



# CRIMEAN HUMAN RIGHTS GROUP

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## CRIMEAN HUMAN RIGHTS SITUATION REVIEW

**January 2020**

The monitoring review was prepared  
by the Crimean Human Rights Group  
on the basis of materials collected  
in January 2020

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## CONTENTS

<b>1. INTRODUCTION</b> .....	2
<b>2. CIVIL AND POLITICAL RIGHTS</b> .....	3
Right to liberty and security of the person .....	3
<i>Searches and detentions</i> .....	3
Politically motivated criminal prosecution .....	3
<i>“Case of Crimean Muslims”</i> .....	3
<i>“Ukrainian saboteurs’ case”</i> .....	4
<i>“Persecution for charging with being         in N. Chelebidjikhhan batallion”</i> .....	5
<i>Oleg Prikhod’ko’s case</i> .....	5
<i>Confinement conditions in detention facilities</i> .....	5
Freedom of thought, conscience and religion .....	6
Freedom of speech and expression .....	6
Freedom of assembly and association .....	7
Freedom of movement.....	7
<b>3. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW</b> .....	8
Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War .....	8
<i>Conscription of persons living in the occupied territory into armed forces.....         of occupying power and propaganda of joining voluntarily the armed forces</i>	8
<b>4. ANNEXES</b> .....	9



## 1. INTRODUCTION

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

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

The main objectives of the **CHRG**:

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

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

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



## 2. CIVIL AND POLITICAL RIGHTS

### RIGHT TO LIBERTY AND SECURITY OF THE PERSON

#### SEARCHES AND DETENTIONS

On January 13, at the ARMIANSK checkpoint, controlled by the Russian Federation, the RF FSB men detained Ms. **Gulsum Aliyeva**, the local activist and daughter of Mr. Muslim Aliyev, the 'case of Crimean Muslims' defendant, when she was leaving Crimea. After 2 hours of interrogation at the checkpoint, she was taken to the police station in Armiansk, where she was held for about 3 hours. The reason for the detention was the statement that Ms. Aliyeva was wanted in the criminal case under Art. 282 of the RF Criminal Code (*Incitement to hatred or enmity as well as humiliation of human dignity*), which had been closed on January 25, 2019. After the conversation, she was released from the police station.<sup>1</sup>

When Ms. Aliyeva returned the ARMIANSK checkpoint by herself, she was again detained by the RF FSB men. They were asking her about her father and her attendance at the 'courts sessions' on the 'Crimean Muslims case' defendants. She was kept for about 3 hours in the interrogation room, and then she was informed that she could leave Crimea. However, she had to reject her trip because she felt unwell several hours' interrogations.<sup>2</sup>

#### POLITICALLY MOTIVATED CRIMINAL PROSECUTION

As of end of January 2020, **88 persons** were deprived from liberty within a politically motivated criminal and/or religious persecution. The full list is published at the CHRNG website.<sup>3</sup>

#### "CASE OF CRIMEAN MUSLIMS"

This case defendants are accused of membership in Muslim religious organizations or propaganda of activities of the organizations that are declared terrorist or extremist in the RF though they are not according to the Ukrainian laws.

In January the total number of Crimean residents deprived from liberty under the 'Case of Crimean Muslims' was **63** persons. Two more people are under supervision, and are not allowed to leave Crimea.

On January 9, the Southern Area Military Court (SAMC) in Rostov-na-Donu (RF) started considering on the merits a criminal case of **Mr. Rustem Emiruseinov, Mr. Arsen Abkhairov, and Mr. Eskender Abdulganiyev**. The case is being considered by judge Roman Plisko.<sup>4</sup> The Muslims attended the hearings by video call from the Simferopol Detention Center. The judge

<sup>1</sup> <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1033048497062606/>

<sup>2</sup> Krym. Realii/ In Crimea FSB Released Ms Gulsum Aliyeva After Second Detention Per Day <https://ru.krymr.com/a/news-v-krymu-fsb-otpustila-zaderzhannuyu-doch-muslima-alieva/30375193.html>

<sup>3</sup> <https://crimeahrg.org/wp-content/uploads/2020/02/lisheniya-svobody-01.2020.pdf>

<sup>4</sup> SAMC/ Case no 1-25/2020 (1-137/2019); [https://yovs--ros.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=1342703&case\\_uid=8cecdf3d-0701-4c2b-83f9-342d5ffbff2a&delo\\_id=1540006&new=](https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=1342703&case_uid=8cecdf3d-0701-4c2b-83f9-342d5ffbff2a&delo_id=1540006&new=)



made a decision on their conveying from Simferopol to Rostov-na-Donu (RF),<sup>5</sup> and on January 14 they were conveyed from Crimea to the RF.<sup>6</sup>

On January 22, **Mr. Rustem Vaitov** and **Mr. Nuri (Yuriy) Primov** were released after serving their sentence. They had been imprisoned since January 2015. However, after the release, they were assigned 8 years of supervision additionally. They shall stay at home from 10.00pm to 06.00am, and report regularly to the RF police. They shall not attend public events. Such supervision restricts freedom of movement and means a ban on leaving Crimea.

On January 29, the Crimean Solidarity Public Association reported that **Mr. Aider Saledinov**, **Mr. Rustem Ismailov** and **Mr. Emil Dzhemadenov** were conveyed from the pre-trial detention centers in the Rostov Region (RF) to the Republic of Bashkortostan (RF).<sup>7</sup>

On January 30 Olga Kuznetsova, a 'judge of Kievsky District Court of Simferopol', extended a detention period for **Mr. Enver Omerov**, **Mr. Riza Omerov**, and **Mr. Aider Djepparov** till April 5 2020. The extension was asked for by Sergey Bosiyev, a RF FSB investigator.<sup>8</sup>

### "UKRAINIAN SABOTEURS' CASE"

As of the end of January 2020, **13 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 RF FSB via the Russian mass media.

On January 3 Mr. Ilya Kavernikov, Vladimir Dudka's son, informed the CHRГ, that **Mr. Vladimir Dudka** had been conveyed to penal colony # 11, and **Mr. Aleksey Bessarabov** – to penal colony # 1. Both colonies are in the Stavropol Area (RF).<sup>9</sup>

On January 14, a hearing was held at the Yalta Town Court within re-considering the case of **Mr. Yunus Masharipov**. Lawyer A. Ladin informed the CHRГ that during the session, Mr. Masharipov had denied his guilt and claimed that the FSB had tortured him to make "confess".<sup>10</sup>

On January 23, **Mr. Aleksey Stogniy** was released after serving his sentence. He had been imprisoned since November 15, 2016. The Russian authorities had charged him with the RF CC Article 223.1-1 (*Illegal manufacture of explosives*). On July 17, 2017, the 'Kievsky District Court' of Simferopol sentenced him to 3 years and 6 months in the general regime penal colony.

<sup>5</sup> <https://www.facebook.com/crimeansolidarity/videos/470641653564917/>

<sup>6</sup> <https://www.facebook.com/crimeaahrg/posts/2511473432471616>

<sup>7</sup> <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1046337012400421/>

<sup>8</sup> 'Kievsky District Court of Simferopol' / List of cases to be heard on 30 Jan 2020. Cases no 3/2-44/2020, 3/2-45/2020, 3/2-46/2020 [https://kiev-simph-krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=30.01.2020](https://kiev-simph-krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=30.01.2020)

<sup>9</sup> CHRГ/ Sevastopoler Aleksey Bessarabov Conveyed to Stavropol Area Colony C <https://crimeahrg.org/ru/sevastopolcza-alekseya-bessarabova-etapirovali-v-koloniyu-stavropolskogo-kraya>

<sup>10</sup> CHRГ/ Testimony of 'Witnesses' of Masharipov's Persecution At Yalta 'Court' Contradict Data from Crimean Case Files – Defense

<https://crimeahrg.org/ru/pokazaniya-svidetelej-obvineniya-yu-masharipova-v-yaltinskom-sude-protivorechat-svedeniyam-v-materialah-ugolovnogo-dela-zashhita/>



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

As of the end of January 2020 **four** people were deprived from liberty under a charge of being in N.Chelebidjikhhan battalion.<sup>11</sup>

## OLEG PRIKHOD'KO'S CASE

On January 16 lawyer Nazim Sheykhmambetov informed that the ‘investigation’ had added a new crimination against **Mr. Oleg Prikhod'ko**, the Ukrainian activist, under RF CC Article 222.1-1 (*illegal storage of explosives*).<sup>12</sup>

## CONFINEMENT CONDITIONS IN DETENTION FACILITIES

On January 22, **Mr. Arsen Djepparov**, the ‘Case of Crimean Muslims’ defendant, informed that it was very cold in the detention center of Shakhty (RF), he felt pain when breathing, and his body temperature was over 37 degrees Celsius. A boil erupted behind his right ear, and a large wen appeared behind his left ear. The detention center administration refused to provide him with a surgery treatment, stating that he could be convoyed away at any moment.<sup>13</sup> On January 28, lawyer Ayder Azamatov said that Arsen had been operated as necessary after the public supervision commission for the Rostov Region had got involved.<sup>14</sup>

On January 22, **Mr. Inver Bekirov**, the ‘Case of Crimean Muslims’ defendant, also reported about the cold in his cell in the detention center of Shakhty (RF). He also informed that he was nourished with pork though his religious beliefs prevented him from eating it.

On January 23, **Mr. Refat Alimov**, the ‘Case of Crimean Muslims’ defendant, informed that he had been kept in an unheated punishment cell with open windows from December 24, 2019 to January 3, 2020. After the punishment cell, the detention center No. 1 administration (Rostov-on-Don) transferred him to a solitary confinement cell, with the rotten floor, a steady smell of sewage, poor lighting, and without ventilation and hot water. It was cold in the cell, and he had to sleep in coat and a hat.<sup>15</sup>

On January 27, lawyer Aleksey Ladin informed that **Mr. Server Zekiryayev**, the ‘Case of Crimean Muslims’ defendant, had got tumors on his neck. However, the staff of the detention center No. 1 medical unit (Rostov-on-Don) did nothing to provide him with medical care and make a diagnosis.<sup>16</sup>

On January 23, Ilya Kavernikov, the son of **Mr. Vladimir Dudka**, the ‘Case of Ukrainian Commandos’ defendant, informed his father had severe headaches, a high blood pressure, a rash on the body and had lost the weight significantly. Physicians of Penal Colony # 11 (Stavropol Area, RF) examined him, prescribed a diet, but did not assign any therapy.<sup>17</sup>

<sup>11</sup> The official reason for persecuting the people accused in Crimea under RF CC Article 208-2 (*Creation of unlawful military unit or participation in such unit*) 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

<sup>12</sup> Krym.Realii / New Crimination Against Pro-Ukrainian Activist Prikhod'ko in Crimea – Lawyer <https://ru.krymr.com/a/news-v-krymu-vydivinuli-novoe-obvinenie-protiv-prihodko/30381310.html>

<sup>13</sup> [https://www.facebook.com/crimeansolidarity/posts/1045305525836903?\\_tn\\_ =K-R](https://www.facebook.com/crimeansolidarity/posts/1045305525836903?_tn_ =K-R)

<sup>14</sup> <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1045526122481510/>

<sup>15</sup> <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1043769119323877/>

<sup>16</sup> <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1044659215901534/>

<sup>17</sup> [https://www.facebook.com/permalink.php?story\\_fbid=776627272818548](https://www.facebook.com/permalink.php?story_fbid=776627272818548)



## FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

On January 14, a session was held at the Yalta City Court on the criminal case against **Mr. Artiom Gerasimov**, charged with RF CC Art. 282.2 “Management of the extremist organization activities” for membership in the Jehovah’s Witnesses religious organization. The case is being considered by the “judge” Vladimir Romanenko.<sup>18</sup>

On January 14, lawyer A. Azamatov informed that the “prosecutor’s office” of Crimea had initiated an administrative case against **Mr. Rasim Dervishev**, charging him with RF CoAO Art. 5.26 (*illegal missionary activity*) for conducting prayers in the mosque. The decision to open administrative proceedings was taken by Andrey Gritsaichuk, “deputy prosecutor” of the Kievsky District.<sup>19</sup> The imam’s case was considered on January 15 and 29 in the ‘court section no 13, Simferopol, by judge Yelena Klepova.<sup>20</sup>

## FREEDOM OF SPEECH AND EXPRESSION

On January 18, on the administrative border with Crimea the RF FSB men handed **Mr. Taras Ibragimov**, a Ukrainian journalist who had been covering politically motivated lawsuits and human rights violations in Crimea, a 34-year ban on entering the Russian Federation and the occupied Crimea - until May 31, 2054. The reason for the ban is not indicated in the document (*Appendix 1*).

On January 28, journalist **Nikolai Semena** informed that he had received a ruling to remove his conviction under RF CC Art. 280.1 (*Public call for violation of the territorial integrity of the Russian Federation*) for his publication on the blockade of Crimea and the return of the peninsula to Ukrainian control, from official records.<sup>21</sup>

<sup>18</sup> “Yalta Town Court” / Case no 1-17/2020 (1-376/2019;) [https://yalta--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=1573946&case\\_uid=a86ce85f-b9ef-46e5-a063-82e22b1708c1&dello\\_id=1540006&new=](https://yalta--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=1573946&case_uid=a86ce85f-b9ef-46e5-a063-82e22b1708c1&dello_id=1540006&new=)

<sup>19</sup> Krym.Realii / Russian Prosecutor’s Office of Crimea Opened Case Against Simferopol Imam – Lawyer <https://ru.krymr.com/a/news-prokuratura-krym-imam-simferopol/30377142.html>

<sup>20</sup> “Judges of Peace of Republic of Crimea” / Case 05-0023/13/2020 <http://mirsud82.rk.gov.ru/officework/caselistas/?id=583010&year=2019>

<sup>21</sup> Krym. Realii / Semena, Krym.Realii Author, Received Ruling on Removing His Russian Conviction From Records и <https://ru.krymr.com/a/news-osuzhdennyj-krymskij-zhurnalist-semena/30401636.html>



## FREEDOM OF ASSEMBLY AND ASSOCIATION

On January 18, the Kerch Town Administration sent a statement to the local media, threatening with administrative prosecution for holding public events if not agreed in advance with the de facto authorities.<sup>22</sup> On January 19, the website “Kerch.com.ru” reported that the Kerch administration and the RF police prevented the rally against closing the Taigan Safari Park. Representatives of the Kerch administration and the RF policemen told the protesters that holding a public event unauthorized by the administration was illegal. Then the protesters had to stop the rally and began disseminating leaflets to passers-by. An hour later, the RF police detained the protesters and brought them to the police station for collecting explanations.<sup>23</sup>

## FREEDOM OF MOVEMENT

On January 18 the RF authorities banned **Mr. Taras Ibragimov**, a Ukrainian national, to enter Crimea till May 2054 (*for more detail, see section: Freedom of Speech and Expression*).

<sup>22</sup> [Kerch.FM/ No Protests Were Agreed On – Kerch Administration](https://kerch.fm/2020/01/19/nikakih-piketov-my-ne-soglasovyvali-administracija-kerchi.html) <https://kerch.fm/2020/01/19/nikakih-piketov-my-ne-soglasovyvali-administracija-kerchi.html>

<sup>23</sup> [Kerch.com.ru / Police Detained Participants Of Protest For TAYGAN Support](http://www.kerch.com.ru/articleview.aspx?id=88504) <http://www.kerch.com.ru/articleview.aspx?id=88504>





### 3. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

#### *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 January the RF authorities kept on holding events aimed at militarizing the children and promoting the service in the RF Armed Forces in Crimea. On January 10 in Simferopol, based on the Victory Heirs patriotic military club, the children were trained to secure hand weapons when air dropping.<sup>24</sup> On January 19th members of the YUNARMIA Children Patriotic Military Movement participated in the event: 'Oath of Russian Federation Armed Forces Juvenile Replacement' in Simferopol.<sup>25</sup>

In January 2020 the CHRG documented a new sentence of Crimean resident for evading the military service in the Russian Federation Armed Forces passed on January 10 at the 'Pervomaysky District Court'.<sup>26</sup> Totally, by the end of January 2020 the CHRG had documented 82 criminal cases initiated for evading the RF Army military service, with verdicts delivered for 81 of them and 1 being still under investigation.

#### THE REVIEW WAS PREPARED BY:

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

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

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

<sup>24</sup> [https://vk.com/wall-190230732\\_23](https://vk.com/wall-190230732_23)

<sup>25</sup> [https://vk.com/wall-190230732\\_26](https://vk.com/wall-190230732_26)

<sup>26</sup> "Pervomaysky District Court" / List of cases to be heard on 10 Jan 2020. Case 1-11\2020(1-126/2019) [https://pervomaiskiy-krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&H\\_date=10.01.2020](https://pervomaiskiy-krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=10.01.2020)



## 4. ANNEXES

### ANNEX 1

Ибрагимов Тарас Анатольевич  
(фамилия, имя, отчество (при наличии), дата рождения уведомляемого)

иностранного гражданина или лица без гражданства,  
паспорт РФ № Ч 0000000000  
данные документа удостоверяющего личность.

**УВЕДОМЛЕНИЕ**  
иностранного гражданина или лица без гражданства о принятом решении  
о неразрешении въезда в Российскую Федерацию

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

принято решение о неразрешении въезда в Российскую Федерацию в  
соответствии с подпунктом 1 части 1 статьи 27 Федерального закона от 15  
августа 1996 г. № 114-ФЗ «О порядке выезда из Российской Федерации и  
въезда в Российскую Федерацию», в связи с чем, въезд на территорию  
Российской Федерации Вам не разрешен  
до 31.05.2054 г.  
(день, месяц, год до которого закрыт въезд в Российскую Федерацию)

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

Дата получения уведомления: 18.01.2020 г.  
(день, месяц, год)

Должностное лицо Управления: С. В. Чашин  
(подпись, фамилия, инициалы)

Уведомление получил: Т. А. Ибрагимов  
(фамилия, имя, подпись иностранного гражданина или лица без гражданства)

*A photocopy of Taras Ibragimov's ban on entry into the Russian Federation  
and occupied Crimea for a period until May 31, 2054. January 18, 2020*