



# CRIMEAN HUMAN RIGHTS GROUP

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e-mail: [crimeahrg@gmail.com](mailto:crimeahrg@gmail.com)

website: [crimeahrg.org](http://crimeahrg.org)

## CRIMEAN HUMAN RIGHTS SITUATION REVIEW

**August 2019**

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

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## 1. INTRODUCTION

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

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

The main objectives of the **CHRG**:

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

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

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



## 2. CIVIL AND POLITICAL RIGHTS

### BAN ON TORTURE

On August 7<sup>th</sup> **Mr Aleksandr Steshenko**, who had served the sentence within the politically reasoned criminal case and was released on parole, informed that the FSB staff had subject him to torturing during the investigation stage, namely, choked with packages, beaten, electrocuted till he incriminated himself<sup>1</sup>.

### POLITICALLY MOTIVATED CRIMINAL PROSECUTION

As at end of August 2019, **90 persons** were deprived from liberty within a politically motivated criminal and/or religious persecution. The full list is published at the CHRG website<sup>2</sup>.

### “CASE OF CRIMEAN MUSLIMS”

In August, the number of Crimeans deprived from liberty within the ‘Case of Crimean Muslims’ totaled **66 persons**.

Among them, 63 are charged with RF CC Article 205.5 (*Organization of actions or participation in a terrorist organization*), 2 — RF CC Article 282.2 (*Organization of actions or participation in an extremist organization*) and 1 — RF CC Article 205.2 (*Public appeals to terrorist actions*).

All defendants of this case are accused of relations with Islamic organizations or propagandizing the activities of ‘Hizb-ut-Tahrir’ and ‘Tablighi Jamaat’ — organizations declared terrorist or extremist in the RF though this is not the case according to the Ukrainian laws. Persecuting Ukrainian nationals on the occupied territory of Ukraine for membership in these organizations constitutes international human law norm violations.

On August 1<sup>st</sup> Ms Olga Kuznetsova, a judge of ‘Kievsky District Court of Simferopol’, extended detention periods for **Mr Ruslan Mesutov, Mr. Ruslan Nagayev, Mr Lenur Khalilov, and Mr Eldar Kantimirov** for 3 months — till November 5<sup>th</sup> 2019. The extension was requested by RF FSB investigator V.O.Vlasov<sup>3</sup>.

On August 2<sup>nd</sup>, Mr Aleksey Kozyrev, a judge of the “Supreme Court of Republic of Crimea’ (hereinafter SCRC), extended detention periods for **Mr Ernes Ametov, Mr Timur Ibragimov, Mr Seyran Saliyev** till September 9<sup>th</sup> 2019<sup>4</sup>. On August 5<sup>th</sup> Mr Eduard Belousov, and Mr Yuriy Latynin, ‘SCRC’ judges, extended detention periods for **Mr Marlen Asanov, Mr Memet Belialov, Mr Server Zekiryayev, Mr Sever Mustafayev, and Mr Edem Smailov**

<sup>1</sup> <https://www.facebook.com/watch/?v=927693487623742>

<sup>2</sup> <https://crimeahrg.org/wp-content/uploads/2019/09/Lisheniya-svobody-LS-analiz-avgust.pdf>

<sup>3</sup> «Kievsky District Court of Simferopol’ / List of cases to be heard on 1 August 2019. Cases nos 3/2-399/2019, 3/2-400/2019, 3/2-401/2019, 3/2-402/2019 [https://kiev-simpf--krm.sudrf.ru/modules.php?name=sud\\_delo&sv\\_num=1&H\\_date=01.08.2019](https://kiev-simpf--krm.sudrf.ru/modules.php?name=sud_delo&sv_num=1&H_date=01.08.2019)

<sup>4</sup> «SCRC» / List of cases to be heard on 2 August 2019. Cases nos 3/2-65/2019, 3/2-70/2019, 3/2-71/2019 [https://vs-krm.sudrf.ru/modules.php?name=sud\\_delo&sv\\_num=1&H\\_date=02.08.2019](https://vs-krm.sudrf.ru/modules.php?name=sud_delo&sv_num=1&H_date=02.08.2019)



till September 9<sup>th</sup> 2019<sup>5</sup>. The extensions on August 2<sup>nd</sup> and August 5<sup>th</sup> were requested by Sergey Bulgakov, 'deputy Prosecutor of Republic of Crimea'.

On August 2<sup>nd</sup> Ms Olga Kuznetsova, a judge of 'a judge of 'Kievsky District Court of Simferopol'', extended a detention period for **Mr Eskender Suleymanov** — till October 5<sup>th</sup> 2019 as requested by RF FSB investigator Sergey Makhnirov<sup>6</sup>.

On August 5<sup>th</sup> the hearings on the merits of the **Enver Seytosmanov**' case started at the North Caucasus Military Area Court (RF). There were 5 hearings on this case in total in August<sup>7</sup>.

On August 6<sup>th</sup> Mr Aleksey Posledov, a 'SCRC' judge, upheld a decision on keeping **Mr Server Mustafayev** in custody up to April 9<sup>th</sup> 2019<sup>8</sup>. The first judgement had been taken on February 6<sup>th</sup> 2019. Then detention period for Mr Mustafayev was extended three times, so the appeal consideration was nothing but a pure formality.

On August 7<sup>th</sup> Mr Yuriy Latynin, a 'SCRC' judge, upheld a decision on keeping **Mr Rustem Sheykhaliyev** in custody up to May 15<sup>th</sup> 2019<sup>9</sup>. The first judgement had been taken on March 28<sup>th</sup> 2019. Then detention period for Mr Sheykhaliyev was extended, so the appeal consideration on August 7<sup>th</sup> was nothing but a pure formality.

On August 7<sup>th</sup> Mr Mikhail Soboliuk, a 'SCRC' judge, upheld a decision on keeping **Arsen Abkhairov** in custody up to September 13<sup>th</sup> 2019<sup>10</sup>. Mr Abkhairov was not present at the session, since he has been on the forced psychiatric examination since July 25<sup>th</sup> 2019<sup>11</sup>.

On August 8<sup>th</sup> Ms Olga Gurina, a judge of 'Kievsky District Court of Simferopol', extended detention periods for **Mr Alim Karimov, Mr Raim Ayzazov, and Mr Izet Abdullayev** till November 15<sup>th</sup> 2019<sup>12</sup>. The same decision Ms Gurina made on August 9<sup>th</sup> 2019 for **Mr Asan Yanikov, Mr Akim Bekirov, and Mr Seitveli Seytabdiyev**<sup>13</sup>. The extensions were requested by RF FSB investigator Sergey Makhnirov.

On August 9<sup>th</sup> Mr Yuriy Latynin, a 'SCRC' judge, upheld a decision on keeping **Mr Nariman Memedeminov** in custody up to June 16<sup>th</sup> 2019<sup>14</sup>. Ms Olga Kuznetsova, a 'SCRC' judge, upheld a decision on keeping **Mr Eldar Kantimirov** in custody up to August 5<sup>th</sup> 2019. When the appeals were being considered, their detention periods had been already extended, so decisions of August 9<sup>th</sup> were purely for the procedure.

<sup>5</sup> «SCRC» / List of cases to be heard on 5 August 2019. Cases nos 3/2-66/2019, 3/2-67/2019, 3/2-68/2019, 3/2-69/2019, 3/2-72/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=05.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=05.08.2019)

<sup>6</sup> «Kievsky District Court of Simferopol'» / List of cases to be heard on 2 August 2019. Case no № 3/2-405/2019 [https://kiev-simph--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=02.08.2019](https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=02.08.2019)

<sup>7</sup> North Caucasus Military Area Court / case no 1-69/2019 [https://ovs--skav.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=675204&delo\\_id=1540006&new=&hide\\_parts=0](https://ovs--skav.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=675204&delo_id=1540006&new=&hide_parts=0)

<sup>8</sup> «SCRC» / List of cases to be heard on 6 August 2019. Case no 22K-2385/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=06.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=06.08.2019)

<sup>9</sup> «SCRC» / List of cases to be heard on 7 August 2019. Case no 22K-2414/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=07.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=07.08.2019)

<sup>10</sup> «SCRC» / List of cases to be heard on 7 August 2019. Case no 22K-2411/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=07.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=07.08.2019)

<sup>11</sup> <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/898713567162767/>

<sup>12</sup> «Kievsky District Court of Simferopol'» / List of cases to be heard on 2 August 2019. Cases nos 3/2-416/2019, 3/2-417/2019, 3/2-420/2019 [https://kiev-simph--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=08.08.2019](https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=08.08.2019)

<sup>13</sup> «Kievsky District Court of Simferopol'» / List of cases to be heard on 2 August 2019. Cases nos 3/2-415/2019, 3/2-418/2019, 3/2-419/2019 [https://kiev-simph--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=09.08.2019](https://kiev-simph--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=09.08.2019)

<sup>14</sup> «SCRC» / List of cases to be heard on 6 August 2019. Case no 22K-2385/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=06.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=06.08.2019)



On August 12<sup>th</sup> Mr Igor Tkachiov, a judge of Leninsky District Court of Rostov/na/Donu, extended detention periods for **Mr Remzin Bekirov, Mr Shaban Umerov, Mr Ruslan Suleymanov, and Mr Riza Izetov** till November 15<sup>th</sup> 2019. The extension was requested by RF FSB investigator Sergey Makhnirov<sup>15</sup>. Lawyer Edem Semedliayev informed the judge that deportation to the RF and persecution of his client, Mr Riza Izetov, on charge of membership in the organization not forbidden in Ukraine was a breach of the IV<sup>th</sup> Geneva Convention. There is no information on the session at the court website.

On August 12<sup>th</sup> the Kirovsky District Court of Rostov/na/Donu extended detention periods for **Mr Osman Arifmemetov, Mr Vladlen Abdulkadyrov, Mr Server Gaziyeu, Mr Rustem Sheykhaliyov, Mr Farkhod Bazarov, and Mr Bilial Adilov** till November 15<sup>th</sup> 2019<sup>16</sup>. There is no information on the session at the court website.

On August 13<sup>th</sup> the Taganrog City Court extended detention periods for **Mr Enver Ametov, Mr Rustem Seytkhalilov, Mr Seyran Murtaza, and Mr Medzhyt Abdurakhmanov** till November 14<sup>th</sup> 2019<sup>17</sup>. There is no information on the session at the court website.

On August 13<sup>th</sup> Ms Zakharkina, a judge of Oktiabrsky District Court of Rostov/na/Donu extended detention periods for **Mr Djemil Gafarov, and Mr Erfan Osmanov** till November 14<sup>th</sup> 2019<sup>18</sup>.

On August 13<sup>th</sup> the Shkhtinsk City Court extended detention periods for **Mr Yashar Muedinov, and Mr Tofik Abdulgaziyeu** till November 15<sup>th</sup> 2019<sup>19</sup>. There is no information on the session at the court website.

On August 27<sup>th</sup> the Rostov Regional Court upheld a decision on keeping **Mr Muedinov and Mr Abdulgaziyeu** in custody. They were present at the session via video link from the Detention Center<sup>20</sup>.

On August 14<sup>th</sup> Mr Andrey Paliy, and Mr Oleg Lebed', 'SCRC' judges, upheld a decision on keeping **Mr Rustem Emiruseinov and Mr Eskander Abdulganiyeu** in custody up to September 13<sup>th</sup> 2019<sup>21</sup>.

On August 15<sup>th</sup> Mr Igor Kriuchkov, 'SCRC' judge, upheld a decision on keeping **Mr Marlen Asanov** in custody till August 9<sup>th</sup> 2019<sup>22</sup>. The first judgement had been taken on June 7<sup>th</sup> 2019. Then detention period for Mr Asanov was extended, so the appeal consideration on August 14<sup>th</sup> was nothing but a pure formality.

On August 22<sup>nd</sup> CRIMEAN SOLIDARITY Association, referring to the lawyers, informed that the investigation on the case of Muslim activists: **Seyran Saliyev, Marlen Asanov, Timur Ibragimov, Server Zekeryayev, Memet Belialov, Enres Ametov** (detained on October 11<sup>th</sup> 2017), **Server Mustafayev, and Edem Smailov** (detained on May 21<sup>st</sup> 2018) had been finished

<sup>15</sup> [https://www.facebook.com/crimeansolidarity/posts/901816530185804?\\_tn\\_=-K-R](https://www.facebook.com/crimeansolidarity/posts/901816530185804?_tn_=-K-R)

<sup>16</sup> [https://www.facebook.com/crimeansolidarity/posts/902097946824329?\\_tn\\_=-R](https://www.facebook.com/crimeansolidarity/posts/902097946824329?_tn_=-R)

<sup>17</sup> <https://www.facebook.com/crimeansolidarity/videos/2106369496135257/>

<sup>18</sup> Oktiabrsky District Court of Rostov/na/Donu / List of cases to be heard on 13 August 2019. Case2 no2 3/2-233/2019, 3/2-234/2019

<sup>19</sup> <https://www.facebook.com/crimeansolidarity/videos/364936330852450/>

<sup>20</sup> <https://www.facebook.com/crimeansolidarity/videos/368259070536516/>

<sup>21</sup> «SCRC» / List of cases to be heard on 14 August 2019. Cases nos 22K-2509/2019, 2K-2511/2019, [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=14.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=14.08.2019)

<sup>22</sup> «SCRC» / List of cases to be heard on 15 August 2019. Case no 22K-2493/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=15.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=15.08.2019)



and the case had been sent to the North Caucasus Military Area Court<sup>23</sup>. On August 26<sup>th</sup> the preliminary hearings on the case were held at the court. The judgement on extending the detention period for 6 months — till February 26<sup>th</sup> 2020 — was made for all ‘defendants’. They all were in the ‘Garrison Military Court of Crimea’, and participated in the hearings via video link. Lawyer Mammet Mambetov informed that before conveying to the ‘court’ building, the Muslims had spent 5 hours in the small hot room in the Simferopol Detention Center no 1 without any chairs<sup>24</sup>.

On August 28<sup>th</sup> Ms Alla Khinevich, a ‘SCRC’ judge, upheld a decision on keeping **Mr Eskender Suleymanov** in custody till October 5<sup>th</sup> 2019<sup>25</sup>.

On August 29<sup>th</sup> Mr Andrey Paliy, a ‘SCRC’ judge, upheld a decision on keeping **Mr Alim Karimov, Mr Raim Ayzov, and Mr Izzet Abdullayev** in custody till November 15<sup>th</sup> 2019. The judgement wording indicates that the lawyers had the judge that persecution of Ukrainian nationals on the occupied territory of Ukraine for membership in the organization not forbidden in Ukraine was unlawful and violated the IV<sup>th</sup> Geneva Convention. The judge did not take this information into account when awarding the judgement<sup>26</sup>.

On August 30<sup>th</sup> Mr Konstantin Karavayev, Ms Oksana Aykasheva, and Ms Yelena Danilova, ‘SCRC’ judges, upheld a decision on keeping **Mr Edem Smailov, Mr Seyran Saliyev, and Mr Timur Ibragimov** in custody till September 9<sup>th</sup> 2019<sup>27</sup>.

On August 30<sup>th</sup> lawyer Sergey Legostov informed the CHRГ that **Mr Enver Mamutov, and Mr Remzi Memetov** had been conveyed to the penitentiary camp no 11 of Stavropol Area (RF) after they had spent 10 days in the Detention Center of Piatigorsk City, Stavropol Area.

## “UKRAINIAN SABOTEURS’ CASE”

At the end of August 12 people accused by the RF FSB of ‘preparing subversions and spying’ when detained, were in custody. These cases feature recorded facts of unlawful investigation methods, torturing to get confessions, violation of presumption of innocence, dissemination of ‘confession’ videos by the FSB via the mass media.

On August 15<sup>th</sup> **Mr Vladimir Prisich**, a Ukrainian national, was released from the colony in the RF and sent to Ukraine<sup>28</sup>. He was released after he had served the unlawful punishment period. Mr Vladimir Prisich, a long-distance trucker from the Kharkiv Region, was detained by the RF FSB men on August 13<sup>th</sup> 2016 in Sevastopol on a charge of espionage. On May 8<sup>th</sup> 2017 he was sentenced to three years in the general regime security colony under RF CC Article 228.2 (storage of drugs). When speaking to the court, he declared that the RF FSB men had tortured him to make confessions. The facts of falsifying the evidence in the case by RF FSB men had been neglected by the court.

<sup>23</sup> <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/907975932903197/>

<sup>24</sup> <https://www.facebook.com/mammet.mambetov/posts/1633902220079707>

<sup>25</sup> «SCRC» / List of cases to be heard on 28 August 2019. Case no 22K-2665/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=28.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=28.08.2019)

<sup>26</sup> «SCRC» / List of cases to be heard on 29 August 2019. Case no 22K-2668/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=29.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=29.08.2019)

<sup>27</sup> «SCRC» / List of cases to be heard on 30 August 2019. Cases nos 22K-2677/2019, 22K-2678/2019, 22K-2679/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=30.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=30.08.2019)

<sup>28</sup> CHRГ/ One More Political Prisoner of Kremlin Became Free: Vladimir Prisich Returned to Ukraine <https://crimeahrg.org/eshhe-odin-polituznik-kremlya-na-svobode-vladimir-prisich-vernulsya-v-ukrainu/>



## “PERSECUTION FOR CHARGING WITH BEING IN N. CHELEBIDJIKHAN BATALION”

The official reason for persecuting the people accused in Crimea under RF CC Article 208-2 is that they failed to come voluntarily to the RF law enforcement bodies and declare their participation in the Crimean Tatar Noman Chelebidjikhhan Volunteer Battalion. The evidence of the battalion actions against the RF interests declared by the investigation is the information of mass media that the purpose of the battalion establishment was to de-occupy Crimea.

On August 28<sup>th</sup> Mr Igor Degtiariv, a judge of ‘Kirovsky District Court’, sentenced **Mr Diliaver Gafarov** to 10 years in prison for serving in this battalion<sup>29</sup>.

## VOLODYMYR BALUKH’S CASE

On August 16<sup>th</sup> **Mr Volodymyr Balukh** was convoyed from the Torzhok Colony. His sister was said he had been sent to Moscow, and the colony administration denied explaining the reasons for this prison transfer<sup>30</sup>.

## EDEM BEKIROV’S CASE

On August 8<sup>th</sup>, as said by lawyer Aleksey Ladin, Mr Mikhail Soboliuk, a ‘SCRC’ judge, extended a detention period for **Mr Edem Bekirov** till September 11<sup>th</sup> 2019<sup>31</sup>. The “SCRC” website, however, informs that the hearing on the cases was postponed<sup>32</sup>.

On August 21<sup>st</sup> Mr Bekirov was transported to the Semashko Simferopol Hospital for an one day examination, then he was transported back to the Detention Center<sup>33</sup>.

On August 27<sup>th</sup> ‘Tsentralny District Court of Simferopol’ changed a level of restriction for Mr Bekirov from keeping in custody to undertaking to appear at the court.

## ALEKSANDR STESHENKO’S CASE

On August 6<sup>th</sup> **Mr Aleksandr Steshenko** was released from the general security regime colony and transported to Ukraine<sup>34</sup>. He was released on parole.

Mr Steshenko was detained in April 2018 in Crimea and sentenced to 2 years of imprisonment for an attempt of arson of the house of Emirali Ablayev, Mufti of Crimea (as the investigation stated). The human rights experts recorded violation of human rights and political reasons of persecution in his case. On August 7<sup>th</sup> he informed that he had been forced to confess by the FSB men by torturing.

<sup>29</sup> CHRГ/ Mr Gafarov, a Crimean, Sentenced to 10 Years in Colony for Serving in Crimean Tatar Battalion <https://crimeahrg.org/krymchanina-gafarova-prigovorili-k-10-godam-kolonii-za-uchastie-v-krymskotatarskom-batalone/>

<sup>30</sup> CHRГ/ Mr Balukh Convoyed To Moscow <https://crimeahrg.org/baluha-etapirovali-v-moskvu/>

<sup>31</sup> Krym.Realii / Court in Crimea Extended Detention for Crimean Tatar Activist Bekirov <https://ru.krymr.com/a/news-sud-prodlil-arest-bekirovu/30099873.html>

<sup>32</sup> «SCRC» / List of cases to be heard on 8August 2019. Case no 22-2377/2019 [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=08.08.2019](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=08.08.2019)

<sup>33</sup> <https://www.facebook.com/crimeahrg/posts/2382491075369853>

<sup>34</sup> <https://www.facebook.com/photo.php?fbid=423231948401293>





## YEVGENII KARAKASHEV'S CASE

On August 15<sup>th</sup> Mr Sergey Sokerin, a RF Supreme Court judge, upheld a sentence for **Mr Yevgeniy Karakashev**, a left-winged activist from Yevpatoria (6 years in the general security regime colony). Mr Karakashev was present at the session via video link from the Rostov/na/Donu Detention Center<sup>35</sup>.

## CONFINEMENT CONDITIONS IN DETENTION FACILITIES

Lawyer Mammet Mambetov reported that his client **Mr Seyran Saliyev** had been in the Detention Center punishment unit since August 2nd. The lawyer thinks that the client had been subject to this punishment because he clearly stated that his persecution violated the IV<sup>th</sup> Geneva Convention<sup>36</sup>.

On August 23rd it became known that **Mr Bilial Adilov**, a 'Crimean Muslims Case' defendant, had declared a 'without liquid' hunger strike since August 20<sup>th</sup> due to inhuman confinement conditions in the Rostov/na/Donu Detention Center no 1. The defendants of the 'Case of Crimean Muslims' had many times addressed with the Detention Center administration to improve the conditions, but their requirements had been ignored and Mr Adilov had been placed into a wet cell where he became short in breath. To attract the attention of staff he tore cables in the cell and then was placed in the punishment cell for 15 days<sup>37</sup>. On August 26<sup>th</sup> lawyer L.Tiurenkova informed that Mr Adilov stopped the hunger strike after he had been moved to the cell with better confinement conditions<sup>38</sup>.

Lawyer M.Mambetov informed that the cell of **Mr Rustem Ismailov**, a 'Crimean Muslims Case' defendant, had been searched twice for the last two weeks by the Rostov/na/Donu Detention Center no 1 staff<sup>39</sup>.

## VIOLATION OF THE RIGHT TO APPEAL JUDICIAL DECISIONS

In August appeals of **Mr Nariman Memedeminov, Mr Server Mustafayev, Mr Eldar Kantimirov, Mr Marlen Asanov, and Mr Rustem Sheykhaliyov** for keeping in custody (see *section 'Case of Crimean Muslims' for more details*) were considered without meeting the reasonable deadlines. The appeal to the "SCRC" was considered when a detention period had expired, and a new judgement on keeping in custody had been awarded. Regarding Mr Server Mustafayev, three new judgements on extending the detention period were awarded between the decision on extending the detention period taken (February 6<sup>th</sup> 2019) and the appeal against this decision considered (August 6<sup>th</sup> 2019). This practice, in fact, makes it impossible to appeal the decision and become free due to the second instance court judgement. Thus, considering the appeal becomes only a procedure element that has no impact on the prisoner's status.

<sup>35</sup> RF Supreme Court / Case no 205-АПЧ19-21 <https://vsrf.ru/lk/practice/cases/10403408>

<sup>36</sup> <https://www.facebook.com/mammet.mambetov/posts/1633902220079707>

<sup>37</sup> <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/909294322771358/?type=3&theater>

<sup>38</sup> Krym. Realii/ Bilial Adilov, Hizb-ut-Tahrir Simferopol Case Defendant, Stopped Waterless Hunger Strike — Lawyer <https://ru.krymr.com/a/news-figurant-simferopolskogo-dela-hizb-ut-tahrir-prekratil-golodovku/30129947.html>

<sup>39</sup> <https://www.facebook.com/photo.php?fbid=1632059013597361&set=a.662734553863150&type=3&theater>



On August 9<sup>th</sup> Mr Yuriy Latynin, a 'SCRC' judge, considered an appeal on the judgement of keeping in custody for **Mr Nariman Memedeminov**. On August 15<sup>th</sup> Mr Igor Kriuchkov, a 'SCRC' judge, considered an appeal on the judgement of keeping in custody for **Mr Marlen Asanov**. On August 30<sup>th</sup> Mr Konstantin Karavayev, Ms Oksana Aykasheva, and Ms Yelena Danilova, 'SCRC' judges, considered an appeal on the judgement of keeping in custody for **Mr Seyran Saliyev, Mr Timur Ibragimov, and Mr Edem Smailov**. The appeals were considered by the same 'court' as the first instance court judgements.

## FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

In August the CHRNG recorded 3 new administrative cases against the Crimean religious organizations and their members under RF CoAO Article 5.26 for 'unlawful' missionary activities. At least 2 of them ended with a penalty decree. As the award states, on June 1<sup>st</sup> 2019 members of the '**International Society of Krishna Conscience**' held a public event called 'kharinama' (mantra signing) in the USSR60<sup>th</sup> anniversary park. Then Ms Liudmila Mashkovskaya, Chairman of 'Union of Sevastopol Public Expert Council', made a 'report' to the RF MIA Center for Extremism (E Center) in Sevastopol with a demand 'to take actions on preventing' a public Krishnaite praying. On July 19<sup>th</sup> the E-Center men made a report on Mr A. Kramarenko, and Mr A. Sonin, International Society of Krishna Conscience members under RF CoAO Article 5.26. The official reason was stated as follows: the Krishnaites did not have documents verifying the right for missionary activities during the religious event. On August 6<sup>th</sup> Ms Yekaterina Seliviorstova, 'a judge of peace', fined each of two society members in RUR5,000.

On August 9<sup>th</sup> Ms Valentina Golovatiuk, head of Zarechenskoye Village Council, denied activist **Kemal Yakubov** to approve Kurban Bayram celebration (see section '*Freedom of Assemblies and Associations*' for more details).

## FREEDOM OF SPEECH AND EXPRESSION

In August the CHRNG recorded some articles on the Crimean websites that incited hatred to the Ukrainians and the Crimean Tatars.

From August 3<sup>rd</sup> to August 6<sup>th</sup> 45 different websites published the article titled 'Not Killed Banderists: Fatal Mistake of Stalin and Beriya?'<sup>40</sup>. The author reasons upon the danger of Ukrainian nationalists attributing all residents of the Western regions of Ukraine to them, and claims that there were no reasons for mercy for them. The article contains also statements inciting the hatred to the Crimean Tatars. It is worth noting that the article was published at the websites dedicated to sales, fashion, or health.

On August 22<sup>nd</sup> Vesti. Krym website published the article 'Bandera Regions of Ukraine Hate Crimea Because Of Great Envy'<sup>41</sup>. It is built up on the 'expert's' speculations and does not have any evidence. However, it was also published by 10 online mass media.

***For more information on hatred inciting forms and methods in Crimea see a dedicated CHRNG article***<sup>42</sup>

<sup>40</sup> E-news / Not Killed Banderists: Fatal Mistake of Stalin and Beriya? <https://e-news.su/in-world/291012-nedobitye-banderovcy-rokovaya-oshibka-stalina-i-berii.html>

<sup>41</sup> Vesti Krym / Bandera Regions of Ukraine Hate Crimea Because Of Great Envy <https://vesti-k.ru/banderovskie-regiony-ukrainy-nenavidyat-krym-iz-za-bolshoj-zavisti/>

<sup>42</sup> CHRNG / Websites of Crimea and RF Keep On Inciting Hatred to Ukrainians and Crimean Tatars <https://crimeahrg.org/sajty-kryma-i-rf-prodolzhayut-razzhigat-nenavist-k-ukrainczam-i-krymskim-tataram/>



## FREEDOM OF ASSEMBLY AND ASSOCIATION

On August 9<sup>th</sup> Ms Valentina Golovatiuk, the head of Zarechenskoye Village Council administration, denied activist **Kemal Yakubov** to approve Kurban Bayram celebration (See *Annex 1*). She stated the absence of a preliminary written approval issued by the Spiritual Administration for Muslims of Crimea (SAMC) as official reason for her denial. In her letter of August 6<sup>th</sup> earlier Ms Golovantiuk insisted on getting the SAMC approval for the feast celebration (See *Annex 2*). Such denial on holding a peaceful assembly violates EHRC, Article 11 and the Guidelines on Freedom of Peaceful Assembly, namely, a presumption in favor of holding the assemblies. Pursuant to these norms, to hold a peaceful assembly is not subject to any approval by the authorities. In addition, a demand on obtaining a written approval of the religious organization for the peaceful assembly violates also the RF laws enforced unlawfully on the occupied territory of Ukraine. 'Kurban Bayram' is a Muslim holiday, so forbidding its celebration violates also EHRC Article 9 (*Freedom of speech, conscience, and religion*) since imposes restrictions on religious practices.

On August 11<sup>th</sup> the RF FSB and E Center staff in Sevastopol 'spoke' to the left-winged activists who assembled in the rest camp and recorded their personal data. Activist **Igor Paniuta** informed that the security agency men had collected the data of about 15 people<sup>43</sup>.

On August 14<sup>th</sup> activist **Igor Savchenko** held MEGANOM SOS rally in Sudak, demanding to stop the construction on Meganom Cape. The Russian policemen who came to the place of the action, forbade it and made a report on Mr Savchenko under CoAO Article 20.2-2 for holding 'an authorized' event. The same day the Sudak Town 'administration' official website published an appeal to refrain from unauthorized events<sup>44</sup>. On August 21<sup>st</sup> Mr Mikhail Ivanov, a judge of "Sudak Town Court", fined Mr Savchenko in RUR20,000<sup>45</sup>.

<sup>43</sup> Krym. Realii / Sevastopol: Russian Security Men 'Spoke To' Left Winged Activists and Collected Private Data <https://ru.krymr.com/a/news-sevastopol-siloviki-levye-aktivisty/30104364.html>

<sup>44</sup> «Official Website of Sudak Town Area/ Town Administration Calls To Refrain From Unauthorized Protest Actions <http://sudak.rk.gov.ru:8880/news/item/3611-administratsiya-goroda-prizyvaet-vozderzhatsya-ot-nesanktsionirovannykh-aktsij-protesta>

<sup>45</sup> «Sovietsky District Court» / Case no 1-66/2019 [https://sovetskiy--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=06.08.2019](https://sovetskiy--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=06.08.2019)



### 3. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

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

On August 16<sup>th</sup> the Moscow City Court upheld a decision for 11 Ukrainian military men charged under RF CC Article 322.3 (*unlawful crossing of border*) on keeping in custody till October 24<sup>th</sup> 2019)<sup>46</sup>. On August 21<sup>st</sup> the Moscow City Court took the same decision for other 13 POWs<sup>47</sup>.

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

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

In August the CHRГ recorded 5 new criminal cases against the Crimeans for evading the RF Armed Forces military service (3 in 'Nakhimovsky District Court of Sevastopol', and 2 in 'Sovietsky District Court of Sevastopol'). One new sentence was awarded by Judge Igor Brazhnik on August 6<sup>th</sup> in the 'Sovietsky District Court of Sevastopol'<sup>48</sup>. On the whole, as at the end of August the CHRГ recorded 73 criminal cases for evading the RF Armed Forces military service. The judgements were passed on 67 of them, and 6 are still on consideration.

On August 2<sup>nd</sup> 'Day of Small Marines' was held in Sevastopol. The event organizer told the children how important it was to be prepared to the military service, and advertised the service in the RF Airborne Troops. The Russian Black Sea Navy military men held an exhibition of small arms in the city center in front of the Monument to Soldier and Sailor. Children from the YUNARMIA Russian Patriotic Military Public Movement and KASKAD Special Forces Detachment participated in the event. The children might take the arms and were showed how to aim<sup>49</sup>.

In Sevastopol, in LASPI Children's Camp, the BERKUT Russian Special Police men and the Russian Guard men made a show for children. As the Russian Guard website informed, the Russian Police Forces men demonstrated the children pieces of arms, uniform, and technical devices from their unit arsenal<sup>50</sup>.

<sup>46</sup> Moscow City Court/ cases nos 10-15937/2019, 10-15938/2019 <https://mos-gorsud.ru>

<sup>47</sup> Moscow City Court/ cases nos 10-16312/2019, 10-16314/2019 <https://mos-gorsud.ru>

<sup>48</sup> «Kerch Town Court» / List of cases to be heard on 19 July 2019. Case no 1-319/2019 [https://kerch--krm.sudrf.ru/modules.php?name=sud\\_delo&srj\\_num=1&H\\_date=19.07.2019](https://kerch--krm.sudrf.ru/modules.php?name=sud_delo&srj_num=1&H_date=19.07.2019)

<sup>49</sup> CHRГ / Day of Small Marines and Other Militaristic Events Held in Sevastopol <https://crimeahrg.org/v-sevastopole-proveli-den-detskogo-vdv-i-drugie-meropriyatiya-militaristskoj-napravlenosti/>

<sup>50</sup> ROSGVARDIA / Sevastopol Russian Guard Men Made Holiday for Health Recovery Center Kids <http://rosgvard.ru/ru/news/article/sevastopolskie-rosgvardejcy-podarili-prazdnik-rebyatam-iz-ozdorovitel'nogo-centra>



## THE REVIEW WAS PREPARED BY:

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

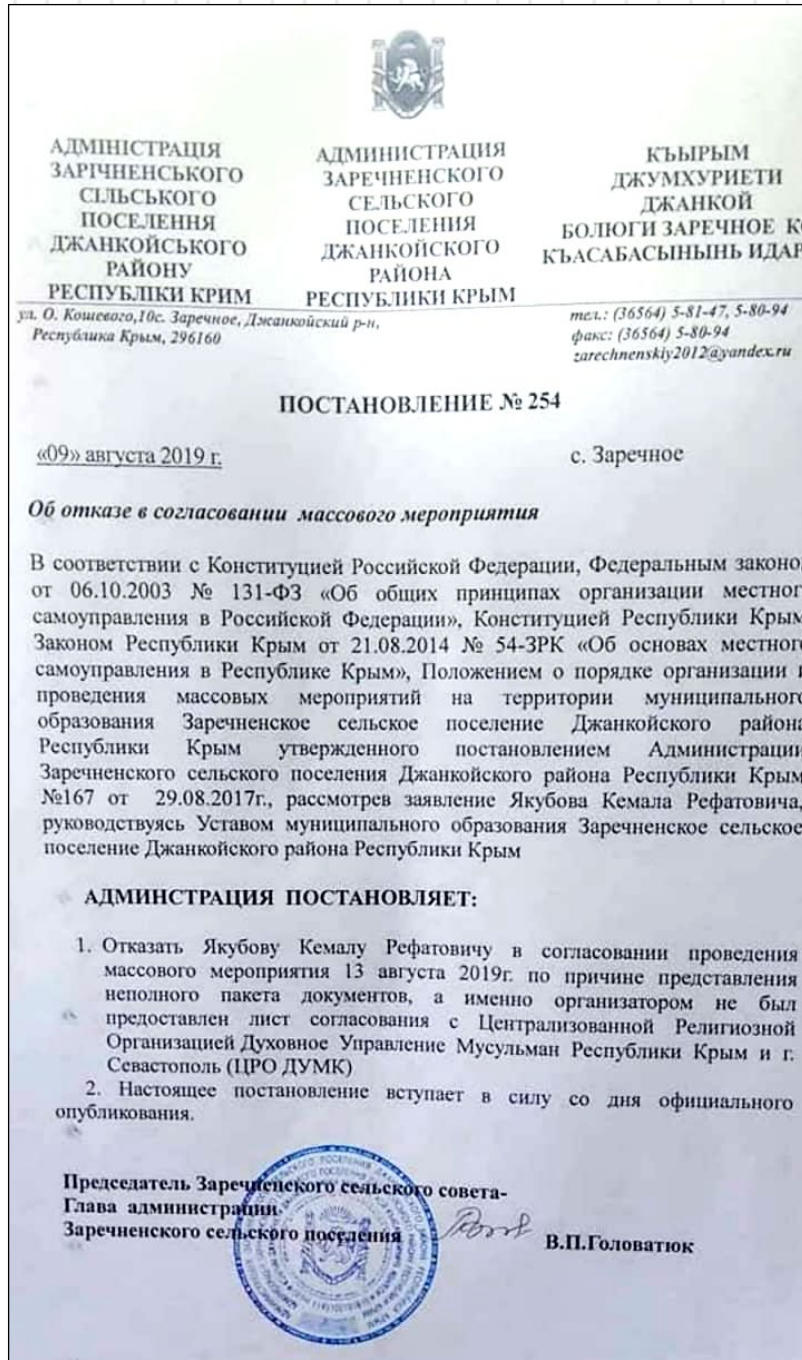
**Vissarion Aseev**, *analyst of the Crimean Human Rights Group;*

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



## 4. ANNEXES

### ANNEX 1

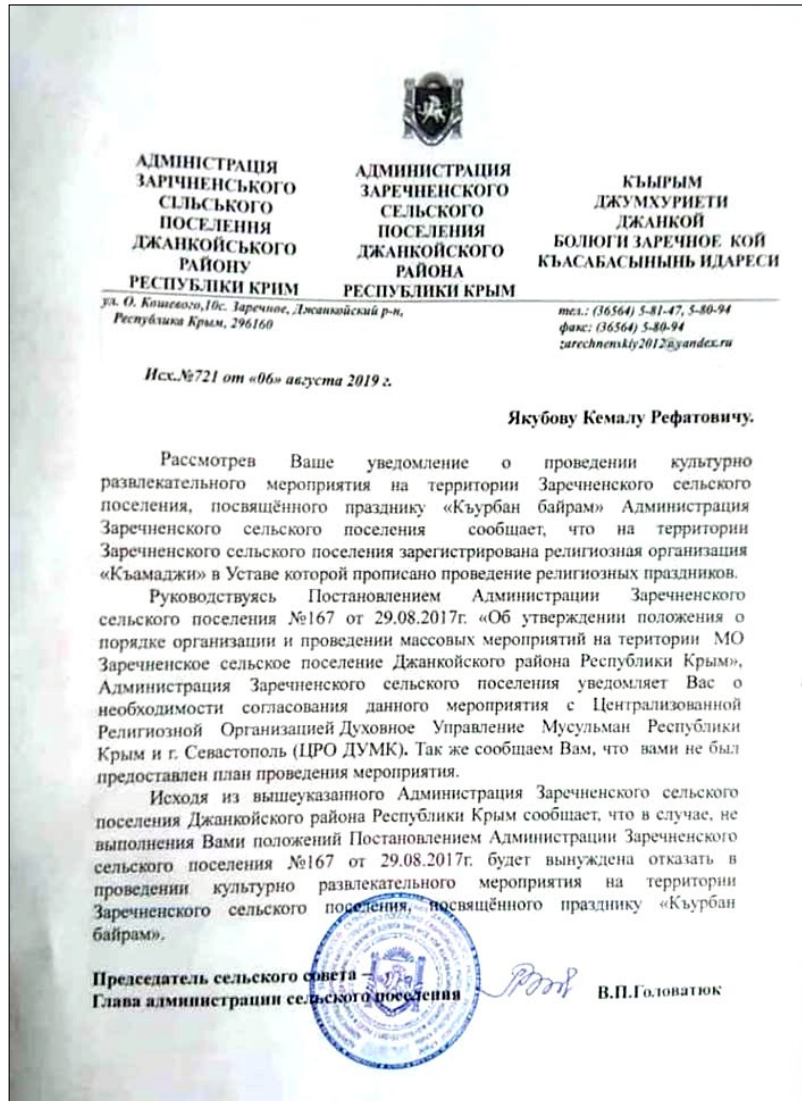


*A resolution of the head of Zarechenskoye Village Council administration Valentina Golovatyuk on the refusal to approve Kurban Bayram celebration, August 9, 2019*



ANNEX 2

The fragment of "the warning letter on the inadmissibility of violation of the legislation of the Russian Federation on rallies" that was sent



A response of the head of Zarechenskoye Village Council administration Valentina Golovatyuk about the need of getting the SAMC (the Spiritual Administration for Muslims of Crimea) approval for the Kurban Bayram celebration, August 6, 2019