



CRIMEA • FREEDOM OF SPEECH • IN OCCUPATION

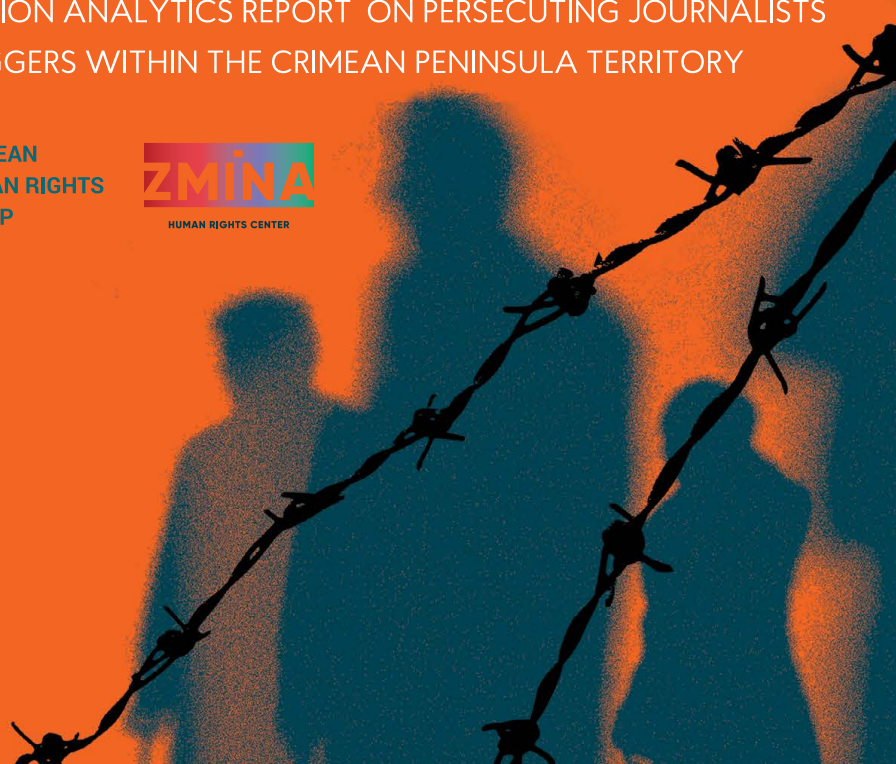
INFORMATION ANALYTICS REPORT ON PERSECUTING JOURNALISTS
AND BLOGGERS WITHIN THE CRIMEAN PENINSULA TERRITORY



CRIMEAN
HUMAN RIGHTS
GROUP



HUMAN RIGHTS CENTER



CRIMEA • FREEDOM OF SPEECH • IN OCCUPATION

Information Analytics Report
on persecuting journalists and bloggers
within the Crimean Peninsula territory

(March 2014 – September 2019)



Kyiv, 2020

Authors: Ms. Iryna Siedova
Ms. Tatyana Pechonchuk
Ms. Tatyana Rikhtun

'Crimea: Freedom of Speech in Occupation. Information Analytics Report on persecuting journalists and bloggers within the Crimean Peninsula territory' (March 2014 – September 2019). — Kyiv, 2020. — 40 p.

The publication presents the results of documenting and structuring the facts of stifling the freedom of expression within the territory of the occupied Autonomous Republic of Crimea and the city of Sevastopol for the period from late February 2014 to May 2019.

Mass media materials being circulated on the territory of Crimea since the occupation of the peninsula by the Russian Federation in March 2014 as well as information from open sources, including information resources of the governmental bodies of Ukraine, the Russian Federation and the "authorities" of Crimea de facto, the Crimean Human Rights Group and the ZMINA Human Rights Center were used in the publication.

The publication targets representatives of governmental bodies, educational and research institutions, diplomatic missions and international organizations as well as non-governmental, including human rights, organizations.

The Crimean Human Rights Group (CHRG) is an organization of Crimean human rights defenders and journalists whose goal is to promote the observance and protection of human rights in Crimea through documenting cases of violations of human rights and the international humanitarian law within the territory of the Crimean Peninsula and attracting a wide attention to such issues, as well as to find and elaborate instruments for protecting human rights in Crimea. The CHRG team consists of experts, human rights experts and journalists who, since February 2014, have been participating in monitoring and documenting human rights violations in Crimea. The CHRG attention is focused on violating the human rights due to unlawful actions of the Russian Federation in Crimea. The outcomes of the CHRG monitoring and documenting the human rights violations are presented in monthly monitoring reviews (*for monitoring reviews: <http://crimeahrg.org/category/monitor>*) of the human rights situation in Crimea as well as issue reports and articles (*for issue reports and articles: <http://crimeahrg.org/category/analytic>*).

The ZMINA Human Rights Center activity areas are protection of freedom of speech, and freedom of movement, discrimination countering, prevention of tortures and cruel treatment, impunity combating, support for human rights defenders and civil activists in Ukraine, including the occupied Crimea, and also protection of people affected by armed conflict in Ukraine. The organization delivers information campaigns, and educational programs, monitors and documents cases of human rights violations, prepares research and analytical documents, and seeks change through national and international advocacy (*organization activity description: <https://org.zmina.info/activities/>*).

ZMINA informs on the situation with human rights observance in Ukraine through own media web portal, Facebook and Twitter social networks, YouTube profile and other mass media platforms (*Zmina Media Web Portal <https://zmina.info>*).

CONTENTS

Acronyms	2
Introduction	3
Methodology	4
Executive Summary	5
Conclusions and Recommendations	15
<i>Conclusions</i>	15
<i>Recommendations</i>	16
Overview of major trends	18
Legislative restrictions of freedom of speech and expression due to enforcement of the Russian laws in Crimea	18
Blocking Ukrainian Mass Media	21
<i>TV Channels and Radio Stations</i>	21
<i>Internet outlets</i>	25
Situation with Crimean Tatar mass media	28
<i>Fight with «QHA» IA and Avdet Newspaper</i>	32
<i>Establishment of new Crimean Tatar mass media in Crimea</i>	33
Other persecutions for expressing the opinion	33

ACRONYMS

NFU	<i>Naval Forces of Ukraine</i>
AF	<i>Armed Forces</i>
IA	<i>Information Agency</i>
CoAO	<i>Code of administrative offenses</i>
CHRG	<i>Crimean Human Rights Group</i>
MIA	<i>Ministry of Internal Affairs</i>
DIA	<i>Department of International Affairs</i>
PPCS	<i>Police Patrol and Checkpoint Service</i>
DDIA	<i>District Department of Internal Affairs</i>
RTVTC	<i>Radio and TV Transmitting Center</i>
RF	<i>Russian Federation</i>
COE	<i>Council of Europe</i>
MM	<i>Mass Media</i>
Ed.Com	<i>Editorial comment</i>
RTVB C	<i>Radio and TV broadcasting company</i>
CC	<i>Criminal Code</i>
FSB	<i>Federal Security Service (Bureau)</i>
CJI	<i>Center for Journalistic Investigations</i>
E Center	<i>E Countering Center</i>
BSN	<i>Black Sea Navy</i>

INTRODUCTION

Right to free speech is one of the main **concepts in the system** of democratic human rights, that constitutes the ability to express thoughts freely in oral or written form. It is enshrined in the Universal Declaration of Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, and in national constitutions of most countries.

One would not say that before the occupation of Crimea by Russia in 2014, the situation with freedom of speech on the peninsula was ideal, but one may feel safe to say that independent media and journalists did not generally face any obstacles in their work, and even the state-owned media were not subject to all-inclusive censorship.

After the occupation by the Russian Federation, Crimea appeared under the regime of enormous state control of information and censorship by the state, with excluding out independent and pro-Ukrainian information platforms, that has been repeatedly **recorded** by international organizations and human rights defenders.

So, according to Freedom House assessment, in 2014 the freedom of speech rate in Crimea dropped to one of the worst in the world. The organization's report stated that on a 100-point scale, where 100 is the worst indicator, the peninsula received 94 points and entered the list of "worst of the worst" territories, though even such countries as Syria and Iran received 90 points, and Russia itself — 83 points.

For five years of the occupation of Crimea, Ukrainian human rights organizations have documented 369 cases of violation of freedom of speech and expression in Crimea. In a number of cases, the victims were the media or groups of journalists, with many subject to several types of violations at once.

Over hundred Crimean journalists and ten media editorial offices were forced to leave the Crimean peninsula and move to the mainland of Ukraine. Many journalists left the profession due to censorship and fear of persecution.

In this study, we have tried to structure all cases of persecuting journalists in Crimea and attacking the right to free speech. However, some cases have not been included into the public part of report because some journalists and bloggers did not want to make these facts public.

METHODOLOGY

The report describes cases of squeezing professional journalists, bloggers and staff of Crimean mass media who were working on the Crimean peninsula when the operation to occupy Crimea by the Russian Federation (from February 20, 2014) started or are working now if these cases are directly or indirectly related to violations of the right to free speech.

According to the recommendations of the Committee of Ministers of the Council of Europe, the term “journalist” “journalist” means any natural or legal person who is regularly or professionally engaged in the collection and dissemination of information to the public via any means of mass communication.¹

At the same time, the Committee of Ministers of the Council of Europe notes that compliance with own ethical standards, professional conduct rules and standards shall be a strong indicator of the mass media. The standards mentioned in this context are truthfulness, responsibility, freedom of expression and the media, equality, justice and journalistic independence.²

The book uses information of the monthly monitoring of the situation with freedom of speech in Crimea by ZMINA Human Rights Center and the Crimean Human Rights Group, from the beginning of the actual occupation of Crimea in late February 2014 to September 2019.

The book contains the information presented by CHRG and ZMINA HRC monitors as well as event witnesses, victims, and their lawyers.

The information disseminated by information resources, mass media staff, and bloggers who fully or partly financed out of the RF budget, is published only if checked additionally in at least two –non-interrelated– sources.

¹ Recommendation No. R (2000) 7 of the Committee of Ministers to member states on the right of journalists not to disclose their sources of information https://zakon.rada.gov.ua/laws/show/994_124

² Recommendation CM/Rec(2011)7 of the Committee of Ministers to member states on a new notion of media <https://www.refworld.org.ru/publisher/COEMINISTERS...5511765c4,0.html>

EXECUTIVE SUMMARY

After the Russian occupation freedom of speech curtailing has started in Crimea. For this purpose, the RF laws on countering extremist activities, criminal prosecution for calls for separatism, administrative prosecution of journalists, arbitrary detentions, physical attacks, threats, elimination of independent media, and blocking of alternative sources of information were used.

For these years, the authors of the report have collected over 350 facts of persecuting journalists and bloggers on the peninsula. Such actions were generally performed by representatives of the occupation authorities and law enforcement forces.

The highest number of violations was in March 2014 — during the armed occupation, when the journalists from all over the world worked in Crimea. From February 26 to March 22, 2014, more than 100 cases of violating the rights of journalists and bloggers were recorded. At least 39 journalists and 48 editorial offices of various media, including foreign ones, reported these facts. The journalists and film crews were subject to various methods of pressing: battery, kidnapping, tortures, arbitrary detentions, damage to property, prohibition of filming and rejection to enter the peninsula, various threats and intimidation. Such actions were generally

RF military men at a Ukrainian military unit, Kerch, 5 March 2014. Photo — Yelena Lysenko



performed by 'paramilitary units' of 'Kazaks', 'militia members', 'folk self-defence' controlled by the RF, and Russian military men who had all strategic facilities in Crimea under their control at that time.

Many Crimea journalists who spoke publicly against the occupation, had to leave the peninsula in March 2014, fearing for their lives and health.

Within this period, radio frequencies Ukrainian FM radio stations were broadcasting at, were seized. Since early March, Russian radio stations began broadcasting at these frequencies. On-air broadcasting all-Ukrainian national television channels was also stopped in March 2014, and replaced with broadcasting Russian television and radio companies.

At the beginning of March 2014, the broadcasting of Ukrainian TV channels "1+1", "CHANNEL 5", "INTER" and the "CHERNOMORSKAYA" Crimean RTV BC and others was blocked. In June, cutting off the cable broadcasting of Ukrainian TV channels started on the peninsula.

In September 2014, the digital broadcasting of Ukrainian television channels was also cut off in Crimea.

After the RF set up de facto its control over Crimea, editorial offices of Crimean TV channels ATR, and LALE, and CHERNOMORSKAYA RTV BC, offices of websites: 15 MINUTES, QHA, SOBYTIA KRYMA, and the Center for Journalistic Investigations, GRAZHDANSKAYA OBORONA, BlackSeaNews, and MEYDAN Radio stopped working. Now these media keep on publishing / airing / releasing the content about Crimea, but most journalists live in Kyiv on permanent basis. Some of them do not visit Crimea for fear of criminal and administrative persecution by the RF authorities.

When the Russian laws were enacted in Crimea, repressions against journalists transformed into legal actions. The media were forced to obtain a RF registration licence, with unwelcome mass media rejected licensing.

On March 31, 2015, re-registration of the Crimean media that had worked under Ukrainian licences, finished. As of April 1, 2015, according to the press office of Roskomnadzor data, 232 media were registered, including 163 print media and news agencies.³ According to the UN, at the beginning of 2014, about 3,000 media were registered in Crimea.⁴

³ Roskomnadzor registered over 200 mass media in Crimea/ Interfax, 1 Apr 2015 <http://www.interfax.ru/russia/433642>

⁴ Situation with human rights in the temporarily occupied Autonomous Republic of Crimea and Sevastopol City (Ukraine) / UN, — https://www.ohchr.org/Documents/Countries/UA/Crimea2014_2017_RU.pdf

Some journalists were fired due to re-registration of the media, and many employees disloyal to the occupation authorities were not hired by the re-registered media.

In addition, a number of local television and radio broadcasters were revoked their licences, that prevented them from participating in the frequency allocation tender, held by the RF authorities. On February 25, 2015, a tender for the right to lease ground-based broadcasting radio frequencies in Crimea and Sevastopol, announced by the Federal Service for Supervision of Communications, Information Technologies and Mass Communications, was held in Moscow. Frequencies of six Crimean radio stations (*TRANS-M-RADIO*, *BRIZ RTV BC*, *MORION RTV BC*, *LIDER radio*, *ASSOL' radio*, *RADIO NASHEGO GORODA*), based on the tender results, were transferred to other users.

During this period, the set-up of new Crimean media controlled by the occupation authorities and funded from the local and state budgets of the Russian Federation, started. The main messages of these media are to deny absolutely the fact of armed seizure of Crimea, to encourage violence and conscription to the RF army, to disrespect regularly journalistic ethics, and to incite hatred, to pro-Ukrainian media also. Hate speech against Ukrainian journalists was also regularly used by Russian officials and the Russian-controlled authorities of the occupation administrations.⁵

The next step in destroying access to independent information sources in Crimea was blocking Ukrainian Internet media resources. Such actions began in 2015 with selective blocking of Ukrainian and Crimean media for, as it was said, “extremist” content.

For instance, on August 4, 2016 in Simferopol, the local “prosecutor’s office” initiated blocking access to KRYM.REALII online media. As it was said by Natalia Poklonskaya, the head of the office, in the future “only certain articles” of the site containing “extremist appeals” might be blocked, while generally the access to the resource would be unblocked. This being said, N. Poklonskaya pointed out that she was initiating the complete closure of the Internet resource.⁶

As of the end of September 2019, at least 30 Ukrainian information Internet resources were completely or partially blocked in the Crimea.⁷

Pro-Ukrainian journalists and bloggers who did not agree with the occupation became victims of criminal and administrative persecution. Anti-terrorism and

⁵ Hate Speech in Infosphere of Crimea: Analytical Information Report on spreading hate speech on the Crimean Peninsula territory (March 2014 – July 2017)/ Under general editorship of I.Siedova and T.Pechonchik, Kyiv, 2018. — 40 p. <https://crimeahrg.org/wp-content/uploads/2018/03/Hate-book-RU.pdf>

⁶ Poklonskaya Explained Why KRYM.REALII Website Was Blocked/ RIA NOVOSTI, 4 Aug 2016 — <https://ria.ru/society/20160804/1473591757.html>

⁷ For more details, see Blocking Media Resources section

Screen shot of blocking CENSOR NET Ukrainian website, Sevastopol, February 2019

→ Не защищено | rublackist.sevstar.net/?urlRedir=https://

Доступ запрещён


Доступ к данному Интернет-ресурсу ограничен по требованию Роскомнадзора.

Запрашиваемый адрес нарушает требования законодательства Российской Федерации и/или входит в список запрещенных.

Со списками ресурсов, доступ к которым закрыт, можно ознакомиться подробнее:

[Федеральный список экстремистских материалов.](#)

[Единый реестр доменных имен, указателей страниц сайтов в сети «Интернет» и сетевых адресов, позволяющих идентифицировать сайты в сети «Интернет», содержащие информацию, распространение которой в Российской Федерации запрещено.](#)



РОСКОМНАДЗОР

anti-extremist laws were used for politically motivated persecution. Criminal cases were built against **four persons** because of publications that named Crimea a part of Ukraine. In total, ten criminal cases with signs of politically motivated criminal prosecution for free speech are known.

POLITICALLY MOTIVATED CRIMINAL PERSECUTION OF JOURNALISTS AND BLOGGERS

Name	Employer	Charged with	Status as of 31 May 2019
Ms. Anna Andriyevskaya	Center for Journalistic Investigations	Article 280.1-2	Free, under investigation, in the list of extremists
Mr. Andrey Klimenko	BlackSeaNews	Article 280.1	Free, under investigation, in the list of extremists
Mr. Yuriy Il'chenko	blogger	Articles 280 and 282	Free, under investigation, in the list of extremists
Mr. Nikolay Semena	KRYM. REALII	Article 280.1-2	On 2.5 years of probation, in the list of extremists
Mr Eskender Nebiyev	ATR	RF CC Article 212-2	On 2.5 years of probation
Mr. Nariman Memediminov	Crimean Solidarity	RF CC Article 205.5-2	In Rostov na Donu Detention Center
Mr. Remzi Bekirov	Crimean Solidarity	RF CC Article 205.5-1	In Rostov na Donu Detention Center

Mr. Osman Arifmemetov	Crimean Solidarity	RF CC Article 205.5-2	In Rostov na Donu Detention Center
Mr. Tofik Abdulgazyev	Crimean Solidarity	RF CC Article 205.5-2	In Rostov na Donu Detention Center
Mr. Rustem Sheykhaliyev	Crimean Solidarity	RF CC Article 205.5-2	In Rostov na Donu Detention Center
Ms. Gul'sum Khalilova	ATR	RF CC Article 280.1-2	Free, arrested in absentia

Crimean authorities also used administrative arrests and fines to persecute journalists and bloggers. So, two years before the arrest on a criminal charge, civil journalist Remzi Bekirov had been detained for three days of administrative arrest for reposting in the social network. Remzi Bekirov and Osman Arifmemetov were detained while filming at the house of a Crimean Solidarity activist that was being searched, and received five days of administrative arrest each under the “unauthorized rally” article.

Totally, at least 13 administrative cases,⁸ with signs of politically motivated persecution for free speech, are known. Within such cases the journalists and bloggers were punished with administrative arrests for 3 to 10 days and fines of RUR500 to 15,000. As to the accusation, the articles were different: the journalists were charged with attending unauthorized rallies, disseminating extremist symbols, violating the conditions of stay in the RF, taking drugs. When searched within such cases, some civil journalists were expropriated computers and mobile phones.

Since the start of occupation, “judges of the peace” of Crimea have considered at least nine administrative cases more against journalists and editors under R CoAO Art. 13.15 (*abuse of freedom of the media*). Many definitions in this article contradict the freedom of expression fundamentals. Ukrainian laws do not have the similar article. Reviewing the use of this article in Crimea has showed that “abuse of media freedom” for the Russian Federation authorities means referring to a banned organization without indication that this organization is banned in the Russian Federation. In such articles, the Crimean media revile “banned” organizations, using sometimes the hate speech. But the ‘courts’ leave unaddressed the facts of hatred incitement. Penalties are imposed not for using the hate speech, but for mentioning the organization without ‘banned in the RF’ label.

⁸ Remzi Bekirov — two administrative arrest for 3 and 5 day; Osman Arifmemetov — a 5 days’ arrest, Seydamet Mustafayev — a 10-days’ arrest, Alimdar Belialov — a RUR10,000 fine, Amet Suleymanov — a RUR15,000 fine, Seytumer Seytumerov — a RUR2,000 fine, Madeline Roache — two fines of RUR2,000 each, Nuri Abdureshytov — a RUR500 fine, Yevgeniy Gayvoronsky — a 10 days’ arrest, Mumine Saliyeva — a RUR1,000 fine, Lutfiye Zudiyeva — a RUR2,000 fine

Russian security men came to search the ATR Crimean Tatar TV Channel, 26 January 2015. Photo — Krym.Realii \RFE\RL



The editorial offices of pro-Ukrainian media were searched, equipment was sometime withdrawn without any legal grounds, and either returned unworkable, or was not returned at all, that shut down the work of entire staff as it happened with Crimean outlets AVDET and 15 MINUT. The ATR Crimean Tatar TV Channel was searched three times.

Some searches were in the houses of journalists as part of criminal cases started against their former colleagues, media owners or other persons. These actions in some cases also resulted into withdrawing equipment, computers, mobile phones.

At least 15 journalists and bloggers reported such searches: freelancers Zair Akadyrov, Lenyara Abibulayeva, Pavel Veselik, Ruslana Liumanova; former and current ATR employees Lilia Budzhurova, Roman Spiridonov, Elzara Islamova, Amet Umerov; activists of the Ukrainian Cultural Center, that published the KRYMSKY TEREN newspaper, Galina Balaban, Olga Pavlenko, Crimean Solidarity streamers Alimdar Belialov, Tofik Abdulgazyev; BlackSeaNews journalist Tatyana Guchakova; blogger Yelizaveta Bogutskaya; journalist of the Center of Journalistic Investigations Natalya Kokorina.

Extrajudicial searches were also in the houses of other journalists who wished to remain anonymous.

Another method of squeezing for the five years of occupation has become arbitrary detentions of journalists on filming or collecting the information. When the report was published, at least 47 cases of such arbitrary detention were known. 13 of them occurred in March 2014 and were accompanied with invaders' duress.

Since April 2014, journalists had been mainly detained by the occupying security forces. Such detentions were accompanied with forced transportation to the police station, verification of documents and mobile phones, psychological pressure and unauthorized interrogations. No documents substantiating these detentions were provided to journalists, and the victims' statements on violation of their rights were not further investigated.

The most frequent violation of the rights of journalists for the entire period of the occupation has been denying the information. Local authorities left journalistic requests unaddressed, security men and governmental officials restricted in various ways the access of undesirable journalists to the buildings of local authorities, courts, press centers and venues for public events. The refusal was often explained by lack of accreditation to participate in certain events. Attempts to get to the scene of events ended for journalists with seizing or breaking the equipment, unlawful detentions, and sometimes physical coercion.

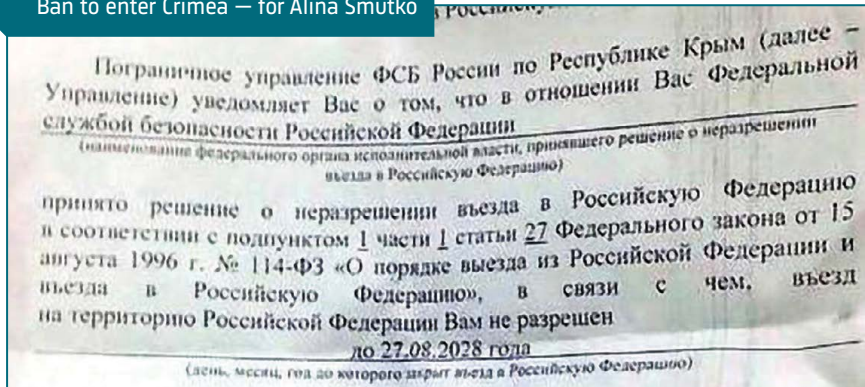
For five years of monitoring, more than 80 cases of a complete ban on shooting and at least eight cases of denying access to public information have been recorded. In other 13 cases, journalists were prevented from filming, including physical attempts to take away the equipment.

In addition, a number of cases when entry to the territory of Crimea through the administrative border with mainland Ukraine was denied by the Russian

Detention of journalist Zair Akadyrov, Simferopol,
15 January 2016. Photo — zair1.livejournal.com/v



Ban to enter Crimea — for Alina Smutko



authorities were recorded. During the annexation the journalists were not allowed to enter by the armed people without any reason for this. Later, RF FSB border guard men have started to detain journalists at the crossing line and denied them entry.

At least three Ukrainian journalists were handed bans in writing to enter the territory of Russia. Based on these documents, they were also denied entering the territory of the Crimean peninsula. Ms Anastasia Ringis, UKRAYINSKA PRAVDA journalist, is banned to enter Crimea till 2020; Ms Alina Smutko and Ms Aliona Savchuk, KRYM. REALII newsmen, till 2028.

Persecutions may be launched by anonymous denunciations reporting dangerous, as it was said, actions of journalists to the security men.

Denunciations were written not only on undesirable journalists, but also on the Crimeans, who commented on to the Ukrainian media. For example, in December 2016, members of the “Crimean Public Chamber” reported Ivan Komelov, an activist from Sevastopol, to the RF FSB for commenting to the KRYM. REALII online outlet (RADIO SVOBODA Project), stating that “this project activity is prohibited in the Russian Federation”.⁹

The websites of local pro-Ukrainian media reported also large-scale DDos attacks that shut down operations of such mass media for some time.

The local “Prosecutor’s Office” sent out warnings to journalists “about the inadmissibility of extremist actions,” thus threatening to prosecute for the publications not-prohibited by Ukrainian laws. The public activists who publicly advocated for the media, were also threatened.

⁹ Member of Sevastopol Public Chamber Was Reported to FSB for Comments to Krym. Realii / Krym. Realii, 09 Dec 2016. <http://ru.krymr.com/a/news/28165652.html>

Photo of complaint on independent KRYM. REALII outlet sent to the 'Prosecutor's Office' of Crimea in November 2018

Тематика обращения
О проявлениях экстремизма, возбуждения ненависти и вражды

Текст обращения
Добрый день,

В интернете есть такая "организация" или группа лиц которая называет себя "Крым реалии". Она ведет направленную деятельность против Российской Федерации, выдвигает и утрирует негативную информацию про территорию РФ, нас граждан и нашу культуру. Они снимают видео ролики про Крым, пишу новостные тексты.

Я и мои друзья, проживающие в Крыму и Севастополе, не раз видели скропанную ложь про наш замечательный полуостров на их информационных ресурсах, и про правительство и жителей Крыма, а в частности и про моих друзей (т.к. они являются известными блогерами в Крыму).

Мне кажется, эту организацию или группу лиц финансирует соседнее государство Украина, с целью посеять вражду и сомнения жителей полуострова к действующему правительству РФ, и в дальнейшем к свержению конституционного строя.

Все выше перечисленное дает мне основание полагать, что их деятельность на территории РФ может являться незаконной.

Прошу проверить, является ли их деятельность законной, дать правовую оценку их материалам, и в случае выявления нарушений, принять соответствующие меры. Либо перенаправить в компетентные органы, т.к. я этом вопросе плохо разбираюсь и могу обратиться не по адресу.

Список интернет-ресурсов, где они осуществляют свою деятельность:
<https://www.youtube.com/channel/UCTxc3zFeloSLhqPd5mIMKA/featured>
<https://vk.com/krymrealii>
<https://www.ok.ru/krymrealii>
<https://ru.krymr.com/>

Прокуратура Республики Крым
 Дата 22.11.2018 Время 08:33
 N ОДП-24450-18/

из 2

21

So, on March 31, 2015, the "Prosecutor's Office" of Crimea warned representatives of the Mejlis of the Crimean Tatar people Nariman Dzhelial and Ilmi Umerov about the inadmissibility of organizing, holding and participating in unauthorized actions and events in support of the ATR Crimean Tatar channel, that was broadcasting the last day in Crimea.¹⁰

The occupation administration officials discredited regularly and publicly the Ukrainian mass media. Statements of such contents were published at websites of local 'authorities', too.

For example, in August 2018, the website of the "government" of Crimea published an interview with the deputy Chairman of the Council of Ministers of Crimea Georgiy Muradov. Answering a question of a RIA Novosti journalist about methods of countering Ukrainian television and radio broadcasting in Crimea, he said: "We should not be afraid of Kiev propaganda. Crimeans have developed a stable immunity against it. And what so attractive can the Bandera regime offer us? It's another matter that on our part, we do be able to tell the Ukrainian audience the truth about life in Crimea and in Russia, that the Kiev nationalist authorities are concealing from it by any means. Our proper answer would be expanded

¹⁰ ATR, First Crimean Tatar TV Channel, Stopped Broadcasting/ Mejlis of Crimean Tatar People, 01 Apr 2015 — <http://qtm.org/новости/4660-прекратил-вещание-первый-крымскотатарский-телеканал-атр>

*broadcasting on the territory of neighbor state. And this is a task not only for Crimean, but also for federal bodies.*¹¹

From the very first days of occupation, local “authorities” started using the accreditation of journalists as a way to restrict access to information and a reason to ban filming. For example, on November 25, 2014, the Presidium of the “Parliament” of Crimea approved Resolution No. 222-1/14,¹² which regulates the rules for accrediting journalists,¹³ media staff, and news agencies. According to the act, the parliament committee for the information policy may revoke accreditation for “biased media coverage of activities”.

All cases that confirm the abovementioned trends are described in detail in the annex to the report “**FREEDOM OF SPEECH PERSECUTION CHRONOLOGY IN CRIMEA**’.¹⁴



¹¹ Georgiy Muradov: Even Enemies Understand Russia Will Not Renunciate Crimea/ ‘Government’ of Crimea, 10 Jan 2018. https://rk.gov.ru/ru/structure/2018_02_19_12_59_georgii_muradov_dazhe_vragi_ponimaiut_chno_rossiia_ne_otkazhetsia_ot_kryma

¹² Resolution no 222-1/14/ «GOSSOVET KRYMA». <http://www.crimea.gov.ru/act/12947>

¹³ Rules for Accrediting Journalists/ «GOSSOVET KRYMA», 25 Nov 2014. <http://www.crimea.gov.ru/app/4201>

¹⁴ Chronology of pressing the freedom of speech in Crimea. <https://crimeahrg.org/wp-content/uploads/2020/01/chronology-of-pressing-the-freedom-of-speech-in-crimea.pdf>

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

With its actions to restrict freedom of expression in Crimea, the Russian Federation violates a number of legal norms of human rights and the international humanitarian law.

Tortures by law enforcement agencies staff as well as the authorities failure to act when investigating physical attacks on journalists constitute violations of Articles 2 and 3 of the European Convention on Human Rights. Arbitrary detentions and freedom restrictions constitute a violation of Article 5 of this Convention. Gross violations during court proceedings and framed-up criminal and administrative cases against journalists and bloggers contravene Articles 6 and 7 of the same document.

Moreover, all the cases mentioned in the report affirm that the Russian Federation consistently and globally violates Article 10 of the European Convention on Human Rights in Crimea.¹⁵

Enforcing the norms of the RF criminal laws in the occupied territory of Ukraine, that makes the situation with freedom of expression significantly worse, constitutes a violation of Article 64 of the IV GENEVA CONVENTION relative to the protection of civilian persons in time of war,¹⁶ while displacement of prisoners contravenes Article 49 of the same Convention.

Seizing the Ukrainian radio frequencies in the territory of Ukraine and jamming radio signals contravene Article 35 of the International Telecommunication Convention.¹⁷ Such actions also violate a number of OSCE participating state commitments.

¹⁵ European Convention on Human Rights. https://www.echr.coe.int/Documents/Convention_RUS.pdf

¹⁶ Geneva convention relative to the protection of civilian persons in time of war of 12 August 1949 UN https://www.un.org/ru/documents/decl_conv/conventions/geneva_civil-ian_33.shtml

¹⁷ International Telecommunication Convention / Laws of Ukraine. https://zakon.rada.gov.ua/laws/show/995_001

RECOMMENDATIONS

Government of the Russian Federation:

- to release immediately all journalists and bloggers deprived of their liberty in Crimea under of a politically motivated criminal prosecution;
- to consider criminal cases related to freedom of expression, in Crimea under the Criminal Code of Ukraine;
- to investigate independently and to bring to justice all those involved in physical attacks, tortures, threats and other cases of violation of the rights of journalists in Crimea;
- to end political persecutions for freedom of expression in Crimea;
- to stop immediately censorship, unjustified blockings and other types of pressure on the independent media in the territory of Crimea;

President of Ukraine, Parliament of Ukraine (Verkhovna Rada), Ministry of Veterans, Temporarily Occupied Territories, and Internally Displaced People, Prosecutor's Office of AR of Crimea:

- to ensure an effective investigation of criminal proceedings of unlawful deprivation of liberty and persecution of journalists and bloggers in Crimea, as well as all other facts of obstructing independent journalistic activities in order to ensure the principle of unavailability of punishment for gross violations of human rights;
- to draft and adopt a necessary comprehensive legislation to ensure the protection and state support of journalists and bloggers who were unlawfully deprived of their liberty and became victims of politically motivated criminal persecution by the occupying authorities of Crimea and the Russian Federation;
- to facilitate a procedure to obtain a permit to enter the territory of the temporarily occupied Crimea for journalists, mass media staff, legal experts, and human rights defenders.

Governments of the EU member states, the USA, Canada, Switzerland, Japan — to continue bringing pressure on the Russian Federation authorities in order

- to stop the oppression of independent journalists, bloggers, in particular those who are members of the CRIMEAN SOLIDARITY group; and to ensure effective investigation of cases of obstructing the journalistic work:

- to set free all journalists and bloggers persecuted for political reasons in the temporarily occupied Crimea and in the Russian Federation;
- to end immediately enforcement of the Russian laws on the temporarily occupied territories of Crimea;
- to allow Ukrainian journalists to enter the Crimea without restrictions;
- to finish disseminating hateful statements in the mass media controlled by the occupation authorities and broadcast on the temporarily occupied territories of Crimea;

International organizations, including the UNO, OSCE, Council of Europe:

- to appeal to the Russian Federation demanding to set free immediately the journalists and bloggers, and to end restricting the free speech in Crimea;
- to support monitoring of the court proceedings by Ukrainian nationals in the Russian judicial authorities and the Crimean occupation “courts”;
- to support activities of an independent monitoring missions on the territory of occupied Crimea to document the situation with observing the human rights, in particular, freedom of speech.

OVERVIEW OF MAJOR TRENDS

For five years of the Crimea occupation so called peninsula authorities committed a number of institutional acts to be paid a particular attention to. Unlike persecuting individual journalists, these acts are aimed at eliminating consistently and globally the free speech in Crimea.

LEGISLATIVE RESTRICTIONS OF FREEDOM OF SPEECH AND EXPRESSION DUE TO ENFORCEMENT OF THE RUSSIAN LAWS IN CRIMEA

After the armed invasion of Crimea in February 2014 and the so-called “referendum” on March 16 of the same year, the Russian authorities began to change their legislative framework in order to restrict the fundamental human rights and freedoms. Part of the introduced legal restrictions is directly related to freedom of speech.

For example, the Russian Federation law no 433-FZ dated 28 December 2013 “On Amending the Criminal Code of the Russian Federation”. The lack of a clear definition of *corpus delicti*, in Article 280.1 of the RF Criminal Code, allowed for persecuting criminally the mass media people without any grounds for using generally recognized concepts regarding the armed conflict, namely, ‘occupation’, ‘aggression of the Russian Federation’, ‘annexation’, etc.

In 2014, the Criminal Code of the Russian Federation was amended so that the Crimean residents may be persecuted for denying the fact of “voluntary accession of Crimea to the Russian Federation”. On July 21, 2014, the RF President signed Federal Law no 274-FZ “On Amending Article 280-1 of the Criminal Code of the Russian Federation”,¹⁸ which upgraded a punishment for such appeals. According to the law, the minimum fine for calls to violate the territorial integrity of the Russian Federation (*Article 280.1-1 of the RF Criminal Code*) shall be RUR100,000, and the maximum one — RUR300,000. The law also introduced a punishment in the form of correctional labor for up to three years or arrest for 4-6 months. The maximum period of deprivation of liberty is four years. Calls for separatism via mass media or internet (*Article 280.1-2 of the RF Criminal Code*) shall be punished with compulsory community service for up to 480 hours or deprivation of liberty for up to five years. The law enshrined an additional punishment as a temporary disqualification for certain positions or certain activities.

¹⁸ Law 274-FZ / Official RF legal information website. <http://pravo.gov.ru/proxy/ips/?docbody=&prevDoc=102041891&backlink=1&nd=102356125&rdk=>

On January 30, 2015, a resolution was adopted in Crimea that allowed the local authorities to take measures to protect the Crimean Internet space and block sites that “with terrorist and extremist content” at the discretion of local authorities. The definitions of “terrorist and extremist files/ content” in this document are very blurry and allow for removing the mass media, opposing publicly the occupation of Crimea, from the information space.¹⁹

A number of the RF laws allow also persecuting journalists and the media under the pretense of countering extremism.

By the end of 2018 the Russian authorities in Crimea often referred to RF CC Article 282 (*Incitement of hatred or enmity as well as abasement of human dignity*) to persecute the journalists, bloggers, and the civil activists expressing their views in the social networks. On December 27 2018 Law no 519-FZ was published that replaced a criminal persecution under RF CC Article 282 for posts in the social networks’ inciting hatred’ with administrative liability, though the administrative liability is applied only to the fact of first violations. This helped stop criminal persecution on the already started cases and revise sentences imposed under RF CC Article 282. At the same time Law no 521-FZ²⁰ was published that enacted a new article — RF CoAO 20.3.1 (*Incitement of hatred or enmity as well as abasement of human dignity*). It prescribes a punishment of a RUR10,000 to RUR20,000 fine, community service for up to 100 hours or an administrative arrest for up to 15 days.

Another threat for the Crimean media is RF Law “On Foreign Agents”. On November 25, 2017 V.V. Putin signed Law no 327-FZ “On Amending Articles 10–4 and 15–3 of the Federal Law “On Information, Information Technologies and the Protection of Information” and article 6 of the Law of the Russian Federation “On the Mass Media”.²¹ These amendments made it possible to declare the mass media foreign agents.

According to these amendments to the law, any media outlet that is located abroad and receives foreign funding can be recognized as a foreign agent. Such mass media shall report to the Ministry of Justice on their activities, as well as indicate on their products that they are foreign agents. If the media outlet has refused to register as a foreign agent, its operations in Russia will be banned. On December 5, 2017, the Krym.Realii online outlet (*the regional project “Radio SVOBODA”*) was

¹⁹ For detailed review of the resolution — see CHRG review for February 2015, p.10 / Crimean Human Rights Group, February 2015. https://crimeahrg.org/wp-content/uploads/2016/10/Crimea_Field_Mission_Review_February_2015_RU.pdf

²⁰ Law 521-FZ / Official RF legal information website. <http://publication.pravo.gov.ru/Document/View/0001201812280002>

²¹ Law 327-FZ/ Official RF legal information website. <http://pravo.gov.ru/proxy/ips/?docbody=&nd=102451257&intelsearch=327-%D4%C7>

included in the list of “Foreign Agents — Media”, that caused obstacles for operations of the outlet and its staff in Crimea.

The new laws of the Russian Federation on unreliable information and disrespect for the authorities made it possible to punish anyone who criticized the authorities and disseminated the information considered false by the Russian authorities, with a heavy fine or deprivation of liberty. Legal uncertainty of language allows selective persecution for the publications.²²

On March 28, 2019, four laws of the Russian Federation no 27-FZ,²³ no 28-FZ,²⁴ no 30-FZ²⁵ and no 31-FZ,²⁶ entered into force. They introduced an administrative liability for persons and organizations for disseminating false information presented as reliable as well as information ‘expressing in an explicit and disparaged manner disrespect to the State of the Russian Federation and its authorities.’ The final version of the act suggests a fine of RUR30,000 to 100,000 for individuals, RUR60,000 — 200,000 for officials, and RUR200,000 to 500,000 for legal entities — for disseminating the ‘false information’, with ‘administrative violation object’ to be confiscated.

‘Disrespect to the authorities in a disparaged manner’ shall be punishable the first time by administrative arrest for up to 15 days or a fine of RUR30,000 to 100,000, the second time by a fine of RUR100,000 to 200,000 or an administrative arrest, and the third time by a fine of RUR200,000 to 300,000 or an administrative arrest.

The law, which opens up possibilities for creating a local Internet, is also dangerous. On May 1, 2019, the RF President signed bill no 608767-7 “On Amending Federal Law “On Communications” and the Federal Law “On Information, Information Technologies and the Protection of Information”.²⁷ These amendments envisages the start of creating a local Internet and tools for total Internet traffic control on the RF territory since November 2019. The adoption of this bill allows the RF authorities to limit significantly access to information for RF and occupied Crimea residents.

²² RF bills on ban to criticize the authorities and on ‘false information’ threaten Crimeans with new persecutions / Crimean Human Rights Group, 07 Mar 2019. <https://crimeahrg.org/zakono-proekty-rf-o-zaprete-kritiki-vlasti-i-nedostovernoj-informatsii-grozyat-novymi-presledovaniyami-krymchan/>

²³ Law 27-FZ / Official RF legal information website. <http://www.pravo.gov.ru/laws/acts/22/50554510601047.html>

²⁴ Law 28-FZ / Official RF legal information website. <http://www.pravo.gov.ru/laws/acts/22/50564510601047.html>

²⁵ Law 30-FZ / Official RF legal information website. <http://www.pravo.gov.ru/laws/acts/22/51484510601047.html>

²⁶ Law 31-FZ / Official RF legal information website. <http://www.pravo.gov.ru/laws/acts/22/51494510601047.html>

²⁷ Bill no 608767-7 / Support system for RF GOSDUMA legislative activities. <http://sozd.duma.gov.ru/bill/608767-7>

This law might — in the future — isolate globally the Crimeans from the external world and hand the reins to the occupation authorities, violating the human right to access to independent mass media. In the meantime, the access of the world community representatives to the information on such violations may become even more obstructed.

The local authorities also apply the RF laws to prevent unwanted journalists from entering government buildings and other events, referring to the lack of accreditation. Accreditation rules are stated in Article 48 of the RF Law “On Mass Media”. The concept of “journalist” is defined in Article 2 of this law. It says that a journalist is a person who deals with editing, compiling or preparing an information for a registered media outlet. The law does not establish accreditation for other persons. There are no such restrictions in the laws of Ukraine, where accreditation only offers additional benefits for journalists, but can’t be a reason for denying access and filming.

The local authorities introduced also their accreditation rules, and failure of journalists to comply with them may cause later denying access to information and filming.

So, on July 7, 2017, the Department of Internal Policy of the Government of Sevastopol issued a decree that declares dress code violations a reason for preventing the journalists from participating in the events attended by “Governor and Government of Sevastopol”.²⁸ The decree includes a lot of judgements (*for instance, ‘in dirty clothes and footwear’, ‘sports and seaside wear’, ‘provocative jeans wear’*) that have allowed the Department staff to restrict selectively the access of the mass media staff to the events.

Enforcement of these laws and regal regulations on the peninsula territory has made the situation for the Ukrainian nationals in Crimea significantly worse, because these norms are focused on restricting the free speech and regulate much more severely the mass media activity than the laws valid on the territory of Crimea before the occupation.

BLOCKING UKRAINIAN MASS MEDIA

TV CHANNELS AND RADIO STATIONS

For all five years the media resources in Crimea were blocked by absolutely unlawful methods based on the RF laws. For instance, in March 2014, during the armed occupation of the peninsula, an arbitrary shutdown of Ukrainian TV channel broadcasting and their replacement with Russian ones were observed.

²⁸ Decree no 42 / «Department of Internal Policy of the Government of Sevastopol», 08 Jun 2018. <https://sevastopol.gov.ru/files/iblock/cc4/prikaz-42.pdf>

On March 3, CERNOMORSKAYA TVR BC broadcasting was stopped by force. Later, on March 6, in Simferopol, the broadcasting of the Channels 1 + 1 and 5 was cut off.²⁹

On March 7 the NTV channel began broadcasting instead of the Inter TV channel, the Russian Channel One replaced the 1 + 1 Channel; Russia 24 instead of Channel 5, and Russia RTR instead of Chernomorskaya Broadcasting Company.³⁰ The same day BRIZ TVR BC stopped broadcasting in Sevastopol.³¹

On March 9, Dmitriy Bielik, acting as head of Sevastopol City Administration, ordered the Volya cable operator to stop immediately broadcasting the major Ukrainian channels.³² The same day, the Interfax news agency reported that all major Ukrainian television channels with news programs were shut down in Sevastopol.³³ According to the information of journalist Zair Akadyrov, on March 9 almost all of the broadcasting Ukrainian TV channels were also turned off in the rest of Crimea.³⁴ The Vesti radio broadcasting in Sevastopol was turned off on March 25, 2014.

On June 29 2014 cable TV providers in Simferopol stopped broadcasting CERNOMORSKAYA TVR BC and some Ukrainian channels: 1+1, 2+2, Channel 5, ICTV, NTN, Novyi Kanal, Rada, News24, and switched on Russian TV channels instead.

On September 10 Interfax NA informed that digital broadcasting of Ukrainian TV channels was shut down in Simferopol.³⁵

In November of the same year, after the forced eviction of the CERNOMORSKAYA TVR BC and Center of Journalistic Investigations, from the rented premises, the KRYMINFORM news agency controlled by the Russian authorities was set up in their place.

²⁹ Armed Capture of CRIMEA Radio TV Transmission Center, RRT Concern/ Concern of Radio Broadcasting, Radio Communicaiton, and TV Broadcasting, State Service for Special Communication and Protection of Information of Ukraine, 06 Mar 2014. <http://rrt.ua/press-center/index/actualone/lang/uk?id=135>

³⁰ Russian TV Channels Replaced Already 3 All-Ukrainian and 1 Crimean in AR of Crimea Air/ Interfax, 07 Mar 2014. <https://interfax.com.ua/news/general/194962.html>

³¹ BRIZ RTV BC Disaired in Crimea/ Institute of Mass Information, 07 Mar 2014. <https://imi.org.ua/news/trk-briz-vidimknuli-vid-v-efiru-v-krimu/>

³² Sevastopol Cable TV Providers Were Demanded to Stop Broadcasting Major Ukrainian Channels/ UNN, 10 Mar 2014. <https://is.gd/sGaoDn>

³³ Major News Ukrainian TV Channels Cut Off in Sevastopol/ Interfax, 09 Mar 2014. <https://interfax.com.ua/news/general/195171.html>

³⁴ Almost All Ukrainian TV Channels Disconnected from Analogue Broadcasting in Crimea/ Главное, 09 Mar 2014. <https://glavnoe.ua/news/n168801>

³⁵ Digital Broadcasting of Ukrainian TV Channels Also Stopped in Simferopol/Interfax 10 Mar 2014 — <https://interfax.com.ua/news/economic/195221.html>

Thus, by the end of 2014, digital, cable and on-air broadcasting of Ukrainian Broadcasting Companies was completely eliminated on the peninsula. The main goal of such actions is to limit significantly the access of Crimean residents to independent media.






In March 2015, the “head” of the Crimea, Sergei Aksionov, said that there would be no Ukrainian TV and radio on the peninsula. *“Crimea will not deal with distributing the Ukrainian broadcasting in the republic. Maybe, some satellites. This is a crazy and senseless idea,”* he said, commenting on the statement of the Minister of Information Policy of Ukraine Yuriy Stets’ that the Ukrainian radio difficult to jam would be soon heard in Crimea.³⁶

Since 2017, the Ukrainian authorities have been trying to restore radio broadcasting in the north of Crimea. For this purpose, the capacities of the radio towers located at the administrative border with Crimea in the villages of Chongar and Chaplyнка were increased. Ukrainian broadcasters received frequencies for broadcasting in parts of the Kherson region and northern Crimea from these settlements. However, the Russian authorities switch on purposefully the Russian and Russian-controlled Crimean radio stations at the same frequencies in the north of Crimea or install equipment that jams the radio signal of Ukrainian radios.

The Crimean Human Rights Group monitored FM broadcasting in 19 settlements of northern Crimea, including towns of Armiansk, Krasnoperekopsk, and Dzhakoy. The survey showed that Russian radio stations were broadcasting on all Ukrainian radio station frequencies in eight settlements.

In other 11 settlements the Ukrainian radio stations were partially blocked.³⁷







Broadcasting of the Ukrainian FMs from Chaplyнка in the Northern Crimea is replaced with such Russian stations:

-  KRYM — 95.3 — frequency of KULTURA Radio
-  MORE — 96.4 — frequency of PERETS FM
-  SPUTNIK — 102.3 — frequency of MEYDAN
-  MAYAK — 103.5 — frequency of KHAYAT
-  VATAN SEDASY — 106.4 — frequency of PROMIN’

Broadcasting of the Ukrainian FMs from Chongar in the Northern Crimea is replaced with such Russian stations:





³⁶ Kryms’ka Svitlytsia, 27 Mar 2015, p.4 .

³⁷ In Most Settlements of Northern Crimea Ukrainian FM Frequencies Seized by Russian Broadcasters /CHRG 06 Jun 2019 — <https://crimeahrg.org/v-bolshinstve-naselennyh-punktov-sev-ernogo-kryma-ukrainskie-fm-chastoty-zahvatili-rossijskie-veshhateli/>

-  SPUTNIK — 100.7 — frequency of UKRAINSKOYE RADIO
-  VESTI — 102.6 — frequency of PROMIN'
-  KRYM — 103 — frequency of ARMIA FM
-  MORE — 104.1 — frequency of RADIO NV
-  VESTI — 105.9 — frequency of KRYM.REALII
-  VATAN SEDASY — 107.8 — frequency of KHERSON FM

Thus, the Russian authorities deprive purposefully the Crimean residents of access to the information of independent mass media. The RF authorities absolutely disregard that blacking out radio signals was declaimed by the International Telecommunication Convention in 1947 and the UN General Assembly in 1950.

Such actions constitute also a violation of some OSCE participating states commitments, namely:

-  Commitment to contribute to improving the dissemination of radio and television information undertaken in the framework of the Conference on Cooperation in the humanitarian and other fields in Helsinki in 1975;³⁸
-  Commitment to ensure a direct and normal reception of broadcasts of radio services operating in accordance with the broadcasting rules of the International Telecommunication Union, adopted by the participating states in Vienna in 1989;³⁹
-  Commitment adopted by participating states in Moscow in 1991⁴⁰ that the public would be free in receiving and transferring the information and concepts without interference of the governmental authorities, irrespective of the borders, including the foreign publications and TV and radio broadcasting programs;
-  Commitment to take all necessary actions to establish a necessary base for operations of free and independent mass media to ensure uninterrupted cross-border and in-state information flows adopted in Istanbul in 1999 as a part of the European Security Charter⁴¹ that Russia completely neglects in Crimea with its actions.

³⁸ Conference on Security and Co-operation in Europe, Final Act / Helsinki 1975 (p.45) <https://www.osce.org/ru/ministerial-councils/39505?download=true>

³⁹ Concluding Documents of the Vienna Meeting 1986 of representatives of the participating states of the Conference on Security and Co-operation in Europe (p. 31) — <https://www.osce.org/ru/mc/40885?download=true>

⁴⁰ OSCE Human Dimension Commitments / Moscow, 1991 (p. 115), — <https://www.osce.org/ru/odhr/elections/77678?download=true>

⁴¹ European Security Charter / Istanbul Document of 1999 (p. 8), — <https://www.osce.org/ru/mc/39573?download=true>

INTERNET OUTLETS

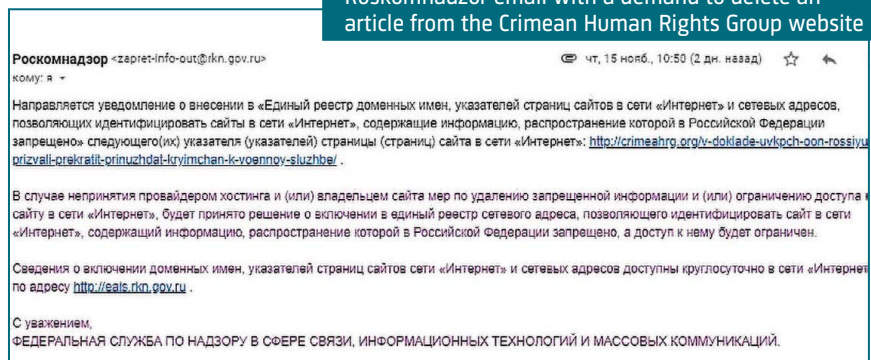
Internet media are also regularly blocked in the internet. For this purpose the Russian anti-terrorist laws and regulations of local occupation authorities are used.

So, on January 30, 2015, the “head” of the Crimea Sergey Aksionov issued Decree “On approving the Comprehensive Plan to Counter the Ideology of Terrorism in the Republic of Crimea for 2015 — 2018”.⁴² The document includes ‘supporters of armed conflicts in Syria and Ukraine participants’, ‘disseminators of terrorist, extremist ideology and information discrediting the Russian Federation’, “active members and ideologists of non-traditional religious cults” into the list of persons ‘acting destructively’. To implement this plan measures for blocking websites “with terrorist and extremist content” at the discretion of local authorities, were approved.

With this plan published, regular blocking of various Ukrainian information websites have been recorded on the peninsula. Based on the decision of the local or Russian courts, the website domain name and address of publication were included into the list of websites forbidden in the RF.⁴³ Then the websites received notifications from Roskomnadzor demanding to delete a publication unwanted by the RF authorities.

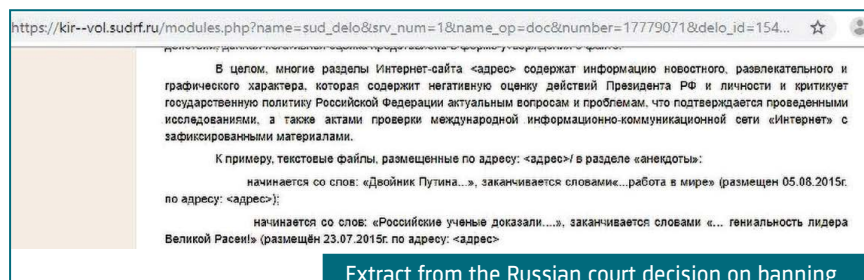
On December 29, 2018, the RF law no 472-FZ entered into force, and changed the response time for a hosting provider and a site owner to notifications of Roskomnadzor on the information forbidden for dissemination, that was published

Roskomnadzor email with a demand to delete an article from the Crimean Human Rights Group website



⁴² Decree “On approving the Comprehensive Plan to Counter the Ideology of Terrorism in the Republic of Crimea for 2015 — 2018 no 26-U / «Government of Republic of Crimea». http://rk.gov.ru/rus/file/pub/pub_238807.pdf

⁴³ Unified register of domain names, website page indicators in Internet, and web addresses for identification of the websites in Internet, containing the information forbidden for dissemination in the Russian Federation. <http://eais.rkn.gov.ru/>



Extract from the Russian court decision on banning the Censor.net website

at the website. According to the new rules, this information shall be deleted immediately, though earlier it had to be done within 24 hours.⁴⁴

If the owners of the media failed to delete the banned publications on time, the site was then blocked across the Russian Federation and in Crimea.

Thus, a number of Ukrainian sites are blocked throughout the Russian Federation. Blocking was caused by one or more publications where the Russian authorities found 'dissemination of extremist or terrorist ideology.' The very definition of 'extremism' in the RF legislation is so blurry that almost any critical remarks about the actions of the authorities can be defined that way.

For example, the Ukrainian online outlet "Censor.net" is blocked throughout the Russian Federation and in Crimea by decision of the Kirovsky District Court of Volgograd dated 24 September 2015.⁴⁵ One of major arguments for banning the information resource was website critical comments of the RF President Putin actions, including text files with his name in the ANECDOTES section.

In addition, information resources in Crimea were also blocked for publications on the activities of organizations called extremist or terrorist in the RF though not banned in Ukraine.

For example, the Hromadske Radio website is completely blocked by all providers in the Russian Federation and in Crimea due to an interview with a Hizb ut-Tahrir representative.⁴⁶ In August 2016, the radio editorial office received an email from

⁴⁴ Law 472-FZ / Official RF legal information website. <http://publication.pravo.gov.ru/Document/View/0001201812180020?index=0&rangeSize=1>

⁴⁵ Court judgement on banning Censor.net website on the RF territory / Kirovsky District Court of Volgograd 05 Sept 2014. https://kir--vol.sudrf.ru/modules.php?name=sud_delo&sr_num=1&name_op=doc&number=17779071&delo_id=1540005&new=0&text_number=1

⁴⁶ Russia Declared War Dissenting Views, — «Hizb-ut-Tahrir» / Hromads'ke Radio, 06 Mar 2016. <https://hromadske.radio.ru/podcasts/kyiv-donbas/rossiya-obyavila-voynu-vsyakomu-in-akomyshlyu-hizb-ut-tahrir>

Roskomnadzor informing that the access to the website had been limited due to the requirement of the Prosecutor's General Office of the Russian Federation dated 03 April 2015 no 27-31-2015 / Id1093-15.⁴⁷ When the radio station website changed a domain name, the Roskomnadzor emailed again to the editorial office, demanding to delete the interview with a Hizb ut-Tahrir representative, under a new link.

Roskomnadzor also addresses the owners of large social networks and services with demands to delete publications of Crimean journalists.

For example, in February 2019, Google Company demanded the Center of Journalistic Investigations to delete a video from its YouTube channel.⁴⁸ In the letter, the service referred to the Roskomnadzor demands to restrict access to the story about the Crimean political prisoner and human rights defender Emir-Usein Kuku posted on the agency's YouTube channel. A similar letter from Google in December 2018 was received by the Hromadske Radio editorial office. As of the end of May 2019, the publications demanded to be deleted by Roskomnadzor have not been deleted and are still available on YouTube.

At the same time, most of the sites in Crimea are blocked arbitrarily, without any reason. These are mainly sites of major Ukrainian media or sites of Crimean editorial offices that, after the occupation, left for mainland Ukraine due to persecution by the Russian authorities. Different providers in different cities of Crimea block these online media in different ways.

At least 18 Ukrainian information Internet resources in Crimea are completely inaccessible to users from ten Crimean providers. This is an outcome of the Crimean Human Rights group monitoring⁴⁹ carried out in August-September 2019.

As of late September 2019, these providers block access to minimum 23 websites operating freely in Ukraine. These are six Ukrainian information agencies: QHA, Ukrinform, Glavcom, Center of Journalist Investigations, UAinfo, RBK-Ukraine; two TV channel websites: 112 Ukraine, and Channel 5; Zerkalo Nedeli newspaper website; four news online outlets: Ukrayinska Pravda, Fokus, Left Bank, Apostrophe,

⁴⁷ Hromads'ke Radio Website Blocked in RF / Hromads'ke Radio, 12 Aug 2016. <https://hromadske.radio/ru/news/2016/08/12/v-rf-zablokuvali-sayt-gromadskogo-radio>

⁴⁸ Roskomnadzor and YouTube Demand the Center of Journalistic Investigations to Delete Story about Political Prisoner Emir Usein Kuku / Center of Journalistic Investigations, 05 Feb 2019. <https://investigator.org.ua/news-2/214065/>

⁴⁹ The website accessibility was checked by monitors using networks of 10 different providers in 9 Crimean settlements: BelNet (Belogorsk), SevStar (Sevastopol), Mehta (Simferopol), Bosportelecom (Kerch), YaltaNet (Yalta), SkyLine (Krasnoperekopsk District), Sivash Net (Krasnoperekopsk), GigaBite (Bakhchisarai), Dzhankoy Online (Dzhankoy), and Volna Mobile (Dzhankoy).

and Glavcom; and two internet portals: Cenzor.net, and Depo. Internet resources ToneTo, and Sled.net, as well as Strichka.com automated information monitoring and analysis service are not accessible, either.

Social network websites: LinkedIn and Telegram, as well as the websites of the Mejlis of Crimean Tatar People, Jehovah's Witnesses International Religious Organization, and Hizb-ut-Tahrir International Islamic party were also blocked.

In addition, 9 of 10 providers block also Glavnnoye website. 3 providers of 10 do not provide an access to Khayat Radio and Crimean Solidarity, non-governmental association, websites. Krym.Realii website is poorly accessible through 2 providers of 10. NB and Ukr.net websites are not accessible through 1 provider of 10.

According to the information of Digital Security Laboratory SA, in May 2019 Crimean internet providers: Lancom, Apex Crimea, KrymInfostroy, Djankoionline, Crimea Com South LLC, Bospor-Telekom — blocked at least 20 Ukrainian websites including six that were not in the official Roskomnadzor lists.⁵⁰

Due to such information policy of the Russian authorities the Crimean residents are deprived from access to the information of the major Ukrainian independent media, religious organizations and the Crimean Tatar people self-administration Kurultai website — the Mejlis of Crimean Tatar People, that are freely accessible on the other territory of Ukraine. At the same time the Crimean media space controlled by the Kremlin is used to raise hatred to the Ukrainians, the Muslims, the Crimean Tatars and other ethnic and religious groups. Such actions constitute a severe restriction on free speech and violate a number of international norms forbidding the hatred incitement and committing the states to avoid over-intervention into the free dissemination of information.

The actions of the Russian authorities in Crimea result into eliminating the pluralism of opinions and substituting in fact the independent mass media with the official Russian propaganda sources. Thus, the Crimeans are ultimately made unable to obtain the information on Ukraine and human rights issues occurred in Crimea, since the Kremlin controlled mass media hide most of such facts from the peninsula residents.

SITUATION WITH CRIMEAN TATAR MASS MEDIA

Crimean Tatars — the indigenous people of the peninsula — once their mass return to the homeland from the places of Stalin's deportation started in the late 1980s — mid 90s, began immediately to develop actively their mass media.

⁵⁰ Українські сайти в Криму найбільше блокують провайдери Bospor-Telekom і CrimeaCom / Лабораторія цифрової безпеки, 20.05.2019. <https://www.facebook.com/cyberlabUkraine/photos/a.1573858602657653/2317502288293277/?type=3&theater>

Despite some bureaucratic obstacles, by the time of the Russian occupation of the peninsula in March 2014, two public-political newspapers in the Crimean Tatar language (“*Kyrym*” and “*Yany Dyunya*”), two newspapers in Russian (“*Golos Kryma*” and “*Avdet*”) were published, there were national editorial offices at the state TV and radio broadcasting companies: ‘Krym’ and ‘Sevastopol’, that released programs in the Crimean Tatar language. ATR Channel and Meydan radio station, that were a part of ATLANT SV private holding, prepared programs in Crimean Tatar, Russian, and Ukrainian.

All newspapers, but for the AVDET, were supported financially by State, in various forms.

In addition, there were one full-fledged private news agency — “QHA”, which produced materials in Russian, Turkish and English as well as private Internet information resources: “*Crimeantatars.org*” (“*Atlant-SV*”, working languages: *Crimean Tatar and Russian*), “*Qirim-Vilayeti.org*” in Russian, “*Teraze.org.ua*” in Russian and “*Qirimtatar.org*” in Russian.

The Crimean Tatar editorial office of the KRYM State Television and Radio Broadcasting Company was subjected to pressure (*the channel was seized by the Russian military on March 1, 2014*). Since late April 2014, it was banned to show⁵¹ Mustafa Dzhemilev, the leader of the Crimean Tatars, Refat Chubarov, the head of the Mejlis, and members of the Mejlis of the Crimean Tatar people. Seitisliah Kishveyev, an editorial office director for many years, and Shevket Ganiyev, editor-in-chief of information programs, were put on enforced leave.

Seitisliah Kishveyev confirmed the introduction of “strict censorship.” “*I can’t work in such conditions, so I have to go on vacation*,” he noted.⁵² Kishveyev was fired on June 27, 2014. He said that he would not try to be reinstated. “*It is senseless to work further with this power*,” he said, noting that only people loyal to the invaders would be left in the editorial office.⁵³

And this happened. The new head of the Crimean Tatar editorial office, Seyran Mambetov, fired seven employees who had worked there for many years, in September. Of the previous employees, he kept in staff only his wife Susanna Beitullayeva and her broadcast partner Susanna Halilova. As the employees

⁵¹ Ban on Showing Dzhemilev, Chubarov and other Mejlis Members on TV in Crimea/ Interfax-Ukraine, 21 Apr 2014. <http://interfax.com.ua/news/general/201548.html>

⁵² KRYM State TVR BC Forbidden to Broadcast Mustafa Dzhemilev/ QHA, 22 Apr 2014. <http://old.qha.com.ua/ru/politika/gtrk-krim-zapretili-translirovat-mustafu-djemileva/135280/>

⁵³ KRYM State TVR BC Fired Crimean Tatar Program Director/ 15 Minut, 27 Jun 2014. <http://15minut.org/news/40761-gtrk-krym-uvolila-direktora-krymskotatarskih-programm-2014-06-27-16-07-00>

pointed out, the dismissal had been initiated by Yekaterina Kozyr', a new Director General of the TV Channel. Though Mambetov explained it to the people by their 'professional incomppliance'.⁵⁴

Employees of the Yany Dyunya weekly paper repeatedly announced about censorship and pressure, and in 2018 several people left the paper.

By 2015, the websites "Qirim-Vilayeti.org" and "Qirimtatar.org" stopped working in Crimea. Of the media licensed by Roskomnadzor, the Qirim and Golos Kryma (New) newspapers remained on the peninsula.

On March 31, 2015, the Meydan radio station stopped broadcasting, and the next day, the ATR television channel did — the Federal Service for Supervision of Communications, Information Technologies and Mass Communications (*Roskomnadzor*) refused to register them and license for broadcasting in Crimea.

From the first days of the peninsula seizure, the ATR channel was the target of an attack for the occupation administration, security forces as well as self-defense militants.

In 2014, the channel's employees were not allowed to attend many events, the holding's editorial offices were disconnected from the Internet at least three times, and ATR crews were attacked in the course of their professional activities. The situation did not change the next year, too.

Before the channel stopped broadcasting, on January 26 the editorial office had been searched,

On March 19, 2015, the head of the annexed Crimea, Sergei Aksionov openly stated that ATR would not work on the peninsula, as it gave "*hope for the return of Crimea to Ukraine*" and also "*incites people to action*".⁵⁵

On April 21, the RF Investigation Committee men searched the house of Escender Nebiyev, ATR TV Channel camera man, in Simferopol. He was detained, and the next day arrested on suspicion of participation in the riots that had occurred during a rally of pro-Russian separatists and the Crimean Tatars on February 26, 2014 at the building of the Supreme Council of the Autonomous Republic of Crimea.⁵⁶

⁵⁴ Fired Crimean Tatar Journalists To Be at Law with KRYM State TVR BC / QHA 30 Sept 2014. <http://old.qha.com.ua/ru/obschestvo/uvolennye-krimskotatarskie-jurnalisti-budut-sudit-sya-s-gtrk-krim/140234/>

⁵⁵ Aksionov ATR TV Channel Gives Hope for Return of Crimea to Ukraine, It Will Not Work Komsomol'skaya Pravda in Ukraine, 19 Mar 2015 — <http://kp.ua/life/495062-aksionov-telekanal-ATR-daet-nadezhdu-na-vozhraschenye-kryma-v-ukraynu-on-rabotat-ne-budet>

⁵⁶ ATR Camera Man Detained in Crimea — For Participation in 26 February Rally / Ukrayinska Pravda, 21 Apr 2015 — <https://www.pravda.com.ua/rus/news/2015/04/21/7065323/>

When the ATR TV channel restarted broadcasting from Kyiv on June 17, 2015, Crimean “deputy prime minister” Ruslan Balbek stated that the channel “*will be work against Crimea and against Russia, defending the interests of Western patrons.*” The official warned that the Russian security forces would prosecute journalists who “*will work to create a negative image of the Russian Crimea.*”⁵⁷

The actions of the security forces were not long in coming. The “Tsentralny District Court of Simferopol” on October 12, 2015 sentenced Eskender Nebiev to two years and six months in prison (*suspended*).⁵⁸

And on November 2, at about 6:00 a.m., the houses of Elzara Isliamova, former ATR director, Lilia Budzhurova, former deputy director, sister and father of channel owner Lenur Isliamov — Lenara and Edem Isliamovs were searched. A search was also in the Moscow apartment of Lenur Isliamov. The reason for the search was the criminal case initiated by the FSB against him, but the article under which it was started, was not indicated either in the court ruling on the search, or in other public sources. The ruling also did not specify the status of the people whose houses were searched, in this criminal case.⁵⁹

A month later, on December 9, within the same case, the house of Elzara Isliamova was searched the second time. And on December 10 the security men came to search the apartment of Roman Spiridonov, a former ATR channel editor, and the house of his parents in Simferopol.⁶⁰

On February 26, 2016, Radio Meydan announced restarting the Internet broadcasting from Kyiv, and on June 28 it was awarded a licence for 98MHz frequency in the city of Henichesk, Kherson Region, where the large Crimean Tatar community lives, at the tender of the National Council for Television and Radio Broadcasting.

On December 27, 2016 it became known that the National Council for Television and Radio Broadcasting issued licenses to four radio stations that might broadcast to the occupied Crimea. Among them is ‘Meydan’.

⁵⁷ Balbek: Kyiv Is Using ATR Channel To Disintegrate Crimean Tatars / RIA Krym, 20 Jun 2015 — <http://crimea.ria.ru/politics/20150620/1100289816.html>

⁵⁸ Eskender Nebiyev Sentenced to 2.5 Years (Suspended) Under February 26 Case /Center of Journalistic Investigations, 12 Oct 2015 — <http://investigator.org.ua/news/165606/>

⁵⁹ FSB Searching House of Crimea Blockade Coordinator, Building of His TV Channel Encircled / Novoye Vremia, 02 Nov 2015 — <http://nv.ua/world/countries/fsb-provodit-obyski-v-dome-koordinatora-blokady-kryma-zdanie-ego-telekanala-otsepleno-77480.html>

⁶⁰ Details of Search at Crimean Editor Roman Spiridonov Appeared/ 15 Minut, 10 Nov 2015 — <http://15minut.org/news/153239-poyavilis-podrobnosti-obyska-u-krymskogo-redaktora-romana-spiridonova-video>

In general, ten Crimean media, including Crimean Tatar ones, were forced to move to mainland Ukraine after the occupation. They faced various types of persecution, restrictions and could not continue to work on the territory of the Crimean peninsula.

It should be noted that the Crimean Tatar media that have moved to the mainland Ukraine, publish now substantially less exclusives due to the lack of a correspondent network in Crimea.

FIGHT WITH «QHA» IA AND AVDET NEWSPAPER

The day when the ATR TV channel was stopping its broadcasting, the editorial office of the Crimean Tatar news agency QHA also announced its movement to Kyiv. It did not manage to obtain a license from Roskomnadzor for work in Crimea.⁶¹

Prior to this decision, since May 2014, agency correspondents were not any more allowed to attend meetings and other events held by the occupation authorities. For example, they were banned the entry to events in the Council of Ministers building, referring to the fact that journalists were on the “black list” because they had written “incorrectly” about the Crimean referendum.

On August 9, 2014, Ismet Yuksel, the agency owner and adviser to the head of the Mejlis, was forbidden entering the peninsula for five years.⁶² QHA director Gayana Yuksel was called to the Center for Countering Extremism on April 22, 2015 (“E” Center). The administrative proceedings were started against her for agency publications in 2006 and 2009.

When Roskomnadzor had denied the registration, the AVDET Weekly Newspaper had to stop publishing in full circulation on April 1, 2015. The circulation was reduced to 999 copies, since under Russian laws a non-registered newspaper may be published with a circulation of less than a thousand copies. By that time Shevket Kaybullayev, AVDET Newspaper editor-in-chief, had got four warning notices from the Russian security bodies on inadmissibility of extremist actions.

The newspaper editorial office located at the building of the Mejlis of Crimean Tatar people, was searched on September 16, and the next day the newspaper as well as other organizations located in the building were ordered to leave the rooms within 24 hours.⁶³

⁶¹ QHA Information Agency Moved to Kyiv / QHA, 01 Apr 2015 — <http://qha.com.ua/ru/ob-schestvo/informagentstvo-qha-perehalo-v-kiev/144005/>

⁶² Ismet Yuksel, QHA General Coordinator Forbidden Entry to Crimea / QHA, 09 Aug 2014 — <http://qha.com.ua/ru/politika/generalnomu-koordinatoru-qha-ismetu-yukselyu-zapreti-li-vezd-v-krim/138875/>

⁶³ Crimean Tatar Mejlis Given 24 Days to Evict / Krym.Realii, 17 Sept 2014 — <http://ru.krymr.com/a/26590238.html>

The paper moved to the regional office of Simferopol Mejlis. But on July 15 2016 Teyfuk Gafarov, a Mejlis member, who had supported the occupiers, and was 'deputy' head of Simferopol administration at that time, damaged the lock on the office door, and seized it in fact.

ESTABLISHMENT OF NEW CRIMEAN TATAR MASS MEDIA IN CRIMEA

On September 1, 2015, TV Channel **MILLET** created by the authorities of the republic, began broadcasting, airing the programs in Crimean Tatar and Russian, while the Crimean Tatar television and radio editorial office at the KRYM TVR BC was closed down.

Then on November 20, 2015, the authorities launched a Russian-language newspaper with the Crimean Tatar name "Meraba", designated for the Crimean Tatar audience. It is a weekly publication, with 1,000 copies circulation.

A new Crimean Tatar radio station- Vatan Sedasy- created by the authorities, began to broadcast on February 13, 2017.⁶⁴

Alternative

Under the total censorship and limited access of independent Crimean Tatar media to work in Crimea, many Crimean Tatars began to receive information from social networks, reading posts of leaders of the Mejlis, human rights experts and civic activists.

However, Russia is trying to block this channel of information, too. For instance, in February 2015, the popular group called "Crimea and Crimean Tatars" was first blocked, and then deleted in the Russian social network Odnoklassniki. It consisted of more than 14.5 thousand participants.

In addition, according to the lawyer of a number of political prisoners Emil Kurbedinov, civic journalists who "*video arrests, searches, detentions, lawsuits, interview people and lawyers for posting on the Internet.*" are brought to administrative and criminal liability on the peninsula. "*We expect repressions against these activists and "field "reporters,"*" said Kurbedinov.

OTHER PERSECUTIONS FOR EXPRESSING THE OPINION

For the first three years of the occupation of Crimea by Russia, independent journalism on the peninsula was almost completely eliminated. Then the persecution of activists who posted pro-Ukrainian or critical materials on social networks intensified.

⁶⁴ Crimean Tatar Radio Station Vatan Sedasy Received Frequencies to Broadcast in Major Republic Cities / Kryminform, 27 Jan 2016 — <http://www.c-inform.info/news/id/34559>

Together with intensifying the repressions against members of the Hizb ut-Tahrir international Islamic party, squeezing streamers and other members of the Crimean Solidarity public movement, who regularly cover politically motivated or religious cases and publish photos and videos about this on the Internet, has also increased.

The Crimean Solidarity participants are mostly persecuted under anti-extremist and anti-terrorism laws.

For example, on May 21, 2018, Server Mustafayev, of the Crimean Solidarity coordinator, was accused of a terrorist organization membership (*Article 205.5-2 of the RF Criminal Code*) — in the Hizb ut-Tahrir party. “Kievsky District Court” of Simferopol decided to keep Mustafayev in custody.

Later, on December 13, 2018, he was placed at mental hospital for a month for a forced psychiatric examination.⁶⁵ At the time of the book writing, Server Mustafayev was convoyed from the Simferopol pre-trial detention center to the Rostov-on-Don pre-trial detention center.

Internet publications become a reason for persecuting other activists that the occupation government is not satisfied with. Anti-extremist and anti-terrorism laws are also used for these purposes, sometimes even retrospectively. The vague wording and other serious drawbacks of the Russian legislation, that, disrespecting the international humanitarian law norms, is enforced in Crimea, helps the occupation authorities abuse.

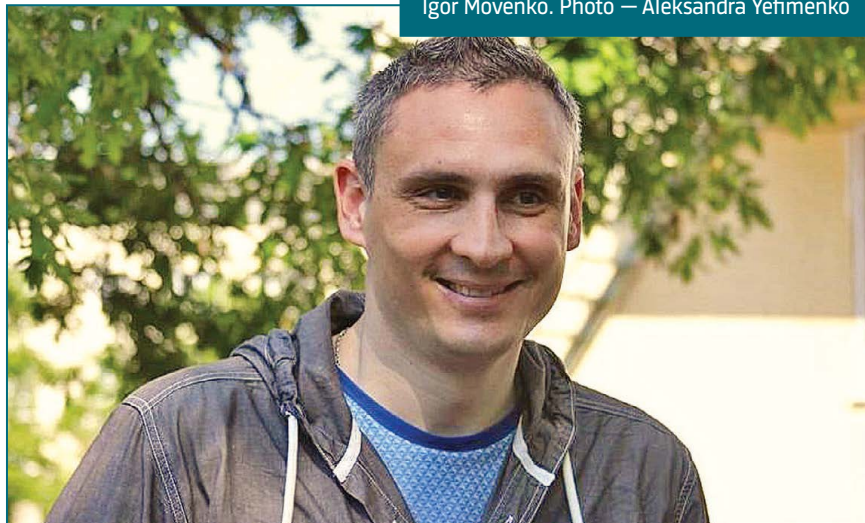
Thus, Ukrainian activists Igor Movenko and Larisa Kitayskaya became defendants in criminal cases for their publications on social networks.

FSB men in Yalta detained Larisa Kitayskaya, a Ukrainian activist, and a member of the Euromaidan-Yalta movement, on July 18, 2016.⁶⁶ She was handed the suspicion note of extremism and ethnic hatred incitement for pro-Ukrainian posts on social networks. And on December 26, 2017, she was sentenced to two years of probation for publishing on the social network Facebook (*RF CC Article 282-1*). In March 2018, the Kremlin-controlled ‘Supreme Court of Crimea’ changed the sentence to Larisa Kitayskaya, reducing the suspended sentence by two months — to one year and ten months. When this article was decriminalized on January 23, 2019, Larisa Kitayskaya.

⁶⁵ Lawyer: Server Mustafayev Called His Placing at ‘Mental Hospital ‘Punitive Psychiatry’ / Krym.Realii 14 Dec 2018 — <https://ru.krymr.com/a/news-server-mustafaev-karatelnaya-psi-hikATRia/29656233.html>

⁶⁶ CHRG Review July 2016/CHRG — https://crimeahrg.org/wp-content/uploads/2016/08/Crimean-Human-Rights-Group_July_2016_RU.pdf

Igor Movenko. Photo — Aleksandra Yefimenko



Following the decriminalization of this article Larisa Chita was dismissed charges of 'extremism on social networks', but she had been never returned the equipment expropriated during the searches. Later she had to leave Crimea.

In April 2017, a criminal case was filed against Ukrainian activist Igor Movenko under RF CC Article 280-2 — public calls for extremist activities committed using the Internet. As a preventive measure, he was put under travel restrictions. On May 4, 2018, Pavel Krylo, a judge of the "Gagarinsky District Court" of Sevastopol, passed a sentence on Movenko and sentenced him to two years in the general regime colony. After the sentence, Movenko was deprived of liberty and sent to the detention center in Simferopol. But on June 26, 2018, the 'Sevastopol City Court' considered the appeal in the Movenko case and changed the sentence. Judge Vasiliy Avkhimov sentenced him to two years (*suspended*) with a year of probation. Igor Movenko was released from the detention center on June 28.

A criminal case against the activist was opened for a comment that he had published in the summer of 2016 in the Crimea-Ukraine group on the VKontakte social network. The post stated the need for coercive actions against those who had participated in the occupation of Crimea. Earlier, Igor Movenko had openly demonstrated support for the territorial integrity of Ukraine by placing Ukrainian symbols on his bicycle. The criminal case was filed against Igor Movenko after he had tried to get the fact of attacking him by a former Berkut unit men of the Ministry of Internal Affairs of Ukraine, investigated. The comment had been published much earlier, but then did not attract the attention of the FSB. No case was filed regarding the attack on the Ukrainian. Such actions demonstrate a

Ilmi Umerov. Photo — Yelena Lysenko/
Crimean Human Rights Group



selective approach of the occupying power to applying the anti-extremist laws and prove a politically motivated persecution.

Another way to squeeze those who disagree with the actions of the Russian Federation in Crimea is to persecute activists for quoting in the media. People who have publicly expressed the view that Crimea remains the territory of Ukraine become criminal defendants for calls for separatism, as this is presented.

For instance, representatives of the Crimean Tatar People Mejlis: Ilmi Umerov, Suleyman Kadyrov and Eskander Bariyev became victims of such persecution under Art. 280.1 — *public calls to actions aimed at violating the territorial integrity of the Russian Federation*.

On September 27, 2017, Ilmi Umerov was sentenced to two years in the penal settlement-colony for an interview with the ATR Crimean Tatar TV channel, where he was speaking about the territorial allegiance of Crimea. Ilmi Umerov was also forbidden for two years to be engaged in public activities and speak with the mass media. On October 25, 2017, he was transferred to Turkey, and two days later he arrived in Ukraine. Umerov was released by decision of the President of Russia, but he was not handed any documents about this.

Suleyman Kadyrov, a member of the regional Mejlis of the Crimean Tatar People in Feodosiya, was sentenced on March 1, 2018, to two years' probation for a comment on the social network: "Crimea is Ukraine, it has always been, is and will be!". The "court" also forbade him to be a community organizer for two years.

Eskender Bariyev, head of the Crimean Tatar Resource Center Board and a member of the Mejlis of the Crimean Tatar People, was out by the Russian occupation authorities of Crimea on the international wanted list on January 29, 2019. After the occupation, Bariyev had to move to Kyiv. A criminal case has been filed on him under the same RF CC Article 280.1–2. On December 24 2018 ‘Kievsky District Court of Simferopol’ remanded E.Bariyev ‘in custody for two months since the day of extradition to the RF territory or since the day of detention on the RF territory’.⁶⁷

Such a persecution contradicts the concluding observations of the UN Human Rights Committee, that called on the Russian Federation to apply anti-separatism legislation in accordance with Art. 19 of the ICCPR, and not use it to intimidate persons who criticized the foreign policy of the state, including in the Crimea context.⁶⁸

On June 10, 2019, Sergey Romanov, a judge of the ‘Nakhimovsky District Court of Sevastopol’, sentenced Valeriy Bolshakov, a resident of Sevastopol, to two years and six months of imprisonment (*suspended*) with a 2 years’ probation period for publications in which he had expressed his dissatisfaction over the actions of the Russian authorities and Russian President Vladimir Putin.

In the verdict the judge referred to the opinion of expert I.V.Tarzhmakova, who stated that Mr. Bolshakov ‘had got to make comments provoking coercive actions against a group of ‘representatives of the authorities’.

In total, during the occupation period at least 29 activists have been hold criminally and administratively liable for the Internet publications and comments in the mass media.

For example, under RF CoAO Article 20.3 — propaganda or public demonstration of Nazi attributes or symbols, or attributes or symbols of extremist organizations, or other attributes or symbols, which propaganda or public display is prohibited by federal laws. So, for the demonstration of the Hizb ut-Tahrir symbolism, which is not prohibited in Ukraine, at least 12 judgements have been awarded since the beginning of the occupation. Some of the persecuted are active public figures on the peninsula. For instance, the lawyer of some Crimean political prisoners Emil Kurbedinov, Crimean Tatar activists Marlen Mustafayev, the Kulametov family. Punishments imposed on them range from penalties of RUR1,000 to 12 days’ arrest. 12 judgements on these cases are eight arrests and four penalties.

⁶⁷ RF put Eskender Baliyev, Member of the Mejlis of the Crimean Tatar People, on Wanted List /CHRG, 13 Feb 2019 — <https://crimeahrg.org/chlena-medzhilisa-krymskotatarskogo-naroda-eskendera-barieva-rf-obyavila-v-rozysk/>

⁶⁸ Concluding observations on the seventh periodic report of the Russian Federation, p. 20/ UN, 28 Apr 2015 — <https://bit.ly/2ZDBA3h>

Herewith, the posts with the Hizb ut-Tahrir symbols the Crimean Tatars were fined and arrested for, had been mostly published even before the occupation of Crimea. Some of them did not have a large number of views and reposts, some had been deleted before the judgement was awarded. Nevertheless, such cases mostly ended with arrests for a period of five, ten or 12 days.

Crimeans are also fined under RF CoAO Article 20.29 — production and dissemination of extremist materials. The punishment is mainly imposed for dissemination the printed documents, songs and other works of art that are recognized as extremist in the Russian Federation. While in Ukraine most of them are not forbidden, and the Crimeans, before the occupation, might freely disseminate them, not violating the laws of their country.

After the occupation, at least 22 court judgements have been awarded on punishment for the storage of literature, which is not prohibited in Ukraine. This is the literature of Jehovah's Witnesses, books about Islam and anarchism. Crimeans, Aleksey Shestakovich and Ivan Markov, were sentenced to 10 days' arrest each, for books on the anarchism. Anarchist Sergey Vasilchenko was also sentenced for 10 days' arrest for publishing songs by La Vida Cuesta Libertades titles 'Black Terror' and 'Farewell to Capitalism!'

Punishing the Crimeans with administrative arrests for music, literature and Internet posts that are not prohibited in Ukraine is unacceptable and can be equated to a criminal prosecution for freedom of expression, as the punishment is associated with deprivation of liberty.

The result of such Russian policy is that it becomes dangerous for the Crimeans to express their opinion. The practice of punishing the Crimeans administratively for freedom of expression shows that in many cases these punishments are politically motivated.

Ms.Iryna Siedova
Ms. Tatyana Pechonchyk
Ms. Tatyana Rikhtun

CRIMEA: FREEDOM OF SPEECH IN OCCUPATION

Information Analytics Report on persecuting
journalists and bloggers within the Crimean
Peninsula territory

March 2014 – September 2019



© Crimean Human Rights Group NGO

© ZMINA Human Rights Center NGO