UOC Crimean Eparchy. The KP UOC Cathedral of Sts Olha and Volodymyr Equal to Apostles is located in the building. The sales were carried out by 'the Ministry for property and land relations of Crimea' without notifying this premise tenants.

The KP UOC representatives appealed to the 'Commercial Court of Crimea', demanding to invalidate the decision of the Crimean ministry in terms of the premise of 112.6 sq m. But 'the Ministry for property and land relations of Crimea' placed a cross-claim demanding not only to vacate the premises but also to collect a forfeit from the KP UOC representative for 'an ungrounded use of the property for the period of August 21st 2014 – September 30th 2015' to an amount of RUR591,128.65.

On January 21st 2016 the statement of the Commercial Court of Crimea' was published in full: 'Judge' I.A.Sokolova obliged to vacate the premises of 112.6sq m at the first floor of the building in 17 Sevastopolskaya Street, Simferopol, and to collect a forfeit of RUR591,128.65 from the Crimean Orthodox Spiritual Center. In addition, the court decided to make the Center to recover court fees for considering the cross-claim, to an amount of RUR16,383, to the 'Federal Budget income'.

On November 8th 2016 six representatives of the 'Crimea Assets Fund of 'the Ministry for property and land relations of Crimea' came to the cathedral and demanded to open all cathedral premises to be inspected by them. Archbishop Clement informed that these officials had intended to get illegally to the church first floor to seal it off¹⁰⁹.

On August 21st 2017 the officials of Federal Court Bailiffs Service cordoned the Cathedral of Sts Olha and Volodymyr Equal to Apostles¹¹⁰. Archbishop Clement informed that at 10.00am the bailiffs ran into the church territory, kicked in the first floor premise, broke the door of altar on the second floor, and shut off the access for the faithful. He explained that the first floor territory was owned by the Eparchy Administration according to the tenancy contract, but the bailiffs ignored this. The bailiffs referred to the court ruling demanding the Spiritual Center to vacate the premises though, as Father Clement said, there had been no Spiritual Center in the Eparchy Administration for more than two years¹¹¹.

On December 20th 2017 'the Commercial Court of Republic of Crimea' rejected the KP UOC of returning the premises seized by the bailiffs service and the expropriated church property¹¹².

¹⁰⁹ <http://voicecrimea.com.ua/main/mainnews/predstavniki-fondu-majna-krimu-vderlis-do-cerkvi-ki%D1%97vskogo-patriarxatu-i-namagalisy-a-opechatati-primishhennya.html>

¹¹⁰ <https://ru.krymr.com/a/news/28709885.html>

¹¹¹ <https://ru.krymr.com/a/news/28707041.html>

¹¹² «Commercial Court of Republic of Crimea» | Statement for Case no A83-13977/2017 http://kad.arbitr.ru/PdfDocument/69087875-b750-47a1-8987-230b26bfea5e/%D0%9083-13977-2017_20171220.pdf



8. HATE SPEECH REGARDING THE RELIGIOUS GROUPS IN CRIMEA

Situation with various religious groups in Crimea is substantially compounded by the hate speech used by Russian and Crimean mass media. This develops a negative attitude to such religious groups and their parishioners in the society, their prejudicial treatment by the authorities de facto, and restricts a right to defence and a fair trial.

The religious groups to which the hate speech is applied are the Muslims, Protestant churches, the Ukrainian Greek Catholic Church, and the Ukrainian Orthodox Church of Kyivan Patriarchate.

8.1 Muslims

Regarding the Muslims, the term 'Islamists' is usually applied with negative context. The mass media often mention that the Muslims are involved into the acts of terror or organizations, creating an image of Muslim as terrorist.

For instance, an extract from 'FORPOST' Sevastopol website news about the Ukrainian Armed Forces battalion 'Crimea': *'Now 'Tatar refugees' are flowing to Dnepropetrovsk from Western Ukraine. Trains from Kovel' and L'vov arrive at night. Militants of radical Islamist groups are being met at the cordoned platform. They escaped from Crimea three months ago at the eve of referendum on reuniting with Russia. All this time they had been trained in Galichina camps. Now the time has come to fight. The first unit of CRIMEA battalion has been quartered already in Berdiansk to isolate the resort coast. The locals tell that the Islamists have stabbed to death several Azov fishermen — to horrify everybody sailing by boats to the Russian shore'*¹¹³

Presenting such information is aimed at mongering hatred both to Crimean Tatars and to Muslims called 'Islamists'. And this is accompanied with mentioning evidence free 'facts' on the 'murders' performed by them and an intention to ensanguine Crimea.

Another example illustrates using the hate speech by the Crimean government de facto. Edict of 'Head of Republic of Crimea' 'On approving the Comprehensive plan for counteracting the terrorism ideology in the Republic of Crimea for 2015—2018' defines the workers from Muslim countries 'as the most affected by the terrorism ideology'¹¹⁴.

Including 'Hizb-ut-Tahrir' organization in the list of terrorist ones obliges the mass media to indicate, when mentioning the Hizb-ut-Tahrir, that this a terrorist organization prohibited in the RF. In addition, the Crimean Muslim case' defendants charged with 'Hizb-ut-Tahrir' membership are called terrorists and extremists. The same refers to the Crimean residents detained for publishing 'Hizb-ut-Tahrir' symbols in the social networks.

One of the examples is news on detaining four Muslims in Bakhchisarai in May of 2016, with detained called criminals, in breach of presumption of innocence:

¹¹³ ForPost | Kolomoysky, Yarosh and Djemilev Intend to Flood Crimea Land with Russian Blood <http://sevastopol.su/news/kolomoyskiy-yarosh-i-dzhemilev-namereny-zalit-krymskuyu-zemlyu-russkoy-krovyyu>

¹¹⁴ «Government of Republic of Crimea» | Edict no 26-Y of 30 Jan 2015 http://rk.gov.ru/rus/file/pub/pub_238807.pdf



'Ms Natalia Poklonskaya, Prosecutor of Crimea, claimed that the FSB detectives detained an organizer and three members of the 'Hizb-ut-Tahrir' terrorist organization prohibited in the RF, in Bakhchisarai. According to her words, the detained terrorists carried out anti-constitutional subversions on the territory of the peninsula'¹¹⁵

The information on detaining six Muslims in October of 2017 was communicated in the same way:

'Dangerous terrorists, members of the 'Hizb-ut-Tahrir' organization prohibited by law in the RF, were detained in Crimea. The terrorists were grounded in Bakhchisarai District of Crimean peninsula'¹¹⁶

In both cases, prior to handing up an indictment and passing a sentence, the Russian mass media have called the detained Muslims 'dangerous terrorists'.

8.2 Ukrainian Greek Catholic Church and Ukrainian Orthodox Church of Kyivan Patriarchate

The Russian mass media and the Russian politicians use the hate speech not only regarding Ukraine, events at Maydan in 2014 and the policy of Ukrainian government, but also regarding the churches associated with Ukraine. The Ukrainian Greek Catholic Church (UGCC) is often called 'Uniate', and its parishioners — 'Uniates', applying these terms with negative and snub connotations. When the Ukrainian Orthodox Church of Kyivan Patriarchate (KP UOC) is mentioned, it is called illegitimate, schismatical, unrecognized.

Both churches are accused by the mass media of supporting the events at Maydan, Nazism and rabble-rousing.

An illustration to using such hate speech by the official sources is an article about the events in Ukraine published at the website of 'Legislative Assembly of Sevastopol':

'so called Uniates as well as schismatics — Philaret's followers that do not recognize the Moscow Patriarchate — have come to power in Ukraine. It is they who blessed murders at Maydan. This schism started in Western Ukraine as early as in the 1990s. Then it was a slaughter. And THEY call everybody who does not share THEIR views, not only the Orthodox'¹¹⁷.

Other examples of using the hate speech regarding the UGCC and KP UOC may be found at the regional mass media, a news website of Sevastopol ('Novoross.info'):

The article titled *'Ukrainian Schismatics Came to Agreement with 'Pravy Sektor' Neofascists'¹¹⁸: 'Military Clergy Synod Department' of 'Kievsky Patriarchate' Ukrainian nationalist sect and the major Ukrainian Neo-Nazi Gro called 'Pravy Sektor' signed an agreement on collaboration. The agreement that became public contains rather speaking proofs of objectives and format of declared collaboration of Philaretians and Nazi militants'.*

One more article titles *'Sevastopol Uniates Worship 'Saint' Nazi and Crook Russian Laws'¹¹⁹: 'Pro-western sects and Ukrainian pseudo religious nationalist organizations acting in Crimea since the Ukrainian occupation times not only tap the wallets of easily taken in citizens and affect*

¹¹⁵ TBLQ | Four Terrorists from 'Hizb-ut-Tahrir' Detained in Crimea" <http://www.tvc.ru/news/show/id/92030>

¹¹⁶ Southern Federal | Dangerous Terrorists Detained in Crimea <http://u-f.ru/news/criminal/u28/2017/10/11/245761>

¹¹⁷ «Legislative Assembly of Sevastopol» Russian Spring, Day 18. Journalists Recalling <https://sevizakon.ru/view/prensa/1374/1375/1434>

¹¹⁸ Novoross.info | Ukrainian Schismatics Came to Agreement with 'Pravy Sektor' Neofascists'<http://www.novoross.info/politiks/40137-ukrainskie-raskolniki-dogovorilis-s-neofashistami-iz-pravogo-sektora-foto-dokumentov.html>

¹¹⁹ Novoross.info | Sevastopol Uniates Worship 'Saint' Nazi and Crook Russian Laws <http://www.novoross.info/sevastopol/40297-sevastopolskie-uniaty-poklonyayutsya-svyatomu-nacistu-i-plyuyut-na-rossiyskie-zakony.html>



destructively the mentality of their adepts but also propagate Ukrainian nationalism and outright Nazism'.

The fact that the UGCC self-names now in Crimea 'Catholic Church of Byzantine Rite' may be considered one of the consequences of applying this hate speech.

8.3 Protestants

Regarding the Protestant churches in Crimea, the mass media apply the term 'sects' and call parishioners 'dissidents' with negative connotations. In addition, the Protestants are accused of acting in favor of the USA and Western Europe.

For instance, the news at ForPost Sevastopol website:

*'Dangerous Sect Threatening Sevastopol with 'New World Order'*¹²⁰

'A sect that, as the police claim is controlled from the West acts in Sevastopol. Among its members straying citizens, representatives of authorities and business. The sect fundamental is to pay and to listen to the pastor. As ForPost was informed by a source in the law enforcement bodies, after the MinJustice of Russia suspended the activities of the biggest sect — 'Jehovah's Witnesses Administration Center', other sects keeping on their subversions including Sevastopol and Republic of Crimea will be closed down, too.'

¹²⁰ ForPost | Dangerous Sect Threatening Sevastopol with 'New World Order'» <http://sevastopol.su/news/opasnaya-sekta-ugrozhaet-sevastopolyu-novym-mirovym-poryadkom>



9. DISCRIMINATION

To make the picture complete it is important to point out a specific position of the Russian Orthodox Church (ROC) that includes the Ukrainian Orthodox Church of Moscow Patriarchate (MP UOC). The Ukrainian Orthodox Church of Kyivan Patriarchate (KP UOC) that is not controlled by the ROC appears in a completely different situation.

In September 2017 it was informed that the churches of MP UOC got the sign plates saying 'Moscow Patriarchate. Simferopol and Crimean Eparchy'. As Clement, Archbishop of MP UOC, informed, the Crimean Eparchy was still a part of UOC, and signs on the churches were not official documents¹²¹.



Photo 8. The sign plate on the Church of St. Sergius of Radonezh, September 2017.

Source Krym.Realii

According to the reports and 'court' rulings, an incomplete name on the religious organization sign table makes a ground for administrative persecution. But there were no such administrative cases regarding the MP UOC representatives, though there were a lot regarding other religious groups. In addition, the changed signs may show that the ROC does not consider any more the occupied territory as MP UOC eparchy, and has laid hands on the assets owned by the MP UOC. This is verified by an ordinance of Lazar, Metropolitan of Simferopol and Crimea, that does not refer the Simferopol and Crimean Eparchy to the Ukrainian Orthodox Church¹²².

Though public religious actions regarded as unauthorized public events and violation of missionary activities laws are actively persecuted in Crimea, the ROC priests have regularly services and ceremonies beyond the cult structures, with a full support of Crimean authorities de facto.

Let us consider a couple of examples:

¹²¹ Krym Realii | UOC Sign Plates Taken Away from Moscow Patriarchate Churches in Crimea <https://ru.krymr.com/a/news/28734857.html>

¹²² https://risu.org.ua/ru/index/all_news/community/religion_and_policy/69724/



Photo 9. A mass baptism in Yevpatoria, July 29th 2016. Source: Simferopol and Crimean Eparchy MP UOC

July 29th 2016 (when the amendments of ‘Yarovaya’s Package) had come in force) a mass baptism in sea was held in Yevpatoria¹²³. On January 14th 2017 TRIUMPH S400 anti-aircraft missile system blessing ceremony was held in Feodosiya¹²⁴. On July 20th 2017 a church procession dedicated to the Christening of Kiev Rus’, with about 500 people participating, was held in Simferopol¹²⁵.



Photo 10. TRIUMPH S400 anti-aircraft missile system blessing ceremony in Feodosiya. Source: RIA-Novosti

¹²³ Simferopol and Crimean Eparchy | Mass Baptism in Yevpatoria. Photo by Viktoriya Serebrianskaya <http://crimea-eparhia.ru/index.php/chronicle/news-in-pictures/>

¹²⁴ RIA News | Missile Officers Blessed with Holy Water Before Combat Duty in Feodosiya https://ria.ru/defense_safety/20170113/1485649270.html

¹²⁵ Simferopol. Church Procession of 20 July 2017 (video) <https://www.youtube.com/watch?v=tETHOSWxpq0>



Photo 11. A church procession in Feodosiya, November 3rd 2017. Source: KafaNews

For November 1st—3rd 2017 a church procession of several hundreds of people walked from the Toplovka Nunnery to Feodosiya (about 40 km). The representatives of paramilitary groups also participated in the procession. The authorities de facto did not oppose the procession as they do for other religious groups. On the contrary, they assigned the police to escort it.



Photo 12. The icon of Mother of God of Don on MOSKVA missile cruise, January 3rd 2018. Source: Gorod48.ru

At the same time in April of 2017 the RF Prosecutor's Office not only took to court an organizer of Krishnaite procession in Simferopol, but also demanded the Simferopol Administration to punish an official who had approved the event.



On January 3rd 2018 'Lipetsk Community of Saint Royal Martyrs; and 'Road to Peaceful Life' charity fund visited the towns of Crimea with icon of Mother of God of Don. Among other places they were onboard of MOSKVA missile cruise, a Black Sea RF Navy flagship.¹²⁶

At the same time on July 28th 2018 the 'Commercial Court of Sevastopol City' rejected the KP UOC representatives in visiting the church owned by them on the territory taken by the RF Ministry for Defence after the occupation. One of the reasons for rejection was that the church was located on the territory of military unit, i.e. secured area¹²⁷.

The enlisted examples demonstrate that restrictions applied to other religious organizations and communities of Crimea are not valid for ROC structural units. So, the RF laws are applied selectively that results into discriminating other religious organizations that are not ROC members.

¹²⁶ Lipetsk People Delivered an Icon to Black Sea Navy Flagship <https://gorod48.ru/news/545601/>

¹²⁷ «Commercial Court of Sevastopol» I Statement for Case no A84-2274/2017 http://kad.arbitr.ru/PdfDocument/ce0331b7-def-440f-b63f-d6a50d443ce9/%D0%9084-2274-2017_20170728.pdf



10. CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

1. International human rights conventions state that each man shall be free in searching, collecting, storing and communicating the information and the concepts as a part of exercising universal freedoms. International standards set out restrictions on this right in order to secure respecting rights and repute of other persons, protecting state security, public order and health of people. However, the facts mentioned in the report demonstrate that the Russian authorities in Crimea, restricting this right, did not seek for a legitimate purpose and applied types of penalties that were not proportional to the public danger level in case of violating the restrictions.
2. The Russian Federation, having extended its laws on the territory of Crimea, including norms of forbidden extremist materials, has worsened substantially the situation of religious groups and their representatives.
3. Religious materials shall be examined and expropriated in case of open criminal case proceedings. With such proceedings in place, all parties are granted a relevant status, and the procedure for examining, searching, expropriating, seizing, and appealing against actions of the law enforcement bodies is established. But in many cases of searched in mosques and madrassas the authorities de facto did not present evidence of criminal case proceedings. So the actions of 'law enforcement bodies' were beyond the Russian legal environment acting de facto in Crimea. Thus, during searches, expropriation of materials, computers or other information media the Crimean residents were deprived of basic guarantees of their rights protection, including protection from exceeding or abusing the powers by investigation bodies and a right to the assistance of counsel.
4. Actions that provided the RF police or FSB staff with the access to the premises, materials or information media did not consider in many cases a status of property owner and disrespected the residence immunity guarantee.
5. A lawyer is secured for their professional activity that protects him/her in performing professional duties. Searches and expropriation of computers and documents at lawyers' homes and offices within the 'forbidden extremist materials' cases testify a violation of guarantees for lawyer's independence and professional activities.
6. Guarantees of fair trial forbid using legal norms retrospectively. The norms may be applied retrospectively only to mitigate a punishment. However, some documented administrative and criminal cases demonstrate a practice of applying retrospectively the Russian laws to activists, lawyers, religious leaders and religious group representatives, that developed in Crimea. Within these case the Crimean residents are persecuted for publishing various materials in Internet that relates to the time before illegitimate annexation of Crimea by Russia.
7. The practice developed in Crimea makes religious organization officials responsible for presence of the printed materials forbidden in Russia. At the same time, the investigation and justice bodies do not try to prove or establish that such materials belong to a specific person. The courts and the investigation agencies do not care about proving the purpose of storage; with the fact of storage, in the practice established, being automatically interpreted as distribution.
8. Every religion practicing, non-practicing or antitheist is free to search, collect, store and communicate the information and his/her beliefs. But the practice in Crimea shows that the Russian authorities recognize a freedom of religion and beliefs depending on the status of registered religious organization and relevant documents. The Russian authorities in Crimea consider



mainly the freedom of religion and beliefs not as a personal freedom of each person, but as a collective category related to the fact of registering a legal entity by a group of faithful. As a result, a religion practicing man (as individual) is deprived of exercising in full scope the right to freedom of religion and beliefs in everyday life¹²⁸.

9. The facts included into the review demonstrate the lack of understanding a legal entity status of religious organization which does not depend on presence or absence of sign at the facility building occupied by the legal entity. Legitimacy of legal entity is verified with a registration fact, not with an organization name sign. Registering a legal entity entitles the subject to open bank accounts, to carry commercial and other activities, but the right to freedom of religion and beliefs exists irrespectively to the legal status of faithful association.
10. Bringing to liability for organizing FALUN GONG healing exercises and applying requirements set for religious organizations to their organizers show incompetence of the authorities de facto or their intention to restrict any activities out of their control.
11. There are no uniform approaches to apply the Russian laws in Crimea regarding religious communities and their ceremonies. In some cases the communities receive warning notices on imposing a penalty for actions and ceremonies out of the religious organization premise, though in other cases the ceremonies are held without signs on the religious organization buildings, authorizing documents, and out of the religious organization premises (blessing, funeral services, bathing as Moscow Patriarchate Russian Orthodox Church ceremonies). Such approach demonstrates discrimination of certain religious groups (Muslims, Kyiv Patriarchate Ukrainian Orthodox Church, Jehovah's Witnesses, etc.).
12. Fingerprinting and sampling material for DNA tests disrespect guarantees of personal privacy and fair trial. The DNA and finger prints refer to personal identity, and their collection and storage should be legally justified and aimed at investigating a specific crime, they should not be applied on mass scale.
13. Assemblies of the community inside the religious facility are secured with freedom of religion and beliefs, and freedom of peaceful assemblies. Applying requirements set for rallies, manifestations, and demonstrations to such community assemblies is unjustified and impedes exercising fundamental rights.
14. Activities of 'Hizb-ut-Tahrir' religious party is forbidden in some states, and many states have doubts regarding its actions. However, criminal cases in Crimea on accusing of 'Hizb-ut-Tahrir' membership have a lot of records of constant disrespect of right to defence and fair trial, illegitimate investigation methods, lack of evidence of acts of terror or other violence, obstructions for lawyers. Therefore, persecuting Crimean Muslims within such cases is an unlawful criminal persecution due to political reasons.
15. Political reasons for restricting or persecuting religious groups or their representatives are verified with mass media publications and officials' statements where terms 'sect', 'Islamists' and others are used to develop a negative public attitude to certain religious groups.

RECOMMENDATIONS

To the authorities of Russian Federation:

1. To stop unjustified administrative and criminal persecution of Crimean residents due to religion, and to set at liberty the people who were deprived of freedom, with the fundamental human rights violated, due to their religious and other beliefs.
2. To cancel judgements made on imposing penalties and other sanctions on the leaders or representatives of religious groups that were passed with disrespect of international human rights standards, as well as to cancel unjustified restrictions on activities of religious groups and performance of acts of worship that violate guarantees of freedom of religion and beliefs.

¹²⁸ See definition of freedom of thought, conscience, religion in the International Covenant on Civil and Political Rights.



3. To make the territory of Crimea accessible for international organizations, structures and independent representatives of UN, OSCE, European Union, Council of Europe, representatives of international human rights organizations and human rights organizations of Ukraine, Human Rights Ombudsman of the Parliament of Ukraine to monitor the respect of right to freedom of religion and beliefs, and other fundamental rights and freedoms.
4. To meet, being an occupying power that controls effectively the territory of Crimea, commitments on the international humanitarian law, including prevention of religion caused discrimination.

To the authorities of Ukraine:

1. To keep on investigating the facts of violating the freedom of religion and beliefs, persecuting representatives of religious groups in Crimea, and submitting the relevant evidence to international court institutions
2. To codify guarantees of protecting and restoring the rights of people victimized during an international military conflict in Crimea and subject to politically reasoned persecution for peaceful expression of political, ethnic, religious and other beliefs.
3. To monitor regularly, based on international standards, violations of freedom of religion and beliefs, and other fundamental human rights in Crimea, cooperating with human rights organizations of Crimea.
4. To provide, cooperating with human rights organizations, necessary legal assistance for victims of human rights violations in Crimea, for their appeals to the European Court of Human Rights, the UN Committee on Human Rights, and other international institutions.

To international organizations (including UNO, European Union, Council of Europe, OSCE), leaders of democratic states and human rights organizations:

1. To continue monitoring the situation in Crimea to record facts of violating the right to freedom of religion and beliefs and other fundamental rights
2. To set up an international platform for consolidating efforts of democratic states, negotiating and searching new instruments for protecting human rights as well as resolving humanitarian issues in Crimea, releasing victims of politically reasoned criminal persecutions.
3. To extend personal sanctions for the persons who are personally responsible for consistent violations of right to freedom of religion and beliefs in Crimea

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