



CRIMEAN HUMAN RIGHTS GROUP

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CRIMEAN HUMAN RIGHTS SITUATION REVIEW

March 2020

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

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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 March 25, the Russia-subordinate “head” of Crimea S. Aksionov encouraged explicitly the police at the meeting of COVID-19 crisis center to “refine all hand-to-hand combat techniques’ on the Crimeans hiding trips to other countries.¹ Thus, the authorities de facto encouraged the police to use the unreasonable, unlawful violence, that considering the overall lawlessness of the police and RF FSB staff in Crimea for torturing and abusive treatment of the detained would be a threat for increased abusive treatment of the local residents by the RF law enforcement bodies.

RIGHT TO LIBERTY AND SECURITY OF THE PERSON

SEARCHES AND DETENTIONS

On March 11 the RF FSB staff searched the houses of Crimean Tatars in Bakhchisarai, including the activists of Crimea Solidarity Association and their relatives, namely:

- **Mr. Amet Suleymanov**, a Crimean Solidarity activist
- **Mr. Enver Mustafayev** and his son **Seydamet Mustafayev**, a Crimean Solidarity activist (was absent during the search)
- **Mr. Osman Seytumerov** and his brother **Seytumer Seytumerov**, a historian
- **Mr. Rustem Seytmemetov**, uncle of Osman and Seytumer Seytumerovs
- **Mr. Ayder Suleymanov**, brother of Amet Suleymanov. There was nobody at home when the house was searched. Lawyer N.Sheykhmambetov informed that the RF FSB men has entered the house in owners’ absence,
- **Mrs. Zeniye Seytmemetova** and her son **Seytumer Seytumerov**, a former activist of Crimean Solidarity, living in Kyiv since 2018 and working as journalist.

The MTS shop where Amet Suleymanov worked was also searched.

After the search the RF FSB detained four men: **Amet Suleymanov**, **Seytumer Seytumerov** (historian), **Osman Seytumerov**, **Rustem Seytmemetov**. They were charged with RF CC Article 205.5-2 (*membership in the terrorist organization*) for supposed membership in ‘Hizb-ut-Tahrir’. Seytumer Seytumerov (journalist) who is in Kyiv, according to the RF FSB version, is an ‘organizer’ and he is charged with RF CC Article 205.5-1 (*management of activities of terrorist organization*).

Enver Mustafayev, aged 66, was transported by the RF FSB men after the search to the RF FSB department in Simferopol for interrogation, and then released. He was questioned about his son - Seydamet Mustafayev, a Crimean Solidarity activist.²

On March 16th the RF FSB men searched the house of **Mrs Edme Kurtaliyeva** in the village of Larino, Dzhankoy district, because her son — **Osman Kurtaliyev** — was suspected of being in N.Chelebidjikhhan battalion. 9 men participated in the search. Mrs Kurtaliyeva informed that several rooms had been searched in her absence. As the mother said, Osman did not live in Crimea.³

¹ <https://www.facebook.com/crimeaahrg/videos/548049199155775/>

² https://www.facebook.com/crimeansolidarity/posts/1078157602551695?_tn_ =K-R

³ <https://www.facebook.com/crimeansolidarity/posts/1082407598793362>



POLITICALLY MOTIVATED CRIMINAL PROSECUTION

As of end of March 2020, **92 persons** were deprived of liberty within a politically motivated criminal or religious persecution. The full list is published at the CHRG website.⁴

«FEBRUARY 26 CASE»

On March 23, the Investigative Committee of the Russian Federation announced that it had opened a criminal case against Mr. **Refat Chubarov**, the Chairman of the Mejlis of the Crimean Tatar people. He is accused under Art. 212-1 of the Criminal Code of the Russian Federation (*organization of mass riots accompanied by violence*) as the “organizer” of one of the rallies on February 26, 2014 under the building of the Verkhovna Rada of the Autonomous Republic of Crimea in Simferopol.⁵ This article prescribes a punishment as custodial sentence for eight to fifteen years.

Within the “Case of 26 February,” 7 people were previously detained and deprived of their liberty; 8 sentences were pronounced against Crimean Tatars. The defendants in the case were accused of participating in the rally held on February 26, 2014 under the building of the Verkhovna Rada of the Autonomous Republic of Crimea in Simferopol. The rally took place before the illegal annexation and actual enforcement of the Russian Federation jurisdiction on the territory of the peninsula. Such prosecution is an application of retrospective legislation. On February 26, 2014, a rally of the Russian Unity party with pro-Russian slogans was also held under the Verkhovna Rada. Persecution of pro-Ukrainian rally participants only and violation of fundamental human rights prove that the case is politically motivated and has been started to persecute those who opposed the occupation of Crimea.

«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 March the total number of Crimean residents deprived of liberty under the ‘Case of Crimean Muslims’ was **65** persons. Four more people are under the movement restriction: three are subject to supervision, and are not allowed to leave the occupied territory, and one is on house arrest.

On March 3, Elena Danilova and Elena Spasenova, judges of the Supreme Court of the Republic of Crimea (“SCRC”) upheld the detention of **Enver Ametov, Server Gaziyeu, Shaban Umerov, Bilial Adilov, Tofiq Abdulgaziyeu and Rustem Sheikhaliyeu** until March 15, 2020.⁶

For March 10 to 12, 24 defendants of the ‘Case of Crimean Muslims’ detained in March 2019 (the “2nd Simferopol Group”) were extended the detention until March 27. Such a short extension period is due to the fact that district courts in the Russian Federation shall not extend the period of detention for more than a year in total. This rule is also applied in the “courts” of Crimea. The verdict of extension was made by the following courts:

⁴ <https://crimeahrg.org/wp-content/uploads/2020/04/lisheniya-svobody-mart-2020.pdf>

⁵ «Main Investigative Department of the RF Investigative Committee, for Republic of Crimea and Sevastopol’/ Case Against Chairman of MEJLIS Extremist Organization Refat Chubarov Suspected of Organizing Mass Riots, Started in the Republic of Crimea <https://crim.sledcom.ru/news/item/1451198/>

⁶ «SCRC» / List of cases to be heard on 3 March 2020. Cases no 22K-671/2020, 22K-675/2020 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&sv_num=1&H_date=03.03.2020



- March 10: **Asan Yanikov, Izzet Abdullayev, Akim Bekirov, Alim Karimov, Seytveli Seytabdiyev, Asan Yanikov**; Kirovsky District Court of Rostov-on-Donu.⁷
- March 10: **Seyran Murtaza**, Taganrog City Court.⁸
- March 11: **Medzhit Abdurakhmanov, Osman Arifmemetov, Rustem Sheikhaliyev**, “Kievsky District Court of Simferopol”; “judges” Mikhail Belousov, Andrey Dolgopolov.⁹
- March 11: **Dzhemil Gafarov, Tofig Abdulgazyev, Ruslan Suleymanov**; “Kievsky District Court of Simferopol”; “judge” Anton Tsykurenko.¹⁰
- March 11: **Vladlen Abdulkadyrov, Servet Gazyev, Rustem Seitkhalilov**; “Kievsky District Court of Simferopol”; “judge” Denis Didenko.¹¹
- March 11: **Erfan Osmanov**; Oktiabrsky District Court of Rostov-on-Donu.¹²
- March 12: **Bilil Adilov, Enver Ametov, Yashar Muedinov, Shaban Umerov**; “Kievsky District Court of Simferopol”; “judge” Valentina Kamynina.¹³
- On March 13, Eduard Belousov and Galina Redko, ‘SCRC judges’, upheld the decisions on the detention period of **Osman Arifmemetov, Remzi Bekirov, Raim Aivazov, Riza Izetov, Yashar Muedinov**.¹⁴
- On March 23, Sergei Pogrebniak and Viktor Vasilyev, ‘SCRC judges’, extended the detention period of **Tofig Abdulgazyev, Bilial Adilov, Osman Arifmemetov, Farkhod Bazarov, Dzhemil Gafarov, Rustem Seitkhalilov**¹⁵ until June 15, 2020.¹⁶
- On March 24 Nana Petyusheva, Alla Khinevich, Victor Zinkov and Alexey Kozyrev, ‘SCRC judges’, extended detention period of **Rustem Sheyhaliyev, Riza Izetov, Servet Gazyev, Yashar Muedinov, Shaban Umerov, Medzhit Abdurakhmanov, Enver Ametov, Raim Aivazov, Vladlen Abdulkadyrov and Remzi Bekirov**¹⁷ until June 15, 2020.¹⁸
- On March 24, the Rostov Regional Court extended the detention periods of **Ruslan Suleymanov, Asan Yanikov, Seyran Murtaz, Izzet Abdullayev, Erfan Osmanov, Seitveli Seytabdiyev, Alim Karimov, Akim Bekirov** until June 14, 2020.¹⁹
- On March 11 within a new criminal case under RF CC Art. 205.5 the RF FSB searched on a wide scale the activists of the Crimean Solidarity and the Muslims in Bakhchisarai. After the searches, **Amet Suleymanov, Seytumer Seytumerov, Osman Seytumerov and Rustem Seytmemetov** were detained (*for more details, see “Searches and Detentions”*).

⁷ <https://www.facebook.com/watch/?v=236792287476522>

⁸ <https://www.facebook.com/watch/?v=151409012695259>

⁹ <https://www.facebook.com/crimeansolidarity/posts/1078423475858441>

¹⁰ <https://www.facebook.com/crimeansolidarity/posts/1078546815846107>

¹¹ <https://www.facebook.com/crimeansolidarity/posts/1078449079189214>

¹² <https://www.facebook.com/watch/?v=216856199514452>

¹³ <https://www.facebook.com/crimeansolidarity/posts/1079041255796663>

¹⁴ «SCRC» / List of cases to be heard on 13 March 2020. Cases no 22K-762/2020, 22K-770/2020 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=13.03.2020

¹⁵ «SCRC» / List of cases to be heard on 23 March 2020. Cases no 3/2-27/2020, 3/2-28/2020, 3/2-29/2020, 3/2-32/2020, 3/2-33/2020, 3/2-36/2020 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=23.03.2020

¹⁶ <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1088219608212161>

¹⁷ «SCRC» / List of cases to be heard on 24 March 2020. Cases no 3/2-20/2020, 3/2-21/2020, 3/2-22/2020, 3/2-23/2020, 3/2-24/2020, 3/2-25/2020, 3/2-26/2020, 3/2-31/2020, 3/2-34/2020, 3/2-35/2020 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=24.03.2020

¹⁸ <https://www.facebook.com/crimeansolidarity/posts/1089256378108484>

¹⁹ <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1089225941444861>



- On March 12, Mikhail Belousov, Denis Didenko, Anton Tsykurenko, judges of 'Kievsky district Court of Simferopol' remanded **Rustem Seytmemetov, Osman and Seytumer Seytumerovs** in custody until May 10, 2020. Judge Andrei Dolgopolov took into account that **Amet Suleymanov** could not stay in custody due to his health condition and put him on house arrest until May 15, 2020.²⁰
- On March 25, the judge of the 'Kievsky District Court of Simferopol extended the detention of **Aider Dzhapparov, Riza Omerov and Enver Omerov** until May 5, 2020.²¹
- On March 31, **Ferat Sayfullayev** left the colony, having served all 5 years in custody.²² He was detained on April 2 2015, and convicted on September 7, 2016.

«UKRAINIAN SABOTEURS' CASE»

As of the end of March 2020, 13,²³ 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 March 3 Sergey Smirnov, a judge 'of Yalta Town Court, passed a judgement on placing **Mr Yunus Masharipov** to the mental hospital for enforced treatment. Lawyer A.Ladin informed the CHRNG that forced treatment is in fact an unlimited sentence since the medical commission will take a decision on extending or stopping the forced treatment every 6 months.

On March 13 Margarita Kotova, judge of Lefortovo City Court, extended the detention period of **Mr Ivan Yatskin**, a Ukrainian activist till 16 June 2020.²⁴

PERSECUTION FOR CHARGING WITH BEING IN N.CHELEBIDJIKHAN BATTALION

As of the end of March **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 March 16 the RF FSB men made a search in the village of Larino. The search purpose as declared was seeking for evidence of **Mr Osman Kurtaliev** being in this battalion (*for more detail — see section 'Searches and detentions'*).

OLEG PRIKHOD'KO'S CASE

²⁰ <https://www.facebook.com/crimeansolidarity/posts/1079227632444692>

²¹ https://www.facebook.com/crimeansolidarity/posts/1089897751377680?_tn_=-R

²² <https://www.facebook.com/crimeansolidarity/posts/1094830557551066>

²³ <https://crimeahrg.org/wp-content/uploads/2020/04/lisheniya-svobody-mart-2020.pdf>

²⁴ <https://www.facebook.com/100001662173833/posts/2909643739101003/>



Lawyer Nazim Sheikmambetov informed that on March 27 the detention period of Ukrainian activist **Oleh Prykhod'ko** had been extended till 15 September 2020. The preliminary investigation of the case was finished and the case was transferred to the Southern Area Military Court (Rostov-na-Donu, RF).²⁵ Oleh Prikhod'ko's daughter informed the CHRG that the father had been moved from Crimea to the RF on March 30,

CONFINEMENT CONDITIONS IN DETENTION FACILITIES

On March 4 Ilya Kavarnikov informed that the medical staff had diagnosed his father — **Mr Vladimir Dudka**, a defendant of the 'Case of Ukrainian Commandos', with duodenal ulcer and scabies. Since March 3 Vladimir has been in the medical unit of the Penal Colony # 11, Stavropol Area.²⁶

²⁵ <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1094287040938751/>

²⁶ https://www.facebook.com/permalink.php?story_fbid=804566393357969&id=100014138475175



FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

On March 2, Elena Klepova, 'judge of peace' of Simferopol, determined that Imam **Rasim Dervishev** be fined of RUR5,000 for conducting a sermon and prayer.²⁷

On March 4, Ulyana Grigoryeva, 'judge of peace' of Sevastopol, passed a judgement to impose a fine of RUR30,000 on the "**Light of the Resurrection**" Church of the Evangelical Christians, a religious organization. The punishment, under RF CoAO Article 5.26-3, was caused by the absence of the organization's full name on the organization's website. The site indicated "Light of the Resurrection. Sevastopol Bible Church", while the full legal name of the organization in the Russian registry is Sevastopol Local Religious Organization "Light of the Resurrection" Church of the Evangelical Christians.²⁸

On March 11, Alime Ametova, 'judge of peace' of Yevpatoria, determined that Viktor Vilensky, rabbi of the Jewish Messianic community of Crimea, be fined of at least RUR5,000 under the RF CoAO Article 5.26-4. The rabbi published an invitation to worship in a newspaper in Sevastopol. The reason for the administrative case was the fact that the Jewish Messianic community of Crimea was registered in Yevpatoria, and not in Sevastopol.²⁹

In addition to the above mentioned facts, the CHRG has also recorded 3 court hearings under RF CoAO Art. 5.26 in the 'courts of peace' of Crimea.

Totally, for the period of occupation the CHRG has documented **78 administrative procedures** against the religious organizations and their members under RF CoAO Article 5.26 (*Violation of laws on freedom of conscience, freedom of religion, and on the religious associations*). The fine judgements passed within these procedures amounted for min **RUR905,500**.

PERSECUTION OF «JEHOVAH'S WITNESSES»

The Russian authorities recognized the Jehovah's Witnesses religious organization an extremist organization. According to Ukrainian laws, the activities of Jehovah's Witnesses are not prohibited and are not considered extremist. In violation of international humanitarian law norms, the Russian Federation enforced the regulation on persecuting the Jehovah's Witnesses organization members in the territory of the occupied Crimea.

On March 5, Maria Yermak, a judge of the 'Dzhankoy District Court', sentenced **Mr Sergei Filatov**, a member of Jehovah's Witnesses, to 6 years in custody in the general regime penal colony under the RF CC Article 282.2-1 (*management of extremist organization activities*).³⁰

On March 5, Vladimir Romanenko, a judge of the 'Yalta Town Court', sentenced **Mr Artem Gerasimov**, a Yalta resident, to a fine of RUR400,000 under RF CC Article 282.2-1 for membership in the Jehovah's Witnesses organization.³¹

²⁷ <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1071804816520307>

²⁸ «Sevastopol Judges of Peace» / Case no 5-0092/13/2020 <http://mirsud.sev.gov.ru/officework/dectextsas/?id=283866>

²⁹ Republic of Crimea Judges of Peace / Case no 05-0088/40/2020 <http://mirsud82.rk.gov.ru/officework/dectextsas/?id=1379403>

³⁰ CHRG /S.Filatov, Jehovah's Witnesses Case defendant, Awarded 6 Year Sentence in Crimea <https://crimeahrg.org/ru/figurantu-dela-svidetelej-iegovy-filatova-v-krymu-prigovorili-k-6-godam-lisheniya-svobody>

³¹ CHRG/ A.Gerasimov, Jehovah's Witnesses Yalta Case defendant, Awarded a RUR400,000 Fine <https://crimeahrg.org/ru/figuranta-yaltinskogo-dela-svidetelej-iegovy-a-gerasimova-prigovorili-k-shtrafu-400-tsyach-rublej>



FREEDOM OF EXPRESSION

The FM radio broadcasting monitoring held by the CHRГ in March, showed that the Russian FM radio stations were completely blocking the broadcasting of the Ukrainian radio stations in 10 settlements of northern Crimea. In other 9 settlements the signal of Ukrainian stations was partly blocked.³²

The CHRГ monitoring held in February — March, showed that 10 providers in 9 settlements in Crimea were completely blocking 20 Ukrainian information sites and 2 social networks. The same providers block websites of the Mejlis of the Crimean Tatar People, Hizb-ut-Tahrir, and Jehovah's Witnesses. In addition, at least 3 Ukrainian information websites are only partly accessible through these providers.³³

³² CHRГ / Broadcasting of Ukrainian FM Station Jammed Completely in Armiansk <https://crimeahrg.org/ru/v-armyanske-polnostyu-zaglushili-veshhanie-ukrainskih-fm-stanczij>

³³ <https://crimeahrg.org/ru/v-krymu-10-provajderov-polnostyu-blokiruyut-25-sajtov/>



FREEDOM OF ASSEMBLY AND ASSOCIATION

On March 9 the RF police forbade the local people who came to the Monument to Taras Shevchenko, to sing the Anthem of Ukraine. Several women with Ukrainian symbols started singing the national anthem of Ukraine in a low voice. Then two policemen came to them immediately and asked 'whether they had an official approval for the action', emphasizing their liability for the 'this act of provocation'. The people had to stop singing.³⁴

On March 26 the Crimean Solidarity association informed that the RF policemen handed over a warning notice on inadmissibility of participating in the unauthorized public events for May 1 — 5 2020, to ten Crimean Tatars in Nizhnegorsky District.³⁵ One of them — Akhmadzhan Kadyrov — published a video of handing over.³⁶ In Belogorsky district the same warning notice was handed over to activist **Abdureshyt Dzhepparov**³⁷ on March 26, and on March 27 the policemen read out the warning notice to the mother of **Mustafa Seydaliyev**, Crimean Solidarity coordinator, because he was absent.³⁸

RESTRICTION ON FREEDOM OF ASSEMBLIES DUE TO COVID 19 PANDEMIC

On March 17 Sergey Aksionov, 'Head of Republic of Crimea', issued Edict # 63-U on enacting the 'high alert regime' in Crimea since March 17 2020 and till the special order, that included a ban on mass public events.³⁹

On March 25 Mikhail Razvozhayev, 'Governor of Sevastopol', issued Edict # 16-UG that imposed a ban on holding mass public events in the territory of Sevastopol until 12 April.⁴⁰

³⁴ Krym. Realii / Birthday of Kobzar in Simferopol: Russian Police Forbad Singing Anthem of Ukraine (+photo) <https://ru.krymr.com/a/news-krym-simferopol-pamjatnik-shevchenko-zapret-policii-pet-gimn-ukrainy/30477621.html>

³⁵ <https://www.facebook.com/crimeansolidarity/posts/1090879721279483>

³⁶ <https://www.facebook.com/crimeansolidarity/videos/812162729274305/>

³⁷ https://www.facebook.com/permalink.php?story_fbid=1328071757393310&id=100005714940800

³⁸ <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1092345424466246/>

³⁹ «Government of Republic of Crimea» / Edict of Head of the Republic of Crimea, 17 March 2020, # 63-U <https://rk.gov.ru/document/show/20571>

⁴⁰ «Government of Sevastopol» / Edict of Governor of Sevastopol, 25 March 2020, # 16-UG <https://sev.gov.ru/docs/257/101998/>



PROPERTY RIGHT

On March 20 the RF President Vladimir Putin signed Edict # 201.⁴¹ According to the document, the foreigners shall not own the land in the cities/ towns and districts of Crimea with a coastline. The Ukrainian nationals, i.e. those, as considered by the Russian authorities, who have not obtained the Russian passport, are also subject to this ban. Depriving the Ukrainian nationals of the property right on the occupied territory constitutes a violation of Article 53 of the 4th Geneva Convention, Article 46 of the Hague Convention relative to the laws and customs of war on land as well as other international human rights documents. As stated by the edict, only Crimean residents with RF national passports (*issued in Crimea in violation of the international rules and the Ukrainian laws*) shall be entitled to property in Crimea. Thus, this RF president ordinance discriminates the Crimeans by presence/ absence of RF documents, being also one more way to force the Crimean residents to apply for a RF national passport.

⁴¹ <http://publication.pravo.gov.ru/Document/View/0001202003200021>



FREEDOM OF MOVEMENT

RESTRICTION ON FREEDOM OF MOVEMENT IMPOSED BY UKRAINE DUE TO COVID-19 PANDEMIC

On March 17, Ordinance of the Cabinet of Ministers of Ukraine # 291-r dated March 14, 2020 was published,⁴² declaring that Ukrainian checkpoints with Crimea would stop working temporarily, from 12.00am 16 March to 3 April. Ukrainian nationals and their families with residence registration in Crimea may only enter the peninsula, with ban on coming back for them. Ukrainian nationals with residence registration outside Crimea may only leave the peninsula, with ban on entering Crimea within this period.

This CMU ordinance was published on March 17, when entry / exit restrictions had already entered into force, so people subject to entry / exit restrictions were not aware of new restrictions in order to manage to return to Crimea or leave the peninsula. These residence registration based restrictions did not take into account many other circumstances that might make people cross the checkpoint (*medical treatment, politically motivated persecution, death of close relatives, etc.*). Due to this the Ukrainian human rights organizations addressed the Ukrainian government in order to amend the resolution.⁴³

On March 18, the CMU ordinance was amended⁴⁴ that allowed Ukrainian nationals to leave or enter Crimea on humanitarian grounds (regardless of residence registration). The decision to allow passing the checkpoint on such grounds shall be taken by the Head of the State Border Service of Ukraine.

On March 25 the Government of Ukraine extended the validity of restrictions on crossing the check points with Crimea until 24 April.⁴⁵

RESTRICTION ON FREEDOM OF MOVEMENT IMPOSED BY RUSSIA DUE TO COVID-19 PANDEMIC

The RF FSB temporarily restricted the entry into Crimea for foreign citizens and stateless persons from 12.00am, March 18 to May 1, as instructed by the RF Government, # 635-r of March 16, 2020.⁴⁶ Thus, all Ukrainian nationals who do not have Russian Passports unlawfully issued in Crimea are prohibited from entering the peninsula through the Russian checkpoints. This ordinance was published on March 16, so people under the ban on entry had less than two days to get aware about this decision and have time to enter Crimea.

On March 25, the Government of the Russian Federation made amendments to the document, allowing the entry for foreigners and stateless persons with close relatives living in Crimea.⁴⁷

⁴² https://www.kmu.gov.ua/npas/pro-timchasove-privinennya-roboti-kontrolnih-punktiv-vyizdu-na-timchasovo-okupovanu-teritoriyu-avtonomnoyi-respubliki-krim-i-m-sevastopolya-291140320?fbclid=IwAR1MOJquJfy0_FFf6lmLkdErffQmE0srqviNj3atsE3LOffnmymPCdcuiZ4

⁴³ CHR/G/ Statement of NGOs due to introducing restrictions for crossing the administrative border with occupied territories of Ukraine for the purpose of counteracting the corona virus spreading
<https://crimeahrg.org/uk/zayava-pravozahisnikiv-z-privodu-vvedennya-obmezhen-peretinu-admin-kordonu-z-okupovanimi-teritoriyami-ukra%20ni-z-metoyu-protid%201%2097-rozpovsyudzhennya-koronavirusa/>

⁴⁴ <https://www.kmu.gov.ua/npas/pro-vnesennya-zmini-do-rozporjadzhennya-kabinetu-ministriv-ukrayini-vid-14-bereznya-2020-r-291-319180320>

⁴⁵ CMU Resolution # 239 of 25 March 2020 <https://zakon.rada.gov.ua/laws/show/239-2020-%D0%BF>

⁴⁶ <http://static.government.ru/media/files/wwGGarWzAuGcDRw4OFHBfklNxcP0ZPu.pdf>

⁴⁷ https://www.garant.ru/hotlaw/federal/1333828/?fbclid=IwAR0-OHs_xHR9LFQ_bcxKpXIRFWFuapDEkLn1XQkIMhhXmIGkSbQTHYSHH8



On March 27, the Russian Federation ordinance was issued, introducing new restrictions on leaving the Russian Federation and Crimea, and closing the movement through the checkpoints since March 30 even for people with the Russian national passports, but for “the Russian Federation nationals residing permanently on the territories of certain areas of the Donetsk and Lugansk regions of Ukraine” or deaths of a close relative.⁴⁸

⁴⁸ http://static.government.ru/media/files/uPySAqzA9AV39jD1h71za3OR9eslxIDj.pdf?fbclid=IwAR3gsdC2Kfb6310s7ql4_WBRTW2xsZRpSTyzZmFP05RcjSBcNcC9FIAUDLs



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 March 2020 the CHRG documented **2 new criminal cases** of Crimean residents for evading the military service in the Russian Federation Armed Forces: 1 in the 'Leninsky District Court of Sevastopol',⁴⁹ and one in 'Kirovsky District Court'.⁵⁰ Totally, by the end of March 2020 the CHRG had documented **93 criminal cases** initiated for evading the RF Army military service, that were sent to the Crimean 'courts' for considering, with verdicts delivered for 88 of them and 5 being still under consideration.

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⁴⁹ «Leninsky District Court of Sevastopol» / Case 1-137/2020 <https://leninskiy--sev.sudrf.ru>

⁵⁰ «Kirovsky District Court» / Case 1-50/2020 https://kirovskiy--krm.sudrf.ru/modules.php?name=sud_delo&sv_num=1&H_date=25.03.2020