



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 November 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.

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CIVIL AND POLITICAL RIGHTS

RIGHT TO LIBERTY AND SECURITY OF THE PERSON

SEARCHES AND DETENTIONS

On November 1, **19 persons** who had come to the consideration of an appeal against the verdict delivered to the “Krasnogvardeysk Group of the Case of Crimean Muslims”, were detained at the building of the Crimean Garrison Military Court in Simferopol. All the detainees were taken to the Tsentralny District Police Station. The journalist detained at the place was released, while reports were drawn up against the remaining 18 people, including a minor, under Art. 20.6.1 of the Code of Administrative Offenses of the Russian Federation (*Failure to comply with the rules of conduct in an emergency or the threat of its occurrence*), after which they were released.¹ The video of the detention shows that people were at a significant distance from each other and were wearing individual masks.²

On November 23, in Simferopol, at about 07:25pm, the Russian policemen detained **32 persons** who had assembled near the building of the temporary detention facility to meet lawyer Edem Semedliayev, released after administrative arrest.³ The detainees were taken to several district police departments of Simferopol: 10 people to the “Tsentralny” one,

12 people to the ‘Kievsky’ one, and 10 people to the ‘Zheleznodorozhny’ one.⁴ Lutfiye Zudiyeva reports that 5 of the detainees are journalists who were fulfilling their professional duties.⁵ 14-year-old Meryem Kulametova was released at about 02:45 am,⁶ and her mother, Raikhane Kulametova, was kept for the entire night in the facility. At night, with the reports drawn up, 6 people were released, including 2 minors, and early in the morning the remaining 26 persons were taken to various temporary detention facilities in Crimea.

All the detainees were drawn up reports under RF CoAO Art. 20.2.2 (*Organization of mass simultaneous stay and (or) movement of citizens in public places, entailing a violation of public order*).⁷ Minor Amar Abdulgazyev said that no one had told him the reason for his detention before arriving at the police station.⁸ On November 24, the “courts” in Simferopol issued 30 sentencing decisions. 9 women were fined from RUR10,000 to 15,000, 21 men were arrested for terms of 10 to 14 days.⁹

On November 10, the FSB press office in Crimea disseminated — through the local media — information about the arrest of **Mr.Yuriy Lomenko**, a Yalta Town Council member, on charges of collecting in 2017-2018 the information on the instructions of the Security Service of Ukraine.¹⁰

¹ <https://www.facebook.com/crimeansolidarity/posts/1527582814275836>

² https://www.facebook.com/watch/live/?ref=watch_permalink&v=620884958912203

³ <https://www.facebook.com/mumine.saliyeva/posts/2568152539995138>

⁴ <https://www.facebook.com/lutfiye.zudiyeva/posts/10217281475903756>

⁵ <https://www.facebook.com/lutfiye.zudiyeva/posts/10217281650028109>

⁶ <https://www.facebook.com/lutfiye.zudiyeva/posts/10217282542210413>

⁷ <https://www.facebook.com/lutfiye.zudiyeva/posts/10217283529875104>

⁸ https://www.facebook.com/watch/?v=1966566520171152&_tn_=_F

⁹ <https://www.facebook.com/mumine.saliyeva/posts/2569168269893565>

¹⁰ CHRG/ Another ‘Ukrainian Spy’: Former Mayor of Simeiz Detained in Crimea <https://crimeahrg.org/ru/ocherednoj-ukrainskij-shpion-v-krymu-zaderzhan-byvshij-mer-simeiza>



On November 26, **Mr. Diliaver Memetov**, the coordinator of the Crimean Solidarity association, and citizen-journalist **Abdulla Seydametov** were detained at the building of the Crimean Garrison Military Court.¹¹ After they had taken to the Tsentralny District Police Department, Abdulla Seydametov was released, and Diliaver Memetov was accused of violating RF CoAO Art. 20.2.2. The reason was his presence on November 23 when lawyer Edem Semedliayev was being met. He was left to overnight in the temporary detention facility, and the next day he was sentenced to 12 days of administrative arrest.¹²

POLITICALLY MOTIVATED CRIMINAL PROSECUTION

As at the end of November **117** persons were deprived of liberty due to politically reasoned and/or religious criminal persecution. **4** more persons, who may be also deprived of liberty for political reasons, are in custody. The full list has been published at the CHRG website.¹³ In addition, **9** persons are on house arrest.

«CASE OF CRIMEAN MUSLIMS»

This case defendants are accused of membership in Muslim religious organizations¹⁴ 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 November 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 November 1, Anatoly Solin, judge of the Military Court of Appeal in Vlasikha (RF), upheld the verdict to **Eskander Abdulganiyev, Arsen Abkhairov and Rustem Emiruseinov**.¹⁵

On November 2, Stanislav Zhidkov, judge of the Southern Area Military Court, extended the detention period of **Emil Ziyadinov** until February 3, 2022.¹⁶

On November 2, lawyer Safiye Shabanova reported that the Military Court of Appeal in Vlasikha overturned the decision to translate the case of **Mr. Aleksandr Sizikov**, a defendant in the ‘Case of Crimean Muslims,’ to Braille so that the blind Aleksandr could go through the case files. Thus, he was deprived of the opportunity to familiarize with his case by himself.¹⁷

On November 13, Roman Plisko, judge of the Southern Area Military Court (YuOVS), at the request of the prosecutor Sergei Aydinov, extended the detention period of **Zekirya Muratov** until February 17, 2022.¹⁸

On November 22, Igor Kostin, the YuOVS judge, extended the detention period of **Oleg Fedorov** and **Ernest Ibragimov** until February 28, 2022.¹⁹

On November 25, Alexandr Generalov, judge of the Southern Area Military Court, extended the detention period of **Akim Bekirov, Seitveli Seitabdiyev, Rustem Seytkhalilov, Eskender Suleymanov and Asan Yanikov** until March 15, 2022^{20, 21}.

¹¹ <https://www.facebook.com/crimeansolidarity/posts/1545211119179672>

¹² <https://www.facebook.com/mumine.saliyeva/posts/2570458283097897>

¹³ https://crimeahrg.org/wp-content/uploads/2021/12/prisoners_11_2021.pdf

¹⁴ In most cases this organization is ‘Hizb-ut-Takhrir’

¹⁵ Military Court of Appeal. Case 55-325/2021 https://vap.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=01.11.2021

¹⁶ <https://www.facebook.com/crimeansolidarity/posts/1528259434208174>

¹⁷ <https://www.facebook.com/crimeansolidarity/posts/1528302160870568>

¹⁸ <https://www.facebook.com/crimeansolidarity/posts/1534054763628641>

¹⁹ <https://www.facebook.com/crimeansolidarity/posts/1542442846123166>

²⁰ <https://www.facebook.com/crimeansolidarity/posts/1544777422556375>

²¹ YuOVS / Case 1-17/2021 (1-63/2020;) https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=25.11.2021



NARIMAN DZHELIALOV'S CASE

The case against **Nariman Dzhelialov**, the deputy chairman of the Mejlis of the Crimean Tatar people, **Asan and Aziz Akhtemovs** was opened on charges of damaging the gas pipeline under Art. 281 of the Criminal Code of the Russian Federation (RF CC) (*Sabotage*). Within this case such illicit methods of investigation as the actual abduction by FSB men and the detention of detainees in an unknown place for the purpose of using violence, the use of torture, the use of hidden witnesses in the case and the falsification of evidence have been recorded. Nariman Dzhelialov has publicly expressed his civil and political position, and openly took part in the Summit of the Crimea Platform on 23 August 2021.

On November 8, Nariman Dzhelialov was transferred from the psychiatric care hospital to the pre-trial detention center in Simferopol.²² Another charge was brought against him under RF CC Art.226.1-3 (*Illegal transfer of an explosive device across the border*). On November 17, a similar charge was brought against Asan Akhtemov.²³

On November 12, the “Supreme Court of the Republic of Crimea” (“VSRK”) upheld the decision to keep **Aziz Akhtemov**²⁴ and **Asan Akhtemov**²⁵ in custody until January 23, 2022. The decisions were delivered by “judges” Yelena Danilova and Alla Ovchinnikova.²⁶

«UKRAINIAN SABOTEURS' CASE»

At the end of November 2021, **17 people** who were accused by the RF FSB 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 November 10, Dmitriy Shtyblikov’s 5-year sentence expired, but as in 2020 a new charge under RF CC Art.275 (*High treason*) was brought against him, he is still in the place of unfreedom. In 2020, he was taken from the colony to Moscow, to the Lefortovo pre-trial detention center, to carry out investigative actions in the new case. After that, he was convoyed from Moscow, presumably to Rostov. In November 2021, a new case against him was sent to the Rostov Regional Court for consideration.

On November 16, an off-site hearing was held in the Simferopol District Court in the case of journalist **Vladyslav Yesypenko**, during which the “court” drove out and examined Vladyslav Yesypenko’s car in the dedicated parking lot. The journalist himself was taken to the parking lot from the pre-trial detention center.²⁷

On November 22, a regular hearing in the case of Vladyslav Yesypenko was held at the “Simferopol District Court”. An expert who had recognized the “grenade found in the journalist’s car” as an improvised explosive device, was interrogated in camera. However, the expert failed to answer most of the lawyer’s questions related to the parameters, that made him conclude that the grenade had been remade.²⁸

PERSECUTION ON CHARGE OF BEING IN N.CHELEBIDZHICHA BATTALION

As of the end of November, **six people** were deprived of liberty under a charge of being in N.Chelebidzhikhan battalion. The official reason for persecuting the accused in Crimea under RF CC Article 208-2 is that they failed to come

²² CHRГ/ Nariman Dzhelialov Was Moved to Pre-Trial Detention Center Again and Brought a New Charge <https://crimeahrg.org/ru/narimana-dzhelyala-snova-perevezli-v-sizo-i-predyavili-novoe-obvinenie>

²³ <https://www.facebook.com/crimeansolidarity/posts/1539078979792886>

²⁴ [facebook.com/crimeansolidarity/posts/1535282826839168](https://www.facebook.com/crimeansolidarity/posts/1535282826839168)

²⁵ <https://www.facebook.com/crimeansolidarity/posts/1535308940169890>

²⁶ “BC PK” / Дела 22К-3406/2021 и 22К-3410/2021 https://vs-krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=12.11.2021

²⁷ <https://crimeahrg.org/ru/v-dele-esipenko-proveli-vyezdnoe-zasedanie-s-osmotrom-avtomobilya/>

²⁸ <https://crimeahrg.org/ru/delo-vladislava-esipenko-ekspert-utverzhaet-cto-v-mashine-nashli-samodelnoe-vzryvnoe-ustrojstvo/>



voluntarily to the RF law enforcement bodies and declare their participation in the Crimean Tatar Noman Chelebidjihan 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.

until December 8.³¹ Due to constant extensions Teymur Abdullayev has been in the punishment cell almost continuously since March 2020.

PERSECUTION OF JEHOVAH'S WITNESSES

As of the end of November 2021, within the persecution of Jehovah's Witnesses, **5 persons** were deprived of their liberty in Crimea. Other **9** are restricted in movement: **7** — under house arrest, **2** — under recognizance not to leave.

CONFINEMENT CONDITIONS IN CUSTODIAL SETTING

Lawyer N. Polozov said that when being in Krasnodar Area (RF) **Ivan Yatskin**, a defendant in the 'Case of Ukrainian Commandos', had been deprived of medicines, and medical dressings. When he was in the penal colony no 2 in the village of Dvubratskoye, he was placed in the punishment cell (ShIZO) for 3 days. The reason for this was not a violation of discipline, but a lack of non-occupied places in the cells.²⁹

On November 5, **Rustem Murasov**, a defendant in the "case of Crimean Muslims," told lawyer E. Kurbedinov that there were dampness, mould, cockroaches, rats and mice in the cell of Simferopol Pre-Trial Detention Center no 1 where he was kept. He and his inmates had not been given the opportunity to wash for 20 days.³⁰

The administration of the penal colony no 2 (Salavat, RF) extended a period of keeping **Teymur Abdullayev**, a 'Case of Crimean Muslims' defendant, in the punishment cell

FREEDOM OF EXPRESSION

On November 1, journalist **Kulamet Ibragimov** was detained during a mass arrest in Simferopol. On the video, you can hear him informing that he was a journalist during his arrest. A policeman's reaction to this was: 'You all, go-go, a journalist, not a journalist, we will figure it out.'³² After the arrest, the Russian policemen took him to the 'Tsentralny' District Police Station, and released him there.³³

On November 23, during a mass arrest in Simferopol, 5 journalists who had come to meet lawyer Edem Semedliayev that had served an administrative arrest, at the temporary detention facility, were detained. Three of them had editorial assignments for the GRANI.RU publishing house, 2 were citizen journalists of the Crimean Solidarity. Having been detained, they were taken to the Tsentralny District Police Department (**Alim Suleymanov, Dliaver Ibragimov, Enver Alimov**) and the Kievsky District Police Department (**Simmar Ablialimov and Vilen Temeryanov**). They were drawn up reports under RF CoAO Art. 20.2.2 and left to overnight in the temporary detention facility.³⁴ On November 24, the "courts" passed judgements of administrative arrest: Vilen Temeryanov was arrested for 14 days, Enver Alimov and Dliaver Ibragimov — for 13 days, Alim Suleymanov — for 12 and Simmar Ablialimov — for 10 days.³⁵

On November 26, **Diliaver Memetov**, the coordinator of the Crimean Solidarity association, and **Abdulla Seydametov**, a journalist of

²⁹ CHRГ/ Ivan Yatskin Placed in Punishment Cell Once Arrived in the Colony — Lawyer <https://crimeahrg.org/ru/ivana-yaczkina-pomestili-v-shizo-srazu-po-pribytiyu-v-koloniyu-advokat>

³⁰ "Crimean Solidarity / Detention Period of Activist Rustem Murasov Extended by 3 Months <https://crimean-solidarity.org/news/2021/10/05/aktivistu-rustemu-murasovu-prodlili-srok-aresta-na--mesyaca--1589>

³¹ Teymur Abdullayev, A Kremlin Prisoner, Sent to Punishment Cell until December 8 <https://www.ukrinform.ua/rubric-crimea/3350778-branca-kremla-tejmura-abdullaeva-vidpravili-v-sizo-do-8-grudna.html>

³² https://www.facebook.com/watch/live/?ref=watch_permalink&v=620884958912203

³³ <https://www.facebook.com/crimeansolidarity/posts/1527656580935126>

³⁴ <https://www.facebook.com/lutfiye.zudiyeva/posts/10217281650028109>

³⁵ <https://www.facebook.com/mumine.saliyeva/posts/2569168269893565>



the Crimean Solidarity and Grani.ru Publication, were detained. Then they were taken to Tsentralny District Police Department,³⁶ where Abdulla Seydametov was released. The video shows that when being detained, Abdulla Seydametov was wearing a bright vest and identified himself as a representative of the press.³⁷

On November 29, Vladimir Agin, judge of the “SCRK” returned the administrative proceedings against journalist Zidan Adzhiveliyamov, detained during mass arrests on October 25, 2021 in Simferopol, for reconsideration. Earlier, the “Tsentralny District Court” of Simferopol did not find any corpus delicti in his actions.³⁸

FREEDOM OF ASSEMBLY AND ASSOCIATION

On November 1, in Crimea, there were mass detentions of people (19 persons) who came to attend open hearings on the “Case of Crimean Muslims.” On November 23, people (32 persons) who had come to meet lawyer Edem Semedliayev who had served the administrative arrest, were detained. On November 26, 2 more persons who came to the hearing on the “case of Crimean Muslims”, were detained (*for more details on detentions, see the “Searches and Detentions” section*). In total, at least 53 participants in peaceful assemblies were detained in November, against whom at least 50 administrative proceedings were opened under RF CoAO Art. 20.2.2 and 20.6.1. In November, the following court decisions were delivered in these and previously open proceedings against participants in the peaceful assemblies:

- **24** administrative arrest rulings, for 10 to 14 days (for **276 days** in total);
- **48** penalty verdicts, from RUR4,000 to 15,000 (for the total amount of **over RUR500,000**);

³⁶ <https://www.facebook.com/lutfiye.zudiyeva/posts/10217290936340261>

³⁷ <https://www.facebook.com/watch/?v=487782399148662>

³⁸ <https://www.facebook.com/crimeaahrg/posts/3037866339832320>

³⁹ <https://www.facebook.com/crimeansolidarity/posts/1534756126891838>

⁴⁰ “SCRK” Case 12-823/2021 https://vs--krm.sudrf.ru/modules.php?name=sud_delo&name_op=r&vnkod=910S0000&srv_num=1&delo_id=1502001&delo_table=adml_case&case_type=0&adml_case_JUDICIAL_UIDSS=91RS0003-01-2021-005764-47

⁴¹ <https://www.facebook.com/lutfiye.zudiyeva/posts/10217281714469720>

⁴² КПГ / Дискриминация крымских татар и свобода мирных собраний <https://crimeahrg.org/ru/diskriminaciya-krymskih-tatar-i-svoboda-mirnyh-sobranij>

- ‘courts’ of appeal upheld **20** punishment verdicts;
- ‘courts’ of appeal remitted **7** proceedings closed in the ‘first instance’ courts.

On November 11, the “Tsentralny District Court of Simferopol” considered two administrative proceedings against lawyer **Edem Semedliayev** under RF CoAO Art. 19.3 (*Failure to comply with the legal requirements of a policeman*). The lawyer was detained when he was acting professionally, defending the rights of the detained participants in the peaceful assembly. Judge Sergei Demenok fined Mr.Semedliayev RUR4,000 for refusing to undress at the police station. Judge Alexander Voronoy arrested the lawyer for 12 days for refusing to stop the audio recording.³⁹ Both reports were made by Ruslan Shambazov, an Extremism Counteracting Center serviceman, on October 25 at the ‘Tsentralny’ District Police Department. On November 18 Oksana Shydakova, a ‘SCRK’ judge, upheld the arrest verdict of lawyer Edem Semedliayev.⁴⁰

On November 23 lawyer **Nazim Sheykhmambetov** was not allowed for an hour to enter the ‘Zheleznodorozhny’ District Police Department to provide assistance to the mass detention victims in Simferopol.⁴¹

PROHIBITION OF DISCRIMINATION

In November, the CHRГ assessed the practice of applying RF CoAO Articles 20.2 and 20.2.2 in Crimea, used by the occupation authorities of the Russian Federation to persecute participants in peaceful assemblies. The results of the assessment confirmed the use of discriminatory practices by law enforcement bodies and judges in Crimea in relation to the Crimean Tatars when opening and considering cases under these articles. For more details, please visit the CHRГ website.⁴²

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 November the CHRГ recorded **4** new criminal cases against the Crimean residents under RF CC Article 328 (*Evading the service in the Armed Forces of the Russian Federation*) and **7** new sentences issued under RF CC Article 328. Totally, as of the end of November 2021, the CHRГ documented **275** criminal cases initiated for evading the RF Army military service, that were sent to the Crimean ‘courts’ for considering, with verdicts delivered for **266** of them and **9** being still under consideration.

DESTRUCTION OF PROPERTY BELONGING TO PRIVATE PERSONS UNNECESSARY BY MILITARY OPERATIONS⁴³

On November 24, the Enforcement Service men demolished the house of activist Rustem Useinov, a veteran of the Crimean Tatar movement, in the village of Morskoye.⁴⁴ The residential building was demolished though the court’s decision had not come into force, since Useinov would appeal against it.

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⁴³ IV Geneva Convention, Art.53

⁴⁴ CHRГ / House of Crimean Tatar Movement Veteran Being Demolished in Crimea <https://crimeahrg.org/ru/v-krymu-snosyat-dom-veterana-krymskotatarskogo-dvizheniya/>