



CRIMEAN HUMAN RIGHTS GROUP

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CRIMEAN HUMAN RIGHTS SITUATION REVIEW

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

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1 | INTRODUCTION

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

BAN ON TORTURE

In the early hours of September 4, after the search, the FSB men took **Asan** and **Aziz Akhtemovs** away in an unknown direction. Their whereabouts were reported by the FSB only late in the evening of September 4. By that time the detainees had been illegally held in the unknown place. The detainees were deprived of the right to defense, as the ‘contracted’ lawyers were not allowed to see them. The lawyers were able to visit their clients only after 10 days. Asan Akhtemov reported that after the abduction he had been beaten, electrocuted, and subject to shooting imitation. He had been tortured until he agreed to sign documents with testimony against himself, prepared by the FSB men.¹ Aziz Akhtemov informed through his lawyer that he had been also electrocuted.² Nariman Dzheljalov was kept in torture conditions — head covered with the sack in the unknown room (*for more details, see the section “Searches and Detentions”*).

RIGHT TO LIBERTY AND SECURITY OF THE PERSON

SEARCHES AND DETENTIONS

On September 3, at 6:00 am, the Russian FSB men searched the house of **Eldar Odamanov**. After the search, Eldar Odamanov was taken in an unknown direction without any charge made “for a conversation.” Laptops and mobile phones were seized from his home.³ At about 11:00pm the FSB men searched the house of **Asan Akhtemov**. The investigator who conducted the search did not introduce himself. After the search, the devices were seized, and Asan Akhtemov was taken away in an unknown direction.⁴

On September 4, at about 01:00am, the house of **Aziz Akhmetov** in the village of Pervomayskoye was searched. After the search he was taken away in an unknown direction.⁵ **Shevket Useinov** was taken away in an unknown direction from Yevpatoriya, from 02:00 to 04:00am, after his house had been searched. At about 08:00am on September 4, Zair Smedliayev informed that the house of **Nariman Dzheljal**, the first deputy chairman of the Mejlis of the Crimean Tatar people, was being searched. After the search, he was taken in an unknown direction “for a conversation.”⁶

The reason for the searches as stated by the FSB was the damage to the gas pipeline in the village of Perevalnoye on August 23, 2021.

During the searches, the lawyers were not allowed to see their clients. Lawyer

¹ CHRG/ Crimean Tatar Asan Akhmetov Was Severely Tortured To Beat Testimony Out — Lawyer <https://crimeahrg.org/ru/krymskogo-tatarina-asana-ahmetova-zhestoko-pytali-s-czelyu-vybit-pokazaniya-advokat/>

² <https://www.facebook.com/crimeansolidarity/posts/1494914574209327>

³ <https://www.facebook.com/safie.mamutova/posts/4555252337858747>

⁴ https://www.facebook.com/permalink.php?story_fbid=6017885314952239&id=100001924915540

⁵ <https://www.facebook.com/nariman.dzheljal/posts/4471365156260643>

⁶ <https://www.facebook.com/zair.smedliya/posts/4266709943364141>



E. Avamileva was prevented from following the car in which Nariman Dzhelyalov was taken away.⁷ The FSB brought their attesting witnesses to the place of the searches. The searches were carried out in violation of the criminal procedure norms of the Russian Federation, the actions of the FSB men falling under the definition of enforced disappearances. The detainees and relatives were not told where and in what status they were being taken away.

Since September 3, lawyer E. Kurbedinov and Eldar Odamanov's wife, Safie Mamutova, had been trying to find out where Eldar Odamanov was.⁸ On September 4, searching for the rest of the detainees also began. At the same time, the FSB department reported that these people were not being held in.⁹

On September 4 after 11:00am, activists and journalists began to gather near the FSB building in Simferopol in order to find out the whereabouts of the detainees. At about 05:00pm, the police started detaining the assembled people using unjustified physical force. The detainees were put into buses and taken to the district departments of the Ministry of Internal Affairs of the Russian Federation in Simferopol.

The detainees were held in the police departments for several hours, the last detainees having left them after midnight. A report under RF CoAO Art. 20.6.1 (*Non-compliance with the rules of conduct in an emergency or threat of its occurrence*) was drawn up against each of them. It was reported about 58 reports against the assembled. The CHRG has documented 53 such reports. In addition, **Eskender Akhtemov** (father of Aziz Akhtemov) and **Arsen Akhtemov** (brother of Asan Akhtemov) were

drawn up the reports under RF CoAO Art. 19.3 (*Defiance to the request of a police officer*), in addition to the reports under RF CoAO Art. 20.6.1 for refusing to leave the area in the vicinity to the FSB Division building.¹⁰ They were kept in the temporary detention center, and on September 6 judges of "Kievskiy District Court" ruled to place them under administrative arrest: Eskender Akhtemov — for 10 days of arrest (judge Denis Didenko), Arsen Akhtemov — for 15 days (Anton Tsykurenko).¹¹

It was late at night on September 4, when it became known that 5 persons abducted earlier were in the FSB building in Simferopol.¹²

On September 5, lawyer L. Gemendzhi managed to meet with Eldar Odamanov. He reported that he had been kept in an unknown place for two days, then he was released into the street together with Shevket Useinov. 2 minutes later, they were detained on the street by policemen under RF CoAO Art. 19.3 for refusing to show their passports, that they had been earlier confiscated by the FSB.¹³

On September 6, "the Kievsky district court of Simferopol" sentenced them to administrative arrest under RF CoAO Article 19.3: Eldar Odamanov for 15 days (judge Mikhail Belousov), and Shevket Useinov for 14 days (judge Viktor Krapko).

On September 6, the "judge of the Kievsky district court of Simferopol" Viktor Krapko remanded Asan and Aziz Akhtemovs¹⁴ and Nariman Dzhelyalov¹⁵ in custody until November 4, 2021. Initially the first two were suspected under Art. 281 of the Criminal Code of the Russian Federation (*Sabotage*), and Nariman Dzhelyalov was charged with accessory in sabotage under RF CC Article 33-5.¹⁶ Then the investigation filed suspicions under

⁷ CHRG / Five Crimean Tatars Were Detained By FSB Men in Crimea <https://crimeahrg.org/ru/pyateryh-krymskih-tatar-v-krymu-zaderzhali-sotrudniki-fsb>

⁸ <https://www.facebook.com/watch/?v=1058045554964264>

⁹ https://www.facebook.com/permalink.php?story_fbid=6018367841570653&id=100001924915540

¹⁰ <https://www.facebook.com/crimeansolidarity/posts/1486563998377718>

¹¹ <https://www.facebook.com/crimeahrg/posts/2977054692580152>

¹² <https://www.facebook.com/lutfiye.zudiyeva/posts/10216970886939226>

¹³ <https://www.facebook.com/crimeansolidarity/posts/1488102741557177>

¹⁴ <https://www.facebook.com/crimeansolidarity/posts/1488611654839619>

¹⁵ <https://www.facebook.com/crimeahrg/posts/2977090575909897>

¹⁶ <https://www.facebook.com/crimeahrg/posts/2976389392646682>



RF CC Art. 281-2 (*Committing sabotage with- in an organized group*) and Art.222.1-4 (*Illegal acquisition, transfer, storage, transportation, forwarding or carrying of explosives*). Nariman Dzhelialov is now charged not with accessory, but with direct participation in the sabotage.¹⁷

On September 7, after the search in the settlement of Molodezhnoye, **Eldar Mensitov** was taken in an unknown direction. On September 8, lawyer R.Yunus informed that at 09:00pm Eldar mensitov had been released from the FSB building in Simferopol.¹⁸

On September 8, lawyer N.Polozov published a letter by Nariman Dzhelialov in which he informed that on September 4 he had been kept with sack on the head in the unknown room till 03:30pm. In the evening he was transported to the FSB building in Simferopol, and in the morning of September 5 he was brought to the temporary detention center.¹⁹

Independent lawyer A. Azamatov was allowed to see Asan Akhmetov only on September 13.²⁰ Asan Akhmetov informed that after the abduction, he had been beaten, electrocuted, and subject to shooting imitation until he agreed to evidence against himself, as composed by the FSB men.²¹

Aziz Akhmetov was able to meet with an independent lawyer only on September 14.²² The lawyer informed that Aziz Akhmetov had been also electrocuted.²³

The recorded fragments of the staged interrogations of Asan and Aziz Akhmetovs were widely broadcasted by the FSB through the controlled mass media.

On September 24, “judges” of the “Supreme Court of the Republic of Crimea” (“SCRC”) Aleksey Kozyrev and Nana Petiusheva upheld

the decision to keep the brothers Akhmetov in custody.²⁴

Nariman Dzhelialov is the First Deputy Chairman of the Mejlis of the Crimean Tatar people, a well-known public figure in Crimea, who, after the Mejlis had been declared an “extremist organization” in the Russian Federation, did not give up his post and publicly opposed the occupation, and covered also human rights violations in Crimea, providing comments to the Ukrainian media.

On August 23 Nariman Dzhelialov was publicly participated in the Crimea Platform Summit in Kyiv. So, he even was not in Crimea on the day of alleged sabotage.

The human rights organizations claimed political reasons of persecution.²⁵ Illegal investigation methods demonstrate evidence tampering in this case.

POLITICALLY MOTIVATED CRIMINAL PROSECUTION

As at the end of September **115** persons were deprived of liberty due to politically reasoned and/or religious criminal persecution. **4** persons more may be also deprived of liberty for political reasons. The full list has been published at the CHRГ website.²⁶ In addition, **10** persons are on house arrest.

“CASE OF FEBRUARY 26”

This case defendants are charged under RF CC Art. 212 (*Riots*) for participating in a pro-Ukrainian rally on February 26, 2014 in Simferopol near the parliament of the Autonomous Republic of Crimea.

¹⁷ <https://www.facebook.com/nikolay.polozov/posts/4456775397721155>

¹⁸ <https://www.facebook.com/crimeansolidarity/posts/1490042434696541>

¹⁹ <https://www.facebook.com/nikolay.polozov/posts/4411004492298246>

²⁰ https://www.facebook.com/permalink.php?story_fbid=6065889060151864&id=100001924915540

²¹ CHRГ / Crimean Tatar Asan Akhmetov Was Severely Tortured To Beat Testimony Out — Lawyer <https://crimeahrg.org/ru/krymskogo-tatarina-asana-ahmetova-zhestoko-pytali-s-czelyu-vybit-pokazaniya-advokat/>

²² <https://www.facebook.com/crimeansolidarity/posts/1494681707565947>

²³ <https://www.facebook.com/crimeansolidarity/posts/1494914574209327>

²⁴ CHRГ / Brother Akhmetov To Be Kept In Custody <https://crimeahrg.org/ru/bratya-ahmetovy-ostanutsya-pod-strazhe>

²⁵ <https://crimeahrg.org/en/urgent-statement-of-human-rights-organizations-regarding-abduction-of-nariman-dzhelial-and-other-crimean-tatars-in-the-occupied-crimea/>

²⁶ https://crimeahrg.org/wp-content/uploads/2021/10/prisoners_09_2021.pdf



On September 9, the 3rd Court of Appeal in the city of Sochi upheld the verdict in absentia against **Refat Chubarov**, Chairman of the Mejlis of the Crimean Tatar people, (6 years in prison) for organizing a pro-Ukrainian rally on February 26, 2014 in Simferopol.²⁷ The appeal was considered by judge Alena Kaparina.²⁸

“CASE OF CRIMEAN MUSLIMS”

This case defendants are accused of membership in Muslim religious organizations²⁹ 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 September the total number of Crimean residents deprived of liberty under the ‘Case of Crimean Muslims’ was **79 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 September 1, the Southern Area Military Court (YuOVS) (judge Alexander Generalov³⁰),

at the request of the prosecutor, extended the detention period for **Akim Bekirov**, **Seitveli Seitabdiyev**, **Rustem Seytkhalilov**, **Eskender Suleymanov** and **Asan Yanikov** until December 15, 2021.³¹

On September 2, the ‘Sevastopol City Court’ upheld the judgement to keep **Zavur Abdullayev** and **Dzhebbbar Bekirov** in custody until October 11.³² The case was considered by “judges” Igor Kozhevnikov and Elena Elanskaya.³³

On September 7, YuOVS, at the request of the prosecutor, extended the detention period for **Vadim Bektemirov** until December 15, 2021.³⁴ The judgement was passed by judge Alexey Magomadov.³⁵

On September 7, the ‘Sevastopol City Court’ upheld the judgement to keep **Rustem Murasov** in custody until October 11.³⁶ The judgement was passed by “judge” Igor Kozhevnikov.³⁷

On September 8, the ‘Sevastopol City Court’ upheld the judgement to detain **Rustem Tairov** until October 11.³⁸ The judgement was passed by “judge” Igor Kozhevnikov.³⁹

On September 9, YuOVS extended the term of detention for **Dzhemil Gafarov**, **Alim Karimov**, **Seyran Murtaza**, **Erfan Osmanov** and **Servet Gaziev** by 3 months. Servet Gaziev took part in the hearing via video link from the prison hospital after suffering a minor stroke.⁴⁰ The judgement was passed by judge Valeriy Opanasenko.⁴¹

²⁷ <https://www.facebook.com/crimeansolidarity/posts/1490524871314964>

²⁸ 3rd Court of Appeal / Case 55-451/2021 https://3ap.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=09.09.2021

²⁹ In most cases this organization is ‘Hizb-ut-Takhrir’

³⁰ YuOVS/ Case 1-50/2021 (1-148/2020;) https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=01.09.2021

³¹ <https://www.facebook.com/crimeansolidarity/posts/1484844788549639>

³² <https://www.facebook.com/crimeansolidarity/posts/1486259151741536>

³³ «Sevastopol City Court» / Cases 22K-707/2021, 22K-709/2021 https://gs--sev.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=02.09.2021

³⁴ <https://www.facebook.com/crimeansolidarity/posts/1489072734793511>

³⁵ YuOVS/ Case 1-76/2021 https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=07.09.2021

³⁶ <https://www.facebook.com/watch/?v=368209554946030>

³⁷ «Sevastopol City Court» / Case 22K-731/2021 https://gs--sev.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=07.09.2021

³⁸ <https://www.facebook.com/watch/?v=368209554946030>

³⁹ «Sevastopol City Court» / Case 22K-729/2021 https://gs--sev.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=08.09.2021

⁴⁰ <https://www.facebook.com/crimeansolidarity/posts/1490665227967595>

⁴¹ YuOVS/ Case 1-51/2021 (1-149/2020;) https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=09.09.2021



On September 22 'SCRC' upheld the judgement to keep **Raif Fevziyev** in custody until October 10, 2021.⁴² The case was considered by 'judge' Nana Petiusheva.⁴³

"UKRAINIAN SABOTEURS' CASE"

At the end of September 2021, **17 people** 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 September 16, the visiting board of the 3rd Court of Appeal of the City of Sochi, headed by Judge Yelena Kaporina, upheld the verdict to **Mr.Ivan Yatskin**, the citizen of Ukraine (11 years' sentence in the maximum security penal colony)⁴⁴ under Art. 275 of the Criminal Code of the Russian Federation (RF CC) (*high treason*).

In September, the 'Simferopol District Court' went on, after a break, with hearings in the case of journalist **Vladislav Yesypenko**. Metropolitan Clemens of Simferopol and Crimea of the Ukrainian Orthodox Church was admitted as a public defender.⁴⁵ Interrogations of witnesses for the prosecution confirm the position of defence lawyers about falsification of evidence against Yesypenko.

PERSECUTION FOR CHARGING WITH BEING IN N.CHELEBIDJIKHAN BATALLION

As of the end of September, **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.

The case of **Haide Rizayeva** charged under RF CC Article 208 has been considered at the 'Kievsky District Court of Simferopol'. Ms.Rizayeva is in the Ukraine controlled territory and the 'court sessions' are taking place in absentia.⁴⁶

PERSECUTION OF JEHOVAH'S WITNESSES

As at the end of September, with the persecution of 'Jehovah's Witnesses' in Crimea, **4** persons were deprived of liberty. **10** persons were restricted in movement: **8** on house arrest, and **2** under travel restrictions.

CONFINEMENT CONDITIONS IN CUSTODIAL SETTING

On September 7, the administration of IK-2 (*the penal colony*) in the city of Salavat (RF) placed **Teymur Abdullayev** in the punishment cell. His previous period of staying in the punishment cell ended on September 4.⁴⁷ Since March 2020, Teymur Abdullayev has been in the punishment cell almost continuously. On September 27, he was again placed in the punishment cell.⁴⁸ From September 6 to September 16 **Muslim Aliyev** was also placed in the punishment cell of the same colony.⁴⁹

Lawyer E. Smedliayev reported that the staff of the interregional tuberculosis hospital

⁴² <https://www.facebook.com/crimeansolidarity/posts/1499734387060679>

⁴³ «SCRC» / Case 22K-2921/2021 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=22.09.2021

⁴⁴ CHRГ/ Sentence to Ivan Yatskin, Ukrainian National, Left Unchanged <https://crimeahrg.org/ru/prigovor-ivanu-yaczkinu-ostavili-bez-izmenenij>

⁴⁵ <https://crimeahrg.org/ru/mitropolit-kliment-stal-obshhestvennym-zashhitnikom-vladislava-esipenko/>

⁴⁶ <https://www.facebook.com/crimeahrg/posts/2987303904888564>

⁴⁷ https://www.facebook.com/permalink.php?story_fbid=1011187536304336&id=100022392969328

⁴⁸ https://www.facebook.com/permalink.php?story_fbid=1023054541784302&id=100022392969328

⁴⁹ <https://www.facebook.com/crimeansolidarity/posts/1503069430060508>



in Rostov-na-Donu (MOTB-19) beat **Servet Gaziye** who was being treated there after a minor stroke, and forcibly cut his beard.⁵⁰

FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

The CHRГ recorded 2 new rulings on fines under RF CoAO Art. 5.26 (*Violation of legislation on freedom of conscience, freedom of religion and religious associations*) against the “Church of Christians of the Evangelical Faith” (CCEF), the CCEF of Pentecostals “**New Life**” and **Edgar Babayan**, the head of the “Christians of the Evangelical Faith of the Town of Yalta”.

In total, at the end of September, the CHRГ recorded **132** cases under RF CoAO Article 5.26, sent to the “courts” of Crimea. The total amount of fines under these cases is **RUR1,803,500**.

FREEDOM OF EXPRESSION

On September 4, at least four journalists and bloggers attending the event to report (**Vladlen Seidaliyev**, **Rolan Osmanov**, **Nuri Abdurashitov** and **Ayder Kadyrov**) were detained during mass arrests in Simferopol, on Franko Boulevard.⁵¹ They, together with the rest of the detainees, were taken to the police department and drawn up reports under RF CoAO Art 20.6.1 (*Non-compliance with the rules of conduct in an emergency or the threat of its occurrence*). Vladlen Seydaliyev was detained near the building of the Tsentralny District Police Department namely for video filming in the public place.⁵²

The radio broadcasting monitoring held by the CHRГ in September in the northern Crimea showed that the Ukrainian broadcasting was

accessible in **5** settlements of **19** (compare: 8 of 19 in June, and 13 of 19 in March).⁵³

The monitoring of access to the websites held by the CHRГ in September showed that **14** providers blocked **9** information websites completely in 13 settlements, and 19 websites were accessible only through one provider from the monitoring list.⁵⁴

FREEDOM OF ASSEMBLY AND ASSOCIATION

On September 4, from 05:00pm to 06:00pm on Franko Boulevard in Simferopol, the police, OMON and ROSGVARDIYA detained relatives of the defendants in the “Nariman Dzhelialov’s case” and activists who were there to find out about the whereabouts of 5 Crimean Tatars abducted the day before (defendants in the “case of Nariman Dzhelialov”), in front of RF FSB building in Crimea.

The CHRГ has information on at least **53** persons detained in the area of the FSB Diviasion. They were transported to “Zheleznodorozhnyi” and “Tsentralnyi” District Police Departments, where they were kept for 4-7 hours, until administrative reports under RF CoAO Art.20.6.1 were drawn up against each of them. Local residents were detained for participating in the peaceful spontaneous assembly.

Two relatives of the defendants in the “Nariman Dzhelialov’s case” (Eskender and Arsen Akhtemovs) were left in the temporary detention center as they were accused of violating RF CoAO Art. 19.3 (*Defiance to the request of a police officer*) for the fact that they had not left the place of the assembly. They were assigned 15 and 10 days of administrative arrest, respectively. As at the end of September, the CHRГ recorded **31** punishment rulings under RF CoAO Art.20.6.1 as fines of RUR5,000 to 30,000

⁵⁰ <https://www.facebook.com/crimeansolidarity/posts/1504609299906521>

⁵¹ For more details, see SEARCHES AND DETENTIONS section

⁵² <https://www.facebook.com/crimeansolidarity/posts/1496143374086447>

⁵³ CHRГ/ Jamming FM Stations Increased Again in Northern Crimea <https://crimeahrg.org/ru/na-severe-kryma-snova-usilili-blokirovanie-signala-ukrainskih-fm-stancij>

⁵⁴ CHRГ/ 9 Information Websites Fully Blocked in Crimea: New CHRГ Monitoring <https://crimeahrg.org/ru/v-krymu-polnostyu-blokiruyut-9-informacziornyh-sajtov-novyj-monitoring-kpg/>



against the 4th September assembly participants. Only one proceeding was terminated due to lack of corpus delicti.

The assembly was peaceful and spontaneous, as people came to Franko Boulevard independently, without any prior agreement among themselves. The assembly was a reaction to the abduction of five Crimean Tatars by the FSB in the “case of Nariman Dzhelialov”. Moreover, the persecution of participants for violating “anti-COVID” restrictions is unreasonable, since they were wearing masks and were standing at a considerable distance from each other. Some of the detainees were not on Franko Boulevard when being arrested or were in the car.

The administrative cases against the assembly participants at the “Kievskiy District Court” were considered in violation of the fair trial standards. The judges, in fact, were acting as the prosecution, and the petitions of the defense to interrogate the policemen who drew up the reports, invite other witnesses and attach evidence confirming the groundlessness of the accusation were being rejected by the judges.

For example, during the hearing in the case of **Shevket Kaibullayev**, judge Vera Serikova ignored the fact that Kaibullayev had been detained after 06:00pm, being in the minibus with 6 other people who could confirm this. The judge found it proven that Kaibullayev had been detained at 4:50 pm as a participant of a mass event at the FSB building, and fined him RUR5,000.

Judge Mikhail Belousov did not give a word to the defense and fined journalist **Vladlen Seydaliyev** RUR30,000 for participating in the meeting on Franko Boulevard. At the same time, the judge ignored the fact that Seidaliyev had been detained near the Tsentralny District Police — in another part of the city, and refused to include the video, confirming this, into the case file.⁵⁵

At least two cases were considered without

the accused or his defense representatives present — the cases of **Kurtseit Abdullayev**⁵⁶ and **Ramazan Susanov**.⁵⁷

In addition, that day’s detentions featured discriminatory approach: the police detained people with a “Crimean Tatar appearance.” According to this principle, even those who did not participate in the assembly, but were passing the site of events (*public place*), were detained.

A detailed overview of human rights violations during the detention and persecution of 4th September assembly participants is published on the CHRГ website.⁵⁸

⁵⁵ <https://www.facebook.com/crimeansolidarity/posts/1496143374086447>

⁵⁶ https://www.facebook.com/permalink.php?story_fbid=1033476437412072&id=100022491759799

⁵⁷ <https://www.facebook.com/crimeansolidarity/posts/1501354640231987>

⁵⁸ <https://crimeahrg.org/wp-content/uploads/2021/10/4th-september.pdf>

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

In September the CHRG recorded **9** new criminal cases against the Crimean residents under RF CC Article 328 (*Evading the service in the Armed Forces of the Russian Federation*) and **15** new sentences issued under RF CC Article 328. Totally, as of the end of September 2021, the CHRG documented **267** criminal cases initiated for evading the RF Army military service, that were sent to the Crimean 'courts' for considering, with verdicts delivered for **248** of them and **19** being still under consideration.

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