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## Item 5 of the provisional agenda

### **FOLLOW-UP TO DECISIONS AND RESOLUTIONS ADOPTED BY THE EXECUTIVE BOARD AND THE GENERAL CONFERENCE AT THEIR PREVIOUS SESSIONS**

#### **PART I**

#### **PROGRAMME ISSUES**

#### **SUMMARY**

#### **C. Follow-up of the situation in the Autonomous Republic of Crimea (Ukraine)**

This information is presented pursuant to 205 EX/Decision 5 (I.E) on the “Follow-up of the situation in the Autonomous Republic of Crimea (Ukraine)” – including a review of existing and planned actions in UNESCO’s fields of competence; information provided to the Secretariat on 19 July 2019 by the Permanent Delegation of Ukraine to UNESCO; and information provided by UNESCO’s institutional partners, namely the United Nations Office of the High Commissioner for Human Rights; the Office of the Commissioner for Human Rights, Council of Europe; the Representative on Freedom of the Media of the Organisation for Security and Cooperation in Europe; the International Council on Monuments and Sites; and Amnesty International.

Decision required: paragraph 14.



Job: 201911543



**C. Follow-up of the situation in the Autonomous Republic of Crimea (Ukraine)**  
 (Follow-up to 205 EX/Decision 5 (I.E))

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**I. BACKGROUND**

1. This document is presented in line with the 205 EX/Decision 5.I.E on “Follow-up of the situation in the Autonomous Republic of Crimea (Ukraine)”. In all of its actions, UNESCO has been guided by the United Nations General Assembly Resolution of 27 March 2014, on “Territorial Integrity of Ukraine”, which “affirms its commitment to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders,” as well as the Resolutions adopted by the United Nations General Assembly on 19 December 2016, 19 December 2017, and 22 December 2018 on the “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)”.

2. In line with the 205 EX/Decision 5.I.E, the Secretariat continued to gather information, including from international organizations within and beyond the United Nations system, as well as from non-governmental organizations (NGOs) that have at their disposal relevant updates on the situation in “the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian Federation” (reference in line with United Nations General Assembly Resolution 73/263 of 22 December 2018 on the “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine) -- hereafter “Crimea”) within UNESCO’s fields of competence.

3. Given their relevance to UNESCO’s fields of competence and existing partnership relations with UNESCO, the following organizations were requested to provide relevant updates on the situation in UNESCO’s fields of competence – namely, the United Nations Office of the High Commissioner for Human Rights; the Office of the Commissioner for Human Rights, Council of Europe; the Representative on Freedom of the Media of the Organisation for Security and Cooperation in Europe (OSCE); the International Council on Monuments and Sites (ICOMOS); and Amnesty International (Official Partner of UNESCO, with Associate Status).

4. The Secretariat also invited the Permanent Delegation of Ukraine to provide information on latest developments in UNESCO’s fields of competence. In addition, it reviewed existing and planned actions within UNESCO’s fields of competence.

5. Since the 205th session of the Executive Board, the Secretariat has undertaken a first programmatic sectorial visit to Kyiv, as part of the “direct monitoring activity” of the situation in UNESCO’s fields of competence. The visit took place from 26 and 27 February 2019 and focused on UNESCO’s mandate in the field of natural sciences. Moreover, regular consultations continued since the 205th session between the Secretariat and the Permanent Delegation of Ukraine, as well as with Member States as regards the “direct monitoring activity” in UNESCO’s fields of competence. A second programmatic sectorial visit is planned to Kyiv prior to the 207th session of the Executive Board, focusing on UNESCO’s mandate in the field of communication and information.

6. Moving forward, the Secretariat will continue to strengthen information-sharing and exchanges with institutional partners of the Organization on a regular basis, in order to ensure regular monitoring of developments in UNESCO’s spheres of competence. To this end, the Secretariat organized an Information Meeting with Member States on developments in the situation in UNESCO’s spheres of competence on 28 March 2019 at UNESCO Headquarters. The next Information Meeting with Member States, with the participation of UNESCO’s institutional partners, will be organized prior to the 207th session of the Executive Board.

## II. REVIEW OF EXISTING/PLANNED ACTIONS

7. As reported in 205 EX/5 Part I.E, under Major Programme I, there are four schools and institutions which are part of the UNESCO Associated Schools Network (ASPnet) located in Crimea: Gymnasium No. 9 of Simferopol City Council, Simferopol; Secondary school of I-III Degrees No. 14, Simferopol; Alexander Pushkin Secondary School, Gurzuf; and Sevastopol Liceum No.1, Sevastopol. UNESCO has not received recent activity reports through the National Coordinator from these schools and institutions, which have not been active in the Network.

8. Ukraine ratified the 1960 Convention against Discrimination in Education on 19 December 1962. As reported previously, in the context of the Ninth Consultation of Members States (2016-2017), a national report was submitted by Ukraine in April 2017, providing a general overview of the Ukrainian education system and measures taken during the reporting period for the implementation of the Convention and, more generally, of the right to education in Ukraine. The report provides also extensive information on the challenges encountered in the field of education in relation to Crimea. The results of the Consultation were approved by the General Conference at its 39th session in November 2017. As with other national reports submitted, this report is available online.

9. As reported previously, two National Oceanographic Data Centers (NODCs) were located in Sevastopol, both part of the Intergovernmental Oceanographic Commission's International Oceanographic Data and Information Exchange (IODE) programme: (i) the O. O. Kovalevsky Institute of Biology of the Southern Seas (IBSS); and (ii) the Marine Hydrophysical Institute of the National Academy of Sciences of Ukraine. The websites of both institutions have been closed. Both institutions are still included in the IODE NODC data centre page: <http://www.iode.org/datacentres> but have been marked as "closed". In addition, the IBSS document repository, as well as the Central and Eastern European Marine Repository, previously located in the former YugNIRO in Kerch, both contributors to the IODE OceanDocs project, have been closed. The Government of Ukraine established a new oceanographic data centre (an IODE Associate Data Unit) under the "Ukrainian Scientific Centre of Ecology of the Sea," in Odessa in 2014. In June 2019, Ukraine informed the Intergovernmental Oceanographic Commission that this institution has been designated as Ukraine's National Oceanographic Data Centre.

10. Under Major Programme IV Culture, the Secretariat has continued to monitor the situation with its partners – INTERPOL, the World Customs Organization, the International Committee of the Blue Shield and the International Council of Museums.

11. To recall, the World Heritage Committee examined a state of conservation report on the World Heritage property "Ancient City of Tauric Chersonese and its Chora", at its 40th session held in Istanbul in July 2016. The Committee, in its Decision 40 COM 7B.62, urged all parties concerned with the state of conservation of the property to refrain from any action that would cause damages to it and to fulfil their obligations under international law by taking all possible measures to protect the property. The Decision further requested the State Party to invite a joint World Heritage Centre/Advisory Bodies Reactive Monitoring Mission to assess the property's state of conservation. The invitation from the State Party for such a mission had not been received at the time of preparation of this report. While the property is not reported as facing threats to its Outstanding Universal Value, ICOMOS International transmitted to UNESCO an appeal co-signed by 126 individuals concerning the protection of the property. Specific conservation issues had already been identified and assessed when the property was inscribed on the World Heritage List in 2013.

12. The Ukrainian authorities informed the Secretariat in May 2019 of the destruction of the ancient columns of the architectural and archaeological complex "Ancient city Panticapaeum" situated in the city of Kerch in Crimea. This complex is included in the Ukrainian State Register of immovable monuments of national significance.

13. Under Major Programme V, the Secretariat has continued to maintain contacts with international governmental organizations, such as the Organisation for Security and Cooperation in

Europe and the United Nations Office of the High Commissioner for Human Rights, as well as international non-governmental organizations, relating to issues of freedom of expression and the safety of journalists in Ukraine and the region. In particular, contacts have been maintained with international organizations working in the field of freedom of expression such as the International Federation of Journalists, the European Federation of Journalists, human rights organizations such as the Human Rights Information Centre as well as with national journalist unions in Ukraine.

### **III. INFORMATION ON LATEST DEVELOPMENTS IN UNESCO'S FIELDS OF COMPETENCE PROVIDED BY THE PERMANENT DELEGATION OF UKRAINE**

#### **Follow-up of the situation in the Autonomous Republic of Crimea (Ukraine)**

*(Follow-up to 194 EX/Decision 32, 195 EX/Decision 5 (II)E, 196 EX/Decision 5 (II)B, 197EX/Decision5(II), 199 EX/Decision 5 (I.E), 200 EX/Decision 5 (I.H), 201 EX/Decision 5 (I.G)), 202EX/Decision 5 (I.L), 204 EX/Decision 5 (I.D), 205 EX/Decision 5 (I.E))*

The information hereafter is provided by the National Commission of Ukraine for UNESCO and the Permanent Delegation of Ukraine on request of the Director-General of UNESCO. It contains a general overview of the situation in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine) temporarily occupied by Russia within the spheres of UNESCO mandate as well as relevant updates for the period since November 2018 until July 2019.

This information, together with factsheets previously provided by Ukraine upon the request of the Director-General as well as on its own initiative throughout 2014-2019, constitute an integral part of the continuously updated database on the situation in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine) collected by Ukrainian state and non-governmental institutions in collaboration with international intergovernmental and non-governmental organizations.

In regard to UNESCO's activities concerning the situation in Crimea, Ukraine stresses the importance of the United Nations General Assembly Resolution 68/262 "Territorial integrity of Ukraine" of 27 March 2014, two UNGA Resolutions "Situation of human rights in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine", namely 71/205 of 19 December 2016, 72/190 of 19 December 2017, and 73/263 of 22 December 2018, as well as of the Order of International Court of Justice (ICJ) in the case "Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination" (Ukraine v. Russian Federation) of 19 April 2017. These documents underscore the relevance of the already operational comprehensive monitoring mechanism designed to ensure a direct monitoring by UNESCO's Secretariat over the human rights situation on the peninsula within the scope of mandate of the Organization.

#### **Information on the latest developments in the Autonomous Republic of Crimea (Ukraine)**

*According to the Decisions "Follow-up of the situation in the Autonomous Republic of Crimea (Ukraine)" adopted by 194 – 205 sessions of UNESCO Executive Board*

#### **1. Overview of the main trends in violations of the human rights perpetrated in Crimea by the occupying authorities (with emphasis on the rights of minorities within UNESCO's mandate, freedom of expression and safety of journalists)**

A thorough analysis of available information received from human rights defenders and other reliable sources, allows for a conclusion that human rights situation in Crimea, including the rights of minorities has continued to worsen throughout the period covered by the present information document, reflecting persistent and growing disrespect of human rights and fundamental freedoms manifested by Russia since the outset of the occupation of the peninsula.

Drastic curtailing the freedoms of assembly, expression, association, access to information, and religion has had a devastating impact on the rights of all residents of Crimea, especially those who are opposing and resisting occupation.

The Russian Federation continues to exert pressure on ethnic and religious communities that refuse to recognize the illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol and seek to preserve their native language, religious and cultural identity. The human rights activists, the families of persons detained by the occupying authorities, the members of religious communities also became targets for illegal persecution. They have become victims of illegal searches, interrogations, detention and forced disappearances as a part of campaign of intimidation and persecution. For this sake quite often the Russian authorities are resorting to the false accusations based on the Russian legislation on "extremism and terrorism". Furthermore, in violation of basic legal principles and human rights standards, Russian criminal laws are being applied in Crimea retroactively to persecute civil society activists.

Due to their overt pro-Ukrainian position, the **Crimean Tatars**, the indigenous people of the peninsula, who have rejected the occupation rule and organized civil actions aimed at protecting their rights have been regularly subjected to reprisals by the Russian occupying authorities as well as by paramilitary groups in Crimea controlled by them. Mejlis, the a key self-governing historic representative body of the Crimean Tatar people, was banned on 26 April 2016 by a decision of the so-called Supreme Court of Crimea that declared the Mejlis an extremist organisation; the mandatory clause of the Order of the International Court of Justice of 19 April 2017 on the restoration of the Mejlis was plainly ignored by the Russian Federation; the leaders of the Crimean Tatars and activists, among them leaders of the Mejlis Mustafa Dzhemilev, Refat Chubarov, Sinaver Kadyrov, İsmet Yüksel were denied entry to their occupied homeland; among Crimean Tatars, as of late June 2019, there are 11 persons deceased in detention or killed; 16 persons disappeared, over 50 Crimean Tatars have been political prisoners; the only existing Crimean Tatar Television Channel ATR was forcibly seized thus depriving the Crimean Tatar population of their only source of objective information and cultural exchange; the occupying power has introduced a de-facto annual prohibition to hold a peaceful meeting to commemorate the Deportation of Crimean Tatars on the 18<sup>th</sup> of May.

As for the **ethnic Ukrainians**, they have also become the victims of severe discrimination and political persecution especially when they express pro-Ukrainian views or manifest their Ukrainian identity (speaking in the Ukrainian language, celebrating Ukrainian holidays, or wearing symbols of Ukraine). The occupying authorities spare no effort to erase Ukrainian identity off the cultural landscape of the peninsula. Ukrainian culture and Ukrainian language are being purposefully erased from the ethno-cultural landscape of Crimea.

Human rights activists report the **systemic repressions targeting all Crimeans who identify themselves with Ukrainian state irrespective of their ethnic origin.**

Fake information disseminated by the state or other pro-Russian mass media as well as discourse of Russian public officials based on hateful language are instigating inter-ethnic animosity and intolerance of all sorts. Minority representatives and certain groups are being frequently labeled by the media as 'disloyal' to Russia.

Occupying authorities have been **persecuting independent media** in order to suppress any attempt to oppose legitimacy of occupation or to disseminate any unbiased information on the human rights situation at the peninsula.

By early July 2019, the active use of Russian legislation "on counteracting extremism and separatism" as a pretext to ban journalists activities, as well as show trials of journalists and activists disagreeing with the occupation of Crimea, have in fact completed the process of cleansing the Crimean information landscape of free expression.

Russian media legislation and law enforcement practices are aimed directly at limiting the freedom of speech and the rights of journalists. According to human rights defenders, public officials and security agencies of the occupied Crimean Peninsula are overtly reluctant in conducting investigations of the crimes committed against media representatives, violations of the rights of media workers are being ignored.

Russian legislation provides for a special punishment for those media that are considered by the court as “distributors of extremist materials”. Thus, Article 11 of the federal law of the Russian Federation “On Counteracting Extremist Activities” permits the seizure of part of materials, or of the whole circulation, audio and video recordings of programs, and even the termination of the activities of the mass media pursuant to a court decision.

About 60 entities are officially labeled as extremist organization in the Russian Federation, including Mejlis of the Crimean Tatar People, Hizb ut-Tahrir, Administrative Center of Jehovah’s Witnesses and its 35 regional divisions ([http://minjust.ru/nko/perechen\\_zapret](http://minjust.ru/nko/perechen_zapret)).

Certain individuals, most actively speaking on Crimea-related topics in mass media, are even included in the list of terrorists and extremists (<http://fedsfm.ru/documents/terroristscatalog-portal-act>). Among them are, for example, the Deputy Chairman of the Mejlis Ilmi Umerov, Ukrainian Crimean journalists Ganna Andriievskia, Andriy Klimenko and many others.

In 2019, ***the Russian Federation continues to stifle consistently any expression of freedom and dissent in temporarily occupied Crimea. Civil journalism, which appeared in response to complete information isolation of the Crimean peninsula, remains at risk of the elimination*** by the illegally established Russian bodies. As of early July 2019, 26 criminal proceedings are conducted by the so-called General Directorate of the National Police Department in Crimea on the facts of committing crimes against journalists and other media representatives.

Recently, the State Duma of Russia approved a regulation imposing penalties “for disseminating inaccurate news in the media and on the Internet, as well as for “clear disrespect” to society, government officials and state symbols”. Rights activists say that this legislative act opens new opportunities for prosecuting Ukrainian citizens in Crimea and constitute a grave threat to Internet freedom in the peninsula.

***Ukrainian media in Crimea were stripped of their licenses and replaced on air by Russian TV and radio channels.*** Independent journalists have been often accused of terrorism and extremism and subjected to unlawful criminal prosecution. Ukrainian media staff is being replaced with Russian journalists: according to reliable sources among Crimean journalists, the rate of reshuffling the media staff is around 50-90%, about a half of incoming personnel being recruited in Russian regions, making manipulation with media content much easier.

In Crimea, Ukrainian TV channels are switched off, access to 60 Ukrainian websites in Crimea is blocked.

Russia has illegally misappropriated 503 frequency acquisitions used by Ukrainian TV channels and radio stations for broadcasting in Crimea.

31 Ukrainian TV channels were illegally denied the right to analogue television broadcasting. Russia blatantly expropriated analogue transmitters, aerials and other equipment in 69 Crimean cities and settlements.

28 Ukrainian broadcasting companies were illegally denied the right for digital television broadcasting in the DVB-T/T2 standard. Russia stole digital equipment installed in 18 cities and settlements of the peninsula.

39 Ukrainian radio stations were denied the right for FM-broadcasting. Russian occupying authorities unlawfully seized broadcasting equipment in 31 Crimean cities and settlements.

According to the monitoring data of the Crimean Human Rights Group (CHRG), gathered in March-April 2019, the signal of 7 Ukrainian radio stations in 20 settlements of the North Crimea is totally or partially jammed by the signal of Russian FM radio stations.

In addition, CHRG monitors checked 13 frequencies of 7 Ukrainian radio stations which received from the National Council on Television and Radio Broadcasting permission for broadcasting in the territory of the Northern Crimea from the settlements of Chongar and Chaplinka, controlled by Ukraine and located next to the administrative boarder. The monitoring was carried out in 20 settlements: Nadezhin, Chervonoarmiiske, Vyshnivka, Mizne, Tankov, Proletarka, Krasnoperekopsk, Razhospine, Tavriyske, Rysove, Pochesne, Perekop, Armiansk, Suvorov, Pyatykhatka, Karpova Balka, Filatovka, Ishun, Tomashivka, Voinka. Its results showed that in early April 2019 it was possible to receive a signal from 2 of 7 stations, and only in 2 settlements out of 20 monitored.

These monitoring results imply that ***the occupying authorities of Crimea deliberately jam the signal of the Ukrainian broadcasters, while illegally using the same frequencies by the Russian radio stations.***

In general, the occupation led ***to nearly 2mln Ukrainian citizens in Crimea losing access to the terrestrial (analogue, digital) signal of Ukrainian TV channels and the terrestrial signal of radio stations.***

Under such circumstances, dissemination of Ukrainian information products on the Crimean peninsula is possible only through ***internet***. At the same time, the existing internet network equipment on the peninsula is being entirely substituted by the communications facilities provided and controlled by Russia. In particular, the occupying power has implemented a project of construction of a fiber-optic communication line through the Kerch Strait, replacing the connection provided by the mainland Ukraine and creating all the technical preconditions for exercising an unlimited control over the content of internet communications. ***Thus, the content of Crimean internet network is not only subject to severe limitations but also is being physically filtered to prevent access of any unwanted web-resource to the peninsula.***

In addition, in 2019 the ***State Duma of the Russian Federation approved a law on “providing secure and sustainable functioning” of the Internet in Russia, popularly called in Russia itself “the Runet Isolation Law”***. Human rights activists argue that the law will enable the Russian authorities to establish a system of global Internet censorship in temporarily occupied Crimea by introducing strict internal physical filters and releasing onto the global Internet only the traffic it deems appropriate. According to the preliminary data, this involves blocking foreign information and entertainment sites. Simultaneously, with the purpose of the total control, there will be implemented a procedure of official state registration, which will facilitate to detect authors of “anti-Russian” materials.

In this regard, Crimean authorities intensify Internet censorship and restrict access of the residents of the occupied territory to information from outside Crimea and Russia, as well as actively further limit the possibility of its transmission through the Internet.

In February-March 2019, the Crimean Human Rights Group (CHRG) carried out a monitoring of the availability of the 34 Ukrainian information sites, access to which is partially or completely blocked. The monitoring was carried out through the networks of ten different providers in nine Crimean settlements: BelNet (Belogorsk), SevStar (Sevastopol), KST (Simferopol), Mriya (Simferopol), Bosportelekom (Kerch), YaltaNet (Yalta), SkyLine (Krasnoperekopsky district), Sivash-ni (Krasnoperekopsk), Orange-net (Bakhchisarai), Wave-mobile (Dzhankoy).

According to the results of this monitoring, 10 Crimean providers controlled by the occupying authorities totally block 12 Ukrainian information sites: “Black Sea TV and Radio Company”, “Censor.Net”, “Sled.net”, “Channel 5”, “15 minutes”, “Focus”, “Depo”, “Ukrainska Pravda”, “RBC”,

“Ukrinform”, “Glavkom”, “Uainfo” and 2 social networks: LinkedIn and Telegram. All the other sites are blocked partially.

The situation with the Ukrainian site “Uainfo” has seriously deteriorated since December 2018 in comparison with the previous monitoring of the CHRG. As a result, it is totally blocked by all mentioned 10 providers now. The site of the 112 Ukraine TV Channel was added to the list of the partially blocked sites. The Ukrainian sites “Glavnoe” and “Hromadske radio” are blocked by 9 of the 10 providers.

One of the main tasks of the Crimean media controlled by the occupying authorities is a maximum coverage and spread of the so-called “facts of the international activity in Crimea” for the purpose of legalizing of the annexation of Crimea by the Russian Federation “in the eyes” of the international community. In order to do this, multiple visits to Crimea of the delegations from abroad on the invitation of Russian authorities are being organized, as well as the participation of these delegations in forums, conferences and festivals, and visits of the representatives of the “Russian” Crimea abroad in different directions (culture, education, sports, etc.).

For the same purpose, the representatives of foreign media are actively invited by the occupying authorities to visit Crimea.

It is necessary to recall, that all such visits of foreign officials, journalists and public persons to Crimea occur in violation of the legislation of Ukraine.

## **2. Timeline of repressive acts perpetrated by the occupying authorities against ethnic minorities and independent media in Crimea in the course of April-June 2018**

- **On 11 January 2019**, the houses of three Crimean Tatar activists – Osman Osmanov, Ernest Aliiev and Server Bariiev – were searched in the settlement of Rozdolne in connection with their alleged “participation in the Hizb ut-Tahrir organisation” (that is recognized terrorist or extremist in the RF, which is opposite to the Ukrainian laws). The searches were carried out by officials of Russia’s occupational administration. They checked books, especially Islamic literature. One of those who were searched said that a lot of armed people stayed in front of the house during the search. According to available information, the representatives of the occupation administration of the Russian Federation provided only a ruling to conduct an inspection of the premises, but not a search. During the inspection, nothing was found and no allegations were made.
- The similar searches, accompanied by sporadic arbitrary detentions, as reported by Crimean Solidarity, a civic initiative, were actively undertaken **throughout January-March 2019** by the Russian occupying authorities almost around all the temporarily occupied Crimea. Searches are regularly conducted in the temporarily occupied Crimean peninsula in houses of independent journalists, civic activists, activists of the Crimean Tatar national movement, members of the Mejlis of the Crimean Tatar people, and local Crimean Muslim leaders under the false pretext of possible links to the mentioned “Hizb ut-Tahrir organization”.
- **On 29 January 2019**, the Russian occupying authorities have put on a wanted list Eskender Bariiev, Chairman of the Board of the Crimean Tatar Resource Centre and a member of the Mejlis of the Crimean Tatar people. Earlier Mr Bariiev had to flee Crimea due to persecutions and provocations organized against him by local occupying authorities, and since 2015 he lives in Kiev. The members of his family who still live in Crimea are being regularly interrogated and threatened by the local “police”. The trumped-up criminal proceedings against Mr Bariiev had been opened in Crimea “under paragraph 2 of article 280.1 of the Criminal Code of Russia (public appeals for committing acts aimed at violating the territorial integrity of the Russian Federation with the use of the mass media)”. This charge is aimed at brutal punishing Mr Bariiev’s public

and political activism. Mr Bariiev regards this as an attempt to "put pressure on him" for thousands and thousands of people joining the international movement for the liberation of Crimea and solidarity with the Crimean Tatar people."

- **On 27-28 March 2019**, illegal searches and detentions of Crimean Tatars took place in the Simferopol and Bilohirsk districts in Crimea. The Russian Federation consistently stifles all manifestations of freedom and dissent in temporarily occupied Crimea. After independent journalism was destroyed and Ukrainian television and radio switched off, civil journalism, which appeared in response to complete information isolation of the Crimean peninsula, came under the cosh of illegally created organs. Civil journalists were among the Crimean Tatars who were detained in these illegal operations of the occupying authorities on 27-28 March.
- **On 7 May 2019**, "Kievsky District Court" of Simferopol sentenced Mr Yevgeniy Gayvoronsky, to 10 day's administrative arrest for rejecting a medical examination after his arrest on March 26th 2019, which was caused by his publication of pro-Ukrainian statements on his page in the social networks.
- **On 14 May 2019**, the activist Tair Ibragimov was ordered to pay a fine of 15,000 RUR for participation in a flash mob to support the children of Crimean political prisoners, which has been falsely qualified by the local "court" as "violation of the established procedure for organizing or holding an assembly, rally, demonstration, procession or picketing".
- **On 17 May 2019**, on the eve of the Commemoration day of the Crimean Tatar People deportation, the Chairman of Central Executive Committee of the Crimean Tatar People Kurultai (council) Zair Smedliayev, journalists Emine Avamileva and Lilia Budjurova, activists Rolan Osmanov, Nariman Djelial and Renat Abliakimov as well as many other politically active Crimean Tatars were presented with a warning notice on inadmissibility of violating the "Law of the Russian Federation on counteracting the extremism". This was done by the occupying authorities in order to threaten the Crimean Tatar activists and to prevent the public commemoration of this Stalin's era tragedy, which in itself is consonant with today's persecutions of Crimean Tatars people.
- **On 30 May 2019**, late at night the agents of the Extremism Counteracting Center (special task unit of the Ministry of internal Affairs of Russia) arrested Mrs Mumine Saliyeva in Bakhchisarai and Ms Luftiye Zudiyeva in Dzhankoy. Both women are Crimean Solidarity activists. Mrs Saliyeva is a spouse of Crimean activist Seyran Saliyev, a defendant of the 'Crimean Muslims case'. Both were arrested in the street and transferred to Simferopol. The relatives and lawyers could not get any information of the location and the reason of their detention from the RF police for several hours. Lawyers were not allowed to attend them. After leaving the building Simferopol "Police Department", the activists informed that they have been falsely accused of "publications in the social network containing the symbols of the organizations forbidden in the Russian Federation". In particular, Mrs Saliyeva was accused of "propagandizing symbols of extremist organizations for the post published in the social network" in 2013, before the Russian occupation of Crimea. Therefore, the occupying authorities applied the laws against her retrospectively. Lack of actual grounds for holding liable, cooked-up accusations, simultaneous detention in a remote town, and participation of both women in the Crimean Solidarity clearly point out a political reason for persecuting the civil society representatives.
- **On 31 May 2019**, Anton Tsykurenko, a "judge" of "Kievsky District Court" of Simferopol, imposed a 1,000 RUR fine on Mrs Saliyeva, while a "judge" Olga Gurina imposed a RUR 2,000 fine on Ms Zudiyeva.

- **As of late June 2019**, at least 13 civil society representatives were being kept in custody. They were falsely accused by the FSB of “preparing subversions and spying”. In addition to a brutal violation of presumption of innocence, these people have undergone unlawful investigation methods, including torturing, to extort confessions, as well as further dissemination of ‘confession’ videos by the FSB via the mass media.

A long list of politically motivated criminal prosecutions is made of of trumped-up cases, such as “February 26 case”, “Crimean muslims case”, “Volodymyr Balukh case”, “Ukrainian saboteurs case”, “New political cases”, “Spy cases”, “Punisher case”, “Journalist case”, “Crimean four case”, “Maidan activist’s repressions case”, “Mykola Shyptur case”, “Chechen case”, “Tablighi jamaat case”. All of these fabricated cases were aimed at silencing the human rights defenders and activists of Ukrainian and Crimean Tatar origin whose only demand was to promote freedom of expression, non-discrimination and other basic human rights on the occupied peninsula.

All in all, as of late 2019, 86 Crimeans of all nationalities were in custody due to a politically reasoned criminal persecution; the full list is published on the website of the Crimean Human Rights Group (CHRG).

The above-mentioned facts prove once again that the Russian occupying authorities in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine) are conducting a policy of repression and intimidation, whose primary victims are human rights defenders and independent journalists, Crimean Tatars’ and Ukrainian activists. At the same time, once again, this list is far from being exhaustive: much more human rights violations remain unrecorded due to the absence of a permanent independent monitoring of the human rights situation in the occupied territory of Crimean peninsula.

### **3. Problems of conservation of cultural heritage; illegal archaeological excavations; illicit transfer of cultural property; persecution of religious traditions**

#### **3.1. State of conservation of Cultural heritage sites, including World Heritage Site «Ancient City of Tauric Chersonese and its Chora», and the sites inscribed on the Tentative list**

As a direct result of occupation of Crimea by the Russian Federation, Ukraine has been deprived of the World Heritage site “Ancient City of Tauric Chersonese and its Chora” and five sites submitted to the World Heritage Tentative List, including «Complex of the Sudak Fortress Monuments; «Trading Posts and Fortifications on Genoese Trade Routes. From the Mediterranean to the Black Sea»; Cultural Landscape of «Cave Towns of the Crimean Gothia»; «The historical surroundings of Crimean Khans capital in Bakhchysarai», and Simeiz Observatory, as well as over 15,000 historical and architectural monuments and sites of a national significance and about 100 museums. The situation in the field of culture on the occupied peninsula remains a matter of great concern, especially as for the state of conservation of Ukrainian cultural heritage property.

Ukraine provides information on a regular basis about those illegal actions of occupied authorities, which have a direct impact on the state of conservation of abovementioned cultural objects. This information has been repeatedly presented in the letters and verbal notes of the Permanent Delegation of Ukraine to UNESCO and letters of the Ministry of Culture of Ukraine to the Director-General of UNESCO, World Heritage Centre, ICOMOS, ICOM, ICCROM as well as in previous information documents prepared by Ukraine upon request of the Director-General.

Hence, it is necessary to note that any action undertaken by the Russian Federation in the temporarily occupied Ukrainian territory seeking to modify jurisdiction in relation to Ukraine’s cultural, industrial and technical heritage sites constitutes a direct violation of Ukraine’s sovereign rights and of universally recognized standards and principles of international law, including the provisions of the Convention for the Protection of the World Cultural and Natural Heritage (1972), the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), its First and Second Protocols, the Convention on the Means of Prohibiting and Preventing the Illicit Import,

Export and Transfer of Ownership of Cultural Property (1970), the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (1995), the Council of Europe Convention on the Protection of Archaeological Heritage (1992), the Council of Europe [Convention on Offences relating to Cultural Property](#) (2017), the United Nations General Assembly resolution 68/262 of 27 March “Territorial integrity of Ukraine”, the United Nations Security Council resolution 2347 “Maintenance of international peace and security: destruction and trafficking of cultural heritage by terrorist groups and in situations of armed conflict”, as well as the UNESCO Recommendation on International Principles Applicable to Archaeological Excavations (1956).

As it has been previously reported, in February 2017 the Russian Orthodox Church announced its intention to assume ownership of 24 objects, which are an integral part of the World Heritage Site “Ancient City of Tauric Chersonese and its Chora” inscribed on the World Heritage List. This directly affects in a negative way the state of conservation of the said site. As of early July 2019, this situation remains unchanged notwithstanding an active opposition to it expressed by Ukraine as the only internationally recognized legal owner of the site. This causes grave concern as to the future state of conservation of this World Heritage Site.

On August, 10-12, 2018 occupying authorities organized the second international music festival Opera in Chersonese at the premises of the Ancient City of Tauric Chersonese. Within UNESCO’s legal framework, carrying out entertainment events/recreational activities in the territory of the historical and architectural monument of Ukraine that belongs to the World Heritage without consent of the legal proprietor is unacceptable both from a legal and ethical aspects. Relevant concern has been expressed in the note verbale of the Permanent Delegation of Ukraine to the Secretariat of UNESCO and the World Heritage Centre (N2031/29-194/087-276 of 25 September 2018).

One of the recent precedent of a blatant neglect by Russia of norms and principles of international law as well as the decisions of the United Nations and UNESCO happened during the 43rd session of the World Heritage Committee in Baku (30 June – 10 July 2019). The Russian delegation distributed a special issue of the bulletin (“Vestnik”) of the National Commission of the Russian Federation for UNESCO dedicated to the 65th anniversary of Russia’s accession to UNESCO. In this publication, in particular, the Ukrainian site “Ancient City of Tauric Chersonese and its Chora” was intentionally included into the chapter entitled “Russian Sites on the World Heritage List”. In this regard, Ukraine emphasizes that publication of any information regarding the World Heritage Property, which belongs to Ukraine and is situated in temporarily occupied Crimea is unacceptable unless its status as Ukrainian object that is situated in the territory of Ukraine is duly indicated. The Secretariat of UNESCO, World Heritage Centre and Delegations of the Member States and Observers have been informed that any official distribution and use of this bulletin as well as its publication at the UNESCO information resources is inadmissible (note verbale of the Permanent Delegation of Ukraine N2031/29-194/087-268 of 8 July 2019).

The issue of the state of conservation of the cultural property Khan’s palace in Bakhchisarai, which was submitted to the World Heritage Tentative List in 2003 and constitutes the site of the national significance of Ukraine as well as an integral part of the cultural heritage of the Crimean Tatar people, also remains to be of a grave concern.

The Russian occupying authorities, having registered the illegal appropriation of the 32 historic buildings of the Bakhchysaray Crimean Khans Palace by 2017, launched the large-scale barbaric “restoration works” in this site in total defiance of international law, in particular of relevant UNESCO Conventions.

For example, during the removal of all tiles and old oak beams from the Big Khan Mosque, the paintings of 18th century were damaged. In addition, cracks appeared on the facade of the building, and plaster crashed due to the application of cleaning technology that uses the water jet under high pressure. Also, a metal canopy is being built around the part of the Main Building of the Khan’s Palace “in order to ensure protection of the site during restoration works on the roofing in the rooms

of the Divan Halls and the Golden Cabin". Due to the heavy load of metalwork there is a threat of destruction of the monument. The most alarming fact is that all these restoration works are supervised by construction personnel that have neither experience nor qualification in restoration of historic buildings. Such violent and off-hand actions pose a real threat of destruction of this unparalleled historical monument.

Carrying out the mentioned works without the permission of the competent authorities of Ukraine is a blatant violation of the sovereign rights of our state and norms of international law. These works are aimed at the complete destruction of the monument through the loss of its authenticity.

In May 2018, the International Center for the Study of the Preservation and Restoration of Cultural Property (ICCROM) reported the following violations of the restoration rules and principles during the work on the territory of the Khan Palace in Bakhchisaray:

- complete replacement of structural elements, instead of performing restoration of existing authentic;
- forceful removal of researcher-scientists, who studied the object and carried out restoration work during the decades, from restoration activities;
- gross neglect of the authentic technology of the work that was typical for the period of XVI-XVIII centuries in the Crimean Khanate.

In this regard, the National Commission of Ukraine for UNESCO and the Permanent Delegation of Ukraine to UNESCO remain in constant contact with the Office of the Director-General, the relevant units of the Secretariat of UNESCO and World Heritage Center, as well as with ICCROM and ICOMOS, in order to gather and assess relevant information and to eventually elaborate a practical approach to protection of this invaluable heritage property.

The situation with the state of conservation of the Complex of the Sudak Fortress Monuments of the 6th-16th centuries also remains deplorable. From the outset of occupation this unique historical site inscribed on World Heritage Tentative List has been literally abandoned, which leads to the gradual deterioration of its key architectural elements. Notwithstanding the fact that Ukraine had made this problem known by including relevant available data into several previous information documents submitted to the Secretariat of UNESCO that were published as a part of factsheets accompanying the Executive Board's decisions, no measures had been taken so far by the occupying authorities to remedy the state of conservation.

It has become known as well that the occupying authorities conduct illegal excavations and engineering geological works, namely drilling of the rock where the monument of national significance the "Swallow's Nest" Palace is situated.

The Russian authorities are continuing also the illicit "restoration works" of the Mosque and Medresse of the Khan Uzbek, which constitute unique historic monuments of national significance. These illegal works seriously endanger the state of conservation of the monument. The Ministry of Culture of Ukraine alerted UNESCO and ICOMOS on this situation in its relevant letters transmitted to the Office of the Director-General and the Director General of ICOMOS.

### **3.2. Illicit archaeological researches and excavations**

As the Russian authorities continue to conduct illicit large-scale archaeological researches and excavations in the occupied territory (Ukrainian authorities have not granted their permission to conduct such works), Ukraine stays seriously concerned about the illegal archaeological excavations undertaken in Crimea under occupation.

One of the many examples of such actions is conducting illegal archeological activities at the World Heritage site "Ancient City of Tauric Chersonese and its Chora". The relevant information was

provided by the Permanent Delegation of Ukraine to the Secretariat UNESCO in the framework of the regular information exchange based on extensive available information on the state of conservation of cultural heritage sites in Crimea under occupation.

As of late June 2018, large-scale archaeological works are being conducted by the occupying authorities also in the territory between Tsementna Slobidka and the highway Kerch-Feodosia (these illegal excavations started in April 2017) in connection with construction of the roads leading to the Kerch Bridge. As a result of the excavations, the fragment of ancient “Tiritakskiy defensive wall” that protected in the past the citizens of the city of Ponticapaem from the raids of nomads was destroyed. Moreover, It was stated by the Russian authorities that after the excavations the “Tiritakskiy defensive wall” would be totally dismantled. It should be stressed that this historic object dates back to the 3rd -4th centuries B.C.

The occupying authorities are conducting sand mining works at the archaeological site of Ancient Fortifications Artezian (450 square meters of ancient necropolis with tombs and fragments of ancient ceramics of first century BC and 20 burial mound). This works poses a direct threat to the state of conservation of the mentioned cultural property.

Since December 2017 till July 2018, contrary to the international law, the illegal excavations are being conducted as well at a burial mound “Hospital hill” in Kerch city, the highest burial mound ever found in Crimea. All in all, as reported, the scope of the excavations in the adjacent area exceeds 500 000 square meters where 80 archaeological monuments had been already discovered.

In 2019, the Russian archaeologists began to study the medieval pottery workshop, which was flooded in the sea (the underwater territory of the Chersonese in the Quarantine Bay in Sevastopol). The workshop produced amphorae – dated of VIII-IX centuries of our era. More than a thousand fragments of these amphorae have been found during the six months of the illegal activities.

Moreover, the Russian occupation authorities continue to present the Crimean archaeological monuments as a heritage that belongs to the Russian Federation. For example, in 2018 the necropolis of Kiz-Aul defined as a one of the ten most famous archaeological monuments of the Russian Federation.

On May, 13, 2019, the Institute of Archeology of the Russian Academy of Sciences (IA RAS) published a 2-volume study “Crimea-Taurida” on the results of illegal archaeological excavations on the territory of the Crimean peninsula in 2017-2018. This study leads to “short results of the most extensive archaeological research of the IA RAS in the history of the Crimea”. The total volume of study – almost 800 pages. The part of information about the research were published on the site of abovementioned Institute.

In order to legitimize the illicit archaeological researches and excavations in occupied Crimea, regular thematic archaeological scientific conferences are being regularly organized. It is important to note that the occupying authorities also takes measures for the international recognition of these illegal activities, particularly, through the involving of foreign specialists in the sphere of archeology for participation in such conferences.

As it has been previously reported on April 12-14, 2018 the meeting of the Presidium of the Council of Russian Museums took place on the premises of the so-called federal state budget institution State Historical and Cultural Museum-Reserve “Chersonese Tavriyskiy”. According to reports of the Crimean media, more than 140 representatives of the museum institutions of the Russian Federation took part in the event. During this meeting, the “plans of research of the cultural heritage of the southern coast of the Crimean peninsula” have been announced “in terms of prospects for inclusion of relevant sites in the UNESCO World Heritage List”.

On May, 20-24, 2019 occupying authorities organized the so-called international scientific conference “XX Bosphorus Readings” in Kerch city. The documents of the conference were published

in the compilation “XX Bosphorus Readings. Bosphor Cimmerian and the barbaric world in the period of antiquity and the Middle Ages. Main results and prospects of research”. According to this publication, the researchers from scientific, university and museum centers of a number of European countries took part in this conference on the invitation of the Russian occupying authorities (note verbale of the Permanent Delegation of Ukraine to the Secretariat of UNESCO and World Heritage Centre N2031/29-194/087-251 of 26 June 2019).

On 3-7 June 2019 in Sevastopol, occupying authorities organized a so-called “XI International Byzantine Seminar” ÇEPΣΩΝΟΣ ΘΕΜΑΤΑ: Empire and Policy”.

The practice of the international cultural exchanges is also use by the occupation authorities of the Crimea for the legitimization of the annexation of Peninsula by the Russian Federation. For example, during the period from April to June 2019, a number of different events in the sphere of culture and art were organized with the participation of citizens from foreign countries.

Ukraine considers that the illegal involvement of the leading scientific and museum institutions of the Russian Federation to the archaeological excavations, as well as invitations being sent by them to foreign researchers, without authorization of Ukraine, should be a subject of special concern of UNESCO.

The mentioned institutions, with the direct participation of the Ministry of Culture of the Russian Federation, grossly violate a number of basic international agreements relating to cultural property. In particular, the requirements of paragraph 32 of the UN Recommendation of December 5, 1956, that define the principles of international regulation of archaeological excavations, clearly states that a member state of UNESCO which occupied the territory of another state should refrain from conducting archaeological excavations in the occupied territory.

Such actions are also a flagrant violation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its First Protocol (1954) that prohibits any archaeological excavations in relation to the occupied territory as well as any alteration to cultural property. Ukrainian authorities are collecting evidences to initiate criminal proceedings against so-called archaeologists, who, in violation of international conventions on the protection of monuments and relevant Ukrainian legislation, are conducting illegal excavations in the occupied territory of Ukraine.

### **3.3. The illegal archaeological excavations in the framework of implementation of infrastructure projects**

Numerous illegal archaeological excavations are being conducted within the context of implementation of infrastructure projects, particularly, the construction of the so-called “Crimean Bridge”, construction of a main pipeline “Krasnodar Region – Crimea” and a Tavrida route.

One of the consequences of this activity is the destruction of a unique monument of history and culture – the ancient columns of the architectural and archaeological complex “Ancient city of Panticapaeum” in the city of Kerch, which is included into the State Register of immovable monuments of the national significance of Ukraine. Conducting the large-scale construction work within the framework of illegal construction of the so-called “Crimean Bridge” in close neighborhood of the mentioned unique monument without proper measures of its protection was a clear violation of the protection status of this complex. The occupying administration, fully aware of the threat of the damage and destruction discovered since the end of 2017, in violation of the international humanitarian law, has not taken adequate measures to prevent the destruction and to ensure proper preservation of the this important elements of the cultural heritage of Ukraine (verbal note of the Permanent Delegation of Ukraine to the Secretariat of UNESCO and World Heritage Centre N2031/29-194/087-200 of 21 May 2019).

In general, only during the construction of “Crimean Bridge” the archaeologists illegally extracted 1 million artifacts. As the civil information center “Crimean bridge” reported in February 13, 2018 “More

than one million discoveries were found during excavations for the period of last two years. More than 100 thousand of these artifacts constitute a significant scientific value”.

### **3.4 Archaeological excavations, expeditions, researches and restoration works planned by the occupying authorities of the RF**

The Russian side continue to carry out illegal archaeological excavations, research and so-called restoration works in the temporarily occupied Crimea. These illegal activities commits in violation of Ukrainian legislation and international rules and norms and lead to a critical damage to the historical value of the cultural objects. It is also important to note that scopes of such illegal works carried out in the absence of the international monitoring tend to further expand.

Moreover, the occupying authorities of Crimea have grand plans for the future. Among them, the illicit restoration of the "Kerch Fortress" of the East-Crimean Historical and Cultural Museum-Reserve that is planned to be held from July to September 2019.

Also, in the autumn of 2019, the department of underwater archeology of the so-called museum-reserve "Chersonese Tavriyskiy" plans to conduct an illegal expedition designed to study the use of bays of the Heracleean Peninsula as a harbor of Chersonese, which envisages relevant illicit researches and collection of the artifacts.

In 2020, the occupying authorities of Crimea plan to relaunch, without any agreement with Ukraine, the excavations of Illurat – the city of the fortress of the Bosphorus kingdom of the ancient state on the banks of the Kerch Strait.

All abovementioned activities require special attention of the Secretariat of UNESCO in the context of monitoring activities in the spheres of competence of the Organization.

### **3.5 The Illicit Transfer of Cultural Property**

One of the consequences of the Russian occupation of Crimea is the illicit transfer of cultural property belongs to Ukraine (museum exhibits, collections of artifacts of the archaeological excavation, funds of private and scientific libraries, archives, etc.). The valuable exhibits of the museums of Crimea and Sevastopol are systematically transferred to the Russian Federation for the exhibitions, followed by their abandonment for an indefinite period, in particular:

- in April 2019 the exhibits of Mongolian nomadic culture – jewelry, costumes, details of architectural decoration, samples of Buddhist painting, monuments of numismatics, etc. from the collections of the Central Museum of Taurida, Bakhchisaray State Historical and Cultural Reserve (renamed by the occupying authorities into Bakhchisaray Historical and Cultural and Archaeological Museum-Reserve), Museum of Antiquities of Feodosia, Yalta Historical-Literary Museum were illegally transferred to the Russian Federation (Kazan, the Republic of Tatarstan). These objects of art are being presented at the exhibition "Golden Horde and the Black Sea. Lessons from the Chingiside Empire" at the Hermitage Museum-Kazan exhibition center. This exhibition will be held until October 2019;
- during the 2019, the paintings of the famous painter, master of [marine art](#) Ivan Aivazovsky from the collection of the Aivazovsky National Art Gallery in Feodosia, Crimea (Ukraine) are being exhibited in the Russian museums.

In this regard, it is necessary to underline that the cultural property of the museums of the Autonomous Republic of Crimea constitute a state ownership of Ukraine and an integral part of State Museum Fund of Ukraine. These values are protected by the international and national legislation. Therefore, any transfer of these cultural values from the territory of Ukraine without the permission of Ukrainian authorities is illegally act.

### **3.6 Religious intolerance upheld in Crimea by the occupying authorities**

The recent updates on the situation with the religious freedom in the temporarily occupied Crimea prove that the Russian Federation creates artificial barriers on the Peninsula for the activities of any religious community different to those belonging to Moscow patriarchate mainstream:

On March 6, 2019, Clement, Archbishop for Simferopol and Crimea of the Orthodox Church of Ukraine said that “the chief of the pre-trial detention centre in Simferopol” had not allowed him to visit the political prisoner Volodymyr Dudka for performing religious rites (confession and communion). The chief refused to let the clergyman in despite the latter having a “court” permission for the visit. The occupying authorities of Crimea also refused to register a religious organisation at the request of Archbishop Clement.

On March 20, 2019, Federal Security Service officers of the Russian Federation conducted searches in Yalta and Alupka in at least six houses of members of Jehovah’s Witnesses, a religious organisation recognised as extremist in Russia. According to the website “Jehovah’s Witnesses in Russia”, the Bibles and computers and other gadgets were confiscated from the believers during the searches. After the search in the house of Artem Herasymov, a resident of Yalta, he was taken to Simferopol and illegally served with criminal charges of “organising the activity of an extremist community”.

According to the independent monitoring of the non-governmental/religious organizations, Russian government continues to target “nontraditional” religious minorities with fines, detentions, and criminal charges under the pretext of combating extremism. Russian legislation targets “extremism” without adequately defining the term, enabling the state to prosecute a vast range of nonviolent, nonpolitical religious activity. In occupied Crimea, the Russian authorities continue to persecute religious minorities, in particular, Crimean Tatar Muslims.

## **4. Education**

On 19 April 2017 the International Court of Justice issued an Order concerning the Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation) in which it required Russia to refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions and to ensure the availability of education in the Ukrainian language. This decision was yet another evidence of the gravity of the situation in the field of education that has been formed by the discriminatory policies of the Russian authorities vigorously pursued since the beginning of occupation of Crimea. Sadly, as of July 2019, in over almost two years no actions at all have been undertaken by the Russian Federation in order to remedy the problems raised upon in this document.

From the outbreak of the occupation of the Autonomous Republic of Crimea and the city of Sevastopol, the implementation of the educational policy of Russian Federation on the peninsula is apparently aimed at drastic reducing of the use of Ukrainian and Crimean Tatar languages in the educational process.

**The secondary education system in Crimea** has been almost ***entirely cleansed of the Ukrainian language***. The regular Reports on the human rights situation in Ukraine prepared by the Office of the United Nations High Commissioner for Human Rights as well as statistics issued by Crimea’s “Ministry of Education” itself throughout the period of occupation provide shocking proofs of this continuing decline of Ukrainian as a language of education in schools across the peninsula.

In particular, according to Russian Federation statistics, in the 2018/2019 academic year, one Ukrainian school and eight Ukrainian classes in five Russian schools in Crimea continued to deliver instruction in Ukrainian, attended by 249 children (0.2 % of all Crimean students enrolled in schools), which demonstrates that the number of children educated in Ukrainian has dropped steadily since

the beginning of the occupation (the number of secondary schools with Ukrainian language of education in the peninsula has decreased by 87.5%; the number of classes with Ukrainian language of instruction in secondary educational institutions in Crimea has decreased by over 98%; the number of pupils studying in the Ukrainian language in general educational establishments of the Crimea has also decreased by over 98%). The demand for learning Ukrainian stays high but even the number of pupils who were able to study the Ukrainian language as an optional course or as part of extracurricular education decreased by 50% from 2016/2017 academic year to 2017/2018; the statistics of 2018/2019 remains unavailable.

Contrary to Russian official propaganda statements on creation of the “ethno-cultural autonomy” of **the Crimean Tatar people** and in particular of the maintaining the same level of study of Crimean Tatar language, ***the independent sources of information reveal that the reality on the ground is quite grim.*** In particular, Russian Federation statistics indicate that in the 2018/2019 academic year, there are 6,100 schoolchildren educated in Crimean Tatar who attend 15 Crimean Tatar schools and 126 Crimean Tatar classes in 27 Russian schools. This reported number has remained stable over the years since the beginning of the occupation. However, OHCHR in its Report of 13 June 2019 and local Crimean civil monitors in their findings of the first half of 2019 have documented cases of discrepancies between the formal language status of the school and the de facto use of Crimean Tatar in the curriculum. In addition, in several documented cases, school administrations rejected parents’ requests to organize a Crimean Tatar class or increase the hours the Crimean Tatar language was taught.

The main reasons for this dramatic situation include an exclusively Russian cultural and educational environment imposed by the occupying authorities and the departure of thousands of pro-Ukrainian Crimean residents to mainland Ukraine. Ukrainian pupils and their families have to confront increasing pressure from teaching staff and school administrations to discontinue education in their native language. They have to cope with the real danger of being branded as ‘anti-Russian’ through the choice of Ukrainian as the language of instruction.

Overall, the introduction of ***Russian Federation education standards has limited the right of ethnic Ukrainians and Crimean Tatars to education in their native language***, which is a brazen violation of UNESCO 1960 Convention against Discrimination in Education 1960. There is no clear procedure regulating the education in a mother tongue and no legally defined numeric threshold for opening schools or classes.

The Ministry of Education and Science of the Russian Federation has undertaken a massive compulsory ***“re-education” of teachers of Ukrainian language and literature for teaching in Russian.*** All post-graduate programmes in Ukrainian philology, as well as almost all chairs of Ukrainian philology in higher educational institutions have been closed.

The situation with ***textbooks in Crimean Tatar and Ukrainian languages*** deserves special consideration. While they have never been published in Russia, the occupying authorities have manifested no plans to use the books published in Ukraine. Most alarming, textbooks originating in Ukraine have been reportedly destroyed.

Obviously, their contents runs contrary to the effort of Russia to construct a fake reality, absolutely incompatible with real facts. In accordance with the “Guidelines on the specificities of teaching of history and social studies in the secondary educational institutions of the Republic of Crimea in 2017/2018” elaborated by the “Crimean Republican Institute of Postgraduate Education”, the new history textbooks that are being mandatorily introduced into secondary school programs, are based on a largely politicized concept of history teaching developed by the Russian Historical Society. This concept envisages, in particular, that the course “The history of Russia” should seize at least 60-70% of world history class time throughout the secondary education period. The course of history of Ukraine was reduced to zero and Crimea’s illegal annexation is being represented as “accession of Crimea to the Russian Federation”.

**In the sphere of higher education** the drastic change of educational conditions for those who taught and learned in Ukrainian and Crimean Tatar languages, and especially for those whose specializations at state higher education institutions before the occupation were national culture, literature or history, literally squeezes professors and students out of peninsula.

The “Crimean Federal University” founded on 1 January 2015 as a result of illicit and forceful merger and acquisition of 7 universities and 5 academic scientific centers of Crimea has blatantly expropriated all Ukrainian property including academic buildings, hostels, campus and material resources. ***By the end of 2014, Ukrainian as a language of instruction had been removed from university-level education in Crimea, and as of early July 2019 this situation stays unchanged.***

Moreover, in violation of the basic rights and fundamental freedoms the occupying authorities created a difficult situation regarding the legitimacy of the university diplomas. ***The Bachelor’s and Master’s diplomas issued by the newly established institution are recognized only in Russia and in those few countries which recognized Russia’s attempted illegal annexation of Autonomous Republic of Crimea and the city of Sevastopol.*** In view of the situation, a significant number of Crimean students and applicants, as it was revealed by the relevant opinion poll, preferred to continue or to start their studies at the higher educational institutions in other Ukrainian cities in order to avoid mentioned problems with the legal status of their diplomas in future and overcome limitations in their choice of further education and professional activities caused by occupation.

Numerous measures ***to militarize education*** in the Crimean educational institutions and to use schools and institutes as tools of policy of divisiveness have been recorded all along the period of Russian occupation. For example, regular lessons and lectures on “counteracting extremism” that are being introduced in the Crimean schools by the Russian law enforcement agencies are based on overt xenophobic and discriminatory approaches thus provoking interethnic tension among young people of different nationalities and form negative ethnic stereotypes.

The cases of ***pressure on children and young people in order to make them participate in the all-Russian commemorative events of an undisguised chauvinistic nature***, including the events dedicated to the “unification of the Crimea and the Russian Federation”, have also been recorded. The Mejlis of the Crimean Tatar people unlawfully banned in Russia is being repeatedly represented to schoolchildren as a “terrorist organization”. The Russian law enforcement and security services are also imposing numerous mandatory so-called questionnaires for University students and school pupils aimed in reality to identify the “extremist” moods of students and their parents. The programs of militaristic activities imposed on the institutions of the secondary education are being led and financed mostly by the leading enterprises of the Russian arms industry.

## **5. Science**

The situation with scientific centers and institutions misappropriated by the occupying authorities at the outset of the occupation did not undergo any changes throughout the last four years. In fact, the deprivation of the leading scientific centers founded and developed by Ukraine for a long time has led to creation of a significant gap in the capacities of traditional efficient participation of our country in a number of UNESCO-led programs.

With the occupation of Crimea by the Russian Federation Ukraine has lost several unique science centers in Crimea. Among them are world-renowned Marine Hydrophysical Institute (MHI), the A.O.Kovalevsky Institute of Biology of the Southern Seas (IBSS) and Black Sea Center for Underwater Research, all three in Sevastopol. The first two institutes had over 150 scientists each working locally in the research facilities; they disposed of 2 research vessels each (among which the unique research vessel “Professor Vodyanytsky” which belonged to the National Academy of Sciences of Ukraine), as well as of laboratories, training courses and libraries with over a 100.000 items each, including the printed editions of the late XVIIIth and early XIXth centuries. All three were active participants of UNESCO programs and conference activities. The Marine Hydrophysical Institute has been a part of the Black Sea Regional Program in Marine Sciences and Services and

of the Global Oceanographic Data Archaeology and Rescue Project, both within the framework of the Intergovernmental Oceanographic Committee. The Black Sea Center for Underwater Research, that has been continuously taking an active part in the implementation of the Convention on the Protection of Underwater Cultural Heritage, had to evacuate its scientists and facilities from Crimea to the city of Mykolaiv and restart their activities anew which took substantial time and funding.

The situation with A.O.Kovalevsky Institute of Biology of the Southern Seas is much worse. The facilities of the Institute have not been transferred to the continental part of Ukraine, and only a few members of personnel including its Director were able to move to Kiev without any research papers or equipment necessary for further scientific work. This, in particular, prevents Ukrainian scientists from participation in the Assemblies of the Intergovernmental Oceanographic Commission (IOC) since 2014, although Ukraine throughout many years has been actively taking part in IOC activities.

The Ukrainian scientific institutions in Crimea had a strong and well-established scientific potential, research and educational infrastructure and a research fleet for the monitoring of the marine environment, accumulation, processing and scientific analysis of hydrological, geological and other types of information and represented Ukraine in the international scientific programs of the European Union, IAEA, the World Meteorological Organization. These organizations, especially Marine Hydrophysical Institute of the National Academy of Sciences of Ukraine (Sevastopol), and the Institute of Biology of the Southern Seas of the National Academy of Sciences of Ukraine (Sevastopol), which were merged into the Oceanology Center of the National Academy of Sciences of Ukraine, as well as the Southern Scientific Research Institute of Marine Fisheries and Oceanography "PivdenNiro" (Kerch), have accumulated unique databases, which have no analogues.

The Ukrainian science has lost also 3 biosphere reserves (Karadag Reserve, mining and forest reserves in Yalta and Alushta) as well as the 204-year-old Nikitsky Botanical Garden near Yalta with established research base. All in all, 22 unique centers of the National Academy of Sciences of Ukraine (including those actively participating in UNESCO-led programs and research activities) with their unique scientific equipment and invaluable research archives has been forcefully taken away.

Ukraine has also been deprived of its unparalleled scientific facilities in astrophysics and space science situated on the peninsula. Ukrainian Academy of Sciences lost several invaluable assets with the annexation of Crimea. To name just a couple of them, the Crimean Laser Observatory, Simeiz Observatory and Crimean Astrophysics Observatory, which has a unique radio telescope, a powerful reflector telescope and a large solar telescope. The National Control and Test Center for Space Systems in the city of Evpatoria, which has the satellite flight control facility and one of the world's most powerful radio telescopes, as well as the Space Monitoring Center situated at Cape Chersonese were not only forcefully taken away from Ukraine but afterwards were immediately handed over to the Military Space Defense Command of the Ministry of Defense of Russia.

Ukraine desperately lacks the national facility of this type in order to continue its satellite program (in particular, the operation of the modern Ukrainian telecommunication satellite "Lybid" which is to provide the functioning of the national satellite communication system), and does its best to revive the National Control and Test Center for Space Systems in new locations, but this requires extensive investments and logistical efforts.

Ukrainian science was also forcefully deprived of Crimean Republican Universal Scientific Library named after Ivan Franko and its most valuable collection of books as well as of Simferopol and Sevastopol archives.

As a result of the occupation of Crimea and dispossession of premises and equipment, some areas of research are currently lost for the National Academy of Sciences of Ukraine, including those within the sphere of UNESCO programs. Primarily, this concerns a comprehensive study of the basic processes of the modern evolution of the ecosystem of the Black and Azov seas and other regions of the oceans; fundamental and applied physics and climate research in marine environment;

development of tools and methods of operational oceanography; the implementation of modern information technologies and systems for collecting, processing, analysis and use of oceanographic data; geomechanical study of stress-strain and gas-dynamic state of the rock mass to ensure the efficient and safe operation of mineral deposits; research of rock mass and the earth's surface, the impact of mining on groundwater and surface facilities and the development of measures to protect them; studies in the area of history and culture of Crimea from ancient times to the present, including archaeological excavations; experimental activities in centimeter- and millimeter-wavelength radio astronomy; laser ranging satellite research to address the problems of space geodynamics; development and modernization of methods and technology of laser-based geolocation.

In addition, given the total absence of international control over the archaeological activities on the occupied peninsula and taking into consideration that Russia bears no obligations under the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage, the situation in this sphere is non-transparent and causes great concerns as to potential looting of the underwater heritage and its illegal trafficking of the goods of the sunken cultural property.

## 6. Sports

The misappropriation by the occupying authorities of sports facilities founded and duly financed by Ukraine before occupation has also created a significant lacuna in Ukrainian capabilities to provide a full-fledged cooperation within UNESCO programs in physical education and sport.

***Russia has expropriated a number of Ukrainian sports facilities situated in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine) thus depriving Ukrainian sportsmen of the possibility to use them for training and preparation for the international competitions, Olympic, Paralympic and Deflyampic games***, in particular Olympic Sport Centre “SPARTAK”, city of Alushta (The Federation of Trade Unions of Ukraine); Training Centre “DYNAMO”, city of Feodosia (The Central Council of physical training); Olympic training centre “AVANGARD”, city of Sevastopol (The Federation of Trade Unions of Ukraine); The Centre for training of Olympic reserve “PARUS”, city of Sevastopol (Ukraine); State Municipal Company “Sport Recreative complex named after 200 year of Sevastopol”, city of Sevastopol (Ukraine); “National Centre of Paralympic and Deflyampic training and rehabilitation for people with disabilities”, city of Eupatoria (The National Committee of sports and people with disabilities); Crimean Republican Institution “Regional Center for Physical Culture and Sports for Disabled “Invasport”; Sevastopol City Center for Physical Culture and Sports for Disabled; Crimean Republican Youth Sports School for Disabled; Municipal institution “Sevastopol Youth Sports School for Disabled” and some others.

It is necessary to add to this list as well seven stadiums in Sevastopol, Simferopol (2 facilities), Yalta, Alushta, Molodizhne and Kalinino that were used for many years for training of football players of all the regional clubs as well as for competitions.

## Conclusions

The data collected by Ukraine and international organizations testify to the fact that situation with human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine) has been further deteriorating. This involves persistent violation and disrespect of the norms and founding principles of UNESCO.

Available information demonstrate that the most vulnerable groups suffering from human rights violations (including those within the scope of UNESCO mandate), Crimean Tatars and Ukrainians, are subject to the enormous pressure due to the policy of intolerance and discrimination pursued by the occupying authorities.

Freedom of expression, conscience, and religion; the right to peaceful assembly and association; freedom of the media and access to information; the right to a fair trial and effective remedy; the right

to education in one's native language as well as linguistic and cultural rights are critically endangered by the actions of the occupying authorities in Crimea.

Occupying authorities continue expropriation of the cultural property belonging to Ukraine. The World Heritage property "Ancient City of Tauric Chersonese and its Chora" as well as five sites in Crimea submitted by Ukraine to the World Heritage Tentative List, and a large number of valuable objects of national significance have been suffering serious, sometimes irreparable losses, because of the actions of the occupying power. The illicit trafficking of Ukrainian cultural property from Crimean museums and illegal archaeological excavations have reached shocking proportions. We firmly believe that international reaction to the relevant information transmitted by Ukraine to the institutions directly responsible for the protection of cultural heritage could have helped to counter these actions.

The list of violations of fundamental human rights on the Crimean peninsula within the spheres of UNESCO's competence presented in this information document cannot be exhaustive due to the lack of systemic and independent monitoring of the situation on the ground. Russia purposefully hampers or bans access to the peninsula for the international observers and monitoring groups that collect information on the violations of human rights in Crimea, thus creating the atmosphere of total impunity.

Within this context, the significance of the direct UNESCO monitoring of the situation on the peninsula is evident. The Secretariat of UNESCO plays a key part in assessing the scope and the nature of the problems that have been directly caused by annexation of Crimea within the spheres of responsibility of the Organization. Ukraine highly values the efforts of the Director-General and the Secretariat of UNESCO aimed at creation of a comprehensive monitoring mechanism designed to address the problems in the occupied Crimea within the competence of UNESCO, which took place in February 2019 with the commencement of the first phase of direct monitoring activities.

Ukraine is determined to continue a constructive dialogue with UNESCO's Secretariat and all the Member States on this matter and expects prompt and complete further deployment of direct monitoring activities of UNESCO's Secretariat in all the spheres of competence of UNESCO.

#### IV. INFORMATION FROM INSTITUTIONAL PARTNERS

##### The United Nations Office of the High Commissioner for Human Rights

##### **OVERVIEW OF MAIN HUMAN RIGHTS DEVELOPMENTS IN THE AUTONOMOUS REPUBLIC OF CRIMEA AND THE CITY OF SEVASTOPOL, UKRAINE, TEMPORARILY OCCUPIED BY THE RUSSIAN FEDERATION<sup>1</sup>**

*Based on information documented between 1 October 2018 and 26 June 2019 by OHCHR/HRMMU.*

In view of the lack of physical access to Crimea, OHCHR's Human Rights Monitoring Mission in Ukraine (HRMMU) continued monitoring and analyzing the human rights situation in Crimea from its offices in mainland Ukraine, on the basis of confidential interviews, public information (e.g. court registry, official statistics of the Russian Federation etc.) and regular fact-finding missions, including to the administrative boundary line (ABL). HRMMU activities are conducted pursuant to the 2014 Agreement between OHCHR and the Government of Ukraine, as well as relevant UN resolutions.

Allegations of human rights violations in Crimea are analyzed from the perspective of international human rights law and international humanitarian law applying to situations of occupation.

##### **Rights of detainees in Crimea**

From October 2018 to June 2019, OHCHR continued to receive credible reports about inhuman conditions in official places of detention in Crimea, which may amount to ill-treatment. As in previous years, "SIZO No. 1" in Simferopol, the only pre-trial detention facility in Crimea, remained heavily overcrowded. Built with a maximum capacity of 747 individuals, during 2018, the average number of prisoners was 1,349.<sup>2</sup> Inside prison cells, overcrowding necessitated sleeping schedules. Because of the broken toilet flushing system, inmates had to use empty bottles to push faeces through the canalisation, and faced extremely cold winter conditions. Prior to detention visits by the Russian Federation Ombudsperson, the SIZO administration reportedly instructed detainees not to complain or risk "making [the conditions of detention] even worse".<sup>3</sup>

Detainees belonging to vulnerable groups, including the elderly and people with disabilities, are disproportionately affected. OHCHR documented the case of a 58-year-old Ukrainian citizen with an amputated leg and a first-degree disability who was detained in inhuman conditions in Simferopol for more than three months before being transferred to the medical ward after his health had significantly deteriorated. He was unable to access an exercise yard, or a shower, remaining confined in his cell twenty-four hours a day, and had to ask a cellmate to help him to shower by pouring water on him while he sat on the toilet.<sup>4</sup>

##### **Right to education in native language and right to maintain one's identity, culture and tradition**

OHCHR recalls the order delivered by the International Court of Justice (ICJ) on 19 April 2017 in proceedings brought by Ukraine against the Russian Federation.<sup>5</sup> The court concluded that the Russia Federation must "[E]nsure the availability of education in the Ukrainian language" and "[R]efrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis."<sup>6</sup> UNESCO Guidelines on Language

<sup>1</sup> Hereafter "Crimea".

<sup>2</sup> Report of the High Commissioner for Human Rights in the Republic of Crimea, 2018, p. 33, <http://www.crimea.gov.ru/app/11820>.

<sup>3</sup> OHCHR interview, 19 March 2019.

<sup>4</sup> OHCHR interview, 20 March 2019.

<sup>5</sup> Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of all forms of racial discrimination, *Ukraine v. Russian Federation*; Request for the indication of provisional measures, *Ukraine v. Russian Federation*, General List No. 166, para. 106, 19 April 2017.

<sup>6</sup> The Mejlis of the Crimean Tatar People is a representative body of the Crimean Tatars.

and Education recommend that instruction in the mother tongue is “extended as late a stage in education as possible”.<sup>7</sup>

According to Russian Federation statistics, in the 2018/2019 academic year, one Ukrainian school and eight Ukrainian classes in five Russian schools in Crimea continued to deliver instruction in Ukrainian, attended by 249 children (0.2 % of all Crimean students enrolled in schools).<sup>8</sup> The number of children educated in Ukrainian has dropped steadily since the beginning of the occupation.<sup>9</sup>

Russian Federation statistics indicate that in the current academic year, there are 6,100 students educated in Crimean Tatar who attend 15 Crimean Tatar schools and 126 Crimean Tatar classes in 27 Russian schools. This reported number has remained stable over the years since the beginning of the occupation.<sup>10</sup> However, OHCHR has documented cases of discrepancies between the formal language status of the school and the *de facto* use of Crimean Tatar in the curriculum.<sup>11</sup> In addition, in several documented cases, school administrations rejected parents’ requests to organise a Crimean Tatar class or increase the hours the Crimean Tatar language was taught.<sup>12</sup>

OHCHR notes the lack of progress in removing the limitations on the operations of the Mejlis, a key self-governing institution of the Crimean Tatar people.<sup>13</sup> Since the 26 April 2016 decision of the Supreme Court of Crimea that declared the Mejlis an extremist organisation, the institution has remained effectively banned.

### **Administration of justice and intimidation of human rights defenders**

On 7 December 2018, a district court in Simferopol sentenced Crimean Tatar lawyer Emil Kurbedinov, known for defending critics of Crimea’s occupation and alleged members of organizations, banned in the Russian Federation, to five days of administrative detention for disseminating extremist symbols through a social network.<sup>14</sup> During a court hearing, the judge ignored the fact that the impugned content was posted five years ago – prior to the *de facto* implementation of the Russian legislation in Crimea<sup>15</sup> – and denied over 40 motions of his defense team, including the motion to ensure the presence of a prosecutor, to question an expert witness and recuse a presiding judge.<sup>16</sup> Kurbedinov was released on 11 December after serving his sentence in full.

OHCHR notes that Kurbedinov’s conviction follows a series of earlier incidents that indicate a pattern of deliberate intimidation, hindrance, harassment or interference by the Russian authorities in Crimea with his professional activities. In 2017, he was also prosecuted for social media posts.<sup>17</sup> On 6 November 2018, police raided his office in Simferopol to serve him with a “formal warning” against engagement in extremism. OHCHR is concerned that this time, the extremism charges may be used to formally deprive Kurbedinov of his right to practice law in Crimea. On 18 December, the Ministry

<sup>7</sup> UNESCO, Guidelines on Language and Education, Principle I, available at <https://unesdoc.unesco.org/ark:/48223/pf0000129728>.

<sup>8</sup> Previously reported divergences in the official figures, as well as information received by OHCHR from individual interlocutors, indicate that the formal Ukrainian status of the school or class does not reflect the actual use of Ukrainian in the classroom.

<sup>9</sup> In the 2013/2014 academic year, 12,694 children were receiving education in Ukrainian. For figures per each academic year between 2014 and 2018, see OHCHR report on the human rights situation in Ukraine, 16 November 2017 to 15 February 2018, paras. 126-128.

<sup>10</sup> There were 5,551 Crimean Tatars educated in their native language in 2013/2014.

<sup>11</sup> OHCHR report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, 13 September 2017 to 30 June 2018, para. 70.

<sup>12</sup> Recent examples include schools in village of Orlivka in Sevastopol and Bilohirsk district of Crimea.

<sup>13</sup> OHCHR report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, 27 September 2017, paras. 187-193.

<sup>14</sup> Judgment of the Kyivskyi district court of Simferopol, 7 December 2018, Case No. 5 1148/2018.

<sup>15</sup> This may be viewed as a violation of Article 70, Geneva Convention IV.

<sup>16</sup> OHCHR interview, 7 December 2018.

<sup>17</sup> Earlier, on 26 January 2017, Emil Kurbedinov was sentenced to ten days of administrative detention on similar charges, see OHCHR report on the human rights situation in Ukraine, 16 November 2016 – 15 February 2017, para. 128.

of Justice of Crimea requested a bar association in Simferopol to renounce Kurbedinov's membership, which may lead to his disbarment.

Emil Kurbedinov's case reflects the overall hostile attitude of Russian Federation authorities towards human rights defenders and civic activists. Lawyers, who take up defense in sensitive cases against individuals accused of extremism or terrorism in Crimea, risk facing similar charges themselves. OHCHR reiterates its findings on the pressure faced by members of *Crimean Solidarity*, a non-registered civic group cooperating closely with defense lawyers on the peninsula.<sup>18</sup> The law enforcement have disrupted the group's meetings and issued formal warnings to *Crimean Solidarity* members not to engage in illegal activities, including unauthorized public gatherings and extremist acts.<sup>19</sup>

### **Freedoms of religion, opinion and expression**

Consistent with previous OHCHR findings, the pattern of criminalization of affiliation to or sympathy towards religious Muslim groups, banned in the Russian Federation, continued to disproportionately affect Crimean Tatars.

On 24 December 2018, a military court in the Russian city of Rostov-on-Don found four Ukrainian citizens, all Crimean Tatar men previously transferred to the Russian Federation from Crimea, guilty of membership in a terrorist organization and preparation to commit a forcible seizure of power. One man received a 17-year prison sentence, while three others – 9 years of imprisonment each. The accusations were based on the defendants' alleged membership in *Hizb ut-Tahrir*, an Islamic movement, which is legal in Ukraine but banned as a terrorist group in the Russian Federation. According to a court ruling,<sup>20</sup> the defendants were prosecuted for four meetings, during which they had discussed Islamic dogmas, *Hizb ut-Tahrir* ideology and sharia law. In a separate case, on 22 January 2019, the Supreme Court of Crimea found four Crimean residents guilty of membership in *Tablighi Jamaat*, another Islamic group banned in the Russian Federation. Three defendants received conditional sentences, while the fourth man was sentenced to four years of imprisonment.<sup>21</sup> In both cases, the defendants were found guilty based on their alleged membership in the banned Muslim groups, as well as the fact that they had possessed, read and discussed books deemed to be 'extremist' under the Russian law despite the absence of any evidence indicating that they had called for or planned to engage in any form of violence or violation of public order.

On 27 March 2019, the Federal Security Service of the Russian Federation ("FSB") together with Russian Federation police and National Guard launched a large-scale operation against alleged members of *Hizb ut-Tahrir*. Twenty-six house searches were carried out in one day in the city of Simferopol, as well as Simferopol, Bilohirsk and Krasnohvardiisk districts. Following simultaneous raids and house-to-house visits, FSB arrested 20 Muslim men on criminal charges of setting up (participating) in a terrorist organisation and remanded them in prison. Four more individuals were arrested on the same charges on 28 March and 17 April 2019. Reportedly, most of the arrested individuals are Crimean Tatars affiliated with the civic movement "Crimean Solidarity", a non-registered initiative launched by relatives of detained Crimean Tatars.<sup>22</sup>

Since the beginning of the occupation, 67 individuals have been arrested or convicted on accusations of affiliation with banned Muslim groups in Crimea, the vast majority of whom are

<sup>18</sup> OHCHR second thematic report "On the situation of human rights in the temporary occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine", 13 September 2017 – 30 June 2018, para. 53.

<sup>19</sup> The police disrupted meetings of *Crimean Solidarity* on 27 January 2018 in Sudak and on 27 October 2018 in Simferopol.

<sup>20</sup> Judgment of the Severo-Kavkazskiy circuit military court of the Russian Federation, 24 December 2018, Case No. 1-42/2018.

<sup>21</sup> Judgment of the Supreme court of Crimea, 22 January 2019, Case No. 1-1/2019.

<sup>22</sup> OHCHR interviews, 27, 28 and 29 March 2019.

Crimean Tatars. Seventeen of them have been found guilty and received criminal sentences. OHCHR notes that all the individuals were prosecuted under Russian Federation law.

OHCHR reiterates that freedom to manifest one's religion or belief may only be limited on the grounds prescribed by law, which are necessary to protect public safety, order, health, morals or the fundamental rights and freedoms of others.<sup>23</sup>

During the reporting period, at least five criminal cases against Crimean residents charged for their alleged anti-Russian statements in social media were closed following the de-criminalization of a single act of "incitement of hatred or violence" under Russian law,<sup>24</sup> which is *de facto* applied in Crimea. Previously, OHCHR reported extensively about the systematic use by the Russian Federation authorities of the anti-extremism legislation in Crimea against critics of the peninsula's occupation and vocal pro-Ukrainian activists.<sup>25</sup> OHCHR welcomes this positive step by the Russian Federation, although the extent to which such de-criminalization will be implemented remains to be seen.

### **Freedom of movement**

OHCHR also documents restrictions imposed on free movement between mainland Ukraine and the peninsula. In one case, the Federal Security Service of the Russian Federation denied entry to a Ukrainian journalist and banned her from Crimea for 10 years.<sup>26</sup> Russian border officials informed the journalist of the ban at one of the crossing points of the Administrative Boundary Line without any explanation of the specific grounds for such decision. Russian authorities issue similar bans to other journalists, civic activists, or other public figures, who are perceived as critics of Crimea's occupation.<sup>27</sup>

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<sup>23</sup> ICCPR, art. 18 (3).

<sup>24</sup> Law of the Russian Federation No 519-FZ, 27 December 2018.

<sup>25</sup> See *inter alia* OHCHR second thematic report "On the situation of human rights in the temporary occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine", 13 September 2017-30 June 2018, para. 46. OHCHR interview, 29 November 2018.

<sup>27</sup> See OHCHR first thematic report "On the situation of human rights in the temporary occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine", 22 February 2014 – 12 September 2017, para. 128.

**The Office of the Commissioner for Human Rights, Council of Europe**

Office of the Commissioner  
for Human Rights



COMMISSIONER  
FOR HUMAN RIGHTS

COMMISSAIRE AUX  
DROITS DE L'HOMME



1944-2019



COUNCIL OF EUROPE  
CONSEIL DE L'EUROPE

**Mr Firmin Edouard MATOKO**

The Assistant Director-General for Priority Africa and External Relations  
7, place de Fontenoy  
75352 Paris 07 SP  
France

Strasbourg, 11 July 2019

Dear Assistant Director-General,

On behalf of the Council of Europe Commissioner for Human Rights, Ms Dunja Mijatović, thank you for your letter dated 24 May transmitting your requests for an updated summary of the latest developments in Crimea with a view to contributing to upcoming sessions of your Organisation's Executive Board.

The Commissioner asks that you please refer to her previous communications from July and September 2018. We would further like to reiterate that for the time being, our Office does not have any additional information to provide.

Looking forward to continuing co-operation with your Organisation,

Yours sincerely,

Isil Gachet  
Director

**The Representative on Freedom of the Media of the Organisation for Security and Cooperation in Europe**



**Organization for Security and Co-operation in Europe  
The Representative on Freedom of the Media  
Harlem Désir**

202/19

Vienna, 2 July 2019

**Mr. Firmin Edouard Matoko**  
Assistant Director-General for the Africa Department  
United Nations Educational, Scientific and Cultural Organization

Dear Assistant Director-General,

In reply to your letter of 24 May 2019 (Ref: PAX/ ENA/19/5223), please be informed that, since the last UNESCO Information Meeting on the situation in the Autonomous Republic of Crimea, attended by the representative of my Office on 28 March 2019 in Paris, I had one intervention related to developments in Crimea.

On 17 April 2019, following reports about the arrest of several persons involved in journalistic activities in Crimea, I issued a public statement. Reportedly, on 28 March 2019, Osman Arifmemetov, Rustem Sheikhaliyev and Remzi Bekirov were arrested on terrorism charges, along with about 20 other residents of Crimea. All three reportedly covered and distributed information regarding cases of persecution, and Bekirov has also contributed to the Grani.ru media outlet. I called on those responsible for the arrests to respect the role of all media actors and to release the affected persons. I also noted and expressed my concern regarding the continued arrest of another Crimean resident involved in journalistic activities, Nariman Memedeminov, who remains in custody since March 2018 on charges of “publicly calling for terrorism activities”.

My Office continues to follow the developments in these cases, including the trial over Nariman Memedeminov, which started on 24 June 2019 at the North Caucasian District Military Court in Rostov-on-Don, Russian Federation.

As always, my Office stands ready to continue contributing to the important task assigned to UNESCO with any relevant information or assistance, and to participate in related events.

Harlem Désir

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## The International Council on Monuments and Sites (ICOMOS)

### ICOMOS

INTERNATIONAL COUNCIL ON MONUMENTS AND SITES  
CONSEIL INTERNATIONAL DES MONUMENTS ET DES SITES  
CONSEJO INTERNACIONAL DE MONUMENTOS Y SITIOS  
МЕЖДУНАРОДНЫЙ СОВЕТ ПО ВОПРОСАМ ПАМЯТНИКОВ И ДОСТОПРИМЕЧАТЕЛЬНЫХ МЕСТ

#### UNESCO information meeting for Member States

"Follow-up of the situation in the Autonomous Republic of Crimea (Ukraine)  
October 2019 (date to be confirmed), UNESCO Paris

#### ICOMOS Statement

ICOMOS prepared this statement following an invitation by the UNESCO Assistant Director for Priority Africa and External relations dated 24 May 2019 to provide an update on latest developments in Crimea (Ukraine) and to attend the UNESCO Information meeting scheduled for October 2019 (date to be confirmed).

Since the last Information meeting of 28 March 2019, ICOMOS has:

- Received a letter from an organisation called - Public Organization «Sevastopol Society for the Conservation of Nature, Human Rights and Historical Heritage» - expressing their concern with regards to the management of the World Heritage property of the Ancient City of Tauric Chersonese and its Chora, specifically concerning the potential impact of the installation of "scenes, spectator stands, light and sound equipment, generators, wiring and wooden walkways". We have forwarded this letter to UNESCO. ICOMOS has not been able to verify neither the authors, nor the information provided in this letter.

In the specific case of the World Heritage property of the Ancient City of Tauric Chersonese and its Chora, the World Heritage Committee at its 40th session in Istanbul, July 2016, requested that, as soon as the situation allows, a joint World Heritage Centre/Advisory Bodies Reactive Monitoring mission be invited to assess the state of conservation of the property. Since our meetings at the 42nd Session of the World Heritage Committee in Bahrain, with the Director of the World Heritage Centre and the Ukrainian Delegation, we understand that the World Heritage Centre is still awaiting an invitation to organise this mission.

In light of the above, and considering the complex and sensitive situation, ICOMOS can only continue to insist on the need for an independent and neutral assessment informed by in-situ missions, under a UNESCO mandate, to the sites concerned, both the World Heritage and non-World Heritage sites, covering all heritage categories that may be concerned.

ICOMOS continues to be available for such missions, if and when they can be organised, after which it will be able to provide to UNESCO its technical advice on the state of conservation of the properties concerned.

Paris, 15 July 2019

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## ICOMOS

INTERNATIONAL COUNCIL ON MONUMENTS AND SITES  
CONSEIL INTERNATIONAL DES MONUMENTS ET DES SITES  
CONSEJO INTERNACIONAL DE MONUMENTOS Y SITIOS  
МЕЖДУНАРОДНЫЙ СОВЕТ ПО ВОПРОСАМ ПАМЯТНИКОВ И ДОСТОПРИМЕЧАТЕЛЬНЫХ МЕСТ

**UNESCO information meeting for Member States**  
**"Follow-up of the situation in the Autonomous Republic of Crimea (Ukraine)**  
**28 March 2019, UNESCO Paris**

### ICOMOS Statement

ICOMOS prepared this statement following an invitation by the UNESCO Assistant Director for Priority Africa and External relations dated 21 February 2019 to provide an update on latest developments in Crimea (Ukraine) and to attend the UNESCO Information meeting scheduled for 28 March 2019.

Since the last Information meeting of 1 October 2018, ICOMOS has:

- At the request of the World Heritage Centre, examined a general report submitted to UNESCO by the Ukrainian authorities on 7 March 2018 concerning restoration works carried out within the boundaries of the site "The historical surroundings of Crimean Khan's capital in Bakhchysarai", included on the national Tentative List of Ukraine, on the Khan's Mosque. ICOMOS provided its remarks and conclusions to the UNESCO World Heritage Centre, which transferred these to the Delegation of Ukraine to UNESCO on 14 November 2018.
- Received a letter from Mrs Tamara Mazur, Deputy Minister of Culture of Ukraine, via the Delegation of Ukraine to UNESCO, on 13 December 2018 concerning construction works for a refectory church and dining room on the site of the mediaeval archaeological monument "Kachi-Kalion monastery and cave town" (security number 1218) located in the valley of the Kachi River, on the inner mountain ridge above the Bakhchysarai Sinapnoye Road, between the villages of Prusuzhlyn and Bashtanivka.
- Received a petition on 20 March 2019, signed by over 125 persons who indicate that they are residents of Sevastopol, concerning the situation of the World Heritage property of the Ancient City of Tauric Chersonese and its Chora. We have forwarded this petition to UNESCO.

In the specific case of the World Heritage property of the Ancient City of Tauric Chersonese and its Chora, the World Heritage Committee at its 40th session in Istanbul, July 2016, requested that, as soon as the situation allows, a joint World Heritage Centre/Advisory Bodies Reactive Monitoring mission be invited to assess the state of conservation of the property. Since our meetings at the 42nd Session of the World Heritage Committee in Bahrain, with the Director of the World Heritage Centre and the Ukrainian Delegation, we understand that the World Heritage Centre is still awaiting an invitation to organise this mission.

In light of the above, and considering the complex and sensitive situation, ICOMOS can only continue to insist on the need for an independent and neutral assessment informed by in-situ missions, under a UNESCO mandate, to the sites concerned, both the World Heritage and non-World Heritage sites, covering all heritage categories that may be concerned.

ICOMOS continues to be available for such missions, if and when they can be organised, after which it will be able to provide to UNESCO its technical advice on the state of conservation of the properties concerned.

Paris, 22 March 2019

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**Amnesty International (Official Partner of UNESCO, with Associate Status)****AMNESTY  
INTERNATIONAL****HUMAN RIGHTS CONCERNS IN CRIMEA: JULY 2019 UPDATE**

Amnesty International notes the continuing deterioration of the human rights situation in Crimea following the peninsula's occupation and illegal annexation by Russia in 2014.

Numerous human rights, specifically those concerning the right to freedom of expression and the right to peaceful assembly and association have been affected. This deterioration has intensified since the organisation's last submission to UNESCO in March 2019, especially with regard to issues and cases that fall either within the scope of UNESCO's competence or have direct implications for matters that lie within several fields of UNESCO's work. For more details, please refer to Amnesty International's past submissions.

Policies of harassment, threats, and intimidation have continued unabated. These have particularly targeted prominent members and activists of the Crimean Tatar community, pro-Ukrainian activists and public figures, and outspoken critics of the Russian occupation and its de facto authorities.

The current and future state of human rights in Crimea is a matter of deep and growing concern.

CLAMPDOWN ON FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY IS IMPACTING ENJOYMENT OF CULTURAL AND OTHER RIGHTS

The severe clampdown on the right to freedom of association and the right to freedom of peaceful assembly in Crimea has severely affected the enjoyment of other rights including cultural rights.

The Mejlis of the Crimean Tatar People, the self-governing organisation of the Crimean Tatars, was arbitrarily banned in 2016 under Russian anti-extremist legislation. The Mejlis previously played a leading role in organising cultural and educational events, thereby promoting Crimean Tatar culture, identity, and traditions. The ban has remained fully enforced, and any open association with the Mejlis is considered a criminal offence. Please find information on specific cases of persecution and imprisonment of members of the Mejlis in Amnesty International's previous submissions.

Consequently, the Crimean Tatar community remains severely affected. In particular, the numerous cultural and educational events that previously took place under the auspices of the Mejlis are no longer possible. These events require official sanctioning by the de facto authorities, who instead repeatedly ban, disrupt, or undermine the Mejlis' attempts to hold such events.

In a pertinent recent example, the prominent Crimean Tatar activist Nariman Dzhelyal was on 10 May 2019 prevented from holding an informal meeting in a café with parents

**AMNESTY  
INTERNATIONAL**



of school children, about education in the Crimean Tatar language. According to the activist, the café administration had been informally pressured to refuse use of its premises to the meeting participants, in turn forcing the organisers to cancel the event.

This denial of the opportunity to hold cultural events is neither an isolated case, nor the only form of harassment experienced by members of the Crimean Tatar community. Nariman Dzhelyal also received an ‘official’ written warning from the de facto authorities regarding his intent to organise a commemorative event on 18 May 2019, which marks the anniversary of the deportation of the entire Crimean Tatar population from the peninsula in 1944. He received a similar warning in response to his intent to organise a cultural event on 26 June 2019, the day celebrated by Crimean Tatars as National Flag Day. These events were classified as an ‘intent to commit offences’ under Russian legislation, and Nariman Dzhelyal was warned of legal consequences. This approach is widely practiced by the Russian authorities, and has been repeatedly reported in Crimea in the past. It is very likely that other active members of the community have been similarly targeted but have abstained from publicising the fact.

Apart from Crimean Tatars, numerous communities, groups, and individual activists similarly face harassment, restrictions, and reprisals in connection with their attempts to exercise their rights to freedom of association and peaceful assembly. For example, the proponents of an apolitical rally in the Crimean capital Simferopol, the so-called ‘Monstration’ (a popular theatrical procession carrying satirical and non-sensical slogans held in many cities in Russia on 1 May), were refused permission to organise it on the pretext that the street was unavailable on the intended day. Similar prohibitions were enforced on proposed ‘Monstrations’ elsewhere in Russia in 2019. In late May 2019 Alexey Yefremov, a political activist from Simferopol, reported being informally summoned to the de facto Ministry of the Interior and warned of his close monitoring as someone known to organise ‘unlawful’ gatherings.

Alongside these harassments and restrictions, numerous individuals have been penalised or have faced reprisals from the de facto authorities, including heavy fines and protracted imprisonment, or so-called administrative detention. Among them was Rolan Osmanov, a local activist who held a one-man picket in protest against restoration works at the Khan’s Palace (Bakhchisaray). This picket was perceived by various authoritative cultural experts as a threaten to damage the historic monument. Soon after, on 30 April 2019, Osmanov’s home in Urozhaynoye village was raided by Russian law enforcement forces as part of an ‘inspection’. The activist perceived this raid as intimidation in response to his activism.

A particularly worrying recent development is an intensification of repression against Crimean Solidarity, an informal grouping which emerged in response to ongoing reprisals. While its members had faced harassment and reprisals earlier (please see Amnesty International’s previous submission), these have now escalated to politically-motivated prosecution under terrorism-related charges against their membership of a faith-based group (see below). At the time of writing, 32 members of Crimean Solidarity

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had been arrested under such charges, the majority since March 2019. Several have been involved in humanitarian activities, specifically assisting families of individuals previously arrested under politically-motivated charges. Several others have helped to disseminate information about reprisals against the Crimean Tatar community, in the absence of independent media on the peninsula.

#### REPRISALS AGAINST FAITH-BASED GROUPS

The de facto authorities have continued to target practicing Muslims, including, but not restricted to, Crimean Tatars, under Russian anti-extremism and anti-terrorism legislation. These reprisals appear to target activists or members of communities that display criticism or disloyalty towards the occupying Russian authorities. The pretext for the reprisals under the relevant Russian legislation is the alleged possession of literature or other materials listed in Russia as extremist, the propagation of “extremist” symbols and materials online (typically, in social media) or, in the cases of particularly severe reprisals, allegations of membership of religious groups banned in Russia for being ‘terrorist’. Notably, the materials and the groups concerned are not illegal in Ukraine.

Specific reprisals take the form of intrusive house searches by armed masked law enforcement officials and administrative and criminal proceedings. These may result in fines, detentions for the duration of the investigation, and even long-term imprisonment following unfair trials in Russia. This often occurs when the allegations concern members of the movements Hizb ut-Tahrir and Tabligi Jamaat, which are classified in Russia as terrorist. Examples of such reprisals can be found in Amnesty International’s previous submissions.

There have been numerous new cases since our last submission, including those of individuals prosecuted for social media postings made back in 2013 (prior to the Russian occupation of Crimea). Among them is that of Seyar Emirov, fined 1,500 Russian roubles (US \$25) under Article 20.29 of the Russian Code of Administrative Violations (‘Production and circulation of extremist materials’) in July 2019. Similarly, 16-year-old Abduraman Abduveliev was sentenced on 4 April 2019 to six months of ‘restricted freedom’ (a non-custodial criminal sentence involving the restriction of movement among other things) for taking down three Russian flags in the village of Kurskoe in May 2018. He was convicted under Article 329 of the Russian Criminal Code (‘Abuse of ... state flag of the Russian Federation’). In April, Russian security services arrested Rustem Abilev, an imam from the village of Shturmoev, as a suspect in a case under Article 280 of the Russian Criminal Code (‘Public calls to extremist activities’) on account of his preaching, which supposedly used banned literature. Meanwhile, the number of individuals arrested and transferred to Russia for suspicion of ‘terrorist’ activities, largely concerning alleged membership of Hizb ut-Tahrir, has increased. This constitutes an outright violation of international humanitarian law.

Members of other religious communities similarly continue to face harassment and

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reprisals. Following the previously reported instances of harassment of Archbishop Clement (Klyment) of the Orthodox Church of Ukraine (OCU), his application to register the parish he leads was declined in April 2019 on account of inaccuracies in the documents submitted. While genuine inaccuracies may have existed, similar rejections have occurred on numerous occasions in Russia. Meanwhile, the de facto authorities have demanded that the OCU vacates the building of the Cathedral of St Vladimir and St Olga in Simferopol. The authorities claim property rights of the church and the expiration of the OCU's lease.

Additionally, media reports allege that in May 2019 three individuals who call themselves the Sevastopol Christian Centre in Kemerovo were fined 5,000 Russian roubles (US\$ 80) each.

#### MEDIA FREEDOM AND SUPPRESSION OF FREEDOM OF EXPRESSION ONLINE

Following Crimea's annexation, the Russian authorities have driven all independent media voices out of the peninsula through the harassment and persecution of specific individuals or through restricting broadcasting and publishing licences under Russian media registration requirements. Access to independent online media and other resources has been arbitrarily barred under Russian legal provisions. This has not been judicially reviewed. Since Amnesty International's last submission, the number of media outlets blocked by the internet providers has continued to grow in Crimea. Please see Amnesty International's previous submission for further details.

The above trends are particularly concerning. Unless they are reversed, and all past and ongoing human rights violations in Crimea are effectively addressed, the international community will remain a silent witness to the fast deterioration of human rights on the peninsula.

**Proposed draft decision**

14. In light of the above, the Executive Board may wish to adopt a decision along the following lines:

The Executive Board,

1. Having examined document 207 EX/5.I.C,
2. Takes note of the information provided therein;
3. Invites the Director-General to report to it thereon at its 210th session.