



CRIMEAN HUMAN RIGHTS GROUP

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CRIMEAN HUMAN RIGHTS SITUATION REVIEW

February 2020

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

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CONTENTS

1. INTRODUCTION	2
2. CIVIL AND POLITICAL RIGHTS	3
Ban on torture.....	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>	5
<i>“Persecution for charging with being in N. Chelebidjikhhan batallion”</i>	5
<i>Oleg Prikhod’ko’s case</i>	6
<i>Confinement conditions in detention facilities</i>	6
Freedom of thought, conscience and religion	7
<i>Persecution of “Jehovah’s Witnesses”</i>	7
Freedom of assembly and association	8
3. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW	9
Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War	9
<i>Conscription of persons living in the occupied territory into armed forces</i>	9
<i>of occupying power and propaganda of joining voluntarily the armed forces</i>	



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

In early February, Mrs. Lilia Rasilchak, a Crimean resident, reported that on January 28, 2020, the RF policemen had stopped a car where her husband, underage son Server Rasilchak, his friend and girlfriend were, on the road to Saki at night. Server told that the RF Ministry of Internal Affairs men beat him when arresting, and then they took him to the RF police station in Saki. There, he was tortured for several hours: electrocuted, beaten, threatened with sexual violence. Mrs. Rasilchak filed a statement on her son torturing to the Razdolnensky district department of the Ministry of Internal Affairs of the Russian Federation.¹

RIGHT TO LIBERTY AND SECURITY OF THE PERSON

SEARCHES AND DETENTIONS

On February 13 the RF DSB men searched the house of **Mr. Taras Kuzio**, a Yalta resident. The search was controlled by Gayniyev, a RF FSB criminal intelligence investigator. The search resulted into withdrawing Mr. Kuzio's e-devices and personal records. The information about the search was published at the Jehovah's Witnesses in Russia website.²

POLITICALLY MOTIVATED CRIMINAL PROSECUTION

As of end of February 2020, **89 persons** were deprived from liberty within a politically motivated criminal a persecution. The full list is published at the CHRG website.³

"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 the occupied territory.

On February 3, Denis Didenko, a 'judge of Kievsky District Court of Simferopol', extended a detention period for **Mr. Ruslan Nagayev, Mr. Eldar Kantemirov, Mr. Lenur Khalilov, and Ruslan Mesutov** till May 5 2020. The extension was asked for by Vitaliy Vlasov, a RF FSB investigator.⁴

¹ Krym.Realii / «He stroke me with electric shocker and suggested to think five minutes more' <https://ru.krymr.com/a/on-pervyi-nanes-mne-udar-elektroshokerom-policeiskie-izbili-nesovershennoletnrgo/30439707.html>

² <https://www.facebook.com/jwrussiaorg/posts/2433216970326129>

³ <https://crimeahrg.org/wp-content/uploads/2020/03/lisheniya-svobody-fevral-2020.pdf>

⁴ <https://www.facebook.com/crimeansolidarity/posts/1049913838709405>



On February 20 Timur Slezko, a judge of 'Supreme Court of Republic of Crimea' (SCRC), upheld the decision.⁵

In February, the Southern Area Military Court (SAMC) in Rostov-na-Donu (RF) went on considering on the merits a criminal case against the Crimean Muslims from Bakhchisarai: **Timur Ibragimov, Memet Belialov, Seyran Saliyev, Server Zekiryayev, Marelén Asanov, Server Mustafayev and Ernes Ametov**. On February 6, SAMC judge Rizvan Zubairov extended their detention periods until May 13, 2020. The extension was requested by prosecutor Evgeny Kolpikov⁶ In total, in February, 11 hearings on this case were held at the SAMC.⁷

On February 10, Galina Hulapova Denis Didenko and Anton Tsykurenko, judges of the 'Kievsky District Court of Simferopol', extended detention period for **Rize Izetov, Raim Aivazov, Yashar Muedinov,⁸ Vladlen Abdulkadyrov, Medzhit Abdurakhmanov,⁹ Rustem Seythalilov, Farhod Bazarov,¹⁰ Osman Arifmemetov, Remzi Bekirov and Dzhemil Gafarov¹¹** until March 15, 2020. On February 11, Mikhail Belousov and Galina Khulapov, judges of the 'Kievsky District Court of Simferopol', pronounced the same decision for **Rustem Sheikhaliyev, Tofiq Abdulgazyev, Bilyal Adilov¹² Shaban Umerov, Enver Ametov, Server Gazyev.¹³** The extension was requested by FSB investigator Sergei Makhnirov.

On February 11, Yuriy Kravchuk, a judge of the Kirovsky District Court of Rostov-on-Donu, extended the detention periods for **Akim Bekirov, Alim Karimov, Asan Yanikov, Izzet Abdullayev and Seitveli Seytabdiyev** until March 15, 2020.¹⁴ The Oktiabrsky District Court of Rostov-on-Donu pronounced the same decision for **Erfan Osmanov,¹⁵** and the Taganrogsky District Court of Rostov-on-Donu did for **Seyran Murtaza.¹⁶**

On February 11, Timur Slezko, a SCRC judge, upheld the decision on keeping **Eskender Suleymanov** in custody until March 15, 2020.¹⁷

On February 12, Olga Borokhova, a judge of Leninsky District Court of Rostov-na-Donu, extended a detention period for **Ruslan Suleymanov** till March 15.¹⁸

On February 13, Yelena Spasenova, a 'SCRC' judge, upheld a decision on keeping in custody for **Enver Omerov, Riza Omerov, and Aider Djepparov** till April 5, 2020.¹⁹ On February

⁵ «SCRC» / List of cases to be heard on 20 Feb 2020, Case 22K-556/2020. https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=20.02.2020

⁶ Krym. Realii / Russian Court Extended Arrest for Bakhchisarai Hizb-ut-Tahrir Case Defendants <https://ru.krymr.com/a/news-rossiiskii-sud-figuranty-bahchisaraiskogo-dela-hizb-ut-tahrir/30420989.html>

⁷ SAMC / Case no 1-11/2020 (1-98/2019;) https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=1298042&case_uid=3506031e-cb59-4292-8189-2b1db03fc20c&delo_id=1540006&new=

⁸ <https://www.facebook.com/crimeansolidarity/posts/1055314064836049>

⁹ <https://www.facebook.com/crimeansolidarity/posts/1055225784844877>

¹⁰ <https://www.facebook.com/crimeansolidarity/posts/1055124191521703>

¹¹ <https://www.facebook.com/crimeansolidarity/posts/1055140481520074>

¹² <https://www.facebook.com/crimeansolidarity/posts/1056047491429373>

¹³ <https://www.facebook.com/crimeansolidarity/posts/1055859548114834>

¹⁴ <https://www.facebook.com/crimeansolidarity/posts/1049913838709405>

¹⁵ <https://www.facebook.com/crimeansolidarity/posts/1049913838709405>

¹⁶ <https://www.facebook.com/crimeansolidarity/posts/1056158791418243>

¹⁷ «SCRC» / List of cases to be heard on 11 Feb 2020, Case 22K-491/2020. https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=11.02.2020

¹⁸ <https://www.facebook.com/crimeansolidarity/posts/1056944164673039>

¹⁹ «SCRC» / List of cases to be heard on 13 Feb 2020, Case 22K-519/2020. https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=13.02.2020



27 lawyer L.Gemendzhi informed, that the RF FSB had charged them additionally under RF CC Article 30, 278 (*preparation for violent coup*).²⁰

On February 26 Tatyana Melnik, a 'SCRC' judge, upheld the decision on keeping **Vladlen Abdulkadyrov, Medzhit Abdurakhmanov** in custody until March 15.²¹

On February 27 Igor Kriuchkov, a 'SCRC' judge, upheld the decision on keeping **Rustem Seythalilov, Farhod Bazarov** in custody until March 15.²²

On February 28, Liudmila Kirsanova and Aleksandr Mikulin, judges of Rostov Regional Court, upheld the decision on keeping in custody for **Seyran Murtaza, Asan Yanikov, Ruslan Suleymanov, eitveli Seytabdiyev, and Karim Aliyev** until March 15.²³

"UKRAINIAN SABOTEURS' CASE"

As of the end of February 2020, **13** people accused by the RF FSB of 'preparing subversions, storing the arms, 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 February 18, lawyer A.Ladin informed the CHRG, that during the re-hearing of the criminal case of **Mr. Yunus Masharipov**, the 'prosecutor' demanded in debate to send the defendant to the closed type mental hospital with enforced control for a hospital treatment.

"PERSECUTION FOR CHARGING WITH BEING IN N. CHELEBIDJIKHAN BATTALION"

As of the end of February **five** people were deprived from liberty under a charge of being in N.Chelebidjikhhan battalion. 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.

On February 3, the RF FSB men detained **Mr.Nariman Mezhmedinov** under a charge of being in the barallion. On February 4, Denis Didenko, a judge of 'Kievsky District Court', imposed a pre-trial restraint on him. On February 17, the RF FSB disseminated a video of Mezhmedinov's arrest via the mass media.²⁴

On February 28, Timur Slezko, a 'SCRC' judge, upheld the decision on keeping him in custody.²⁵

²⁰ Krym. Reali/ Three Defendants of Belogorsk Hizb-ut-Tahrir Case Accused of Coup d'Etat T <https://ru.krymr.com/a/news-figurantov-dela-hizb-ut-tahrir-obvinili-v-prigotovlenii-zahvata-vlasti/30458501.html>

²¹ «SCRC» / List of cases to be heard on 26 Feb 2020. Case 22K-613/2020. https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=26.02.2020

²² «SCRC» / List of cases to be heard on 27 Feb 2020. Case 22K-617/2020. https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=27.02.2020

²³ <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1069482066752582/>

²⁴ Kryminform / FSB Detained in Crimea a Ukrainian National Battalion Man <http://www.c-inform.info/news/id/83378>

²⁵ «SCRC» / List of cases to be heard on 28 Feb 2020. Case 22K-627/2020. https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=28.02.2020



OLEG PRIKHOD'KO'S CASE

On February 5, Denis Didenko, a judge of 'Kyievsky District Court', extended a detention period for Ukrainian activist **Oleh Prikhod'ko** until April 10 2020.²⁶ On February 20, the decision was upheld by Sergey Yazev, a 'SCRC' judge.²⁷

CONFINEMENT CONDITIONS IN DETENTION FACILITIES

Mr. Yevgeniy Karakashev, a Crimean activist, has been in the single space cell of Penal Colony No 1 (Kabardino-Balkaria, RF) where he was placed officially for uniform code violation, since November 2019.²⁸

On February 13, lawyer N.Sheykhmambetov visited **Mr. Emir Usein Kuku**, a 'Crimean Muslims Case' defendant, in the Pre-Trial Detention Center no 3 of Novocherkassk (RF). The lawyer informed that Mr Kuku was still kept in the single man cell in the separate unit. He complained the lawyer that he was suffering kidney ache. A Center physician, having just visually examined him, did not find any issue with the kidneys and rejected providing any medical care.²⁹

²⁶ CHRG/ Ukrainian Activist Oleg Prikhod'ko Kept in Pre-Trial Detention Center Until 10 April <https://crimeahrg.org/ru/14070-2/>

²⁷ «SCRC» / List of cases to be heard on 20 Feb 2020. Case 22K-558/2020. https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=20.02.2020

²⁸ <https://www.facebook.com/crimeahrg/posts/2532830910335868>

²⁹ Krym. Realii / Crimean Political Prisoner Emir Usein Kuku Got Active Kidney Ache in Pre-Trial Detention Center – Lawyer <https://ru.krymr.com/a/news-krym-emir-usein-kuku-problemy-s-pochkami/30433818.html>



FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

In February, the CHRГ recorded 4 new administrative proceedings against religious organizations of Crimea, RF CoAO, Article 5.26-3 (*unlawful missionary actions*). Defendants are local religious organizations of **Christians of Evangelical Faith Church**: 'Vinogradnik (Vineyard)',³⁰ 'Pobeda' (Victory) – 2 cases,³¹ 'Svet Voskreseniya' (Light of Resurrection) in Sevastopol.³²

In February there were three hearings of Imam **Rasim Dervishev's** case charged with RF CoAO Art. 5.26 for a religious rite in the mosque.³³ The hearings will go on in March 2020.

PERSECUTION OF "JEHOVAH'S WITNESSES"

The 'Yalta Town Court' keeps on considering the case of **Mr.Artem Gerasimov**,³⁴ and the 'Dzhankoy Town Court' is hearing the case of **Mr.Sergei Filatov**,³⁵ accused of organizing the activities of the Jehovah's Witnesses in Crimea under RF CC Art. 282.2-1 (*Organization of the activities of an extremist organization*).

According to the Jehovah's Witnesses in Russia website, on February 10, during a debate in the "court", the prosecutor demanded 6.5 years in prison for Mr. Gerasimov.³⁶

On February 25, in the 'Dzhankoy Town Cour', the prosecutor asked for 7 years of imprisonment for Sergey Filatov.³⁷

³⁰ «Judges of Peace of Republic of Crimea» / Case 05-0115/16/2020 <http://mirsud82.rk.gov.ru/officework/caselistas/?id=589688&year=2019>

³¹ «Judges of Peace of Republic of Sevastopol» / Cases 5-0063/12/2020 и 5-0064/12/2020 <http://mirsud.sev.gov.ru/officework/caselistas/?id=371083&year=2020>

³² «Judges of Peace of Republic of Sevastopol» / Case 5-0092/13/2020 <http://mirsud.sev.gov.ru/officework/caselistas/?id=376082&year=2020>

³³ «Judges of Peace of Republic of Crimea» / Case 05-0023/13/2020 <http://mirsud82.rk.gov.ru/officework/caselistas/?id=599325&year=2019>

³⁴ «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&delo_id=1540006

³⁵ Dzhankoy Town Court» / Case no 1-5/2020 (1-348/2019); https://dzhankoi--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=10429300&case_uid=67221f44-f7c7-4db0-b9f6-af3fc077a7a2&delo_id=1540006&new=

³⁶ Jehovah's Witnesses in Russia / Case of Gerasimov in Yalta. <https://jw-russia.org/cases/yalta.html#20200213>

³⁷ Krym.Realii / Russian Prosecutor's Office Asked 7 Years in Prison for a Jehovah's Witness from Dzhankoy (+video) <https://ru.krymr.com/a/news-rossiyskaya-prokuratura-zaprosila-7-let-zaklyucheniya-dlya-svidetelya-iyegovy-iz-dzhankoya/30453460.html>



FREEDOM OF ASSEMBLY AND ASSOCIATION

On February 19-22, the “Crimean prosecutor’s office” officers handed several Crimean Tatar activists warning notes on administrative responsibility “for participating in unauthorized mass assemblies.” In addition, the warning notes threaten with criminal prosecution under the RF CC “anti-extremist” articles. The reason for disseminating these warning notes was the statement that the “prosecutor’s office” had got information about actions dedicated to the anniversary of the death of N. Chelebidzhikhan (February 23) or the Day of Crimean Resistance to Russian Occupation (February 26).

On February 20, Mustafa Dzhemilev’s sister, **Dilyara Seytveliyeva**, reported that she had received such a warning note.³⁸ The ‘Crimean Solidarity’ Association informed that such warning notes had been handed Crimean Tatar activists **Mr. Rustem Khosch, and Mr. Ruslan Abdurashytov**.³⁹ On February 21 **Mr. Zair Smedliayev**⁴⁰ acknowledged the warning receipt, and on February 22 – **Mr. Abdureshyt Djepparov**.⁴¹

³⁸ Krym. Realii/ Russian Prosecutor’s Office Handed a Warning Notice to Mustafa Dzhemilev’s Sister <https://ru.krymr.com/a/news-rossiiskaya-prokuratura-predosterezhenie/30445986.html>

³⁹ <https://www.facebook.com/crimeansolidarity/posts/1064169847283804>

⁴⁰ <https://www.facebook.com/photo.php?fbid=2734405849927899&set=a.288658477835994&type=3>

⁴¹ https://www.facebook.com/permalink.php?story_fbid=1301264456740707&id=100005714940800



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 February 2020 the CHRГ documented **8 new criminal cases** of Crimean residents for evading the military service in the Russian Federation Armed Forces: 6 in the 'Leninsky District Court of Sevastopol',⁴² and one in 'Sovetsky District Court'⁴³ and 'Feodosiya Town Court'⁴⁴ each. The sentenced were passed on three of them at the 'Leninsky District Court of Sevastopol': on February 11⁴⁵ and 18⁴⁶ the judgements were passed by judge Andrey Grachev, and on February 12 – judge Anatoliy Vasilenko.⁴⁷ Totally, by the end of February 2020 the CHRГ had documented **91 criminal cases** initiated for evading the RF Army military service, that were sent to the Crimean 'courts' for considering, with verdicts delivered for 85 of them and 6 being still under consideration.

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⁴² 'Leninsky District Court of Sevastopol' / Cases no 1-70/2020, 1-89/2020, 1-90/2020,1-91/2020,1-117/2020,1-123/2020 <https://leninskiy--sev.sudrf.ru>

⁴³ 'Sovetsky District Court' / Case no 1-24/2020 <http://sovetskiy.krm.sudrf.ru/>

⁴⁴ 'Feodosiya Town Court' / Case no 1-100/2020 <https://feodosiya--krm.sudrf.ru/>

⁴⁵ 'Leninsky District Court of Sevastopol' / List of cases to be heard on 11.02.2020. Case no 1-89/2020 https://leninskiy--sev.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=11.02.2020

⁴⁶ 'Leninsky District Court of Sevastopol' / List of cases to be heard on 18.02.2020. Case no 1-70/2020 (1-359/2019;) https://leninskiy--sev.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=18.02.2020

⁴⁷ 'Leninsky District Court of Sevastopol' / List of cases to be heard on 12.02.2020. Case no 1-90/2020 https://leninskiy--sev.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=12.02.2020