



# CRIMEAN HUMAN RIGHTS GROUP

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## CRIMEAN HUMAN RIGHTS SITUATION REVIEW

**February 2019**

The monitoring review was prepared  
by the Crimean Human Rights Group  
on the basis of materials collected  
in February 2019

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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

### RIGHT TO LIBERTY AND SECURITY OF THE PERSON

#### SEARCHES AND DETENTIONS

On February 8<sup>th</sup> about 10 men who introduced themselves as FSB men, searched the house of Mr Oleg Prikhod'ko, a Ukrainian activist, in the village of Orekhovo, Saki District. The search lasted for about three hours. After the search the FSB men, together with the Ukrainian, went to his daughter's apartment for one more search. After the searches Mr Prikhod'ko was conveyed to Simferopol, to the FSB for Crimea Department, where he was questioned about his activities as Ukrainian activist and all contacts in his mobile. The reason for the searches as the RF FSB men stated was that graves of war pilots had been broken at night and painted with swastika. However, Mr Prikhod'ko was not explained why he specifically had been searched after the incident.

According to Mr Prikhod'ko's information, 2 laptops — his and his wife's, a mobile phone, old CDs, fake German assault rifles, an old German helmet, a red and black flag, and portrait of Stepan Bandera<sup>1</sup> — were withdrawn during the search. On February 15<sup>th</sup> he informed that the withdrawn staff had been returned but for the portrait and the flag being checked for 'extremism'.<sup>2</sup>

On February 14<sup>th</sup> houses of Mr Reshat Emiruseinov and his son Rustem, Mr Arsen Abkhairov, Mr Izet Abdulganiyev and his son Eskender were searched in Krasnogravedeysky District.

According to the witnesses, Arsen Abkhairov's mother felt bad during the search, an ambulance was called for her, but the doctors were not allowed to see her.

After the search **Mr Reshat Emiruseinov, Mr Eskender Abdulganiyev, and Mr Arsen Abkhairov** were transported to the FSB department where they were charged with involvement into Hizb-ut-Tahrir organization activities.<sup>3</sup> (For more detail see 'Case of Crimean Muslims' section).

<sup>1</sup> CHRGI | Прихдько Search at Mr Oleg Prikhod'ko's, Ukrainian activist, has become in detail <https://crimeahrg.org/stali-izvestny-podrobnosti-obyska-u-ukrainskogo-aktivista-olega-prihodko/>

<sup>2</sup> Krym. Realii | Russia FSB is checking portrait of Bandera withdrawn from a pro-Ukrainian activist in Crimea, for extremism <https://ru.krymr.com/a/news-fsb-proveryaet-portret-bandery-na-ekstremizm-v-krymu/29772628>

<sup>3</sup> <https://www.facebook.com/crimeansolidarity/posts/789311028103022>



## POLITICALLY MOTIVATED CRIMINAL PROSECUTION

### «FEBRUARY 26 CASE»

On February 14<sup>th</sup> Mr Aleksey Posledov, a judge of 'Supreme Court of Republic of Crimea' (SCRC), upheld suspended sentences for Mr Ali Asanov and Mr Mustafa Degermendji — 4 years and 6 months (under RF CC Article 212-2, *Participation in civil disorders*). The sentence was passed on June 19<sup>th</sup> 2018 and came into effect on February 14<sup>th</sup> 2019. By that time Mr Asanov and Mr Degermendji had been subject to house arrest as level of restriction. On February 14<sup>th</sup> 2019 their bracelets monitoring their movements were taken off.

Mr Asanov and Mr Degermendji were detained in spring of 2015 and were in the Simferopol Detention Center till April 6<sup>th</sup> 2017. From April 6<sup>th</sup> 2017 to February 14<sup>th</sup> 2019 they were under house arrest

### «CASE OF CRIMEAN MUSLIMS»

In February, the number of people deprived of liberty under 'the Case of Crimean Muslims' totaled **32**.

- **Ruslan Zeytullayev, Rustem Vaitov, Nuri Primov, Ferat Sayfullayev:** with judgements of conviction passed, they are in the penal colonies on the RF territory;
- **Enver Mamutov, Remzi Memetov, Zevri Abseitov, Rustem Abil'tarov:** with judgements of conviction passed, they are waiting for the appeals against the sentence to be considered, and are in the Rostov-na-Donu Detention Center;
- **Inver Bekirov, Vadim Siruk, Muslim Aliyev, Emir-Usein Kuku, Refat Alimov, Arsen Djepparov** were convoyed at the end of February from the Simferopol Detention Center to Rostov-na-Donu Detention Center;
- **Teymur Abdullayev, Rustem Ismailov, Ayder Saledinov, Uzeir Abdullayev, Emil Djemadenov:** the case was submitted to the court, and they were convoyed from the Simferopol Detention Center to Rostov-na-Donu Detention Center;
- **Marlen Asanov, Seyran Saliyev, Memet Belialov, Timur Ibragimov, Server Zakir'yaiev, Ernes Ametov, Enver Seytosmanov, Server Mustafayev, Edem Smailov, Rustem Emiruseinov, Eskender Abdulganiyev, and Arsen Abkhairov:** the case is at a pre-court investigation, and they are in the Simferopol Detention Center;
- **Rustem Emiruseinov, Eskender Abdulganiyev, and Arsen Abkhairov:** were detained in the Krasnogvardeysky District on February 14<sup>th</sup> 2019.

All are charged with membership in 'Hizb-ut-Tahrir' under RF CC Article 205.5-1 (*Creation of terrorist organization*) and/or RF CC Article 205.5-2 (*Membership in terrorist organization*). Later some of the case defendants were charged under RF CC Article 278 (*Violent coup or violent retention of power*).

**Nariman Memedeminov** is charged for placing a video with Hizb-ut-Tahrir symbols under RF CC Article 205.2-2 (*Public appeals to terrorist activities, public justification of terrorism or propaganda of terrorism*), is in the Simferopol Detention Center.



Lawyer E.Kurbedinov informed that **Nariman Memedeminov** and **Server Mustafayev** had been handed statements where they were charged with 'disseminating, studying, advocating extremist ideology'. Then Mr Memedeminov was moved from the general population cell to the special Simferopol Detention Center unit with a 24h audio and video surveillance.<sup>4</sup>

On February 6<sup>th</sup> Ms Olga Gurina, a judge of 'Kievsky District Court of Simferopol', extended a detention period for **Mr. Edem Smailov** and **Mr. Server Mustafayev** till April 9<sup>th</sup> 2019.<sup>5</sup> A motion for extending the detention had been placed by RF FSB investigator Dmitriy Gramashov. On February 26<sup>th</sup> Mr Timur Slezko, a judge of SCRC, upheld a detention ruling for Mr Smailov.<sup>6</sup>

On February 7<sup>th</sup> Mr Igor Kriuchkov, a SCRC judge, extended detention periods for **Mr Ernes Ametov** and **Mr Timur Ibragimov** till April 9<sup>th</sup> 2019. A motion for extending the detention had been placed by RF FSB investigator Dmitriy Gramashov.<sup>7</sup>

On February 8<sup>th</sup> Mr Oleg Lebed' and Mr Eduard Belousov, judges of 'SCRC', extended detention periods for **Mr Marlen Asanov**, **Mr Memet Belialov**, **Mr Server Zekiryaiev** and **Mr Seyran Saliyev** till April 9<sup>th</sup> 2019. A motion for extending the detention had been placed by RF FSB investigator Dmitriy Gramashov.<sup>8</sup>

On February 13<sup>th</sup> Ms Galina Khulapova, a judge of 'Kievsky District Court of Simferopol', extended detention period for Mr **Nariman Memedeminov** till March 16<sup>th</sup> 2019. A motion for extending the detention had been placed by RF FSB investigator Aleksandr Parshutin.<sup>9</sup>

On February 20<sup>th</sup> Mr. M.Mambetov, a lawyer of Seyran Saliyev, became aware of a new criminal case started against his client under RF CC Article 205.2-2 (*Public appeals to terrorist actions*) for reposting a video record in VKontakte social network.<sup>10</sup>

On February 22<sup>nd</sup> lawyer S.Legostov informed that RF FSB investigators had handed an additional statement of charge to Mr Server Mustafayev, Mr Ernes Ametov, Mr Marlen Asanov, Mr Memet Belialov, Mr Server Zekir'yaiev, Mr Timur Ibragimov, Mr Seyran Saliyev, and Mr Edem Smailov under RF CC Article 278 (*Preparation to a violent coup*).<sup>11</sup>

On February 18<sup>th</sup> Mr Anatoliy Kolesnik<sup>12</sup>, a judge of North Caucasus Military Area court, extended detention periods for **Rustem Ismailov**, **Uzeir Abdullayev**, **Teymur Abdullayev**, **Ayder Saledinov**, **Emil Djemadenov** till May 27<sup>th</sup> 2019.<sup>13</sup>

<sup>4</sup> <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/783066915394100/>

<sup>5</sup> <https://www.facebook.com/crimeansolidarity/posts/784749711892487>

<sup>6</sup> 'SCRC' | List of cases to be heard on 26 February 2019 Case No 22H-706/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=26.02.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=26.02.2019)

<sup>7</sup> SCRC' | List of cases to be heard on 7 February 2019 Cases No 3/2-5/2019 and 3/2-6/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=07.02.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=07.02.2019)

<sup>8</sup> SCRC' | List of cases to be heard on 8 February 2019 Cases No 3/2-1/2019, 3/2-2/2019, 3/2-3/2019 and 3/2-4/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=08.02.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=08.02.2019)

<sup>9</sup> «Kievsky District Court of Simferopol'» | List of cases to be heard on 13 February 2019 Case 3/2-50/2019 [https://kiev-simpf--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=13.02.2019](https://kiev-simpf--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=13.02.2019)

<sup>10</sup> Krym. Realii | A new case due to a video in the social network started against Mr Saliyev, a defendant within 'Hizb-ut-Tahrir' case <https://ru.krymr.com/a/news-protiv-figuranta-dela-hizb-ut-tahrir-saliyeva-vozbudili-eshe-odno-delo-iz-za-vidnozapisiv-sotsseti/29783610.html>

<sup>11</sup> Krym. Realii | Defendants of Bakhchisarai 'Hizb-ut-Tahrir case' accused of coup attempt <https://ru.krymr.com/a/news-figurantov-dela-hizb-ut-tahrir-novoe-obvinenie/29785385>

<sup>12</sup> North Caucasus Military Area court | List of cases to be heard on 18 February 2019. Case 1-17/2019 (1-94/2018) [https://ovs--skav.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=18.02.2019](https://ovs--skav.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=18.02.2019)

<sup>13</sup> <https://www.facebook.com/crimeansolidarity/posts/791847907849334>



On February 27<sup>th</sup> lawyer E.Semedliayev informed that the North Caucasus Military Area court had extended detention periods for **Emir-Usein Kuku, Vadim Siruk, Arsen Djepparov, Inver Bekirov, Muslim Aliyev, Refat Alimov** till May 13<sup>th</sup> 2019.<sup>14</sup>

## NEW DETENTIONS

After the search on February 14<sup>th</sup> in the Krasnogvardeysky District **Mr Reshat Emiruseinov, Mr Eskender Abdulganiyev, and Mr Arsen Abkhairov** were detained and charged with involvement into Hizb-ut-Tahrir organization activities<sup>15</sup>. On February 15<sup>th</sup> 'Kievsky District Court of Simferopol' decided on keeping them in custody as restriction level till April 13<sup>th</sup> 2019.<sup>16</sup> There was no information on the court session at the court website. On February 27<sup>th</sup> Mr Aleksey Posledov and Mr Eduard Belousov, judges of 'SCRC', upheld a decision on detention for Mr Rustem Emiruseinov and Mr Eskender Abdulganiyev<sup>17</sup>

The detained Muslims are religious and civil activists, who have attended the 'court' sessions on politically reasoned and religious persecutions.

## «UKRAINIAN SABOTEURS' CASE»

In February 13 people accused on detaining with espionage or preparation of sabotage by RF FSB were in custody: **Mr Yevgeniy Panov, Mr Andrey Zakhtey, Mr Vladimir Prisich, Mr Vladimir Dudka, Mr Dmitriy Shtyblikov, Mr Aleksey Bessarabov, Mr Gleb Shabliy, Mr Aleksey Stogniy, Mr Gennadiy Limeshko, Ms Anna Sukhonosova, Mr Dmitriy Dolgopolov, Mr Konstantin Davydenko, Mr Yunus Masharipov**. Unlawful methods of investigation and torturing for securing confessions were recorded in these cases.

On February 7<sup>th</sup> Mr I.Kotelianets informed that his brother **Mr Yevgeniy Panov** had been convoyed to penal colony no 6 of Omsk (RF).<sup>18</sup> His convoying from Moscow to Omsk had started on December 5<sup>th</sup> 2018.

On February 21st a session on the case of **Vladimir Dudka and Aleksey Bessarabov** was held in 'Sevastopol City Court', with Mr Dudka questioned during the session. He declared that he rejected completely his fault. The next session was to be held on March 21st 2019.<sup>19</sup>

On February 28<sup>th</sup> TASS IA informed that the North Caucasus Military Area court rendered sentences on **Ms Anna Sukhonosova and Mr Dmitriy Dolgopolov**. They were detained in Crimea on September 29<sup>th</sup> 2017. Ms Sukhonosova was sentenced to 9 years in prison under RF CC Article 276 (*espionage*) and Mr Dolgopolov — to 10 years in the maximum security penal colony under RF CC Article 275 (*treason against the State*).<sup>20</sup> The Ukrainian nationals had been accused of 'working for Intelligence Service of the Ministry of Defense of Ukraine' in Crimea (FSB version).

<sup>14</sup> <https://www.facebook.com/crimeansolidarity/videos/1104584743047526/>

<sup>15</sup> <https://www.facebook.com/crimeansolidarity/posts/789311028103022>

<sup>16</sup> <https://www.facebook.com/crimeansolidarity/posts/790031748030950>

<sup>17</sup> 'SCRC' | List of cases to be heard on 27 February 2019. Cases 22K-739/2019 and 22K-741/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=27.02.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=27.02.2019)

<sup>18</sup> <https://www.facebook.com/photo.php?fbid=10216164934389598>

<sup>19</sup> CHRГ | Vladimir Dudka, a defendant of 'Ukrainian Commandos Case', pled not guilty <https://crimeahrg.org/figurant-dela-ukrainskih-diversantov-vladimir-dudka-zayavil-o-svoej-nevinovnosti>

<sup>20</sup> Black Sea Navy military man sentenced to 10 years for spying for Ukraine <https://tass.ru/proisshestiya/6170910>



## VOLODYMYR BALUKH'S CASE

On February 13<sup>th</sup> Mr Volodymyr Balukh was convoyed from Kerch Penal Colony No 2 to Simferopol without any explanation of reasons.<sup>21</sup> On February 17<sup>th</sup> the Simferopol Detention Center staff rejected his wife Natalia to take a parcel for him. As she said, the Detention Center staff referred the documents that 'had not been printed yet'.<sup>22</sup> On February 18<sup>th</sup> they told Mrs Balukh that Volodymyr had been convoyed in an unknown direction.<sup>23</sup> On February 19<sup>th</sup> the activist was brought to the Krasnodar Detention Center (RF) without any necessary stuff. On February 21<sup>st</sup> Mr Balukh was convoyed from the Krasnodar Detention Center and brought to the Armavir Detention Center (RF) on February 24<sup>th</sup>.

Convoying Volodymyr Balukh from the Kerch Colony to Russia violates RF Criminal Correctional Code Article 73 that states the activist's staying in Kerch. The prisoners may be moved to another colony 'exceptionally due to the state of health of sentenced or to ensure their personal security or upon their agreement'. Mr Balukh did not agree on moving to the RF. The health state does not prevent him from serving the sentence in Crimea, and on the contrary — his personal security is much more threatened in the RF than on the peninsula territory because the activist is explicitly and openly pro-Ukrainian.

## EDEM BEKIROV'S CASE

On February 4<sup>th</sup> Ms Eleonora Bekirova, Mr Edem Bekirov's daughter, informed that according to the medical examination conclusions, diabetes, a cut off limb, and a heart bypass could not be reasons for Mr Bekirov's non-staying in the Simferopol Detention Center.<sup>24</sup>

On February 7<sup>th</sup> Ms Olga Gurina, a judge of 'Kievsky District Court of Simferopol', extended a detention period for Mr Bekirov till April 12<sup>th</sup> 2019.<sup>25</sup> This judgement was upheld by Ms Yelena Spasenova, a judge of 'SCRC', on February 26<sup>th</sup>.<sup>26</sup>

Mr Edem Bekirov, a Crimean Tatar Activist from the Kherson Region, was detained on December 12<sup>th</sup> at the entry to Crimea and charged under RF CC Articles 222-2 and 222.1-2 (*Illegal storage and transportation of explosives and ammunition*). According to the RF FSB version, Mr Bekirov brought 12kg of tritol and 200 cartridges for firearms in the spring of 2018 into Crimea though no evidence of any his relation to the 'found' hidden storage has been presented.

## MAKSYM SOKURENKO'S CASE

On February 22<sup>nd</sup> Mr Sergey Demeniuk, a judge of 'Tsentralny District Court of Simferopol', extended a detention period for Mr Maksym Sokurenko, a Ukrainian national, till March 26<sup>th</sup>. He is custody because he poured over with paint 'a monument to green men' in Simferopol. The extension was requested by RF MIA officer A.I.Govorunov.<sup>27</sup>

<sup>21</sup> CHRГ | Volodymyr Balukh convoyed from Kerch colony to Simferopol <https://crimeahrg.org/vladimira-baluha-etapirovali-iz-kerchenskoj-kolonii-v-simferopol/>

<sup>22</sup> CHRГ | Simferopol Detention Center rejecting the parcel for Mr Balukh <https://crimeahrg.org/sizo-simferopolya-ne-prinimaet-peredachu-dlya-baluha>

<sup>23</sup> <https://www.facebook.com/crimeahrg/photos/a.1677121552573479/2251120501840245>

<sup>24</sup> [https://www.facebook.com/permalink.php?story\\_fbid=2239017406341479&id=100006997234169](https://www.facebook.com/permalink.php?story_fbid=2239017406341479&id=100006997234169)

<sup>25</sup> <https://www.facebook.com/crimeansolidarity/posts/785363711831087>

<sup>26</sup> «SCRC» | List of cases to be heard on 26 February 2019. Case 22H-702/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=26.02.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=26.02.2019)

<sup>27</sup> «Tsentralny District Court of Simferopol» | List of cases to be heard on 22 February 2019. Case 3/2-37/2019 <https://>





## CONFINEMENT CONDITIONS IN DETENTION FACILITIES

Mrs Galina Kolomiyets, a spouse of **Mr Andrey Kolomiyets**, reported worsening of his health state after her visit to Krasnodar Penal Colony No 14 (RF) on February 11<sup>th</sup>–13<sup>th</sup>. As she said, the Ukrainian suffers headaches and stomach aches, his psoriasis has aggravated, though no necessary medical care is provided to him in the colony. In the colony Mr Kolomiyets is under preventive monitoring as ‘inclined to regime violation and propaganda’.<sup>28</sup>

Mr Ilya Kavarnikov, a son of **Mr Vladimir Dudka**, a defendant within the ‘case of Ukrainian commandos’, reported that when visited on February 26<sup>th</sup>, his father had complained about lack of necessary medical care. He suffers head and stomach aches but may treat them only with those medicines that are brought by the son.<sup>29</sup>

[centr-simph--krm.sudrf.ru/modules.php?name=sud\\_delo&srj\\_num=1&H\\_date=22.02.2019](http://centr-simph--krm.sudrf.ru/modules.php?name=sud_delo&srj_num=1&H_date=22.02.2019)

<sup>28</sup> CHGR | Andrey Kolomiyet's wife told about the worsening of his health state in the Russian prison <https://crimeahrg.org/supruga-andreya-kolomijtsa-rasskazala-ob-uhudshenii-ego-zdorovya-v-rossijskoj-tyurme/>

<sup>29</sup> Krym Realii | ‘Ukrainian Commando’ Dudka arrested in Crimea suffering pain but receiving no treatment — relatives <https://ru.krymr.com/a/news-figurant-dela-ukrainskih-diversantov-dudka-ne-poluchaet-neobhodimogo-lecheniya/29794155>



## FREEDOM OF SPEECH AND EXPRESSION

The RF authorities put out a search of **Mr Eskender Bariyev**, chairman of Crimean Tatar Resource Center, a member of Crimean Tatar People Mejlis. The 'SCRC' Decree of February 29<sup>th</sup> 2019 states that a criminal case under RF CC Article 280.1-2 (*Public appeals to actions aimed at violation of RF territorial integrity, delivered through mass media*) has been started against him in Crimea. This accusation is caused by Mr Bariyev's public and political activities.<sup>30</sup> Earlier, on December 3<sup>rd</sup> 2018, Mr Bariyev had informed that RF FSB men had questioned his relatives in Crimea on his activities.<sup>31</sup>

On February 12<sup>th</sup> the RF State Duma members passed bill No 608767-7 in the first reading that provided for creating **a system of global internet traffic monitoring** on the RF controlled territory, up to shutting off completely the users' access to external servers and introducing a local internet. This system would allow the RF authorities to shut off completely the users' access to the information sources which are not in line with the official RF authorities' position. In addition, this disruption may limit significantly a possibility to report on the violations of human rights and international humanitarian law on the territory of Crimea and to receive the information on such violations from the Crimeans.<sup>32</sup>

On February 26<sup>th</sup> Ms Yelena Kliopova, a judge of 'SCRC', imposed a fine of RUR500 on activist **Nuri Abdurashytov** for taking video in the 'Kievsky District Court of Simferopol' corridor.<sup>33</sup> He was accused of violating RF CoAO Article 17.3-2 (failure to follow a legal court officer's instruction).<sup>34</sup>

## FREEDOM OF MOVEMENT

On February 5<sup>th</sup> Mr Refat Chubarov, a member of Ukrainian Parliament, informed that the RF border guards had detained **Mr Rustem Rashydov**, a Ukrainian national, who was going to visit his sister in Bakhchisarai, at the DZHANKOY border check point. After a long interrogation — from 09.00am till 09.40pm — he was not allowed to enter Crimea and handed a ban on entering the RF.<sup>35</sup>

On February 18<sup>th</sup> the RF FSB men handed Ms Alina Smutko, a Ukrainian national and a journalist, who attempted to enter Crimea, a ban on entering the RF territory till May 26<sup>th</sup> 2028 (**Annex 1**).

The ban to enter the RF includes also Crimea since the RF has occupied Crimea and enforced its laws on Crimean territory.

<sup>30</sup> CHRGI RF put out a search of Mr Eskender Bariyev, a Crimean Tatar People Mejlis member <https://crimeahrg.org/chlena-medzhilisa-krymskotatarskogo-naroda-eskendera-bariyeva-rf-obyavila-v-rozysk/>

<sup>31</sup> <https://www.facebook.com/eskender.bariyev/posts/1921042684669584>

<sup>32</sup> Bill no 608767-7 On amending some legislative acts of the Russian Federation <http://sozd.duma.gov.ru/bill/608767-7>

<sup>33</sup> <https://www.facebook.com/crimeansolidarity/posts/796361357397989>

<sup>34</sup> 'Judges of Peace of Republic of Crimea'. Hearings on case 05-0007/13/2019 <http://mirsud82.rk.gov.ru/office/caselistas/?id=375745&year=2019>

<sup>35</sup> <https://www.facebook.com/dogrujol/posts/2004271189668025>



### 3. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

#### *GENEVA CONVENTION (III) RELATIVE TO THE TREATMENT OF PRISONERS OF WAR*

In February the RF FSB investigators interrogated many times Ukrainian military men — prisoners of war. When interrogated, the Ukrainian seamen pointed out that they were prisoners of war and refused answering the questions beyond the international humanitarian law.

The Moscow City Court upheld a decree on keeping in custody for 20 military accused of violating RF CC Article 322 (*Illegal crossing of the RF State Border*). The sessions were held on February 7<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup> and 20<sup>th</sup>.<sup>36</sup>

On February 13<sup>th</sup> lawyer S.Badamshyn informed that the RF FSB investigators had refused supporting a defence petition on transferring **Andrey Eider, Vasiliy Soroka and Andrey Artemenko** wounded during the capture, to Ukraine.<sup>37</sup>

#### *GENEVA CONVENTION (IV) RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR*

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

In February the CHRГ recorded 7 sentences passed in Crimea on criminal cases against the Crimean residents for **deferring from the service in the RF Armed Forces**. In addition, 2 new criminal cases were submitted to the 'courts' for consideration. To put it together, as at the end of February the CHRГ collected the information on 52 criminal cases under RF CC Article 328 (*Deferring from the services in the RF Armed Forces*), with 50 sentences passed.

On February 3<sup>rd</sup> the RF Ministry of Defense informed about a set-up of YUNARMIA HOUSE Military and Patriotic Center in Sevastopol. According to the RF MoD Press Office, the RF military men carry on the general military training with the children. The children are trained to assemble/ disassemble AK74 assault rifle, to march, to use a radiochemical protection suit and a gas mask.<sup>38</sup>

#### ILLEGAL SHIFT OF PEOPLE

On February 18<sup>th</sup> **Volodymyr Balukh**, a political prisoner, was transported from Crimea to be transferred to a colony on the RF territory. **Yevgeniy Karakashev**, a political prisoner, was convoyed from Crimea to Roston-na-Donu to participate in his case session at the North Caucasus Military Area Court. On February 27<sup>th</sup> lawyer E.Semedliayev informed that the North Caucasus Military Area Court had passed a decree on convoying **Emir Usein Kuku, Vadim Siruk,**

<sup>36</sup> Moscow City Court | Cases no no10-2012/2019, 10-2138/2019, 10-2139/2019, 10-2140/2019, 10-3344/2019 <https://www.mos-gorsud.ru>

<sup>37</sup> <https://www.facebook.com/sbadamshin/posts/2441337989274915>

<sup>38</sup> RF Ministry of Defense | YUNARMIA House created at Black Sea Navy <https://structure.mil.ru/structure/okruga/south/news/more.htm?id=12215582>



**Arsen Djepparov, Inver Bekirov, Muslim Aliyev and Refat Alimov** from the Simferopol Detention Center to Rostov-na-Donu (RF).<sup>39</sup>

Convoing the Ukrainian nationals from Crimea to the RF violates Article 49 of the Convention (IV) relative to protection of civilian persons in time of war that forbids a transfer of the occupied territory people to the territory of the Occupying Power.

#### THE REVIEW WAS PREPARED BY:

**Olga Skrypnyk**, *coordinator of the Crimean Human Rights Group;*

**Vissarion Aseev**, *analyst of the Crimean Human Rights Group;*

**Alexander Sedov**, *analyst of the Crimean Human Rights Group*

<sup>39</sup> <https://www.facebook.com/crimeansolidarity/videos/1104584743047526/>



## 4. ANNEXES

### ANNEX 1

**УВЕДОМЛЕНИЕ**  
иностранным гражданином или лица без гражданства о принятом решении  
о неразрешении въезда в Российскую Федерацию

Пограничное управление ФСБ России по Республике Крым (далее –  
Управление) уведомляет Вас о том, что в отношении Вас ФСБ России.  
(наименование федерального органа исполнительной власти, принявшего решение о неразрешении  
въезда в Российскую Федерацию)

принято решение о неразрешении въезда в Российскую Федерацию в  
соответствии с подпунктом 1 части 1 статьи 27 Федерального закона от 15  
августа 1996 г. № 114-ФЗ «О порядке выезда из Российской Федерации и  
въезда в Российскую Федерацию», в связи с чем, въезд на территорию  
Российской Федерации Вам не разрешен до 26.05.2028 года.  
(день, месяц, год до которого закрыт въезд в Российскую Федерацию)

Информируем, что пересечение государственной границы Российской  
Федерации при въезде в Российскую Федерацию иностранным гражданином  
или лицом без гражданства, въезд которым в Российскую Федерацию  
заведомо для виновного не разрешен, является незаконным. Ответственность  
за совершение данного деяния предусмотрена частью 2 статьи 322  
Уголовного кодекса Российской Федерации от 13 июня 1996 г. № 63-ФЗ.

Дата получения уведомления: \_\_\_\_\_ 18.02.2019 года  
(день, месяц, год)

Должностное лицо Управления \_\_\_\_\_ Ивашенко Э.В.  
(подпись, фамилия, инициалы)

*A notice of ban to enter to the Russian Federation until May 26, 2028, issued to Ukrainian journalist Alina Smutko by officers of the Federal Security Service of the Russian Federation while attempting to enter Crimea, February 18, 2019*