



CRIMEAN HUMAN RIGHTS GROUP

e-mail: crimeahrg@gmail.com

website: crimeahrg.org

CRIMEAN HUMAN RIGHTS SITUATION REVIEW

DECEMBER 2021

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

Follow the [link](#), to read
monthly monitoring reviews of the
CRIMEAN HUMAN RIGHTS GROUP

Follow the [link](#), to read
thematic reviews and articles of the
CRIMEAN HUMAN RIGHTS GROUP

CONTENTS

1. INTRODUCTION	3
2. CIVIL AND POLITICAL RIGHTS	4
Prohibition of torture	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>Nariman Dzhelial's case</i>	5
« <i>Ukrainian saboteurs' case</i> »	6
<i>Persecution on charge of being in N.Chelebidzhikhan battalion</i>	6
<i>Persecution of Jehovah's Witnesses</i>	7
<i>Confinement conditions in custodial setting</i>	7
Freedom of expression	7
Freedom of assembly and association	7
3. VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW	8
Geneva Convention (IV) relative to the Protection	8
of Civilian Persons in Time of War	
<i>Conscription of persons living in the occupied territory</i>	8
<i>into armed forces of occupying power</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

PROHIBITION OF TORTURE

Activist Nariman Ametov reported that on December 17, after his abduction by FSB men, he was tortured electrically. His head had been electrically shocked until he agreed to undergo polygraph interrogation without the presence of a lawyer.¹

RIGHT TO LIBERTY AND SECURITY OF THE PERSON

SEARCHES AND DETENTIONS

On December 7, when the period of administrative arrest had expired, **Mr. Mustafa Seidaliyev** was detained again in the premises of the Temporary Detention Center in Yevpatoriya. Ruslan Shambazov, an official of the Center for Countering Extremism of the Ministry of Internal Affairs of the Russian Federation (“Center E”), who had made up reports against Mr. Seidaliyev under Articles 20.3 (*Propaganda or public display of the symbols of prohibited organizations*) and 20.29 (*Production and distribution of extremist materials*) of the Administrative Code of the Russian Federation, came from Simferopol to arrest him. These reports were caused by a post on the VKontakte social network in 2012, with the symbols of Hizb ut-Tahrir party. Thus, the legislation of the Russian Federation was applied retrospectively, as the Russian Federation has been exercising effective control over the territory of Crimea since February 2014. Lawyers were not allowed

to see Mr. Seidaliyev. With the reports having been drawn up, he was taken to the Temporary Detention Centre in Simferopol.² The next day, judges of the ‘Kirovskiy District Court’ decided to arrest Mr. Seidaliyev for 10 days.³

On December 14 in Feodosiya, in the settlement of Primorskiy, OMON and FSB men searched the house of **Kurtumer Chalgozov**, a Crimean Tatar. The search began at 5:15 am and was carried out by masked men wearing OMON uniform. Only one person was without a mask and only he showed a FSB security officer’s ID. After the search, the detainee was taken away in an unknown direction. When calling the FSB hotline, Chalgozov’s mother was refused to report the whereabouts of her son. At 07:00pm Mr. Chalgozov was released. He said that he had been interrogated in an unknown place in the “case of Nariman Dzhelial”.⁴

On December 17 the search in the house of activist **Nariman Ametov** in Staryi Krym started at 05:50am, and — in the same manner — he was abducted and interrogated. His spouse informed that the search had been related to the “case of Nariman Dzhelial”.⁵ Mr. Ametov returned home at about 07:00pm, after interrogation with the torture.⁶

POLITICALLY MOTIVATED CRIMINAL PROSECUTION

As at the end of December **117** persons were deprived of liberty due to politically reasoned and/or religious criminal persecution.

¹ <https://www.facebook.com/watch/?v=595670458174039>

² <https://www.facebook.com/lutfiye.zudiyeva/posts/10217330330365087>

³ “Kirovskiy District Court” / Cases 5-825/2021 and 5-826/2021 https://kirovskiy--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=08.12.2021

⁴ <https://www.facebook.com/crimeansolidarity/posts/1557409997959784>

⁵ <https://www.facebook.com/crimeansolidarity/posts/155926316777467>

⁶ Krym.Realii / Crimean Tatar Nariman Ametov Detained After Morning Search Returned Home — Activists <https://ru.krymr.com/a/news-zaderzhannyi-krymskiy-tatarin-vernulsya-domoy/31614584.html>



4 more persons, who may be also deprived of liberty for political reasons, are in custody. The full list has been published at the CHRNG website.⁷ In addition, 9 persons are on house arrest.

«CASE OF CRIMEAN MUSLIMS»

This case defendants are accused of membership in Muslim religious organizations⁸ 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 December 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 December 1, Rizvan Zubairov, judge of the Southern Area Military Court (YuOVS) of Rostov-na-Donu (RF), at the request of prosecutor Vladislav Kuznetsov, extended the detention period for **Tofik Abdulgazyiyev, Vladlen Abdulkadyrov, Izzet Abdullayev, Medzhit Abdurakhmanov and Bilial Adilov** until March 19, 2022.⁹

On December 2, YuOVS judge Valeriy Opanasenko, at the request of prosecutor Igor Nadolinskiy, extended the detention period

for **Servet Gazyiyev, Dzhemil Gafarov, Alim Karimov, Seyran Murtaz and Erfan Osmanov** until March 20, 2022.¹⁰

On December 14, YuOVS judge Viacheslav Korsakov extended the detention period for **Erver Ametov, Osman Arifmemetov, Yashar Muedinov, Ruslan Suleymanov and Rustem Sheikhaliyev** until March 20, 2022.¹¹

On December 17, Liudmila Tarlavina, judge of the Military Court of Appeal in Vlasikha (RF), upheld the decision to keep **Ernest Ibragimov and Oleg Fedorov** in custody until February 28, 2022.¹²

On December 22, the ‘Kievskiy District Court’ of Simferopol extended the detention period for **Raif Fevziyev** until April 11, 2022.¹³

On December 23, Aleksandr Peresada, judge of the Military Court of Appeal in Vlasikha (RF), upheld the decision to keep **Raim Ayvazov, Farkhod Bazarov, Remzi Bekirov, Rizu Izetov, Shaban Umerov** in custody until February 16, 2022.¹⁴

On December 23, YuOVS judge Denis Galkin, at the request of prosecutor Sergei Aydinov, extended the detention period for **Ismet Ibragimov** until April 24, 2022.¹⁵

NARIMAN DZHELIAL'S CASE

The case against **Nariman Dzhelial** (Dzhelialov according to passport), 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

⁷ <https://crimeahrg.org/wp-content/uploads/2022/01/prisoners-12-2021.pdf>

⁸ In most cases this organization is ‘Hizb-ut-Takhrir’

⁹ <https://www.facebook.com/crimeansolidarity/posts/1548738522160265>

¹⁰ <https://www.facebook.com/crimeansolidarity/posts/1549495125417938>

¹¹ <https://www.facebook.com/crimeansolidarity/posts/1558337884533662>

¹² <https://www.facebook.com/crimeansolidarity/posts/1559573851076732>

¹³ <https://www.facebook.com/watch/?v=627198638403867>

¹⁴ Military Court of Appeal / Case 55K-454/2021 https://vap.sudrf.ru/modules.php?name=sud_delo&srv_num=1&H_date=23.12.2021

¹⁵ <https://www.facebook.com/crimeansolidarity/posts/1563700260664091>



use of torture, the use of hidden witnesses in the case and the falsification of evidence have been recorded. Nariman Dzhelial has publicly expressed his civil and political position, and openly took part in the Summit of the Crimea Platform on 23 August 2021. As of the end of December, three people were deprived of liberty under this case.

On December 3, Konstantin Karavayev, judge of ‘Supreme Court of Republic of Crimea’ (‘SCRC’) upheld a decision to keep **Nariman Dzhelial** in custody until January 23, 2022.¹⁶

On December 15, lawyer Nikolay Polozov informed that Nariman Dzhelial had been finally charged,¹⁷ namely, under three criminal articles of the Criminal Code of the Russian Federation: 281.2 (a), (b) (*committing sabotage by an organized group, resulting in significant property damage*), 222.1-4 (*illegal acquisition, storage and transportation of explosive devices committed by an organized group*), 226.1-3 (*illegal transfer of an explosive device across the customs border of the Customs Union within the framework of the EurAsEC committed by an organized group*).

On December 22, Oksana Karchevskaya, a judge of ‘Kievskiy District Court of Simferopol’, extended detention periods for **Nariman Dzhelial, Asan Akhtemov and Aziz Akhtemov** until February 23, 2022.¹⁸

«UKRAINIAN SABOTEURS’ CASE»

At the end of December 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 December 3, Sergey Riabtsev, a judge of the Lefortovskiy District Court of Moscow (RF), extended the detention period for Evgeniy Petrushin, detained in April 2021.¹⁹

On December 13, Dliaver Berberov, judge of the ‘Simferopolsky District Court’, extended the detention period for Vladislav Yesypenko until March 18, 2022.²⁰ The material evidence confirming the position of the defence about falsification of evidence, was examined during this session. On December 21, the next session was held in the case, at which the judge rejected all the motions of the defence lawyers, and the next session was scheduled for January 21, 2022.²¹

PERSECUTION ON CHARGE OF BEING IN N.CHELEBIDZHICHA BATTALION

As of the end of December, **six 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 December 1, the ‘Kievskiy District Court’ of Simferopol began hearings on the case of **Izet Gdanov**, ex-First Deputy Permanent Representative of the President of Ukraine to the Autonomous Republic of Crimea. He is charged under Art. 208-2 of the Criminal Code

¹⁶ CHRГ / Nariman Dzhelial Will Be Kept in Custody at least till January 23 <https://crimeahrg.org/ru/nariman-dzhelyal-ostanetsya-pod-strazhej-minimum-do-23-yanvary>

¹⁷ CHRГ / Final Charge of Nariman Dzhelial <https://crimeahrg.org/ru/narimanu-dzhelyalu-predyavili-okonchatelnoe-obvinenie>

¹⁸ CHRГ / Nariman Dzhelial, Asan and Aziz Akhtemov Kept in Custody For Another Month <https://crimeahrg.org/ru/narimana-dzhelyalova-asana-i-aziza-ahtemovyh-ostavili-pod-strazhej-eshhe-na-mesyacz/>

¹⁹ Lefortovskiy District Court. Case 3/2-0456/2021 <https://mos-gorsud.ru/rs/lefortovskij/services/cases/criminal-materials/details/179b0e20-52a2-11ec-aba1-27882ece70d2>

²⁰ CHRГ / “Grenade Would Not Have Fit In Where It Was Said To Have Been Found”: Evidence Was Examined At Session of Mr.Yesypenko’s Case’ <https://crimeahrg.org/ru/granata-ne-pomestilas-by-tam-gde-ee-yakoby-nashli-na-zasedanii-po-delu-esipenko-issledovali-dokazatelstva/>

²¹ <https://crimeahrg.org/ru/preniya-v-dele-esipenko-otlozhili-na-mesyacz/>



of the Russian Federation. The case is being considered by “judge” Olga Kuznetsova.²² Mr.Gdanov is in the Ukraine-controlled territory.

PERSECUTION OF JEHOVAH’S WITNESSES

As of the end of December 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

On December 1, lawyer Nikolay Polozov informed that **Ivan Yatskin**, a defendant in the “case of Ukrainian commandos” went on a hunger strike due to constant provocations against him during the convoy stage. Searching him during this convoy stage, the Saratov Pre-Trial Detention Center no 1 staff took away all the medicines, tore the only bag he had and refused to give him a needle and thread to sew it up.²³

FREEDOM OF EXPRESSION

On December 3, Galina Khulapova, judge of the ‘Kievskiy District Court’ of Simferopol, fined blogger **Rolan Osmanov**, detained on September 4 while recording mass arrests of participants in a peaceful assembly in Simferopol, RUR15,000.²⁴

On December 7, **Mustafa Seidaliyev**, the coordinator of the Crimean Solidarity association, was detained again. The reason for the re-detention was his post on a social network, published in 2012 (*for more details, see the “Searches and Detentions” section*). The lawyers were not allowed to see him in the Temporary Detention Centre in Yevpatoria, and a Russian policeman on duty in this

Centre, refused to confirm that Mr.Seidaliyev was in the building.

In December, the CHRG monitored again the blocking of independent Internet resources in Crimea. At the time of monitoring, 11 providers in 11 settlements completely blocked 26 sites. Another 3 sites were accessible only in some localities from the monitoring list. For more details visit the CHRG website.²⁵

FREEDOM OF ASSEMBLY AND ASSOCIATION

In December, within administrative proceedings opened against participants in peaceful assemblies (in September, October, and November)

- 12 decisions on fining, from RUR 6,000 to RUR15,000, were issued. The judgements were passed by “judges” Alexandr Voronoy — 6 decisions, Sergey Demenok, Yuriy Gulevich, Viktor Mozhelianskiy, Evgeniy Pronin, Ekaterina Chumachenko and Galina Huapova — 1 decision each;
- “courts” of appeal approved **38** decisions on sentencing. The judgements were passed by “judges”: Sergey Yakovlev — 11 decisions, Liubov Dyachenko — 10, Oksana Shydakova — 5, Vladimir Agin — 7, Yekaterina Timoshenko — 5.

All decisions were made against the participants in the peaceful assemblies that the Crimean Tatars had been holding since September 4, 2021.

²² <https://www.facebook.com/crimeaarg/posts/3048682615417359>

²³ CHRG / Ukrainian Political Prisoner Ivan Yatskin Went on a Hunger Strike — Lawyer <https://crimeahrg.org/ru/ukrainskij-politzaklyuchennyj-ivan-yaczkyn-obyavil-golodovku-advokat>

²⁴ CHRG/ Crimean Tatar Blogger Fined in Crimea <https://crimeahrg.org/ru/v-krymu-oshtrafovali-krymskotatarskogo-blogera>

²⁵ <https://crimeahrg.org/ru/v-krymu-11-provajerov-polnostyu-blokiruyut-21-sajt-ukrainskih-media/>

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 December the CHRГ recorded **6** new criminal cases against the Crimean residents under RF CC Article 328 (*Evading the service in the Armed Forces of the Russian Federation*) and **2** new sentences issued under RF CC Article 328. Totally, as of the end of December 2021, the CHRГ documented **281** criminal cases initiated for evading the RF Army military service, that were sent to the Crimean 'courts' for considering, with verdicts delivered for **269** of them, **9** being still under consideration and **3** more proceedings are suspended.

THE REVIEW WAS PREPARED BY:

Oleksandr Siedov, analyst for the Crimean Human Rights Group;

Olga Skrypnyk, coordinator for the Crimean Human Rights Group.