

**Russian Federation Compliance  
with  
Human Rights International Legal Obligations  
on the occupied territory of AR of Crimea and City of Sevastopol  
Status Report  
December 2020 – November 2021**

## Introduction

Having acted against Ukraine as armed aggressor, the Russian Federation (hereinafter - the RF) violated its international legal obligations under the UN Charter and the Final Act of the Conference on Security and Cooperation in Europe of August 1, 1975. In addition, by including the Autonomous Republic of Crimea and the city of Sevastopol (hereinafter - Crimea) in its territory, i.e. by occupying the peninsula, the RF unlawfully annexed them. The illegality of the annexation of Crimea by the Russian Federation was confirmed, in particular, by the Resolution of the Council of Europe 1988 (2014)<sup>1</sup>, UN General Assembly Resolutions (hereinafter - the UN GA) 68/262 of March 27, 2014<sup>2</sup>, 71/205 of December 19, 2016<sup>3</sup>, 72/190 of 19 December 2017<sup>4</sup>, 73/194 of December 17, 2018<sup>5</sup>, 73/263 of December 22, 2018<sup>6</sup>, 74/17 of December 9, 2019<sup>7</sup>, 74/168 of December 18, 2019<sup>8</sup>, 75/29 of December 7, 2020<sup>9</sup>, 75 / 192 of December 16, 2020<sup>10</sup>. The UN General Assembly has repeatedly condemned the Russian Federation's complete disregard for its obligations under the UN Charter and international law regarding its legal responsibility for the occupied territories, including the obligation to respect Ukrainian law and the rights of all civilians.

The international law imposes obligations on Russia as an occupying power under the Convention relative to the Protection of the Civilian Persons in Time of War of 12 August 1949 and other international legal instruments. In addition, having established effective control over the territory of Crimea<sup>11</sup>, Russia is obliged to comply with its international legal obligations under the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms and other international acts in the field of human rights protection.

However, with the beginning of the occupation, Ukrainian laws were replaced by Russian law that contradicted the obligations under international humanitarian law, stating that the current legislation of the occupied territory must remain in force. It has also led to the selective and politically motivated application of criminal law provisions aimed at combating terrorism, extremism and separatism, that restricted the right to liberty and narrowed the scope for the exercise of fundamental rights and freedoms.

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<sup>1</sup> <http://assembly.coe.int/nw/xml/xref/xref-xml2html-en.asp?fileid=20873&lang=en>

<sup>2</sup> <https://undocs.org/en/A/RES/68/262>

<sup>3</sup> <https://undocs.org/en/A/RES/71/205>

<sup>4</sup> <https://undocs.org/en/A/RES/72/190>

<sup>5</sup> <https://undocs.org/en/A/RES/73/194>

<sup>6</sup> <https://undocs.org/en/A/RES/73/263>

<sup>7</sup> <https://undocs.org/en/A/RES/74/17>

<sup>8</sup> <https://undocs.org/ru/A/RES/74/168>

<sup>9</sup> <https://undocs.org/en/A/RES/75/29>

<sup>10</sup> <https://undocs.org/en/A/RES/75/192>

<sup>11</sup> <https://hudoc.echr.coe.int/eng#%7B%22languageisocode%22%3A%22ENG%22%2C%22appno%22%3A%2220958/14%22%2C%2238334/18%22%2C%22documentcollectionid%22%3A%22DECGRANDCHAMBER%22%2C%22itemid%22%3A%222001-207622%22%7D>

After the occupation, all Crimean penitentiaries were included in the Russian penitentiary system, which led to numerous transfers of detainees from Crimea to Russian penal colonies in violation of international humanitarian law norms<sup>12</sup>. Courts in Crimea were also included in the Russian judiciary system, contrary to Russia's international legal obligations as an occupying power.

For the period from December 2020 to November 2021, the Crimean Human Rights Group recorded consistent human rights violations in the territory of the occupied Crimea, in particular:

- violation of the right to a fair trial;
- violation of the right to life, physical and mental integrity, liberty and security;
- violation of the rights of detainees;
- violation of freedom of thought and its free expression;
- violation of freedom of peaceful assembly and freedom of association;
- violation of freedom of conscience and religion;
- violation of the ban on forced conscription.

Just a few examples of such systemic human rights violations are presented below.

## I. Rights of Detainees, Right to a Fair Trial

According to the information received by the Crimean Human Rights Group, rights of Ukrainian nationals detained in the occupied territory of Ukraine for condemning the Russian aggression against Ukraine and the occupation of Crimea, are systemically violated by state security agencies, the police, courts, and other agents of the RF as state.

Pursuant to Article 7 of the International Covenant on Civil and Political Rights, no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Pursuant to Article 10 of the same document, all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

Pursuant to the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment approved by UN General Assembly, resolution 43/173 of 9 December 1988, a detained or imprisoned person shall have a right to appeal against disciplinary sanctions.

Pursuant to the Standard Minimum Rules for the Treatment of Prisoners approved by the Economic and Social Council by its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977, a solitary confinement shall be used as a last resort only in exceptional cases for as short a time as possible, subject to independent supervision and only with the sanction of the competent authority.

Pursuant to Article 64 of the Convention relative to the Protection of the Civilian Persons in Time of War of 12 August 1949, the penal laws of the occupied territory shall remain in force, with the exception that they may be repealed or suspended by the Occupying Power in cases where they constitute a threat to its security or an obstacle to the application of the present Convention. Subject to the latter consideration and to the necessity for ensuring the effective administration of justice, the tribunals of the occupied territory shall continue to function in respect of all offences covered by the said laws.

Pursuant to Article 76 of the same Convention, protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein.

In violation of its international legal obligations under the Convention relative to the Protection of the Civilian Persons in Time of War, the Russian Federation, by forcibly extending its citizenship to the civilian population of Crimea and declaring Crimea part of the territory of the Russian Federation,

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<sup>12</sup> [https://www.ohchr.org/Documents/Countries/UA/Crimea2014\\_2017\\_EN.pdf](https://www.ohchr.org/Documents/Countries/UA/Crimea2014_2017_EN.pdf)

applies the criminal law of the Russian Federation to the local residents, and conducts court proceedings at the courts established within the RF judicial system.

The Crimean Human Rights Group (hereinafter - CHRG) receives information that the Russian Federation applies the practice of accusing Ukrainian citizens living in the occupied territory of Crimea or entering its territory in accordance with the Russian law requirements, of sabotage or espionage against the Russian Federation.

The CHRG also documents information on the use of torture by the FSB and the police to obtain confessions as well as other illegal methods of investigation, and violation of the criminal procedure legislation of the Russian Federation. In addition, such cases are heard at the courts in camera, since the information contained in their files is highly classified by Russia that prevents from supervision the court procedures by the public.

The cases are heard in violation of the right to a fair trial, the main evidence for the court in most cases under so-called terrorist articles is the testimony of anonymous witnesses (many of them being FSB men), the pre-trial testimony of witnesses who later testify in the court that such testimony was given under pressure, and linguistic examinations of the conversations of the accused Muslims. Evidence provided by the defense is usually left by judges without any consideration.

As in March 2014 the Russian Federation automatically extended its citizenship to Ukrainian nationals living in the occupied territory of Crimea, the Crimean 'courts' of the Russian Federation classify the actions of Ukrainian citizens to collaborate with the intelligence agencies of Ukraine (regardless of whether this was in reality) as 'high treason' and not as 'espionage' (for example, in the case of Ivan Yatskin, to be described below), that makes them subject to a more severe punishment (sentences of 12 to 20 years).

Another category of Ukrainian citizens living in the occupied Crimea and experiencing constant and systemic violations of their rights are Crimean Tatar civic activists accused of involvement in or promotion of the activities of Islamic organizations that Russia has declared terrorist or extremist while Ukraine hasn't (Hizb ut-Tahrir can be an example of such organization). In addition, organizations are classified as terrorist or extremist for political reasons - such organizations include those that publicly condemn the occupation of Crimea by the Russian Federation (such as the Mejlis of the Crimean Tatar people).

These actions of the Russian Federation feature signs of discrimination against the population of Crimea on political grounds, in particular, for condemning the occupation of Crimea. In resolutions on the human rights situation in the Autonomous Republic of Crimea and the city of Sevastopol, the UN General Assembly has repeatedly condemned violations, abuses and discriminatory measures and methods against the residents of the temporarily occupied Crimea. The draft resolution 'Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine' approved by the Third Committee of the GA Seventy sixth session<sup>13</sup> as well as the previous resolutions (№№ 75/192, 74/168, 73/263, 72/190, 71/205) on the same subject, urge the Russian Federation to take all measures necessary to bring an immediate end to all violations and abuses against residents of Crimea, in particular reported discriminatory measures and practices, arbitrary detentions and arrests, enforced disappearances, torture and other cruel, inhuman or degrading treatment. The UN General Assembly urges the Russian Federation to immediately release and allow the return to Ukraine, without preconditions, of Ukrainian citizens who were unlawfully detained and judged without regard for the requirements of international law, as well as those transferred or deported across internationally recognized borders from Crimea to the

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<sup>13</sup> <https://undocs.org/en/A/C.3/76/L.29>

Russian Federation.

As of November 2021, the CHRГ documented that the total number of Crimean residents imprisoned on these grounds in politically motivated "cases against Crimean Muslims" (baseless allegations of belonging to Hizb ut-Tahrir) reached 79 persons. Terms of imprisonment in such cases is usually 10 to 17 years. 5 persons more are restricted in their movement: 3 are under surveillance and unable to leave the occupied territory, 2 are under house arrest.

In addition, as of November 2021, the CHRГ found that within the persecution of Jehovah's Witnesses in Crimea, 5 people had been imprisoned, 7 persons more were under house arrest, and 2 were restricted in travel.

The CHRГ records that penal colony and pre-trial detention center administrations in Russia and the occupied Crimea hold detainees in conditions that cause them suffering: the condition of the cells does not meet minimum sanitary standards, the penitentiary administration applies long and arbitrary detention in the punishment cells with extremely severe detention facilities. Despite a call from the UN General Assembly, prisoners are not provided with adequate medical care.

For December 2020 – November 2021 the CHRГ recorded the facts that might testify the offences committed by the officials of the RF and its occupation bodies in Crimea, as specified by Articles 7 (crimes against humanity) and 8 (war crimes) of the Rome Statute of the International Criminal Court. For instance, Article 7 (1)(d) – Deportation or forcible transfer of population (in relation to the transfer of prisoners from Crimea to the territory of RF); 7(1)(e) - Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; 7(1)(f) – Torture, 7(1)(h) - Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender ... or other grounds; 7(1)(i) - Enforced disappearance of persons; 7(1)(k) - Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

The CHRГ, in particular, would like to point out the following facts:

1) **Mr. Valentin Vyhivskiy**, aged 37, was detained in 2014 on charges of espionage and after a Russian court sentenced him to 11 years in prison, Vyhivskiy has been serving the sentence in the penal colony in Russia (VK No 11 in Kirovo-Chepetsky district of Kirov Region). For almost five years in the colony, until July 2021, Vyhivsky was held in the solitary confinement in the prison cell unit of the colony. Staying in such a cell means a solitary confinement without personal belongings in the cell where the bed is fixed vertically to the wall during the day. Mr. Vyhivskiy was banned from making phone calls to relatives or talking to prisoners while walking<sup>14</sup>. After Valentin had gone on a hunger strike, he was transferred from the prison cell unit. Vyhivskiy's parents report that he contracted COVID-19 after a virus outbreak in the colony. Valentin had similar symptoms, but was not treated, and was not tested for COVID-19. In addition, he suffers chronic spinal disease and joint problems. The state of health is deteriorating and this is also because the Ukrainian has been kept in the prison cell unit (PKT) for four years without the right to meet and communicate with relatives<sup>15</sup>.

2) **Mr. Ivan Yatskin**, a citizen of Ukraine, detained on charges of high treason in October 2019, was kept at the Lefortovo Pre-trial Detention Center in Moscow from October 2019 to July 2021, and then he was transferred to Crimea for sentencing<sup>16</sup>.

Yatskin's lawyer said that Mr. Yatskin needed medical help in Lefortovo. Another detained Ukrainian citizen, Mr. Vladyslav Yesypenko, who met Yatskin in the pre-trial detention center, said that

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<sup>14</sup> <https://www.radiosvoboda.org/a/valentyn-vyhivskiy/31282919.html>

<sup>15</sup> [https://crimeahrg.org/wp-content/uploads/2021/02/crimean-human-rights-group\\_jan\\_2021\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/02/crimean-human-rights-group_jan_2021_en.pdf)

<sup>16</sup> [https://crimeahrg.org/wp-content/uploads/2021/05/crimean-human-rights-group\\_apr\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/05/crimean-human-rights-group_apr_en.pdf)

Mr. Yatskin had **frostbitten toes** because he had been taken for a walk in slippers in the winter. Yatskin's lawyer reported that the detainee was suffering pain due to frostbite, but did not receive any medical treatment, except that he had been given an unknown ointment without instructions for use. The administration ignores Yatskin's claims about medical care, including lower extremity vascular diagnostics and MRI. In April, Yatskin's lawyer reported that there were rats and bedbugs, and mold on the ceiling in the cell of the Simferopol remand prison where Ivan Yatskin was being held<sup>17</sup>.

On May 21, the 'Supreme Court of the Republic of Crimea' sentenced Ivan Yatskin to 11 years in the maximum security penal colony under Art. 275 (High treason) of the Criminal Code<sup>18</sup>. On September 16, 2021, the Russian court (3rd Court of Appeal of Sochi) upheld Yatskin's sentence<sup>19</sup>.

After the court decision, Mr. Yatskin was convoyed to the place of execution in the Kemerovo region, Russia. Yatskin's lawyer said that the legs of political prisoner 'were actually rotting away' due to frostbite and he might lose his limbs. During his transfer to the colony, Mr. Yatskin was deprived of the medicines and bandages he needed<sup>20</sup>.

When Mr. Yatskin came to the colony (VK-2 in the village of Dvubratskiy, Krasnodar Area), there was no heating in the colony that caused an exacerbation of foot disease. Yatskin's lawyer also reported that just after his arrival at the colony in the Krasnodar Area (Russia), Mr. Yatskin had been placed in the punishment cell for three days, since there was no free space in the ordinary cells. Rules of staying in the punishment cell demand that after wakeup and up to lights out the bed shall be vertically attached to the wall, Mr. Yatskin was forced to spend all day standing on sick legs. The lawyer also noted that Mr. Yatskin was not receiving medical care in the penal colony and that no proper medical examination was being done<sup>21</sup>.

3) On March 10, 2021, **Mr. Vladyslav Yesypenko**, Radio Svoboda journalist, was detained in Crimea where he was on editorial assignment of KRYM.REALII project. After the detention, he has been kept in the Simferopol Pre-trial Detention Center. The FSB of the Russian Federation accused the journalist of illegal production of ammunition, namely "taking out the components of an explosive device from the secret storage": Mr. Yesypenko was said to have taken a grenade from the secret storage under the order of the Foreign Intelligence Service of Ukraine.

On March 18, KRYM.24, a Russian-controlled channel, published an "interview" with Vladyslav Yesypenko in which he admitted his guilt. However, Mr. Yesypenko told the lawyer that he had been tortured (electric shocks, beatings, strangling with a plastic bag, keeping naked and threats of murder) in order to obtain a confession<sup>22</sup>.

Until the end of March, Mr. Yesypenko was denied access to lawyers with whom he wished to enter into an agreement. Instead, he was appointed Violetta Sineglazova, a lawyer who had previously been appointed to other politically motivated cases. Ms. Sineglazova did not file complaints about detention and illegal methods of investigation, persuaded her client to come to an agreement with the investigation and provide false testimony<sup>23</sup>.

In July 2021, the Special Rapporteur on the situation of human rights defenders and a number of other rapporteurs sent a letter to the Russian government requesting information on detained Vladyslav Yesypenko, as well as details and results of the investigation that could be carried based on Yesypenko's statements of torture and inhuman and degrading human dignity treatment<sup>24</sup>.

During the court hearing in September 2021, two representatives of the public who had taken part in search operations were questioned. One was present during the search in the apartment where the journalist stayed, and the other was present when the area where, according to the prosecution, was a secret storage with the grenade that allegedly was later found in the Yesypenko's belongings, was

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<sup>17</sup> <https://www.facebook.com/nikolay.polofov/posts/3980770328655000>

<sup>18</sup> [https://crimeahrg.org/wp-content/uploads/2021/06/crimean-human-rights-group\\_may\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/06/crimean-human-rights-group_may_en.pdf)

<sup>19</sup> [https://crimeahrg.org/wp-content/uploads/2021/10/crimean-human-rights-group\\_sep\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/10/crimean-human-rights-group_sep_en.pdf)

<sup>20</sup> <https://www.facebook.com/nikolay.polofov/posts/4585279121537448>

<sup>21</sup> <https://www.facebook.com/nikolay.polofov/posts/4591068874291806>

<sup>22</sup> <https://khpg.org/en/1608808962>

<sup>23</sup> [https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group\\_mar\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group_mar_en.pdf)

<sup>24</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26459>



being inspected. According to the defendant's lawyer Dmitriy Dinze, both witnesses looked prepared for the interrogation, used legal terminology and told without hesitation about the events they had witnessed. The lawyer was of the opinion that their knowledge was not incidental and was intended to 'strengthen' the reports of search measures available in the case file<sup>25</sup>.

At the court hearing on October 5, two prosecution witnesses were questioned: a criminal investigator and a witness, but the court refused to question the persons that the defense had asked for<sup>26</sup>.

On November 22, during the session in camera at the 'Simferopol District Court', an expert who had recognized the 'grenade found in the journalist's car' a self-made explosive device, was interrogated. However, the expert failed to answer most of the lawyer's questions related to the parameters he had based on his conclusion that the grenade had been remade<sup>27</sup>.

4) **Mr.Oleh Prykhodko**, a Ukrainian citizen and a Ukrainian activist, who had participated in the Euromaidan and publicly condemned the occupation of Crimea, was detained in October 2019, and then sentenced by the Southern Area Military Court in Rostov-na-Donu to 5 years of imprisonment for producing illegally explosives, and preparing an act of terror<sup>28</sup>. On May 17, a judge of the Military Court of Appeal of the Russian Federation upheld the verdict<sup>29</sup>. According to the detainee's lawyer, Mr.Prykhodko is accused of preparing to blow up the Saki Town administration building. Mr.Prykhodko has been serving his sentence in the city of Vladimir, Russia.

Mr.Prykhodko was allowed to see his lawyer only after three months in prison. His lawyer reported that the administration of the institution did not allow a private meeting with Mr.Prykhodko: a representative of the institution was present at the meeting with a video camera and was recording the conversation. Oleh Prykhodko told the lawyer that he had been kept in the solitary confinement all this time. An elderly man with chronic diseases is forced to be on his feet all day, because he is allowed to lie down only after the lights out. He has not received a single letter during the entire time he spent in the penitentiary. His correspondence also does not reach relatives, although he writes letters daily<sup>30</sup>.

5) In September 2021, the Federal Security Bureau of the Russian Federation men detained **Mr.Nariman Dzhelial**, deputy Head of the Crimean Tatar People's Mejlis, on charges of sabotage - blowing up a gas pipeline, that, according to investigators, occurred on August 23, 2021 near Simferopol. During the interrogation, in the absence of a lawyer, Nariman was handcuffed and head sacked. In addition, interrogators threatened "bad" consequences for the detainee if he pleaded not guilty, after which Nariman had to admit all charges made against him by these persons.

In addition, on the first day of his detention, Nariman was held for hours in the 2-square-meter cell. Later, he was taken into custody by the decision of the Crimean "court". Mr.Nariman Dzhelial is a civil activist and journalist who has publicly condemned the Russian Federation's armed aggression against Ukraine and its occupation of Crimea. On August 23, 2021, he was present at the International Summit of the CRIMEA PLATFORM organized by the Ukrainian authorities<sup>31</sup>.

6) Asan and Aziz Akhmetovs were detained in the same case with Mr.Nariman Dzhelial. According to the lawyer, Asan Akhmetov was taken to an unknown place after his detention, where he was beaten and tortured with electric shocks. Then he was put in a car and taken in an unknown direction. Asan was told in the car that he would be taken to the forest, where he would be shot dead, allegedly while trying to escape. When Mr.Akhmetov had refused to get out of the car, he was taken back to the room, where his torture with electric shocks, demanding a confession, went on.

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<sup>25</sup> <https://crimeahrg.org/uk/na-sudi-shhodo-%d1%94sipenka-dopitali-pidgotovlenih-ponyatih-dinze/>

<sup>26</sup> [https://crimeahrg.org/wp-content/uploads/2021/11/october\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/11/october_en.pdf)

<sup>27</sup> <https://crimeahrg.org/ru/delo-vladislava-esipenko-ekspert-utverzhaet-cto-v-mashine-nashli-samodelnoe-vzryvnoe-ustrojstvo/>

<sup>28</sup> [https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group\\_mar\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group_mar_en.pdf)

<sup>29</sup> [https://crimeahrg.org/wp-content/uploads/2021/05/crimean-human-rights-group\\_apr\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/05/crimean-human-rights-group_apr_en.pdf)

<sup>30</sup> <https://crimeahrg.org/uk/u-vyazniczi-dlya-osoblivno-nebezpechnih-zlochincziv-bez-listiv-i-likiv-advokat-vidvidav-olega-prihodka/>

<sup>31</sup> <https://crimeahrg.org/en/review-on-the-human-rights-situation-in-crimea-in-september-2021/>

When Asan Akhmetov agreed to sign the confession, he was taken to the FSB department for formal investigations. Later, the Zvezda TV channel published a video in its Telegram channel allegedly from the place of the sabotage on the gas pipeline in Crimea and the interrogation of the Akhmetov brothers<sup>32</sup>.

Asan Akhmetov's lawyer also reported that the detainee was not receiving a proper medical care: he was complaining of severe pain in his left ribs, but no treatment was being provided<sup>33</sup>.

6) **Mr. Nariman Mezhmedinov**, aged 55, was detained on charges of serving in the N. Chelebidzhikhan Battalion (a volunteer armed unit created to protect Ukraine's territorial integrity) and is being held in the Simferopol Pre-trial Detention Center. His sister told the Crimean Human Rights Group that in fact, once detained, Nariman had been kept almost all the time in the Pre-Trial Detention Center medical unit because he suffered from the following diseases: asthma, pancreatitis, and heart failure. The family lacks the funds to pay for all the necessary medicines, and the Center administration does not provide them. However, ignoring his illness, a medicolegal examination found him health enough to be held in the pre-trial detention center<sup>34</sup>. In July 2021, the 'Chornomorskyi District Court of Crimea' sentenced Nariman Mezhmedinov to 8 years in the penal colony "for acting in an illegal armed unit operating in a foreign state with goals contrary to Russia's interests."<sup>35</sup>

7) On April 29, when searching the house of **Mr. Ernest Seytosmanov**, the brother of Enver Seytosmanov, previously sentenced to 17 years of imprisonment for organizing the activities of the terrorist organization, the FSB men strangled Ernest and detained him until he was about to lose consciousness<sup>36</sup>.

8) Detainees: **Shaban Umerov, Raim Ayvazov, Riza Izetov** and **Farkhod Bazarov** - were transferred to Russia in February 2021 for considering their cases by the Southern Area Military Court of the Russian Federation. The detainees informed the lawyer that from Simferopol to Krasnodar each of them had been moved in the 'glass' – a cell in the body of a truck re-fitted for transporting the arrested, area of 0.25 sq m (50x50cm), without any heating along all the way (approximately 450 km)<sup>37</sup>.

9) In February 2021, the administration of the penitentiary - VK-2 in Salavat, Russia - placed **Mr. Teymur Abdullayev** in the punishment cell for 10 days immediately after his previous period of staying there ended. The Crimean Human Rights Group was informed that after September 4, 2021, when the previous period of his stay in the punishment cell finished, on September 7 and 27<sup>38</sup>, and twice during October<sup>39</sup>, Teymur was placed into the punishment cell. In November, the colony's administration again extended the period of Teymur's staying in the punishment cell until December 8<sup>40</sup>. Due to these repeated extensions Teymur Abdullayev has been kept in the colony punishment cell almost continuously since March 2020.

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<sup>32</sup> <https://crimeahrg.org/en/crimean-tatar-asan-akhmetov-severely-tortured-to-beat-a-testimony-out-lawyer/>

<sup>33</sup> <https://crimeahrg.org/uk/krimskomu-tatarinu-asanu-ahmetovu-v-sizo-ne-nadayut-nalezhno%d1%97-medicjno%d1%97-dopomogi-advokat/>

<sup>34</sup> [https://crimeahrg.org/wp-content/uploads/2021/02/crimean-human-rights-group\\_jan\\_2021\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/02/crimean-human-rights-group_jan_2021_en.pdf)

<sup>35</sup> <https://crimeahrg.org/en/crimean-resident-nariman-mezhmedinov-was-sentenced-to-eight-years-in-prison-for-involvement-in-the-crimean-tatar-battalion/>

<sup>36</sup> [https://crimeahrg.org/wp-content/uploads/2021/05/crimean-human-rights-group\\_apr\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/05/crimean-human-rights-group_apr_en.pdf)

<sup>37</sup> [https://crimeahrg.org/wp-content/uploads/2021/03/crimean-human-rights-group\\_feb\\_2021\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/03/crimean-human-rights-group_feb_2021_en.pdf)

<sup>38</sup> [https://crimeahrg.org/wp-content/uploads/2021/10/crimean-human-rights-group\\_sep\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/10/crimean-human-rights-group_sep_en.pdf)

<sup>39</sup> [https://crimeahrg.org/wp-content/uploads/2021/11/october\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/11/october_en.pdf)

<sup>40</sup> Kremlin Prisoner Teymur Abdullayev 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>

10) In March 2021, the 'Supreme Court of Crimea' upheld a sentence (6 years of imprisonment) for **Mr.Serhiy Filatov**<sup>41</sup>, a follower of the Jehovah's Witnesses religious movement, who had been convicted in March 2020. In June 2021, Filatov was transferred to the penitentiary – VK No 12 in Kamensk-Shakhtinskiy, Rostov Oblast, Russia<sup>42</sup>.

11) In the same March, the 'Gagarinsky District Court of Sevastopol' sentenced **Mr.Viktor Stashevskiy** to six years and six months of imprisonment for being a Jehovah's Witness. He was taken into custody once the verdict had been announced. In August the 'Sevastopol City Court' upheld the decision<sup>43</sup>, and then Mr.Stashevsky was transferred to the territory of the Russian Federation (the city of Khadyzhensk, Krasnodar Area) to serve his sentence in the penitentiary – VK No 9<sup>44</sup>.

12) In July 2021, **Mr.Rustem Seytkhalilov** and **Mr.Eskender Suleymanov** reported that there were eight persons in each of the cells of the Rostov-na-Donu Pre-Trial Detention Center where they were kept, and almost all of them were ill and one prisoner had lost his sense of smell. However, despite the symptoms of COVID-19, the medical staff of the pre-trial detention center did not diagnose it and "treated" them with paracetamol. Lawyer Safiye Shabanova reported that **Mr.Vadim Bektemirov**, who was in the same cell with Seytkhalilov, had got a fever for more than 7 days.

13) Detainee **Ayder Dzhapparov** informed lawyer Edem Semedliayev about cockroaches, rats and fleas in the cell of the Novocherkassk Pre-Trial Detention Center no 3, and the absence of bed linen and pillows<sup>45</sup>.

14) In March 2021, the penitentiary administration (VK No 14) of the Krasnodar Area (Russia) extended the detention period in the punishment cell for **Mr.Andriy Kolomiyets**, a Ukrainian, because he had fallen asleep standing when he had been kept in the punishment cell<sup>46</sup>.

15) In October, detainee **Rustem Murasov** reported that the cell in the Simferopol Pre-trial Detention Center where he was kept, was constantly damp, full of cockroaches, rats and mice, and he had not been allowed to wash for the last 20 days<sup>47</sup>.

16) In October 2021, the 'Gagarinsky District Court of Sevastopol' established by the occupation authorities of Crimea sentenced **Mr.Ihor Shmidt**, a follower of 'Jehovah's Witnesses religious organization, to 6 years in the general regime penal colony for 'organizing activities of the extremist organization' <sup>48</sup>.

17) In March 2021, **Ms.Halyna Dovhopola**, aged 66, was convicted under Art. 275 of the Criminal code of the Russian Federation (high treason) to 12 years of imprisonment with serving the sentence in the general regime penal colony and the restriction of freedom for one year. Ms.Dovhopola was accused of allegedly "secretly collaborating with the Main Intelligence Directorate of the Ministry of Defense of Ukraine." Her criminal case was heard in camera, because "the case file contained information of national secret." Halyna had publicly condemned the occupation of Crimea by the Russian Federation, and also was in contact with volunteer Ukrainian organizations operating in the territory controlled by the Ukrainian government.<sup>49</sup>

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<sup>41</sup> [https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group\\_mar\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group_mar_en.pdf)

<sup>42</sup> <https://jw-russia.org/cases/dzhankoy.html>

<sup>43</sup> [https://crimeahrg.org/wp-content/uploads/2021/09/crimean-human-rights-group\\_aug\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/09/crimean-human-rights-group_aug_en.pdf)

<sup>44</sup> <https://crimeahrg.org/uk/svidok-%d1%94govi-stashevskij-buv-etapovanij-do-rosijsko%d1%97-koloni%d1%97/>

<sup>45</sup> [https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group\\_mar\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group_mar_en.pdf)

<sup>46</sup> [https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group\\_mar\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group_mar_en.pdf)

<sup>47</sup> [https://crimeahrg.org/wp-content/uploads/2021/11/october\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/11/october_en.pdf)

<sup>48</sup> <https://crimeahrg.org/uk/u-sevastopoli-svidka-%d1%94govi-shmidta-zasudili-do-6-rokiv-koloni%d1%97/>

<sup>49</sup> <https://crimeahrg.org/en/statement-of-human-rights-organizations-regarding-sentence-of-ms-halyna-dovhopola-in-crimea/>



The sentence for Ms.Dovhopola was passed by ‘judge’ Igor Kozhevnikov, a Russian citizen who has repeatedly convicted Ukrainian citizens in politically motivated cases, violating the standards of the right to a fair trial, like in the cases of Volodymyr Dudka and Oleksiy Bessarabov.

In November 2019, Ms.Dovhopola was taken into custody and transferred to the Lefortovo Pre-trial Detention Center in Moscow, and in early 2021 she was returned to the Simferopol Pre-trial Detention Center. When sentenced, Ms.Dovhopola was transferred to Russia to serve her sentence in the women's penal colony in the Vladimir Region. She had not been provided with any medical care during her pre-trial detention.

## 2. Freedom of Thought and Its Free Expression

Pursuant to Article 19 of the International Covenant on Civil and Political Rights, everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

Pursuant to Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms, everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

By resolution 75/192 of 16 December 2020 as well as by previous resolutions on the situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, the UN GA called upon the Russian Federation to ensure that the right to freedom of opinion and expression and the rights to peaceful assembly and freedom of association can be exercised by all Crimean residents in any form, including single-person pickets, without any restrictions other than those permissible under international law; and to refrain from criminalizing the rights to hold opinions without interference and to freedom of expression and the right to peaceful assembly and quash all penalties imposed on Crimean residents for expressing dissenting views, including regarding the status of Crimea. However, these UN GA calls had not been met and this was expressed in the relevant draft resolution presented at the 76<sup>th</sup> session of UN GA.

The Russian authorities and the occupying authorities in Crimea systematically violate the rights of Ukrainian citizens living in Crimea under the jurisdiction of the Russian Federation, suppressing the possibility of free expression of opinions by such persons. Crimean residents are being held liable for public statements about the illegality of the annexation of Crimea, its affiliation with Ukraine, and coverage of human rights violations in Crimea.

In January 2021, the occupying authorities arrested a Ukrainian citizen for posting information on a social network about the date and place of a rally in support of Mr. Aleksey Navalny, a Russian opposition politician. The Sevastopol ‘Police’ informed the population about the persecution of those who published information about holding "unauthorized" mass events (actions in support of Navalny)<sup>50</sup>.

On January 22, in Simferopol, the Russian police detained Mr.Serhiy Vasylyev during his single-person picket against the inaction of the police and the prosecutor's office. Mr.Illia Bolshedvorov, who was filming the action, was also detained. The detention was reasoned as non-compliance with quarantine restrictions. In March the ‘Tsentralny District Court of Simferopol’ arrested Mr.Bolshedvorov for 10 days. The court's decision stated that Mr.Bolshedvorov was arrested for petty

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<sup>50</sup> [https://crimeahrg.org/wp-content/uploads/2021/02/crimean-human-rights-group\\_jan\\_2021\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/02/crimean-human-rights-group_jan_2021_en.pdf)

hooliganism related to disobedience to a police officer, though this was even in line with the article mentioned in the detention report<sup>51</sup>.

On April 20, the 'Simferopol City Court' fined Mr. Bekir Mamutov, editor of the QIRIM newspaper, for committing an administrative offense – 'Abuse of Freedom of the Media' - for publishing a report by UN Secretary-General Antonio Guterres: 'The situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine'. The formal reason for the persecution was that the publication lacked a note indicating that the Mejlis of the Crimean Tatar people is a banned organization in Russia, as required by Russian law<sup>52</sup>.

On September 4, during mass detentions in Simferopol, at least four journalists and bloggers (Vladlen Seidaliyev, Rolan Osmanov, Nuri Abdurashytov, and Ayder Kadyrov) were detained who were there for the event coverage. They, along with other detainees, were taken to the police station, where they were drawn up reports for non-compliance with quarantine restrictions<sup>53</sup>.

On November 1, journalist **Kulamet Ibragimov** was detained during the mass detention in Simferopol. He informed that he was a journalist, but this information was left without any attention by the police officer<sup>54</sup>.

On November 23, during the mass detention in Simferopol, five journalists were detained; they came to the detention center to meet Edem Semedliayev, a lawyer who had served an administrative arrest. Three of them had editorial assignments of the publishing house, 2 were civic journalists of "Crimean Solidarity". After their detention, they were taken to the Tsentralny District Police Department (**Alim Suleymanov, Dliaver Ibragimov, Enver Alimov**) and the Kievsky Distirct Police Department (**Simmar Abliyalimov and Vilen Temeryanov**). They were drawn up protocols under Art. 20.2.2 of the RF Code of Administrative Offences and left to spend the night in the Temporary Detention Unit<sup>55</sup>. On November 24, court rulings of administrative arrests were passed: Vilen Temeryanov was arrested for 4 days, Enver Alimov and Dliaver Ibragimov for 13 days, Alim Suleymanov and Simmar Abliyalimov for 10 days<sup>56</sup>.

On November 26, **Diliaver Memetov**, coordinator of the 'Crimean Solidarity' Association, and **Abdullah Seydametov**, a journalist of the 'Crimean Solidarity' and 'Grani.ru' media, were detained at the Crimean Garrison Military Court building. They were taken to the Tsentralny District Police Department, where Abdullah Seydametov was released<sup>57</sup>.

The Russian authorities use technical means to obstruct **the broadcasting of Ukrainian media in Crimea**: during the reporting period, the CHRG monitored several times an access of the Crimean residents to the Ukrainian mass media, and a tendency to increasingly restrict such access by the Russian Federation was demonstrated.

1) The CHRG monitoring of FM broadcasting in early February in 19 settlements of Kherson Region showed that the Russian authorities from the occupied Crimea territory were jamming the frequencies of Ukrainian radio stations in the territory controlled by the Ukrainian government with broadcasting Russian stations on these waves<sup>58</sup>.

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<sup>51</sup> [https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group\\_mar\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group_mar_en.pdf)

<sup>52</sup> [https://crimeahrg.org/wp-content/uploads/2021/05/crimean-human-rights-group\\_apr\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/05/crimean-human-rights-group_apr_en.pdf)

<sup>53</sup> [https://crimeahrg.org/wp-content/uploads/2021/11/october\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/11/october_en.pdf)

<sup>54</sup> [https://www.facebook.com/watch/live/?ref=watch\\_permalink&v=620884958912203](https://www.facebook.com/watch/live/?ref=watch_permalink&v=620884958912203)

<sup>55</sup> [https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group\\_nov\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group_nov_en.pdf)

<sup>56</sup> [https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group\\_nov\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group_nov_en.pdf)

<sup>57</sup> [https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group\\_nov\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group_nov_en.pdf)

<sup>58</sup> <https://crimeahrg.org/en/occupation-authorities-of-crimea-jamming-ukrainian-fm-stations-in-the-south-of-kherson-region/>

During the CHRG March monitoring of FM broadcasting in northern Crimea it was found that 5 radio stations were jammed in the Chaplynka area and 640 in the Chongar area. Ukrainian broadcasting is generally available in 13 of 19 settlements<sup>59</sup>.

In June the CHGR noted that the situation with the Ukrainian radio stations signal had become much worse. The Ukrainian broadcasting was available in June in 8 of 19 settlements. Moreover, the ZVEZDA radio station of the Ministry of Defense of the Russian Federation completely jammed the 'NV' Ukrainian radio "NV" with its signal<sup>60</sup>.

The CHRG monitoring of FM broadcasting in July showed that in 19 settlements in the south of Kherson Oblast, the Ukrainian radio stations were jammed with a Russian signal broadcasted from the occupied Crimea. At least 34 Ukrainian FM frequencies are overlapped by 37 Russian radio stations<sup>61</sup>.

The CHRG September monitoring of radio broadcasting in the north of Crimea showed that Ukrainian broadcasting was available only in 5 of 19 settlements<sup>62</sup>.

2) The CHRG March monitoring of access to Ukrainian Internet resources through Crimean providers showed that at least 12 providers in 12 Crimean settlements completely blocked 22 Ukrainian media sites and 5 sites of religious or governmental organizations<sup>63</sup>.

The CHRG June monitoring of access to Ukrainian Internet resources showed that 12 providers in 12 settlements completely blocked 18 Ukrainian sites. Other 9 sites were accessible only in some settlements<sup>64</sup>. Since July, access to the Crimean Human Rights Group's website has been blocked by many providers in Crimea "for encroaching on security of the Russian Federation"<sup>65</sup>.

The CHRG September monitoring of access to Ukrainian Internet resources showed that 14 providers in 13 settlements completely blocked 9 Ukrainian news websites, and only one provider offered access to all 19 websites from the monitoring list<sup>66</sup>.

### 3. Freedom of Peaceful Assembly

The right of peaceful assembly shall be recognized as Article 21 of the International Covenant on Civil and Political Rights determines. According to Article 22, everyone shall have the right to freedom of association with others. The same right is established by the Convention for the Protection of Human Rights and Fundamental Freedoms.

The authorities apply punishment for participating in group and single-person pickets, filming such events. To 'legalize' detentions, such formal reasons to detain, as non-compliance with quarantine restrictions, can be used although at the same time in Crimea these authorities de facto hold events with mass attendance of people. In addition, the Russian police in Crimea often personally warned activists in advance about illegality of their attendance of the planned actions as these actions were said to violate Russian law on rally rules and anti-extremism.

The Crimean Human Rights Group has documented numerous cases of restricting the freedom of peaceful assembly and sentencing to administrative arrest and fines. The authorities of the Russian Federation and its subordinate bodies in the occupied Crimea systematically obstruct holding peaceful events in support of political detainees, as well as other actions held to criticize the activity of the authorities or to express a position on the illegality of the annexation of Crimea, in particular:

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<sup>59</sup> <https://crimeahrg.org/en/russia-continues-to-block-fm-radio-broadcasting-in-northern-crimea/>

<sup>60</sup> <https://crimeahrg.org/en/occupation-authorities-intensified-again-jamming-ukrainian-radio-signal-in-north-of-crimea/>

<sup>61</sup> <https://crimeahrg.org/en/russian-occupation-authorities-radio-broadcasting-at-minimum-34-radio-frequencies/>

<sup>62</sup> <https://crimeahrg.org/uk/na-pivnochii-krimu-znovu-posilili-blokuvannya-signalu-ukra%20%D1%97nshih-fm-stancij/>

<sup>63</sup> <https://crimeahrg.org/en/at-least-12-crimean-providers-blocking-ukrainian-websites-in-crimea/>

<sup>64</sup> <https://crimeahrg.org/en/12-providers-blocking-27-ukrainian-websites-in-crimea/>

<sup>65</sup> <https://crimeahrg.org/en/website-of-the-crimean-human-rights-group-blocked-in-crimea-for-undermining-of-security-of-the-rf/>

<sup>66</sup> <https://crimeahrg.org/uk/u-krimu-czilkom-blokuyut-9-informacijnih-sajtiv-novij-monitoring-kpg/>

- In January, the Russian police stopped cars on the Kerch bridge, that directed from Crimea to the Russian Federation 'for inspection'. The cars where the Crimean Tatars were, were not allowed to go. According to eyewitnesses, about 120 people were stopped in this way, and detained all night for checking documents, as it was said, followed with a ban for them to leave Crimea without any grounds. All other cars were allowed by the Russian police to pass without any obstruction. Thus, the Russian police prevented activists and relatives from taking part in the rally in support of the 'Case of Crimean Muslims' defendants, who were to be read out sentences on January 12 in Rostov-na-Donu<sup>67</sup>.

- In January 2021, there were mass detentions of protesters in support of Aleksey Navalnyi, a Russian opposition politician. In addition, on the eve of the rally, policemen handed out activists and potential participants warnings about the ban on holding and attending rallies due to the quarantine regime introduction in Crimea. In April, an activist holding a single-person picket in support of Navalnyi was fined RUR10,000.

- In March, the court prosecuted Mrs. Sevila Omerova for holding a single-person picket in support of her husband, Riza Omerov, a politically reasoned detainee. A warning was issued for non-compliance with the rules of conduct in an emergency (quarantine). Under the same charge the court fined activist Mustafa Seydaliyev for holding a single-person picket in support of Crimean political prisoners<sup>68</sup>.

- In September in Simferopol, the police, the Russian Guard and the OMON detained activists and relatives of those who had been arrested together with Nariman Dzhelial. These people came to the building of the FSB headquarters to find out the whereabouts of the arrested. The CHRG received information about at least 53 detainees during the event. They were taken to the "police station, where they stayed for several hours, waiting for administrative reports to be drawn up. Locals were detained for participating in a peaceful spontaneous assembly. Two relatives of the arrested accused of disobedience to the police, were left in the temporary detention unit and then sentenced to 15 and 10 days in custody, respectively. As of the end of October, the CHRG recorded 43 'court' decision on punishing this event participants: fines of RUR 10,000 to 30,000. In October journalist Ayder Kadyrov who had filmed the detention, was fined RUR5,000 for non-compliance with the quarantine requirements<sup>69</sup>.

- On October 11, 25 and 29, people who came to open court hearings of arrested Crimean Tatars were detained in mass in Crimea. At least 72 persons were detained in total, of which 24 were left in the temporary detention unit for night. At least 63 detainees were accused of failing to comply with quarantine restrictions, violating the procedure of organizing or holding a peaceful assembly, and "organizing a mass simultaneous staying and / or moving of citizens in public places that caused public order violations." 21 of them were fined RUR5,000 to 20,000, 7 were declared non-guilty, and others have been waiting for the consideration their cases by the Crimean "courts." Among those fined were two journalists of the CRIMEAN SOLIDARITY NGO, who were detained when performing their professional duties. On October 25, the police prevented Rustem Kiamiliev's lawyer from visiting the activist detained during mass detentions because he did not obey the police requirements. Another lawyer, Edem Semedliayev, was denied access to one of the detainees for refusing to undress in the police station<sup>70</sup>.

Later, in November, Mr. Semedliayev was sentenced to 12 days in custody and fined RUR4,000. On November 23, when his arrest was to expire, the police detained 31 persons among those who came

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<sup>67</sup> [https://crimeahrg.org/wp-content/uploads/2021/02/crimean-human-rights-group\\_jan\\_2021\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/02/crimean-human-rights-group_jan_2021_en.pdf)

<sup>68</sup> [https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group\\_mar\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/04/crimean-human-rights-group_mar_en.pdf)

<sup>69</sup> [https://crimeahrg.org/wp-content/uploads/2021/10/crimean-human-rights-group\\_sep\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/10/crimean-human-rights-group_sep_en.pdf)

<sup>70</sup> [https://crimeahrg.org/wp-content/uploads/2021/11/october\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/11/october_en.pdf)

to meet the lawyer after his release from the temporary detention unit. 17 people were sentenced to administrative arrest for 10 to 13 days. In addition, 6 people were fined RUR10,000 to 15,000<sup>71</sup>.

- There were also several mass detentions in November. On November 1, 19 people who came to attend an open hearing in the 'Case of Crimean Muslims' were detained in Crimea. On November 23, 32 persons who came to meet lawyer Edem Semedliayev after the administrative arrest, were detained. On November 26, two other people who came to the hearing in the "Crimean Muslim case" were detained. In total, at least 53 Crimean Tatars were detained in November as participants in peaceful assemblies, with at least 50 administrative proceedings instituted.<sup>72</sup>

#### 4. Freedom of thought, conscience and religion

Pursuant to Article 18 of the International Covenant on Civil and Political Rights, everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. Freedom to manifest one's religion or beliefs may be subject only to such limitations as prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

Pursuant to Article 9, Convention for the Protection of Human Rights and Fundamental Freedoms, everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

The UN General Assembly called on Russia to respect freedom of thought, association and peaceful assembly, as well as freedom of thought, conscience, religion and belief without any discrimination and to ensure unhindered access without any unreasonable restrictions to the places of worship and to the prayer meetings, and other religious practices. However, as recorded by the CHRG and reflected in the draft resolution on the human rights situation in Crimea presented at the 76th session of the UN General Assembly, Russia continues to restrict freedom of conscience, religion and belief.

For the reporting period, the CHRG recorded numerous facts of persecuting the persons who were followers of the religious organizations banned in the Russian Federation, mainly Jehovah's Witnesses.

The decision of the Supreme Court of the Russian Federation no AKPI17-238 of April 20, 2017 banned the activities of religious organizations of Jehovah's Witnesses as extremist. The Russian authorities also extended this ban to the occupied territory of Crimea. Ukrainian law does not prohibit the activities of Jehovah's Witnesses.

Despite the liquidation of the legal entities concerned, Jehovah's Witnesses are being persecuted for organizing extremist activities. These accusations are based usually on the information that the religious ceremonies in accordance with the views of Jehovah's Witnesses are held, considered as the continuation of the activities of banned organizations.

At the end of November 2021, 5 people were imprisoned in Crimea within the persecution of Jehovah's Witnesses. Other 9 are restricted in movement: 7 - under house arrest, 2 - on travel restrictions<sup>73</sup>.

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<sup>71</sup> <https://crimeahrg.org/uk/u-simferopoli-zatrimali-31-osobu-za-zustrich-advokata-edema-semedlya%d1%94va-z-itt/>

<sup>72</sup> [https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group\\_nov\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group_nov_en.pdf)

<sup>73</sup> [https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group\\_nov\\_ua.pdf](https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group_nov_ua.pdf)



In addition, the Orthodox Church of Ukraine (hereinafter OCU) is being constantly pressed by the occupying authorities in Crimea. Thus, on August 8, 2021, the police interrupted the service in the monastery of St. Dmitry of Thessaloniki on the grounds that the ceremony was being held in the room not registered under Russian law as a religious building. An administrative report was drawn up against Pavlo Skokov, a citizen of Ukraine, for illegal missionary activity. Mr. Skokov was later fined RUR15,000. The occupation authorities have been rejecting to register the OCU in Crimea as religious organization so any OCU service constitutes an official reason for persecuting for the illegal missionary activity<sup>74</sup>.

Crimean Muslims are also a separate group persecuted on religious grounds and within criminal cases, as noted in the section on the rights of detainees and the right to a fair trial.

The practice of administrative prosecution under Art. 5.26 of the Code of Administrative Offences of the Russian Federation (Violation of the law on freedom of conscience, freedom of religion and religious associations) provides for punishment for "missionary activity". The interpretation and application of this article have discriminated almost all religious communities and organizations, with the exception of the Russian Orthodox Church of the Moscow Patriarchate.

'Courts of peace' of Crimea are constantly considering administrative proceedings under Art. 5.26 of the Code of Administrative Offences against different religious organizations and their members, including Muslims, Protestants, Baptists, Jews, Scientologists, and Krishnaites. The faithful are persecuted for worshiping out of the premises or in the rooms not registered as religious structures under the Russian law. Fine is mostly often applied. According to the CHRG records, the total amount of such fines in Crimea for the period of occupation has reached at least RUR1,813,500.

## 5. Ban on forced conscription

Pursuant to Article 51 of the Convention relative to the Protection of the Civilian Persons in Time of War, the Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. Under the Russian law, citizens of Ukraine living in Crimea and to whom the Russian Federation extends its citizenship have the same responsibilities for military service in the Russian army as its citizens. In particular, conscripts are subject to conscription. A person who refuses to serve is threatened with criminal prosecution.

The UN General Assembly has repeatedly condemned the practice of forced conscription in the occupied Crimea and called on Russia to stop such actions, but for January - November 2021, the CHRG recorded 110 criminal convictions for evading service in the Russian Armed Forces<sup>75</sup>.

In total, the Russian Federation held 14 conscription campaigns in Crimea for the period of occupation, with 34,000 residents of Crimea forcibly called up into the military service in the Russian Armed Forces.

Actions of the Russian officials in ensuring the conscription may constitute a war crime under Art. 8(2) (a) (v) - Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power.

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<sup>74</sup> [https://crimeahrg.org/wp-content/uploads/2021/09/crimean-human-rights-group\\_aug\\_en.pdf](https://crimeahrg.org/wp-content/uploads/2021/09/crimean-human-rights-group_aug_en.pdf)

<sup>75</sup> [https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group\\_nov\\_ua.pdf](https://crimeahrg.org/wp-content/uploads/2021/12/crimean-human-rights-group_nov_ua.pdf)