



# CRIMEAN HUMAN RIGHTS GROUP

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## CRIMEAN HUMAN RIGHTS SITUATION REVIEW

**September 2018**

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

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## 1. INTRODUCTION

The **Crimean Human Rights Group (CHRG)** is an organization of the Crimean human rights defenders and journalists, the purpose of which is to promote the observance and protection of human rights in Crimea by attracting widespread attention to the problems of human rights and international humanitarian law in the territory of the Crimean peninsula, as well as the search and development of mechanisms to protect the human rights in Crimea.

The **CHRG** first of all obey the rules of basic documents in the field of human rights, such as: the Universal Declaration of Human Rights, the Helsinki Final Act, the Convention on the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Civil and Political Rights, the International Covenant on economic, social and cultural Rights and others.

The main objectives of the **CHRG**:

- 1) Collection and analysis of the information regarding the human rights situation in Crimea;
- 2) Broad awareness among governments, international organizations, intergovernmental organizations, non-governmental organizations, the media and other target groups through the publication and spreading of analytical and information materials on the human rights situation in Crimea;
- 3) Promote the protection of human rights and respect for international law in Crimea;
- 4) Preparation of recommendations for government authorities and international organizations in the sphere of human rights;
- 5) Providing the presence of “human rights in the Crimea topics” in the information space.

The **CHRG's** team consists of experts, human rights activists and journalists from different countries who are involved in monitoring and documenting human rights violations in Crimea, since February, 2014.

During preparation and spreading of the information the **CHRG** is guided by principles of objectivity, reliability and timeliness.



## 2. CIVIL AND POLITICAL RIGHTS

### BAN ON TORTURE

On September 28<sup>th</sup> Mr Denis Kopylov, a judge of 'Crimean Garrison Military Court', rejected considering the claim on the prosecutor's office refuse to start a criminal case on torturing **Mr. Renat Paralamov**. During the session it became known that Mr Paralamov who was had been forced tortured by the FSB men in September 2017 to recognize storing the arms, was declared as wanted under RF CC Article 222 (*Unlawful storage of weapons or arms*).<sup>1</sup>

### RIGHT TO LIBERTY AND SECURITY OF THE PERSON

#### SEARCHES

On September 4<sup>th</sup> the house of **Mr Marlen Mustafayev**, a Crimean Tatar activist, in the settlement of Kamenka, Simferopol District, was searched. During the search the road to his house was blocked with a prisoner van. After the search the activist was convoyed to the City Police Office (Simferopol).<sup>2</sup> Lawyer E.semedliayev was not allowed to see him. The lawyer filed a complaint at a hotline that he had been rejected to see the client, while he was promised that his application would be considered within 30 days.<sup>3</sup>

On September 4<sup>th</sup>, a judge of 'Kievsky District Court of Simferopol', decreed 12 days of administrative arrest for Mr. Mustafayev under RF CoAO Article 20.3 (*public demonstration of symbols of forbidden organizations*) for the post Facebook social network. Earlier, on February 21<sup>st</sup> 2017 the same judge sentenced the activist to the 11-days' administrative arrest for the post in the VKontakte social network.<sup>4</sup>

On September 11<sup>th</sup> Ms Yekaterina Timoshenko, a SCRC judge, upheld the decree on the administrative arrest for Mr. Mustafayev.<sup>5</sup>

In addition to the administrative case, Mr. Mustafayev became a defendant of the criminal case under RF CC Article 282.1 (*Incitement of hatred or enmity*) for reposting the publication deleted in 2016. On September 5<sup>th</sup> he was convoyed to the police detention room where, with the lawyer present, he was informed about his suspected status.<sup>6</sup>

On September 4<sup>th</sup> two houses of the **Kulametovs** were searched in Stary Krym.<sup>7</sup> Mrs Zarema Kulametova was at that time moved by the Russian policemen from the park where she was working off 250 hours of compulsory works of administrative punishment for the insult of

<sup>1</sup> [https://www.facebook.com/crimeansolidarity/posts/710306259336833?\\_tn\\_=-R](https://www.facebook.com/crimeansolidarity/posts/710306259336833?_tn_=-R)

<sup>2</sup> [https://www.facebook.com/crimeansolidarity/posts/698634670503992?\\_tn\\_=-K-R](https://www.facebook.com/crimeansolidarity/posts/698634670503992?_tn_=-K-R)

<sup>3</sup> <https://www.facebook.com/photo.php?fbid=1111526002349291&set=a.216257595209474&type=3&theater>

<sup>4</sup> Krym Realii | Searches in Crimea: the court arrested the Crimean Tatar activist for a post at Facebook <https://ru.krymr.com/a/obyski-v-krymu-sud-arestoval-aktivista-za-post-v-facebook/29471515.html>

<sup>5</sup> SCRC\* | List of cases to be heard on 11 September 2018. Case 12-719/2018 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=11.09.2018](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=11.09.2018)

<sup>6</sup> [https://www.facebook.com/crimeansolidarity/posts/699699783730814?\\_tn\\_=-H-R](https://www.facebook.com/crimeansolidarity/posts/699699783730814?_tn_=-H-R)

<sup>7</sup> Mr Zekkia Kulametov was earlier persecuted for a single man protest on October 14<sup>th</sup> 2017. Mr. Geray Kulametov, a son of Zekkia and Zarema, was earlier persecuted for a single man protest of October 14<sup>th</sup> 2017, and a publication at the social network



the policeman.<sup>8</sup> After the search she, Mr Zekkkia Kulametov and Ms Riana Kulametova were conveyed to 'Kirovsky District Court' for questioning. The judges decreed the following: penalty of RUR1,000 on **Mrs Zarema Kulametova**, under RF CoAO Article 20.3-1 (*Propaganda or public demonstration of Nazi attributes or symbols, extremist organizations' attributes or symbols*), penalty of RUR1,000 on her daughter, **Ms Riana Kulametova**, under RF CoAO Article 20.3-1, and administrative arrest for **Mr Zekkkia Kulametov**, 10 days under RF CoAO Article 20.3-1 and 5 days under RF CoAO Article 19.3 (*Disobedience to police requirements*). The ruling on Mrs Kulametova was issued by judge Roman Mikhaylov, that on Ms Riana Kulametova – judge Igor' Galin, and on Mr Zekkkia Kulametov – judge Igor's Degtiarev.<sup>9</sup>

On September 18<sup>th</sup> Ms Natalia Mostovenko, a SCRC judge, rejected the defence appeal against the arrest of Mr Zekkkia Kulametov.<sup>10</sup>

On September 13<sup>th</sup> the activist of CRIMEAN SOLIDARITY Group, **Mr Osman Belialov**, was searched in Bakhchisarai by the Russian police, special police units and the national guard. The traffic police were checking the documents of all the people passing the search place.

Activists **Mr El'dar Umerov** and **Mr Selim Teyfunov** who were recording the actions of the law enforcement units, were detained at the search place. They were conveyed to the Bakhchisarai police unit, but released after taking photos and finger printing.

According to the information of lawyer A.Amazatov, Mr Belialov was searched as witness of the administrative case of Mr.Marlen Mustafayev arrested on September 4<sup>th</sup> for social network publications.<sup>11</sup> The activist was not at home during the search, he was detained by the Russian police in the street in Simferopol.

On September 14<sup>th</sup> Mr Aleksandr Skisov, a judge of 'Bakhchisarai District Court',<sup>12</sup> issued a decree on his administrative arrest for 5 days under RF CoAO Article 20.29 (*Dissemination of extremist files*) and 5 days under RF CoAO Article 20.3 for the publication at the VKontakte social network in 2011.<sup>13</sup>

<sup>8</sup> Krym. Realii Search at Zarema Kulametov's in Stary Krym (video) <https://ru.krymr.com/a/video-obysk-v-krymu-zarema-kulametova/29469898.html>

<sup>9</sup> "Kirovsky District Court | List of cases to be heard on 4 September 2018. Cases 5-166/2018, 5-167/2018, 5-168/2018, 5-169/2018, [https://kirovskiy--krm.sudrf.ru/modules.php?name=sud\\_delo&sv\\_num=1&H\\_date=04.09.2018](https://kirovskiy--krm.sudrf.ru/modules.php?name=sud_delo&sv_num=1&H_date=04.09.2018)

<sup>10</sup> "SCRC" | List of cases to be heard on 18 September 2018. Cases 12-735/2018, 12-736/2018 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&sv\\_num=1&H\\_date=18.09.2018](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&sv_num=1&H_date=18.09.2018)

<sup>11</sup> [https://www.facebook.com/crimeansolidarity/posts/703252730042186?\\_tn\\_ =H-R](https://www.facebook.com/crimeansolidarity/posts/703252730042186?_tn_ =H-R)

<sup>12</sup> Bakhchisarai District Court | List of cases to be heard on 14 September 2018. Cases 5-168/2018, 5-169/2018 [https://bahchisarai--krm.sudrf.ru/modules.php?name=sud\\_delo&sv\\_num=1&H\\_date=14.09.2018](https://bahchisarai--krm.sudrf.ru/modules.php?name=sud_delo&sv_num=1&H_date=14.09.2018)

<sup>13</sup> <https://www.facebook.com/crimeansolidarity/videos/304986460290242/>



## POLITICALLY MOTIVATED CRIMINAL PROSECUTION

### THE CASE OF SENTSOV, KOLCHENKO, AFANASIEV, CHIRNII

**Mr Oleg Sentsov**, a Ukrainian film maker and a political prisoner, is still on a hunger strike started on May 14<sup>th</sup> 2018 in the Labytnagi Russian penal colony.

On September 28<sup>th</sup> the FSIN Branch for Yamal-Nenetsky Autonomous Area press office informed that Mr. Sentsov had been transported to the Labytnagi Town Hospital for additional investigations and medical consultations.<sup>14</sup>

### «CASE OF CRIMEAN MUSLIMS»

In September the number of people in custody within the 'Crimean Muslims Case' totaled 29:

- **Mr Ruslan Zeytullayev, Mr Rustem Vaitov, Mr Nuri Primov, Mr Ferat Sayfullayev:** have been brought in guilty and are in the colonies on the RF territory;
- **Mr Inver Bekirov, Mr Vadim Siruk, Mr Muslim Aliyev, Mr. Emir Usein Kuku, Mr. Refat Alimov, Mr. Arsen Djepparov, Mr Enver Mamutov, Mr Remzi Memetov, Mr Zevri Abseitov, Mr Rustem Abil'tarov:** the case is being considered at the RF court, and they are in Rostov-na-Donu Detention Center;
- **Mr Teymur Abdullayev, Mr Rustem Ismailov, Mr Ayder Saledinov, Mr Uzeir Abdullayev, Mr Emil' Djemadenov, Mr Marlen Asanov, Mr Seyran Saliyev, Mr Memet Belialov, Mr Timur Ibragimov, Mr Server Zakiryayev, Mr Ernes Ametov, Mr. Enver Seytosmanov, Mr Server Mustafayev, Mr Edem Smailov:** a case is at pre-court investigation stage, and they are in Simferopol Detention Center.

All have been charged with 'Hizb-ut-Tahrir' membership, RF CC Article 205.1 (*Establishment of terrorist organization*) and/or RF CC Article 205.5-2 (*Membership in the terrorist organization*). Later some defendants were charged under RF CC Article 278 (*Violent upheaval or violent power retention*).

**Mr Nariman Memedeminov** is charged with publishing a video with 'Hizb-ut-Tahrir' symbols, RF CC Article 205.2-2 (*Public appeals to terrorist activities, public justification of terrorism or propaganda of terrorism*).

On September 5<sup>th</sup> Mr. Aleksandr Generalov, a judge of North Caucasus Area Military Court in Rostov-na-Donu (RF), extended a detention period for **Mr Rustem Ismailov, Mr Teymur Abdullayev, Mr Uzeir Abdullayev, Mr. Aider Saledinov and Mr Emil' Djemadenov** till December 11<sup>th</sup> 2018. The court returned also their cases to the prosecutor's office to remove defects since 'the indictment has been issued with the Code provisions violations'.<sup>15</sup>

**Mr Inver Bekirov, Mr Vadim Siruk, Mr Emir-Usein Kuku, Mr Arsen Djepparov, Mr Refat Alimov** are still in the Rostov-na-Donu Detention Center. Their case was not considered by the North Caucasus Area Military Court in September because it had been returned to the prosecutor's office. Judge Nickolay Vasil'chuk had decided that they should be charged under a severer article.<sup>16</sup>

<sup>14</sup> [http://pda.www.89.fsin.su/news/detail.php?ELEMENT\\_ID=420222](http://pda.www.89.fsin.su/news/detail.php?ELEMENT_ID=420222)

<sup>15</sup> North Caucasus Area Military Court. Case 1-71/2018 [https://ovs--skav.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=269335&delo\\_id=1540006&new=&hide\\_parts=0](https://ovs--skav.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=269335&delo_id=1540006&new=&hide_parts=0)

<sup>16</sup> North Caucasus Area Military Court. Case 1-15/2018 (1-133/2017;) [https://ovs--skav.sudrf.ru/modules.php?name=sud\\_](https://ovs--skav.sudrf.ru/modules.php?name=sud_)



The hearings on the case of **Mr Enver Mamutov, Mr Remzi Memetov, Mr Zevri Abseitov and Mr Rustem Abil'tarov** went at the North Caucasus Area Military Court in September, with 8 sessions held.<sup>17</sup> The prosecution was presented its evidence, including questioning of witnesses. According to the lawyers' information, the presented 'evidence' included a video with the defendants discussing the religious issues, a sheet of paper with 'He has read the Quran' inscription. As the defense thinks, all the evidence presented has no reference to the presented accusation of a coup-d'état attempt and establishment of terrorist organization.<sup>18</sup>

### «UKRAINIAN SABOTEURS' CASE»

In September 12 people accused on detaining with espionage or preparation of sabotage by RF FSB were in custody: **Mr Yevgeniy Panov, Mr Andrey Zakhthey, Mr Vladimir Prisich, Mr Vladimir Dudka, Mr Dmitriy Shtyblikov, Mr Aleksey Bessarabov, Mr Gleb Shabliy, Mr Aleksey Stogniy, Mr Gennadiy Limeshko, Ms Anna Sukhonosova, Mr Dmitriy Dolgoplov, Mr Konstantin Davydenko**. Unlawful methods of investigation and torturing for securing confessions were recorded in these cases.

On September 22nd Mrs Irina Limeshko informed that her husband, **Mr Gennadiy Limeshko**, convoyed in August from Crimea to the RF, was brought to the Penal Colony # 6 in the settlement of Dydymkin, Stavropol Area of RF.<sup>19</sup>

On September 25<sup>th</sup> 'Sevastopol City Court' extended a detention period for **Mr Vladimir Dudka and Mr Aleksey Bessarabov** till 11 January 2019. The court session on considering the case merits was postponed till October due to A.Bessarabov's lawyer illness.<sup>20</sup>

### VOLODYMYR BALUKH'S CASE

On September 10<sup>th</sup> Mr.Anatoliy Osochenko, a judge of 'the Supreme Court of Republic of Crimea' (hereinafter SCRC) rejected an appeal of lawyer Olga Dinze on refusing the release on parole for **Mr Volodymyr Balukh**.

The appeal against the sentence for Mr Balukh on the case of 'disorganizing the operations of the establishment that ensures isolation from the society' (RF CC Article 321.2) was considered on September 24<sup>th</sup><sup>21</sup>. The activist was not convoyed to the court from the Simferopol Detention Center (the court is also located in Simferopol) and he refused participating in the session via video call. The defense stated that the appeal against the sentence could be not considered without Mr Balukh's participation, and he had a right to participate personally in the session. The SCRC postponed the session till October 3<sup>rd</sup> 2018.<sup>22</sup>

[delo&srv\\_num=1&name\\_op=case&case\\_id=5975&delo\\_id=1540006&new=&hide\\_parts=1](https://ovs--skav.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=5975&delo_id=1540006&new=&hide_parts=1)

<sup>17</sup> North Caucasus Area Military Court. Case 1-42/2018 [https://ovs--skav.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=6468&delo\\_id=1540006&new=&hide\\_parts=1](https://ovs--skav.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=6468&delo_id=1540006&new=&hide_parts=1)

<sup>18</sup> Krym Realii | 'He has read the Quran' 'Inadmissible evidence' has been presented at the court on Hizb-ut-Tahrir case – the lawyer <https://ru.krymr.com/a/news-na-sude-po-delu-hizb-ut-tahrir-predstavili-nedopustimie-dokazatelstva/29513457.html>

<sup>19</sup> <https://www.facebook.com/photo.php?fbid=2173690462911975>

<sup>20</sup> CHRГ | 'Anybody could have been in their place': why arrest has been extended for 'Ukrainian commandos'? <https://crimeahrg.org/na-ih-meste-mog-okazatsya-lyuboy-pochemu-ukrainskim-diversantam-prodlili-arest/>

<sup>21</sup> On July 5<sup>th</sup> 2018 Mr. Balukh was sentenced by 'Razdol'noye District Court', cumulatively with the previous sentences for criminal cases, to 5 years in the general regime penal colony and a RUR10,000 fine.

<sup>22</sup> CHRГ | Balukh refused participating in the court by video call, and session has been postponed <https://crimeahrg.org/baluh-otkazalsya-uchastvovat-v-sude-po-videosvyazi-zasedanie-perenesli/>



## VEDJIE KASHKA'S CASE

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

On September 11<sup>th</sup> Ms Olga Kuznetsova, a judge of 'Kievsky District Court of Simferopol', extended detention periods for **Mr Bekir Degermendji, Mr Asan Chapukh, and Mr Ruslan Trubach** till November 15<sup>th</sup> 2018. On September 18<sup>th</sup> the same decision was taken regarding **Mr Kiazim Ametov**. The petition on extending the detention periods had been placed by 'prosecutor' S.V.Pogorielov.

## CONFINEMENT CONDITIONS IN DETENTION FACILITIES

On September 5<sup>th</sup> the lawyer informed that **Mr Volodymyr Balukh** had suffered a strong attack of liver pain, though no medical aid had been provided to him. The activist is in the non-stop CCTV cell, and according to his words, a WC is in the camera angle.<sup>23</sup>

On September 8<sup>th</sup> lawyer A.Azamatov filed complaints at the Russian governmental bodies due to a critical health state and lack of medical assistance for **Mr Arsen Djepparov** (a Yalta defendant of 'Case of Crimean Musims').<sup>24</sup>

On September 10<sup>th</sup> lawyer O.Dinze informed that **Mr Yevgeniy Panov** ('case of Ukrainian commandos') needs an urgent teeth treatment. The Detention Center dentist only removes teeth, though does not make any treatment. The Ukrainians had have a strong toothache for more than two weeks and applied for a need of dentist's treatment.<sup>25</sup> On September 17<sup>th</sup> Mrs Vera Kotelianets, Panov's mother, informed that Mr Serger Berezhnoy, Simferopol Detention Center head, had promised to support providing such medical assistance for Mr.Panov.<sup>26</sup>

On September 13<sup>th</sup> Miss Mavile Degermendji, a daughter of **Mr Bekir Degermendji**, a 'Vedjie Kashka Case' defendant, informed that he needed a medical assistance for removing furunculi. During the SCRC session on extending the detention period he had to be called an ambulance.<sup>27</sup>

On September 14<sup>th</sup> lawyer A.Ladin informed that **Mr Yevgeniy Karakashev** who was in the detention center, was complaining on pain in the shoulder, joints, and podedema. The lawyer states that the shoulder is visibly deformed, and Mr Karakashev files almost daily applications to the Detention Center medical unit head, asking for sending him to be examined by specialists, but all his applications have been ignored.<sup>28</sup>

On September 21<sup>st</sup> Mrs Galina Kolomiyets, a spouse of **Mr Andrey Kolomiyets**, a Maydan

<sup>23</sup> CHRG | Mr Balukh suffering strong attacks of liver pain, no required medical assistance provided <https://crimeahrg.org/vladimiru-baluhu-v-sizo-simferopolya-ne-okazyivayut-neobhodimuyu-mediitsinskuyu-pomoshh/>

<sup>24</sup> Krym Realii | 'State is Critical: Lawyer Demands Saving the defendant of Yalta 'Hizb-ut-Tahrir case' <https://ru.krymr.com/a/advokat-trebuyet-spasti-figuranta-yaltinskogo-dela-hizb-ut-tahrir/29477915.html>

<sup>25</sup> CHRG| Yevgeniy Panov has having a toothache for two weeks, no treatment in Detention Center <https://crimeahrg.org/evgeniy-panov-uzhe-dve-nedeli-stradaet-ot-zubnoy-boli-v-sizo-ego-ne-lechat/>

<sup>26</sup> Krym. Realii | 'Ukrainian Commando' Panov is promised a medical assistance in Simferopol Detention Center – relatives <https://ru.krymr.com/a/news-panovu-v-sizo-okajut-medpomoshj/29494611.html>

<sup>27</sup> Krym. Realii | Mr Degermendji, a 'case of Vedjie Kashka' defendant, needs a medical assistance – relatives <https://ru.krymr.com/a/news-figurant-dela-kashka-nugdaetsa-v-medpomoshi/29487663.html>

<sup>28</sup> CHRG | Mr Yevgeniy Karakashev does not receive a required a medical assistance in the Crimean Detention Center <https://crimeahrg.org/evgeniyu-karakashev-ne-okazyivayut-v-krymskom-sizo-neobhodimuyu-mediitsinskuyu-pomoshh/>





activist, informed that her husband was not provided a necessary medical assistance in the penal colony No 14, Krasnodar Area (RF). She reported that a painful pigmentation had appeared on his neck and on the beltline, though the penal colony doctors neglected these symptoms.<sup>29</sup>

On September 29<sup>th</sup> lawyer A.Azamatov informed that **Mr Ernes Ametov** ('case of Crimean Muslims') had been hold the second month already in the punishment unit of Simferopol Detention Center. According to his words, this is a 3 sq m room, almost without light, where there are only a bed, a WC, and a board for storing foodstuffs. He has also complained of being stung by bedbugs and cockroaches.<sup>30</sup>

<sup>29</sup> Krym. Realii | Mr Kolomiyets, a Kremlin's prisoner, does not receive a medical assistance in the Russian penal colony – wife <https://ru.krymr.com/a/news/29502135.html>

<sup>30</sup> Krym. Realii | Mr. Ametov, a 'Hizb-ut-Tahrir case' defendant has been hold in anti-sanitary conditions the second month already – lawyer <https://ru.krymr.com/a/news-obvinyaemogo-po-dely-hizb-ut-tahrir-derzhat-v-spetsbloke/29516195.html>



## FREEDOM OF SPEECH AND EXPRESSION OF OPINIONS

On September 19<sup>th</sup> DIGITAL SECURITY LABORATORY NGO published the findings of the website blocking monitoring of 8 Sevastopol and Simferopol providers, conducted together with the CHRG. 31 Ukrainian websites of 83 are blocked in these cities, 14 websites are blocked by more than 1 provider including 8 that are not in the ROSKOMNADZOR list of forbidden websites, so the official reasons for their blocking are unknown.<sup>31</sup>

The RF applies the Russian 'anti-extremist' law provisions on the territory of Crimea to persecute the Ukrainian nationals for expressing the opinions. In addition to the criminal persecution, they face some economic restrictions.

The RF Federal Financial Monitoring Service has recently added new names into the list of 'extremists and terrorists', namely:

- Ms Larisa Kitayskaya, a resident of Yalta, sentenced for publication at social networks (RF CC Article 282-1, incitement of hatred or enmity as well as human dignity abasement);
- Mr Valeriy Bol'shakov, a resident of Sevastopol, accused of public appeals to extremism and incitement of hatred or enmity (RF CC Articles 280-1, 280-2, 280.1-2, 282-1);
- Mr Yevgeniy Karakashev, a resident of Yevpatoriya, the Left activist, who is in custody on suspicion of extremist statements at social networks (RF CC Article 282-1) and public appeals to terrorism (RF CC Article 205.2-2);
- Mr Ismail Ramazanov, a resident of Simferopol District, that is defendant of a criminal case under RF CC Article 282-1 (*Incitement of hatred or enmity*) due to ZELLO Internet radio;
- Ms Elina Mamedova, a resident of village of Autka (Yalta), that has become a defendant of a criminal case under RF CC Article 282-1 for three reposts at VKontakte social network.

The defendants of such politically reasoned cases are included into the 'list of extremists' even before the court judgement that is the assumption of innocence violation since their guilt has not been proved even under the Russian laws valid de facto yet while they have been already imposed a punishment through various restrictions. In addition, such restrictions are aimed at preventing the funding of terrorist activities while regarding Crimea, the people are persecuted under extremist articles not for terrorism but for expression of opinions.

<sup>31</sup> CRG | Websites not present in ROSKOMNADZOR lists are blocked in Crimea <https://crimeahrg.org/uk/u-krimu-blokuyut-sayti-yakih-nemaye-u-spiskah-roskomnadzoru-2/>



## FREEDOM OF CONSCIENCE AND RELIGION

On September 20<sup>th</sup> Ms Yelena Gurova, a judge of 'Feodosiya Town Court', passed a judgement on imposing an administrative penalty to an amount of RUR2,000 on **Mr Smail Temindarov**, a head of urology department of Feodosiya Town Hospital for violation of RF CoAO Article 20.29 'Storage of the extremist literature forbidden in the RF on the territory of out-of-patient department'.<sup>32</sup> The doctor stated during the session that the praying room had not been used in the department, and anyone, apart from him, could enter there. The prosecutor identified as forbidden literature a book published by the Spiritual Board of Muslims of Crimea (SBMC) before 2014 and signed by Aider Ismailov, deputy Mufti of Crimea.

## VIOLATION OF COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

On September 3<sup>rd</sup> the Azov-Black Sea Regional Department of State Border Guard Service of Ukraine reported that for several days the Kherson unit border guards had been recording emissions of poisonous chemicals in the air from the territory of KRYMSKY TITAN Works<sup>33</sup>. The enterprise is located on the territory of Crimea close the administrative border and the town of Armiansk, where about 20,000 live. After the first emissions the authorities de facto neglected them for several days, and did not react on complaints of town residents due to the health problems, death of small animals and birds, and other air chemical pollution indicators.

The RF as occupying power controlling the territory of Crimea shall prevent environmental catastrophes, monitor the environment safety and occupational health in industry. Nevertheless, when the emissions occurred on the enterprise territory, necessary interventions to protect the population were not taken immediately after the accident.

With some days passed, when the situation with KRYMSKY TITAN Works became public, the authorities de facto started interventions on preventing the accident aftermath and a negative impact of the emissions on the local people's health. The lessons were stopped at schools, and the children were temporarily moved from Armiansk to health centers. An emergency regime was declared in Armiansk for September 14<sup>th</sup>–23<sup>rd</sup> due to the emissions. The operations of KRYMSKY TITAN Works were suspended.<sup>34</sup>

Lack of timely and proper reaction of the occupying power on the accident caused the violation of the rights of residents of Armiansk and closest settlements on the highest achievable level of physical and psychological health established by ICESCR Article 12.

<sup>32</sup> "Feodosiya City Court. Case # 5-240/2018 [https://feodosiya--krm.sudrf.ru/modules.php?name=sud\\_delo&name\\_op=case&id=1992733618&deloid=1500001&caseType=0&new=0&srv\\_num=1](https://feodosiya--krm.sudrf.ru/modules.php?name=sud_delo&name_op=case&id=1992733618&deloid=1500001&caseType=0&new=0&srv_num=1)

<sup>33</sup> <https://www.facebook.com/dpsuachru/photos/a.1490675987895272/1875055279457339/?type=3&theater>

<sup>34</sup> RIA Novosti | Emergency Situation Regime introduced in Armiansk after chemical emissions Cancelled <https://ria.ru/incidents/20180923/1529161140.html>



### 3. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

#### CONSCRIPTION OF PERSONS LIVING IN THE OCCUPIED TERRITORY INTO ARMED FORCES OF OCCUPYING POWER AND PROPAGANDA OF JOINING VOLUNTARILY THE ARMED FORCES

On September 17<sup>th</sup> 'RF Investigation Committee for Sevastopol Department' reported that a criminal case on RF AF military service evasion against a 23-year's old Sevastopol resident had been finalized and sent to the court.<sup>35</sup>

The CHRNG monitored the websites of Crimean 'courts' in the September and found out that at least 30 sentences had been passed regarding Crimean residents since the start of occupation, with 5 cases more being at court hearing stage. For instance, 17 sentences were passed after the Spring 2018 conscription campaign.<sup>36</sup>

A criminal prosecution for evading the RF AF services constitutes a method of forcing the Crimean residents to serve.

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<sup>35</sup> "Investigation Department of RF Investigation Committee for Sevastopol " | A young man in Sevastopol goes to trial for evading the military services <https://sevastopol.sledcom.ru/news/item/1256204/>

<sup>36</sup> CHRNG | C Minimum 23 sentences have been issued in Crimea since the start of year for evading the RF AF services <https://crimeahrg.org/s-nachala-goda-v-kryimu-vyinesli-minimum-23-prigovora-za-uklonenie-ot-voinskoy-sluzhbyi-v-armii-rf/>