



CRIMEAN HUMAN RIGHTS GROUP

e-mail: crimeahrg@gmail.com

website: crimeahrg.org

CRIMEAN HUMAN RIGHTS SITUATION REVIEW

May 2020

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

RIGHT TO LIBERTY AND SECURITY OF THE PERSON

SEARCHES AND DETENTIONS

On May 23, FSD men detained **Mr. Diliaver Memetov** on the administrative border with Crimea and delivered him to the Dzhankoysky Department of the Ministry of Internal Affairs of the Russian Federation, where he was kept for 4 hours to take his fingerprints (*for more detail, see section Freedom of Movement*).

On May 26, the Russian Guard and the special police forces of the Russian Federation, stating formally a need to 'examine the premises', searched four houses of the Jehovah's Witnesses religious organization followers in Kerch. According to the Jehovah's Witnesses in Russia website, the searches began with an assault resulted, in one case, in destroying the entrance gate, and in the other, in breaking the windows. Electronic devices, print media and documents were seized from the believers. The searches lasted for about 3 hours, and then the believers were transported to the RF Investigation Committee branch for interrogations. During all searches the dwelling owners were not showed any court rulings on special actions as search and were not handed copies of the 'examination' reports. **Mr. Artiom Shabliy**, after the detention, was kept in the Kerch Temporary Detention Facility for two days (*for more detail, see section Persecution of Jehovah's Witnesses*).

POLITICALLY MOTIVATED CRIMINAL PROSECUTION

As of end of May 2020, **94 persons** were deprived of liberty within a politically motivated criminal or religious persecution. The full list is published at the CHRG website.¹

"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 May the total number of Crimean residents deprived of liberty under the 'Case of Crimean Muslims' was **65 persons**. **4 more people** are under the movement restriction: **3** are subject to supervision, and are not allowed to leave the occupied territory, and **1** is on house arrest.

On May 14 'the Supreme Court of Republic of Crimea' ('SC RC') upheld a detention of **Mr. Rustem Sheykhaliev** till 15 June.² There is no information on the hearing at the 'court' website.

On May 14, Oleg Yegorov, judge of the Military Court of Appeal of the Russian Federation upheld the sentence (*2 years and 6 months in the penal colony settlement*) for blogger **Nariman Memedeminov** under Art. 205.2 of the RF Criminal Code (*public calls for terrorist activities*) for the video in support of the Hizb ut-Tahrir organization members. Lawyers and human rights

¹ https://crimeahrg.org/wp-content/uploads/2020/06/lisheniya-svobody_maj_2020.pdf

² <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1130199370680851>



activists are sure that the real reason for the persecution is his active involvement in covering searches and criminal cases against Crimean Muslims.

On May 25, the first hearing on the merits of **Lenur Khalilov, Ruslan Nagayev, Eldar Kantimirov** and **Ruslan Mesutov** was held in the Southern Area Military Court (Rostov-na-Donu).³ Hearings in the cases of **Ernes Ametov, Marlen Asanov, Memet Belialov, Server Zekiryayev, Timur Ibragimov, Server Mustafayev, Seyran Saliyev** and **Eden Smailov** are also ongoing in the Southern Area Military Court.⁴ In May, 7 hearings were held, with the witnesses interviewed and the evidence presented.

The case of **Rustem Emiruseinov, Arsen Abkhairov** and **Eskender Abdulganiyev** is kept on hearing in the Southern Area Military Court.⁵ In May, 3 hearings were held. On May 20, according to the information of lawyer L.Gemendzhi, the hearing was held without lawyers as agreed though the lawyers had asked in advance to delay the hearing because they were unable to attend.⁶

“UKRAINIAN SABOTEURS’ CASE”

As of the end of May 2020, **15 people** accused by the RF FSB of ‘preparing subversions, storing the arms and /or spying’ when detained, were in custody. In addition, one woman is on house arrest. 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.

PERSECUTION FOR CHARGING WITH BEING IN N.CHELEBIDJIKHAN BATTALION

As of the end of May, **five Crimeans** were deprived of liberty under a charge of being in N.Chelebidjikhhan battalion. The official reason for persecuting the 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.

PERSECUTION OF “JEHOVAH’S WITNESSES”

On May 7, lawyer O. Zakharchuk reported that the SCRC had kept Mr.Sergey Filatov, a Jehovah’s Witnesses religious organization follower, in custody before the sentence entered into force.⁷ “Judge” Eduard Belousov refused the defense to change the pre-trial restriction from being

³ Southern Area Military Court. Case 1-61/2020 https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=1702567&delo_id=1540006

⁴ Southern Area Military Court. Case 1-11/2020 (1-98/2019); https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=1701473&case_uid=3506031e-cb59-4292-8189-2b1db03fc20c&delo_id=1540006&new=

⁵ Southern Area Military Court. Case 1-25/2020 (1-137/2019); https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=1695390&delo_id=1540006

⁶ <https://www.facebook.com/crimeansolidarity/posts/1134787220222066>

⁷ Krym.Realii / Courts in Crimea Did Not Release Sentenced Jehovah’s Witness’ Filatov Under House Arrest <https://ru.krym.com/a/news-sud-krym-svidetel-iegovy-filatov/30599818.html>



held in a pre-trial detention center to house arrest due to the risk of COVID-19 infection.⁸ On May 26, the same judge, after considering the complaint, upheld the sentence of Sergei Filatov (6 years in prison) for belonging to the Jehovah's Witnesses religious organization.⁹

On May 26, the Jehovah's Witnesses in Russia website reported that representatives of the Investigative Committee of the Russian Federation, the Russian Guard and the special police forces had carried out searches of Jehovah's Witnesses followers in Kerch. At least seven people were brought for interrogations. **Mr. Artiom Shabliy** was kept in the Kerch Temporary Detention Facility till May 28. He was released under a duty to appear as suspected under RF CC Article 282.2-1.1 (*manipulating into an extremist organization*). Investigator Valeriy Zarubin justified a criminal case, stating that Mr. Shabliy 'manipulated the people into the extremist activity through talking with them about the Bible'.¹⁰

OLEG PRIKHOD'KO'S CASE

On May 7 Aleksandr Mordovin, a judge of RF Military Court of Appeal,¹¹ upheld a decision on keeping **Mr. Oleh Prykhod'ko** in custody till September 15 2020.¹²

On May 28 the South Area Military Court started hearings on the merits of the Oleh Prikhod'ko's case.¹³

EDEM BEKIROV'S CASE

On May 22 Sergey Deminiuk, a judge of 'Tsentralny District Court of Simferopol' decided on putting **Mr. Edem Bekirov** who was released from the custody by the RF authorities and transferred to Ukraine within the September 2019 exchange, on a wanted list.¹⁴

CONFINEMENT CONDITIONS IN CUSTODIAL SETTING

Since May 12, according to the information of Mr. Taras Malyshevsky, the Consul of Ukraine, **Mr. Enver Omerov** has been kept in the punishment cell of Pre-Trial Detention Center No. 1 in Rostov-na-Donu (RF). He was placed there for 15 days once he was convoyed from the Simferopol Pre-Trial Detention Center. The stated reason was a needle for sewing, as they said, found with him.¹⁵

On May 22, lawyers informed that "Case of Crimean Muslims" defendants: **Mr. Teymur Abdullayev** and **Mr. Emil Dzhemadenov** had been kept in penal isolation wards in colonies No. 2 and No. 16 in Salavat (RF) for more than two months. According to the lawyer, the reason for placing in the punitive confinement was an incorrectly made bed and an incorrectly sewn tag.¹⁶

⁸ «SC RC» / Case no 22-1210/2020 https://vs-krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=4343512&case_uid=313c32d2-9694-470f-b412-939db8ec9e26&delo_id=4&new=4

⁹ CHRГ/ Sentence for Sergey Filatov, a 'Jehovah's Witness' follower from Dzhankoy, Kept Unchanged <https://crimeahrg.org/ru/prigovor-v-otnoshenii-dzhankojkogo-storonnika-svidetelej-iegovy-sergeya-filatova-ostavlen-bez-izmeneniya/>

¹⁰ Jehovah's Witnesses in Russia. In Kerch Police Forces Assaulted Houses of Believers During the 'Examination' with Breaking Windows. Father of Two Little Kids Detained <https://jw-russia.org/news/2020/05/21.html>

¹¹ Military Court of Appeal / List of cases to be heard on 07 May 2020. Дело № 55К-97/2020 https://vap.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=07.05.2020

¹² Krym. Realii / Crimean Activist Prykhod'ko Kept in Custody, Court in Russia Rejected Defense Appeal <https://ru.krymr.com/a/news-krym-prihdko-ostaetsa-pod-arestom/30598931.htm>

¹³ Southern Area Military Court Case 1-48/2020 https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=1701993&case_uid=c8b16e47-cef9-41d0-8683-d4a389866d43&delo_id=1540006&new=

¹⁴ <https://www.facebook.com/crimeaahrg/photos/a.1677121552573479/2612086795743612/?>

¹⁵ <https://www.facebook.com/crimeaahrg/posts/2615173038768321>

¹⁶ <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1136301873403934/>



On May 23 the lawyer informed that a COVID-19 outbreak had been recorded in LEFORTOVO Pre-Trial Detention Center (Moscow). According to the CHRG information, at least three Ukrainian nationals, defendants in politically motivated criminal cases, were kept there as of May 23: **Mr.Ivan Yatskin, Ms.Galina Dvopolova and Mr.Konstantin Shyringa.**¹⁷

FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

On May 8, Ivan Kuvshinov, “a judge of the peace”, fined the religious organization — NEW LIGHT Church of Christians of the Evangelical Faith for RUR30,000 under RF CoAO Article 5.26-3 (*illegal missionary activity*). The formal reason for the sanction was the absence of a sign with the name of the organization on the facade of the building it was registered at. The “judge” ignored the statement that the church did not conduct services and rites. As the judge stated, a religious organization shall be considered operating as long as there is no entry on its activity cessation in the registers of the Russian Federation.¹⁸

FREEDOM OF ASSEMBLY AND ASSOCIATIONS

On May 1, RF policeman Sadovoy issued a warning notice of the RF MIA and Dzhankoy Interdistrict Prosecutor’s Office” to activist Ms **Lutfiya Zudiyeva** about liability in case of participating in unauthorized mass events on May 3, 5, 18 and June 26, 2020.¹⁹

On May 1, the RF MIA officials issued similar warning notices to citizen journalist **Mr.Server Ayar** and activists **Mr.Osman Asanov, Mr.Smail Saitov and Mr.Usein Asanov**, residents of the village of Oktyabr’, Dzhankoy District.²⁰

On May 7, **Mr.Seyran Menseitov**, an activist of Crimean Solidarity, received a warning letter from the “Prosecutor’s Office of the City of Yevpatoria”.²¹ On May 15, warning notices were received by Mr.Nariman Dzhelialov,²² Mr. Zair Smedlyayev,²³ Ms. Emine Avamileva²⁴ and Mr.Diliaver Akimov,²⁵ May 17 — **Mr.Muslim Zevriyev, Mr.Rustam Mennanov and Mr.Asan Seitkhalilov,**²⁶ **Mr. Diliaver Khalilov,**²⁷ **Mr. Server Seytibramov.**²⁸

These warning notices were handed to Crimean Tatar activists shortly before the memorial day of the victims of the Crimean Tatar people deportation.

¹⁷ https://www.facebook.com/nikolay.polozov/posts/3079307562134619?_tn_=-H-R

¹⁸ «Court of Peace of Republic of Crimea» Case no 05-0136/52/2020. http://mirsud82.rk.gov.ru/files/docs/DecisionTextsAS/52/05-0136_52_2020_Postanovlenie_o_naznachenii_administrativnogo_nakazaniya.docx

¹⁹ https://www.facebook.com/crimeaahrg/posts/2595597967392495?_tn_=-R

²⁰ <https://www.facebook.com/watch/?v=261205008596476>

²¹ <https://www.facebook.com/crimeaahrg/posts/2600049293614029>

²² <https://www.facebook.com/photo.php?fbid=3127008740696298&set=pcb.3127009464029559>

²³ <https://www.facebook.com/zair.smedlya/posts/2926465800721902>

²⁴ <https://www.facebook.com/watch/?v=855560181601003>

²⁵ <https://www.facebook.com/photo.php?fbid=3840331439372825&set=a.780379825368017>

²⁶ https://www.facebook.com/crimeansolidarity/posts/1132551713778950?_tn_=-R

²⁷ <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1133102230390565/>

²⁸ <https://www.facebook.com/crimeansolidarity/photos/a.416800078687454/1133709343663187/>



FREEDOM OF MOVEMENT

On May 23, FSB officers did not allow **Mr. Diliaver Memetov** to leave Crimea for Ukraine-controlled territory. At about 2 p.m. he was detained by police officers and taken to the Dzhankoy RF MIA department, where he was detained for about 4 hours in order to take his fingerprints from him. After that, he again tried to leave Crimea, but he was again refused, referring to the invalidity of the passport due to torn out pages. D. Memetov claims that his passport was damaged at the police station. Dmitry Ivashov, a RF FSB man, issued D. Memetov a ruling on ban to leave Crimea and fined him of RUR 2,000.²⁹

On May 11 Sergey Aksionov, 'head of Crimea', extended a 'self-isolation regime' validity till May 31 — this is actually a ban for Crimean residents to leave their homes 'without particular reasons'.³⁰ Since May 18 the regime had been modified that allowed the people aged under 65 and without indicated diseases listed in the edict attachment, to leave their residence places.³¹

In May, according to the results of monitoring the Crimean 'courts' websites, the CHRG documented **4,276** rulings on imposing punishments under RF CoAO Articles 20.6.1 for violating the 'self-isolation regime'. Totally, since early April **6,398** such verdicts have been issued in Crimea, with **792** administrative cases waiting for considering by court.

On May 11 the Cabinet of Ministers of Ukraine extended a temporary shutdown of checkpoints at the administrative border with Crimea till 22 May,³² and on May 20 — extended it till June 22, 2020.³³ The Ukrainian checkpoints may be passed either due to the residence registration place or due to the humanitarian grounds present (*irrespective of the residence registration place*).

The restrictions on departure for Ukrainian nationals residing permanently in the peninsula, are still valid at the Russian checkpoints with Crimea.³⁴ Crimeans who are 'automatically' considered RF nationals may leave Crimea once, presenting a Ukrainian passport as 'evidence of nationality of other country or document verifying a permanent residence beyond the RF borders'. In addition, Crimeans may leave in the event of the death of one of spouses, a parent, children, adoptive parent, adopted child, guardian and trustee.

²⁹ <https://www.facebook.com/crimeaahrg/posts/2613074882311470>

³⁰ «Government of Republic of Crimea» / Edict no 158-U of 11 May 2020 <https://rk.gov.ru/ru/document/show/21323>

³¹ «Government of Republic of Crimea» / Edict no 163-U of 15 May 2020 <https://rk.gov.ru/ru/document/show/21483>

³² Uriadovy Portal / Resolution no 343 of May 4 2020 <https://www.kmu.gov.ua/npas/pro-vnesennya-zmin-do-deyakih-aktiv-a343>

³³ Uriadovy Portal / Resolution no 392 of May 20 2020 <https://www.kmu.gov.ua/npas/pro-vstanovlennya-karantynu-z-metoyu-zapobigannya-poshirennyu-na-teritoriyi-ukrayini-gostroyi-respiratornoyi-hvorobi-covid-19-sprichinenoyi-koronavirusom-sars-cov-i200520-392>

³⁴ <http://static.government.ru/media/files/rUNwXiSXZs1NmlZauzAsdAIM3ppeWRAB.pdf?fbclid=IwAR3ME8YizkTjgZWUSKMqzCmONhZdPmcrRqAKb7uNOuqjTn8kxP6NJvFONME>



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

On May 18, the Russian Ministry of Defense reported that the first group of recruits totaling 21 persons had arrived the military registration and enlistment office collection point in Sevastopol.³⁵ After the temporary suspension of the work of the draft commissions due to COVID-19, their work was fully resumed for the spring draft campaign.

The CHRГ in May recorded **4 new criminal cases** against Crimea residents under RF CC Art. 328 (*evading the military service in the Russian Federation Armed Forces*): 3 — in the “Leninsky District Court of Sevastopol”³⁶ and 1 — in the «Pervomaysky District Court».³⁷ Within the previously opened criminal cases, 8 sentences were pronounced in May: 4 — in the “Leninsky District court of Sevastopol” (judges Anna Gulo³⁸ and Viktor Klimakov³⁹), 1 — in the “Dzhankoy District court” (judge Liliana Solovyova⁴⁰), 1 — in “Nizhnegorsk District Court” (judge Marina Bryndya⁴¹) and 2 — in the “Kirovsky District Court” (judge Igor Degtiarev⁴²). Totally, as of the end of May 2020 the CHRГ documented 105 criminal cases initiated for evading the RF Army military service, that were sent to the Crimean ‘courts’ for considering, with verdicts delivered for 100 of them and 5 being still under consideration .

THE REVIEW WAS PREPARED BY:

Olga Skrypnyk, coordinator for the Crimean Human Rights Group;

Oleksandr Siedov, analyst for the Crimean Human Rights Group.

³⁵ Ministry of Defense of the Russian Federation / “The first group of recruits was met at the military registration and enlistment office collection point in Sevastopol” https://function.mil.ru/news_page/country/more.htm?id=12292907@egNews

³⁶ «Linensky District Court of Sevastopol» / Cases 1-207/2020, 1-208/2020, 1-209/2020 <https://leninskiy--sev.sudrf.ru>

³⁷ «Pervomaysk District Court» / Cases 1-59/2020 <https://pervomaiskiy--krm.sudrf.ru/>

³⁸ «Linensky District Court of Sevastopol» / List of cases to be heard on 12 May 2020 Case 1-175/2020 https://leninskiy--sev.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=12.05.2020 / List of cases to be heard on 15 May 2020 Case 1-137/2020 https://leninskiy--sev.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=15.05.2020

³⁹ «Linensky District Court of Sevastopol» / List of cases to be heard on 21 May 2020 Case 1-169/2020 https://leninskiy--sev.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=21.05.2020 / List of cases to be heard on 25 May 2020 Case 1-207/2020 https://leninskiy--sev.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=25.05.2020

⁴⁰ «Dzhankoy District Court» / List of cases to be heard on 13 May 2020 Case 1-176/2020 https://dzhankoi--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=13.05.2020

⁴¹ «Nizhnegorsk District Court» / List of cases to be heard on 19 May 2020 Case 1-50/2020 https://nizhnegorskiy--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=19.05.2020

⁴² «Kirovsky District Court» / List of cases to be heard on 19 May 2020 Case 1-45/2020 https://kirovskiy--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=19.05.2020 / List of cases to be heard on 26 May 2020 Case 1-59/2020 https://kirovskiy--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=26.05.2020