



CRIMEAN HUMAN RIGHTS GROUP

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CRIMEAN HUMAN RIGHTS SITUATION REVIEW

JULY 2021

The monitoring review was prepared by the Crimean Human Rights Group on the basis of materials collected in July 2021

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CONTENTS

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

1 | INTRODUCTION

The **Crimean Human Rights Group (CHRG)** is an organization of the Crimean human rights defenders and journalists, the purpose of which is to promote the observance and protection of human rights in Crimea by attracting widespread attention to the problems of human rights and international humanitarian law observance 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 LIFE

On July 6, lawyer S. Panich reported that the Investigative Committee of the Russian Federation (RF IC) had refused the relatives to take away the body of Muslim **Nabi Rakhimov**, killed in Crimea by officers of the Russian law enforcement agencies during his arrest on May 11. Alexei Skorin, RF IC Senior Investigator said that the body would not be handed over, and, moreover, that the place of burial of the victim's body would not be reported.¹ The Investigative Committee motivated this decision by the "terrorist activities of the deceased," despite the fact that the guilt of the deceased had not been proven in court, and the defense claims that Rakhimov was killed as a result of abuse of authority by security agencies' men.

RIGHT TO LIBERTY AND SECURITY OF THE PERSON

SEARCHES AND DETENTIONS

On July 8, the RF UC men searched the house of **Haide Rizayeva's** parents under charging of being in N.Chelebidzhikhan Battalion (*for more details, see section Persecution on charge of being in N.Chelebidzhikhan Battalion*)

On July 22, the Center for Counteraction to Extremism of the Ministry of Internal Affairs of the Russian Federation (Center E) men searched the house of **Ali Ibragimov**, a

shop he owned, and the house of his son — **Abdulla Ibragimov**. The Russian security forces surrounded the search sites and did not allow anyone there, including lawyers. The search in Ali Ibragimov's house lasted more than 4 hours. After the searches Ali Ibragimov and his sons Mustafa and Abdulla were taken by the policemen to the Russian police department of Yevpatoriya. The reason for searches is the administrative proceedings against Mr.Abdulla Ibragimov under the Russian Federation Code of Administrative Offenses (CoAO), Article 20.3 (*Public display of the symbols of a banned organization*) for a post on the VKontakte social network with the symbols of the Hizb ut-Tahrir party, which he had published before the occupation started.² On the same day, Natalya Kiosa, a judge of 'Yevpatoriya Town Court', arrested Abdulla Ibragimov for 3 days.³ Searches, obstruction of lawyers' actions, punishment for the post published prior to the occupation breach the right to liberty and security (*ECHR, Article 5*), the right to a fair trial (*ECHR, Article 6*), the right to no punishment without law (*ECHR, Article 7*), the freedom of expression (*ECHR, Article 10*), the right to an effective remedy (*ECHR, Article 13*). This is one more illustration of retrospective use of the Russian law in Crimea.

POLITICALLY MOTIVATED CRIMINAL PROSECUTION

As at the end of July **111** persons were deprived of liberty due to politically reasoned

¹ <https://crimean-solidarity.org/news/2021/07/06/telo-dlya-zaxoroneniya-ne-vydaetsya-sledkom-kryma-otkazalsya-vernut-trup-ubitogo-silovikami-raximova-1377>

² <https://www.facebook.com/crimeansolidarity/posts/1456180871416031>

³ «Yevpatoriya Town Court» / List of cases to be heard on 22 Jul 2021. Case 5-1157/2021 http://evpatoriya--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=22.07.2021



and/or religious criminal persecution. The full list has been published at the CHRG website.⁴

“CASE OF CRIMEAN MUSLIMS”

This case defendants are accused of membership in Muslim religious organizations⁵ 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. Cases are considered in violation of the right to a fair trial, the main evidence for the court is the testimony of anonymous witnesses (many of whom are RF FSB men), pre-trial testimony of witnesses who later declare in court that such testimony was given under duress, and linguistic examinations of conversations of the accused Muslims. The evidence provided by the defense is usually not accepted by the judges.

In July the total number of Crimean residents deprived of liberty under the ‘Case of Crimean Muslims’ was **74 persons**, and **5 more people** are under the movement restriction: **3** are subject to supervision, and are not allowed to leave the occupied territory, and **2** are on house arrest.

On July 7, Igor Kostin, the YuOVS judge, extended the detention period of **Rustem Seytmemetov, Osman Seytumerov and Seytumer Seytumerov** until October 22.⁶

On July 8, Denis Galkin, the YuOVS judge, extended the detention period of **Ismet Ibragimov** until October 24.⁷

On July 8, Oleg Yegorov, judge of the Military Court of Appeal in Vlasikha (RF),

upheld the decision to keep **Raim Aivazov, Farkhod Bazarov, Remzi Bekirov, Riza Izetov and Shaban Umerov** in custody until September 16.⁸

On July 9, Kirill Krivtsov, the YuOVS judge, within the preliminary hearing in the case of **Azamat Eyupov**, extended his detention period until December 28 and ruled to transfer him from Crimea to Rostov-on-Don (RF).⁹

On July 15, judge Alexander Peresada of the Military Court of Appeal in Vlasikha (RF) upheld the decision to keep **Enver Ametov, Osman Arifmemetov, Yashar Muedinov, Ruslan Suleymanov and Rustem Shekhaliyev** in custody until September 20; judge Alexander Darnitsyn upheld the decision to keep **Tofiq Abdulgazyev, Vladlen Abdulkadyrov, Izzet Abdullayev, Medzhit Abdurakhmanov, Bilal Adilov** in custody until September 19; judge Sergei Vinnik upheld the decision to extend the detention period of **Alim Sufyanov and Seyran Khayretdinov** and the detention of **Alexander Sizikov** under house arrest until October 20.¹⁰

On July 23, Yulia Tsorayeva,¹¹ a judge of the ‘Supreme Court of the Republic of Crimea’ (‘RC SC’) upheld the decision to keep **Timur Yalkabov and Lenur Seydametov** in custody until September 20.¹²

On July 27, Stanislav Zhidkov,¹³ the YuOVS judge, at the request of the prosecutor Dina Danielyan, extended **Emil Ziyadinov’s** detention period until November 3.¹⁴

On July 29, judge Alexander Peresada of the Military Court of Appeal in Vlasikha (RF) upheld the decision to keep **Servet Gazyev**,

⁴ https://crimeahrg.org/wp-content/uploads/2021/08/prisoners_07_2021.pdf

⁵ In most cases this organization is ‘Hizb-ut-Tahrir’

⁶ <https://www.facebook.com/crimeansolidarity/posts/1446183689082416>

⁷ <https://www.facebook.com/crimeansolidarity/posts/1446640252370093>

⁸ Military Court of Appeal / List of cases to be heard on 8 Jul 2021. Case 55K-224/2021 https://vap.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=08.07.2021

⁹ <https://www.facebook.com/crimeansolidarity/posts/1447469592287159>

¹⁰ Military Court of Appeal / List of cases to be heard on 15 Jul 2021. Cases 55K-224/2021, 55K-240,2021, 55K-241,2021 https://vap.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=15.07.2021

¹¹ «RC SC» / List of cases to be heard on 23 Jul 2021. Case 22K-2284/2021 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=23.07.2021

¹² <https://www.facebook.com/crimeansolidarity/posts/1457202124647239>

¹³ YuOVS / List of cases to be heard on 27 Jul 2021. Case 1-65/2021 https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=27.07.2021

¹⁴ <https://www.facebook.com/crimeansolidarity/posts/1459826257718159>



Alim Karimov, Dzhemil Gafarov, Seirn Murtazu, Erfan Osmanov in custody until September 20.¹⁵

“UKRAINIAN SABOTEURS’ CASE”

At the end of July 2021, **17 people** (including Mr.Vladyslav Yesypenko) who were accused by the RF FBS during the detention “of preparing subversions, possession of weapons and espionage”, were in custody. These cases feature recorded facts of unlawful investigation methods, torturing to get confessions, violation of presumption of innocence, dissemination of ‘confession’ videos by the RF FSB via the Russian mass media.

On July 27, the «RC SC» began hearing the criminal case of **Konstantin Shiring**, a Ukrainian national, accused under RF CC Article 276 «Espionage» on the merits. The first session did not take place because Mr.Shiring was not brought to court. He was supposed to be transported from Moscow to Crimea. “Judge” Alla Khinevich postponed the session until August 11. The official website of the «court» does not disclose the information about the name of the defendant and the parties to the case.¹⁶

Earlier, on June 7, the Southern Area Military Court of the Russian Federation sentenced Konstantin Shiring’s wife, female service person **Tatyana Kuzmenko**, accused of «high treason», to 8 years in custody, with the sentence deferred by 2 years. The criminal case was heard according to the special procedure in camera due to classified documents in the case.

VLADYSLAV YESYPENKO’S CASE

On July 6, Dliaver Berberov, a judge of ‘Simferopol District Court’, extended the detention period of journalist **Vladyslav Yesypenko** until December 18, 2021.¹⁷

On July 15, during the court session, the «prosecutor» announced the accusation, and the «judge» also allowed a new lawyer, Dmitriy Dinze, to defend the accused. A break in the session was announced until September 6 due to the leave of “judge” Dliaver Berberov. Vladyslav Yesypenko, after the accusation document had been read out, said that he did not admit his guilt.¹⁸

PERSECUTION FOR CHARGING WITH BEING IN N.CHELEBIDJIKHAN BATALLION

As of the end of July, **6 people** 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 is that they failed to come voluntarily to the RF law enforcement bodies and declare their participation in the Crimean Tatar Noman Chelebidjikhhan Volunteer Battalion. The evidence of the battalion actions against the RF interests declared by the investigation is the information of mass media that the purpose of the battalion establishment was to de-occupy Crimea.

On July 8 the RF IC men searched the house of parents of **Ms.Haide Rizayeva**, an adviser of the Head of Ukrainian Delegation in the Tripartite Contact Group. As Ms.Rizayeva said, after the search her mother and the son were taken to interrogation as witnesses in the criminal case of charging her of being in N.Chelebidzhikhan Battalion in 2015.¹⁹

PERSECUTION OF JEHOVAH’S WITNESSES

As of end of July, **3 persons** were deprived of liberty within the persecution of the ‘Jehovah’s Witnesses’ in Crimea. **8 more people** were under the movement restriction — **6** were on house arrest, and **2** was under travel restrictions.

¹⁵ Military Court of Appeal / List of cases to be heard on 29 Jul 2021. Case 55K-260/2021 https://vap.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=29.07.2021

¹⁶ <https://crimeahrg.org/ru/v-krymu-perenesli-sud-nad-ukrainskim-shpionom/>

¹⁷ CHRГ / Journalist Vladyslav Yesypenko Kept In Custody for 6 Months <https://crimeahrg.org/ru/zhurnalista-vladislava-esipenko-ostavili-pod-strazhej-na-polgodu/>

¹⁸ <https://crimeahrg.org/ru/sud-nad-zhurnalistom-esipenko-prodolzhitsya-v-sentyabre/>

¹⁹ CHRГ / FSB Searched Relatives of TCG Head Adviser in Crimea <https://crimeahrg.org/ru/fsb-provela-obyski-v-dome-soveticzy-glavy-tkg/>



On July 29, in Yalta, the RF IC detained **Mr. Pyotr Zhiltsov**, resident of Yalta. He was charged under RF CC Article 282.2-1 (*Organization of the activities of an extremist organization*) and Article 282.3-1 (*Financing of extremist activities*). On July 30, he was put on house arrest as a pre-trial restriction.

On July 29, V. Novikov, a RF IC investigator, opened a case against **Ms. Daria Kuzio** under RF CC Article 282.3-1. She was ordered a travel restriction.²⁰

CONFINEMENT CONDITIONS IN CUSTODIAL SETTING

On July 9, Andrey Kozyr, chairman of the public commission at the Federal Penitentiary Service of Russia, said that the Simferopol pre-trial detention center was closed for quarantine due to the outbreak of coronavirus infection.²¹ According to the CHRG, at least 13 people detained under the politically motivated persecution were in the pre-trial detention center at that moment.

On July 15, the defendants in the «case of Crimean Muslims» **Rustem Seytkhalilov and Eskender Suleymanov** reported that there were 8 people in each of cells in Pre-Trial Detention Center no 1 in Rostov-on-Don (RF), where they were kept, with almost all of them being sick. One of the patients had lost his sense of smell. However, despite the symptoms of coronavirus infection, the medical staff of the pre-trial detention center did not make a diagnosis and treated everybody with amnacetophen.²² On July 16, lawyer Safie Shabanova said that **Vadim Bektemirov**, who was in the same cell with Seytkhalilov, had been suffering a fever for more than 7 days.²³

On July 19, **Farhod Bazarov**, the defendant in the «case of Crimean Muslims», was not taken to the hearing in the case, as he had a high fever and suspected COVID-19.²⁴

²⁰ Jehovah's Witnesses in Russia / Kuzyo's Case in Yalta <https://jw-russia.org/cases/yalta2.html>

²¹ <https://crimea.ria.ru/incidents/20210709/1119784264/V-SIZO-Simferopolya-epidemiya-COVID-19.html>

²² Crimean Solidarity / Rustem Seytkhalilov and His Cell Mates in the Pre-Trial Detention Center Do Not Feel Good, One of Them Not Recognizing Odours <https://crimean-solidarity.org/news/2021/07/15/rustem-sejtxalilov-i-ego-sokamerniki-v-sizo-oshhushhayut-nedomoganie-odin-iz-nix-ne-chuvstvuet-zapaxi--1409>

²³ <https://www.facebook.com/crimeansolidarity/posts/1452406551793463>

²⁴ <https://www.facebook.com/crimeansolidarity/posts/1454287054938746>



FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

On July 6 Yelena Bosi, a judge of ‘Sudak Town Court’, upheld a decision on a RUR5,000 fine for imam **Abliakim Galiyev** under RF CoAO Article 5.26 for holding religious rites.²⁵

FREEDOM OF EXPRESSION

On July 5, when considering the appeal against the fine for **Mrs.Zelikha Abkhairova and Mrs.Zura Emiruseinova** in the ‘RC SC’, “judge” Vladimir Agin refused mass media to take photos and videos.²⁶

Since July 11, access to the website of the **Crimean Human Rights Group** has been blocked by many providers in Crimea.²⁷

The monitoring of FM radio broadcasting, carried out by the CHRG in July, showed that Ukrainian radio stations were blocked by the Russian signal broadcast from the territory of the occupied Crimea in 19 settlements in the south of the Kherson region. At least 34 Ukrainian FM frequencies were jammed by signal of 37 Russian radio stations.²⁸

FREEDOM OF ASSEMBLY AND ASSOCIATION

On July 5, Vladimir Agin, a ‘RC SC’ judge upheld the ruling on a RUR 10,000 fine against **Mrs.Zelikha Abkhairova and Mrs.Zura Emiruseinova** under RF CoAO Article 20.2-5 (*Participation in an unauthorized rally*).²⁹ They were held liable for single person protests in support of their sons — defendants in the «case of Crimean Muslims».

²⁵ <https://www.facebook.com/crimeansolidarity/posts/1444588382575280>

²⁶ <https://www.facebook.com/crimeansolidarity/posts/14445059215861530>

²⁷ CHRG / Crimean Human Rights Group Website Blocked in Crimea for ‘Infringement Against the RF Security’ <https://crimeahrg.org/ru/sajt-krymskoj-pravozashhitnoj-gruppy-zablokirovan-v-krymu-zapovyagatelstvo-na-bezopasnost-rf/>

²⁸ CHRG/ Radio of Russian Occupation Authorities Broadcasting At Minimum 34 Frequencies in Kherson Region <https://crimeahrg.org/ru/na-hersonshhine-radio-rossijskoj-okkupacionnoj-vlasti-veshhaet-minimum-na-34-h-radiochastotah/>

²⁹ «RC SC» / List of cases to be heard on 5 Jul 2021. Cases 12-424/2021, 12-426/2021 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=05.07.2021

3 | VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

GENEVA CONVENTION (IV) RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR

CONSCRIPTION OF PERSONS LIVING IN THE OCCUPIED TERRITORY INTO ARMED FORCES OF OCCUPYING POWER AND PROPAGANDA OF JOINING VOLUNTARILY THE ARMED FORCES

In July the CHRГ recorded **17** new criminal cases against the Crimean residents under RF CC Article 328 (*Evading the service in the Armed Forces of the Russian Federation*) and **12** new sentences issued under RF CC Article 328. Totally, as of the end of July 2021, the CHRГ documented **244** criminal cases initiated for evading the RF Army military service, that were sent to the Crimean 'courts' for considering, with verdicts delivered for **222** of them and **22** being still under consideration.

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