



**CRIMEAN  
HUMAN RIGHTS  
GROUP**

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# **REVIEW ON THE HUMAN RIGHTS SITUATION IN CRIMEA**

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The **CRIMEAN HUMAN RIGHTS GROUP (CHRG)** is a public non-profit organization of the Crimean human rights defenders and journalists, aimed at promoting the observance and protection of human rights in Crimea by attracting wide attention to problems of human rights and international humanitarian law in the territory of the Crimean peninsula, and the search for and development of mechanisms for the protection of human rights in Crimea<sup>1</sup>.

CHRG has been documenting human rights violations, crimes against humanity, war crimes in the occupied Crimea, since 2014.



CHRG is a member of the **Ukraine 5 AM Coalition**<sup>2</sup>. Ukraine 5 AM Coalition is a coalition of human rights organizations that collect and document war crimes and crimes against humanity committed during the Russian armed aggression in Ukraine.

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<sup>1</sup> <https://crimeahrg.org/en/>

<sup>2</sup> <https://www.5am.in.ua/>

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## ENFORCED DISAPPEARANCES

Since the start of full-scale invasion of the RF in Ukraine the Crimean Human Rights Group (*hereinafter the CHRG*) has been documenting cases of abducting civilians from the new occupied territories of Kherson and Zaporizhia Regions. The civilians are abducted by Russian military, RosGuard or RF FSB men. The abducted are tortured both after the abduction and once they are brought to the Simferopol Pre-Trial Detention Center.

Civil captives abducted from the South of Ukraine after February 24, 2022, are kept in a new pre-trial detention center no 2 supervised by RF FSB. According to the CHRG information, **over 120 persons** are being kept there. Among the unlawfully detained are civic activists, volunteers, and representatives of local authorities.

The number of sites of unfreedom where Ukrainian citizens, abducted from the South of Ukraine, has been increasing. One more pre-trial detention supervised by RF FSB was opened in Simferopol — No.8. According to the Russian SPARK system that collects all public information about companies, “Federal State Institution “Pre-Trial Detention Center No. 8” of the Federal Penitentiary Service” was registered in late 2022. This pre-trial detention center is registered in Simferopol at the same address as pre-trial detention center No.2: 4 Elevatornyy Lane<sup>1</sup>.

The Crimean Human Rights Group possesses a verified information about at least **70 persons** kept in this pre-trial detention center, with at least 47 among them being abducted residents of Kherson Region.

The list of the abducted from the Kherson Region includes Serhiy Tsyhipa, Oleksandr Zarivnyy, Mykola Petrovs’kyy, Serhiy Kotov, Oleksandr Babych, Appaz Kurtamet, Iryna Horobtsova, Pavlo Zaporozhets<sup>2</sup>, Leonid Kondrats’kyy<sup>3</sup>, Oleksandr Novats’kyy, Hennadiy Lasins’kyy, Kostiantyn Reznyk, Denys Lial’ka<sup>4</sup>, Ruslan Abdurakhmanov, Mykola Ved’muk, Vladyslav Biellyy, Yehor Kysel’, and others. Some people are abducted in Kherson Land, detained in Crimea for some time, and then taken to the Russian Federation.

**Oleksandr Zarivnyy**, Head of Kherson State District Administration Department for Humanitarian Policy, abducted in Oleshky, Kherson Region, on March 17, 2022, is kept in captivity in Pre-Detention Center No.2. The RF FSB is accusing him of espionage under RF CC Article 276. On August 21, “Kievskiy District Court” of Simferopol rejected the defence’s request on mitigating the pre-trial restraint and extended his detention for 3 months — till November 28, 2023<sup>5</sup>.

**Oleksandr Babych**, Mayor of Town of Hola Prystan’, Skadovs’k District, Kherson Region, was abducted by the Russian military, as reported by the Prosecutor General’s Office of Ukraine, on

<sup>1</sup> <https://crimeahrg.org/en/occupiers-have-opened-one-more-sizo-in-simferopol/>

<sup>2</sup> <https://crimeahrg.org/uk/vikradenogo-u-hersoni-veterana-ato-pochali-suditi-u-rosi%d1%97/>

<sup>3</sup> <https://crimeahrg.org/en/a-nova-kakhovka-resident-captured-three-times-was-found-in-pre-trial-detention-center-no-2-of-simferopol/>

<sup>4</sup> <https://zmina.info/news/lyalka/>

<sup>5</sup> <https://crimeahrg.org/en/arrest-of-ato-veteran-association-chairman-from-kherson-land-extended-again/>

March 28. He is being kept in Pre-Detention Center No.2. On August 31, 2023, Security Service of Ukraine served Filip Kvartnik, a military man of RosGuard (Russian Guard), with the notice of charges: he had ordered to abduct Oleksandr Babych, Mayor of Hola Prystan<sup>6</sup>. Filip Kvartnik is head of engineering unit of BERKUT OMON (special police unit), RosGuard Department for Crimea and Sevastopol<sup>7</sup>. His actions are qualified by Ukrainian investigators as violation of laws and customs of war.

In May, 2023, the occupation authorities finally acknowledged keeping **Mariano García Calatayud**, a volunteer and a Spanish citizen, who had lived in Ukraine for 8 years, in the pre-trial detention center<sup>8</sup>. After the full-scale invasion he had been working in Kherson, helping the children who remained without parents' care, participating in the anti-occupation rallies. He was abducted on March 19, 2022<sup>9</sup>. In September 2023 the CHRГ sources informed that Mariano Garcia Calatayud was moved from Simferopol Pre-Detention Center No.2 in unknown direction.

The list of the abducted in Zaporizhia Region includes Dmytro Holub, Yaroslav Zhuk, Illia Yenin, Dmytro Shaynoha, Vitaliy Rastorhuyev, Volodymyr Krivtsun and others.

**Yaroslav Zhuk**, a volunteer from Melitopol', abducted in June 2022, was moved to the Pre-Trial Detention Center No 2 in Rostov-na-Donu. Then the trial on his faked case under RF CC Article 361-1 (*act of international terrorism*) started in the Southern Area Military Court. He is accused of allegedly attempting to assassinate Olena Shapurova, an occupation director of Melitopol' Department for Education. He has been tortured many times<sup>10</sup>. In September 2023, the Southern Area Military Court extended his detention period for 3 months.

For more detailed information about the case of Vitaliy Rastorhuyev and Volodymyr Krivtsun, see the section "Cases of Ukrainian Commandos".

## POLITICALLY MOTIVATED CRIMINAL PROSECUTION

At least **180 citizens** of Ukraine are being kept in places of unfreedom within a political reasoned and/or religious criminal persecution. The complete list is published at the CHRГ website.

### «CASE OF CRIMEAN MUSLIMS»

This case defendants are accused of being members of Islamic organizations or of promoting such organizations' activities, though these organizations recognized as terrorist or extremist in the Russian Federation are not declared such by laws of Ukraine.

Cases are considered in violation of the right to a fair trial, the key evidence for the court is the testimony of anonymous witnesses (many of them are the Russian Federation FSB staff), pre-trial testimony of witnesses who later in the court declare having given them under pressure, and linguistic examinations of accused Muslims' conversations. Evidence provided by the defense is usually not taken into consideration by judges. Trials of cases against civilians are held by military courts of the Russian Federation.

<sup>6</sup> <https://www.gp.gov.ua/ua/posts/povidomlennya-pro-pidozru-ta-povistka-pro-viklik-kvartnika-po-na-04092023-05092023-06092023>

<sup>7</sup> <https://suspilne.media/563753-rosgvardijcu-akij-nakazav-vikrasti-mera-goloi-pristani-na-hersonsini-povidomili-pro-pidozru-sbu/>

<sup>8</sup> <https://crimeahrg.org/en/occupiers-admitted-to-holding-spanish-volunteer-mario-in-crimea/>

<sup>9</sup> <https://crimeahrg.org/uk/okupanti-stverdzhuyut-shho-ne-utrimuyut-ispanskogo-volontera/>

<sup>10</sup> <https://crimeahrg.org/en/abducted-volunteer-yaroslav-zhuk-reported-torture/>

On August 24, houses of Crimean Tatars in Bakhchisarai and Bakhchisarai District of Crimea were massively searched early in the morning. The RF FSB men detained five Muslims under RF CC Article 205.5: Remzi Nimetulayev, Ruslan Asanov, Seydamet Mustafayev, Ametkhan Umerov, and Eldar Yakubov, "Crimean Solidarity" activists. As decided by the "court", they all were arrested till the end of October and transported to Pre-Trial Detention Center No.1.

**Ametkhan Umerov**, aged 37, father of 5 minor children, protested in Moscow in 2019 where he was detained and fined for violation of RF CoAO Article 20.2-5 (*violation of assembly holding order*). In 2021 he was detained at the "court" building in Crimea. He was fined for violation of RF CoAO Article 20.6.1 (*non-observance of rules in emergency situations or their potential occurrence*). In 2022 Umerov served several days of administrative arrest for violation of RF CoAO Article 20.2.2 (*arranging of mass presence of people that caused the public order violation*)<sup>11</sup>.

**Seydamet Mustafayev**, aged 28, father of 4 minor children, was sentenced to 10-days' arrest by 'Bakhchisarai District Court' in 2017 for "attending an unauthorized rally" during the search in the building of political prisoner Seyran Saliyev. In 2021 he was detained and fined for violation of RF CoAO Article 20.6.1, and in February 2022, he served several days of administrative arrest under RF CoAO Article 20.2.2.

**Remzi Nimetulayev**, aged 37, father of 5 minor children, was detained earlier on November 23, 2021, at the temporary containment cell of City of Simferopol where he came to welcome Lawyer Edem Samedliayev after serving his administrative arrest. Nimetulayev was then sentenced to 10 days of administrative arrest.

**Eldar Yakubov**, aged 43, father of 6 children, was earlier detained on October 25, 2021 at the building of "Crimean Harrison Military Court" where appeals against the convictions of "Case of Crimean Muslims" defendants were being considered. He was sentenced to a 10,000RUR fine.

**Abdulmedzhyt Seytumerov**, aged 23, father of a just born baby, a younger brother of two political prisoners, Osman and Seytumer Seytumerovs.

The RF Military Court of Appeal in Vlasikha upheld the sentence of Ismet Ibrahimov in late September. The Southern Area Military Court in Rostov-na-Donu had found him guilty under RF CC Article 205.5 and sentenced him to 19 years in the maximum-security regime penal colony. He was detained on July 7, 2020, and has been kept in Pre-Trial Detention Center No.1 of Rostov-na-Donu.

On August 4 Investigator D.Denisov, RF Investigation Committee for Rostov Region, decided on rejecting the opening of criminal case due to misconduct of Rostov-na-Donu Pre-Trial Detention Center No. 5 staff, medical unit No. 61, RF Federal Penitentiary Service (FSIN) that caused the death of **Dzhemil Hafarov**, a Crimean Tatar and a defendant of politically reasoned "Case of Crimean Muslims". Hafarov died on February 10, 2023, in Pre-Trial Detention Center No.3 of City of Novocherkask due to a consistent lack of medical care. He could not be held in the sites of unfreedom because of his health condition.

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## CASE OF LENIYE UMEROVA

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Since December 4, 2022, **Leniye Umerova**, aged 25, has been unlawfully deprived of liberty: she was detained on her way to the occupied Crimea to visit her father suffering from cancer. Until March 16, she was held in the Center for Temporary Detention of Foreign Citizens near Vladikavkaz. The Prigorodnyi District Court found Umerova guilty of "violating the state border regime" (*Code of Administrative Offenses of the Russian Federation, Article 18.1*) and fined her RUR2,000.

Then till the early May she was kept in the temporary containment cell of Vladikavkaz under falsified administrative cases for so called "disobedience to the RF MIA staff's requirements."

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<sup>11</sup> As informed by "Crimean Solidarity" Initiative



In early May Umerova was transported to Moscow, Lefortovo Pre-Trial Detention Center, and accused of espionage. In September Lefortovo Court of Moscow extended in camera her detention period for other 3 months — till January 4, 2024<sup>12</sup>.

## «CASE OF UKRAINIAN COMMANDOS»

At least 20 citizens of Ukraine detained before the full-scale invasion of the Russian Federation into Ukraine, are behind bars under the Crimean cases of “Ukrainian commandos and spies”, including: Volodymyr Dudka, Oleksiy Bessarabov, Dmytro Shtyblikov, Hennadiy Limeshko, Leonid Parkhomenko, Kostiantyn Davydenko, Dmytro Dolhopolov, Anna Sukhonosova, Yunus Masharipov, Ivan Yatskin, Halyna Dovhopola, Vladyslav Yesypenko, Yevhen Petrushyn, Stanislav Stetsenko (Khudolei), Kyrilo Barannyk, Vitaliy Rastorhuyev, Denys Petranov, Mykhaylo Chupil’, Serhiy Kotov, Mykola Petrovs’kyy.

When detained in such cases, the RF FSB accuses the Crimeans of ‘preparing sabotage, storing arms and spying.’ Within these cases, illegal methods of investigating and torturing to obtain confessions, violation of the presumption of innocence, distribution of «confession» videos by the FSB of the Russian Federation through the Russian media have been recorded.

**Mykhaylo Chupil’** used to live in Kherson and serve in the 36<sup>th</sup> separate marine brigade. Then, before the full-scale invasion started, he completed his military service, and moved to Crimea to take care of the mother. In April 2022, as the RF FSB says, “he instructed by AZOV Battalion, banned in the Russian Federation, was preparing arson and an explosion in the shopping center” where he worked as a security guard. He was charged under the Russian Federation Criminal Code Articles 280-2 (*public appeals to extremist activities*), 222.1-1 (*illegal acquisition and storage of explosive devices*), 205.2-2 (*public appeals to terrorist activities*), 30-1 and 205-1 (*preparation for a terrorist act*). The man has been taken to the Russian Federation, where his case is being considered by the Southern Area Military Court<sup>13</sup>. He is currently being held in the Rostov Pre-Trial Detention Center.

On April 7, 2022, **Serhiy Kotov**, after the search, was abducted from his home in Oleshky (Kherson Region) by the Russian military. At first, he was held in the SBU building in Kherson, where he



was brutally tortured. According to relatives, he is a person with Group 3 Disability due to osteomyelitis of the leg. Then Kotov was transported to Crimea and placed in Simferopol Pre-Trial Detention Center No. 1. The Russian authorities denied that a criminal case had been opened against the man, and the relatives were informed only that Serhiy Kotov had been detained for opposing the “special operation”. In October 2022, he was transferred to Pre-Trial Detention Center No. 2 in Simferopol. He needs an operation on his leg, but he does not get the necessary medical treatment. On September 27, 2023, the “Supreme Court of Crimea” sentenced Kotov to 15 years in the maximum-security regime penal colony under RF CC Article 276 (*espionage*). The trial was held in camera because the case files contain information declared classified for RF national interests<sup>14</sup>.

Serhiy Kotov

<sup>12</sup> <https://crimeahrg.org/uk/lenie-umerovu-zalishili-u-rosijskomu-sizo-do-4-sichnya-2024-roku/>

<sup>13</sup> [https://yovs--ros.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=14563345&case\\_uid=6b95abc3-a9b6-4e10-a9d1-def8e2156d7d&delo\\_id=1540006&new=](https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=14563345&case_uid=6b95abc3-a9b6-4e10-a9d1-def8e2156d7d&delo_id=1540006&new=)

<sup>14</sup> <https://crimean-process.org/dvuh-pohishhennyh-v-hersonskoj-oblasti-zhitelej-krymskij-sud-obvinil-v-shpionazhe/>

**Mykola Petrovs'kyy** abducted in Kherson Region in March 2022, was convicted together with Serhiy Kotov. He was sentenced to 16 years in the maximum-security regime penal colony under RF CC Article 276 (*espionage*)<sup>15</sup>.

**Denys Petranov** accused of an alleged assassination attempt on representatives of the occupation authorities top administration (Sergey Aksionov, Vladimir Konstantinov and Yanina Pavlenko), is being held in Pre-Trial Detention Center No. 2. On September 27, 2023, the "Supreme Court" of Crimea upheld the decision of the judge of the "Kievskiy District Court" of Simferopol to extend the detention period. Petranov is known to be accused under RF CC Article 222-4 (*illegal trafficking of weapons*)<sup>16</sup>.

**Andriy Yeniukov**, a 20-year-old Ukrainian, is being held in Simferopol Pre-Trial Detention Center No. 2 on charges of allegedly setting fire to the embassy of the "DNR" and the "DNIR" humanitarian aid collection station in Sevastopol. The case of Yeniukov is being considered by the Southern Area Military Court in Rostov-na-Donu. He is charged under RF CC Articles 280-2, 30-1, 205-1, 205.2-2<sup>17</sup>.

On May 30, 2023, the FSB detained **Kyrylo Barannyk**, a master of sports in orienteering, in Simferopol. He was accused of blasting railway tracks on February 23, 2023, in the village of Poshtove, Bakhchisaray District. He informed that he had been tortured with electric current. When he had admitted his guilt, the FSB men continued the torture to force the man to admit his guilt of blasting a railway at the village of Chysten'ke, Simferopol District, on May 18, 2023<sup>18</sup>. In August the detention period of Barannyk was extended till October 24, 2023.

**Vitaliy Rastorhuyev** and **Volodymyr Kryvtsun**, abducted in Zaporizhia Region, are being held in Pre-Trial Detention center No. 2. Both men are accused under RF CC Article 30-3 and Article 361-1 (*preparation for an act of international terrorism*).<sup>19</sup> Rastorhuyev was officially detained on December 30, 2022, by decision of "Kievskiy District Court" of Simferopol. But before he had been kept in the pre-trial detention center without any charges. The occupation "investigation" bodies accused the men of allegedly preparing an assassination attack on Aleksandr Saulenko, occupation 'mayor' of Berdiansk. On June 7, 2023, the judge of "Kievskiy District Court" of Simferopol upheld the decision on detention period extension. On August 3 the case of Vitaliy Rastorhuyev and Volodymyr Kryvtsun was received by the Southern Area Military Court in Rostov-na-Donu for hearing on the merits.

In September the RF FSB reported a detention of a 45-year-old Sevastopol resident who, as it was said, "had planned an act of sabotage and terror at a railway facility in Crimea to prevent military traffic" intended for attacking Ukrainian cities<sup>20</sup>.

## PERSECUTION ON CHARGE OF SERVING IN N. HELEBIDZHIKHAN BATTALION

The official reason for persecuting the accused in Crimea and new occupied territories (since February 24, 2022) under RF CC Article 208-2 (*Service in an illegal armed unit acting for the purposes that contradict the interests of the Russian Federation*) is that these people "failed to come voluntarily to the RF law enforcement bodies and declare their service in the Crimean Tatar Noman Chelebidzhikhan

<sup>15</sup> <https://www.c-inform.info/news/id/107919>

<sup>16</sup> [https://vs--krm.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=15320513&case\\_uid=72e23f07-f531-425c-b84e-bfb4d55079ac&delo\\_id=4&new=4](https://vs--krm.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=15320513&case_uid=72e23f07-f531-425c-b84e-bfb4d55079ac&delo_id=4&new=4)

<sup>17</sup> [https://yovs--ros.sudrf.ru/modules.php?name=sud\\_delo&srv\\_num=1&name\\_op=case&case\\_id=14598802&case\\_uid=8b73c62b-c4aa-43d1-b6ad-f9d42638d87e&delo\\_id=1540006&new=](https://yovs--ros.sudrf.ru/modules.php?name=sud_delo&srv_num=1&name_op=case&case_id=14598802&case_uid=8b73c62b-c4aa-43d1-b6ad-f9d42638d87e&delo_id=1540006&new=)

<sup>18</sup> <https://crimeahrg.org/en/a-simferopoler-detained-on-suspicion-of-blasting-a-rail-track-reported-torturing/>

<sup>19</sup> <https://crimeahrg.org/en/two-berdiansk-residents-accused-of-terrorism-by-occupiers-were-found-in-pre-trial-detention-center-no-2-of-simferopol/>

<sup>20</sup> <https://crimeahrg.org/uk/u-sevastopoli-zatrimali-miscevogo-zhitelya-zvinuvatvishi-u-diversii-na-zalizniczi/>



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 June 1, 2022, the Supreme Court of Russia declared "Crimean Tatar Noman Chelebidzhikhan Volunteer Battalion" to be terroristic and banned it in the territory of the Russian Federation. On July 21, 2022, the RF FSB included the battalion into the list of terrorist organizations.

As of late September 2023, at least **24 persons**, including citizens of Ukraine abducted by the Russian military in the South of Ukraine after February 24, 2022, were deprived of liberty on charge of serving in N.Chelebidzhikhan Battalion.

**Oleksiy Kyseliov**, a former Ukrainian Navy captain and a volunteer, sentenced to 8 years and 6 months in custody on charge of serving in the battalion, was convoyed to Prison No. 2 of Vladimir Region ("Vladimir Tsentral"). Earlier he had been kept in Pre-Trial Detention Center No. 2 of Simferopol.

**Ruslan Abdurakhmanov** sentenced to 5 years in the case of Noman Chelebidzhikhan Crimean Tatar Battalion is being prepared to transportation to the maximum-security regime penal colony<sup>21</sup>. Now he is being kept in Verkhneuralsk prison (Cheliabinsk Region, RF). Abdurakhmanov needs surgery. He was abducted on April 18, 2022, in the village of Azovske, Kherson Region, and tortured.

Among the abducted and charged under this article are also **Arsen** and **Abliaz Memetshayevs** abducted in the village of Chonhar, Kherson Region, and transported to Pre-Trial Detention Center No. 2 of Simferopol. As the CHRG is aware, they have been held in a pre-trial detention center since at least October 2023.

Earlier, on April 11, 2022, the Russian military searched the residence of **Artur Memetshayev** in town of Henichesk (Kherson Region). He was transported to Crimea, and on October 12, 2022, the "Kievskiy District Court of Simferopol" sentenced him to 6 years and 5 months in custody with serving the first year in the prison and the remaining years in the maximum security regime penal colony. According to the CHRG information, Artur, Arsen, and Abliaz Memetshayevs are brothers.



Ruslan Abdurakhmanov

One more accused of serving the battalion is **Eskender Audzhi** abducted in Novooleksiyivka and transported to Pre-Trial Detention Center No. 2 of Simferopol.

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## PERSECUTION OF "JEHOVAH'S WITNESSES"

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On April 20, 2017, the Supreme Court of the Russian Federation declared "Jehovah's Witnesses" an extremist organization and banned its activities in the territory of the Russian Federation, and in 2018 criminalization of the "Jehovah's Witnesses' persecution in Russia started.

On August 14 and 16, 2023, at least nine homes of "Jehovah's Witnesses" faithful were searched in four cities of Crimea: Armiansk, Simferopol, Saky, and Dzhankoy. In Simferopol the home of Kateryna Mel'nychuk was searched, and the woman became sick after it. She was informed that a criminal case had been opened against her, and when interrogated she was allowed to go home under travel restrictions. The home of **Dmytro Zakharevych** in Simferopol was also searched, resulting in placing him and one more believer under house arrest<sup>22</sup>.

<sup>21</sup> <https://crimeahrg.org/en/ruslan-abdurakhmanov-abducted-in-kherson-land-will-be-convoyed-to-maximum-security-regime-penal-colony/>

<sup>22</sup> <https://jw-russia.org/news/2023/08/180848.html>

On July 28, 2023, when the faithful in Dzhankoy had been searched, **Viktor Ursu**, aged 58, was detained. On August 9, after staying two weeks in the detention cell, he was placed under house arrest by “Dzhankoy District Court”<sup>23</sup>.

In September, 2023, the trial in the criminal case of **Maksym Zinchenko** from Feodosiya, 31-year’s old “Jehovah’s Witness”, started in “Nakhimovskiy District Court” of Sevastopol<sup>24</sup>.

The believer is charged with article of extremist organization membership (*RF CC Article 282.2-2*). According to the investigators, since 2019, Zinchenko “has been organizing illegal meetings, and speeches on studying religious documents, he has himself delivered sermons at the meetings held online, communicated extremist ideas.”

As reported by “Jehovah’s Witnesses”, at least 25 Crimean residents have been persecuted for their faith. Six of them have been serving the sentences in the penal colonies. Since 2014, the occupying Russian authorities have made at least 98 searches of Jehovah’s Witnesses followers in Crimea and Sevastopol.

## FREEDOM OF SPEECH AND EXPRESSION

### PERSECUTION FOR SUPPORT OF UKRAINE AND ANTI-WAR POSITION

For July – September 2023, the CHRG documented at least **98 administrative proceedings** submitted to the “courts” of Crimea for consideration, under RFCoAO Article 20.3.3 (“*discrediting of Russian army*”). Judgements on administrative punishment (*fine or administrative arrest*) were awarded in 90 cases.

Totally, for the full-scale invasion period, the CHRG documented at least **468** such administrative proceedings, with administrative punishment judgements issued in **418** of them.

Persecution for support  
of Ukraine and anti-war  
position

At least **468** administrative cases for  
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Article 20.3.3) against Crimeans

**418** of them – punishment judgements  
issued

<sup>23</sup> <https://jw-russia.org/news/2023/08/101538.html>

<sup>24</sup> <https://crimeahrg.org/uk/v-okupacijnij-sud-sevastopolya-peredali-spravu-shhe-odnogo-svidka-egovi/>

Posting on a social network remains one of the most common grounds for persecution. The “court” judgements reviewed by the CHRG prove that the Crimeans are brought to administrative responsibility even for placing national symbols of Ukraine.

For instance, on July 10, 2023, a judge of “Krasnogvardeysk District Court” fined two Crimean residents who had posted an image of flag of Ukraine in their social network accounts. This action was determined as discreditation of Armed Forces of the Russian Federation in the “court” decisions. In her ruling the “judge” stated: *“the accused placed an image of the national flag as well as the national colors of Ukraine used now by the armed forces of Ukraine in the course of armed conflicts and violent actions directed against the Armed Forces of the Russian Federation, and the national colors used on the uniforms of the armed forces of Ukraine, on his page in social networks, thus expressing a clearly negative attitude towards the Armed Forces of the Russian Federation”*. The “judge” imposed a RUR40,000 fine on each of the Crimeans.

Another resident of Crimea was fined RUR50,000 rubles for calling the Russian invasion of Ukraine a war against peaceful people and supporting Ukrainians, in one of her WhatsApp chats. As to the decision wording, the “judge” calls Ukrainians “neo-Nazis” and states: *“She expressed her negative attitude towards the armed forces of the Russian Federation and called the SVO a war against a peaceful people as well as genocide against people. In addition, in the same chat, she expressed support for neo-Nazis.”*

Crimeans are persecuted for other manifestations of support for Ukraine, too.

For instance, in September, 2023, **Andriy Babychenko**, a resident of Feodosiya, was detained allegedly because he “was calling for strikes on the Crimean bridge and was waiting for the Armed Forces of Ukraine to come”. According to the occupation authorities, the man also “discredited and insulted the Russian army, the country, and the president.” Administrative cases against Babychenko under RF CoAO Articles 20.3.3-1 (*discreditation of armed forces of the Russian Federation*) and RF CoAO Article 19.3-1 (*disobedience to police*) were sent to the “Feodosiya City Court”<sup>25</sup>.

On September 19, 2023, a judge of the “Yalta Town Court” fined a resident of Crimea RUR40,000 for shouting the **“Glory To Ukraine”** slogan in the street. The “judge” decided that this had been aimed at discrediting the RF armed forces.

A criminal case was opened against **Hlib Malkov**, a resident of Sevastopol, for “insulting” the Russian flag (*Article 329 of the Criminal Code of the Russian Federation*). On August 25, 2023, a 21-year-old man came to the “spontaneous memorial of the fallen leaders of the “Wagner” PMC Yevgeniy Prigozhyn and Dmitriy Utkin”, pushed their portraits, and also stepped on the Russian flag. In addition, he was brought to administrative liability twice more. On August 26, a judge of the “Leninskiy District Court” of Sevastopol ruled on an administrative punishment under RF CoAO Article 20.1-1 (*petty hooliganism*), and on September 11, the same “court” ruled on the administrative punishment of Malkov under RF CoAO Article 20.3.3-1 (*discreditation of the Armed Forces of the Russian Federation*)<sup>26</sup>.

In addition, new cases of criminal persecution of Crimeans for public expressions of disagreement with the actions of the Russian army in Ukraine were also documented. For example, a 23-year-old resident of Bakhchisarai, **Oleksandr Tiurenko**, was arrested because he had urinated on an installation with the “Z” and “V” letters (*the main symbols of the war against Ukraine propaganda and calls for the genocide of Ukrainians in the Russian Federation*) as a sign of disagreement with the war. A criminal case was opened against the man under RF CC Article 214-2 (*vandalism motivated by political hatred*). Tiurenko faces an up to three years’ sentence<sup>27</sup>.

<sup>25</sup> <https://crimeahrg.org/en/a-feodosiya-resident-arrested-for-waiting-for-zsu-to-come/>

<sup>26</sup> <https://crimeahrg.org/en/a-criminal-case-was-opened-against-a-sevastopol-resident-for-pushing-portrait-of-prigozhyn-and-stepping-on-russian-flag/>

<sup>27</sup> <https://crimeahrg.org/en/a-bakhchisarai-resident-may-be-sentenced-to-3-years-for-relieving-himself-on-z-and-v-installation/>

The internet community named “Crimean SMERSH” keeps its activity in collaboration with the RF FSS (FSB) and police<sup>28</sup>. The community members are persecuting those who do not support the Russian power and the war against Ukraine, publishing the personal data of such people, inciting hatred to them, calling to persecute them, and reporting to the RF FSS and MIA. The information produced by this community provides grounds for opening criminal and administrative cases against the Crimeans.

## CASE OF IRYNA DANYLOVYCH, CITIZEN JOURNALIST

**Iryna Danylovych**, a health care worker and a citizen journalist, was abducted by the RF FSB men on April 29, 2022. She was kept in the FSB building basement and subject to torture. When she had been forced to sign blank forms, she was told that two hundred grams of explosives had been found in her small bag and a criminal case had been opened against her under RF CC Article 222.1-1 (*Illegal acquisition, transfer, sale, storage, transportation, or translocation of explosives*). Upon the ‘court’ judgement, she was detained. In custody Ms. Danylovych was many times treated abusively and inhumanly.

On December 28, 2022, “Feodosiya City Court” sentenced Danylovych to 7 years in confinement and a fine of RUR50,000. On June 29, 2023, “the Supreme Court” of Crimea considered the appeal against the sentence and changed the term of confinement. The sentence was shortened — just one month less<sup>29</sup>.

In July Iryna Danylovych was convoyed to the pre-trial detention center of Krasnodar. This has been reported by Bronyslav Danylovych, the activist’s father. As he said, Iryna is to be convoyed farther from Krasnodar but where ultimately is still unknown<sup>30</sup>.

## CASE OF BOHDAN ZIZA

**Bohdan Ziza**, a local resident aged 28, was detained on May 17, 2022. He was accused of having spilled yellow and blue paint on the entrance to the Yevpatoriya ‘occupational administration’ building. He was subject to unlawful investigation methods (*violence, pressure, intimidation, threats, obstructing of lawyer’s work, etc.*).

On June 6, 2023, the Southern Area Military Court in Rostov-na-Donu sentenced the Crimean activist to 15 years in confinement on charges of committing a terrorist act, vandalism, and intentionally destroying or damaging someone else’s property by arson. Making his last statement before the convict was read out, Ziza demanded releasing all Crimean political prisoners and recited a Ukrainian poem.

Protesting, the activist was on hunger strike for 17 days, and when he stopped it, the Pre-Trial Detention Center administration placed him in an individual cell with a stricter surveyance. On September 27, 2023, a judge of the RF Military Court of Appeal upheld the convict — 15 years in confinement.

<sup>28</sup> SMERSH acronym (Russian “SMERT’ SHPIONAM” (Death for Spies) — the name of counterintelligence agency acting in 1943 — 1946 as USSR NKO unit (National Commissariat of Defence (the same of Ministry of Defence)

<sup>29</sup> <https://crimeahrg.org/uk/aktivistczi-irini-danilovich-zminili-virok/>

<sup>30</sup> <https://crimeahrg.org/en/activist-iryna-danylovych-was-convoyed-to-krasnodar/>

## CASE OF IVAN KUPICH

On March 30, the “Supreme Court” of Crimea convicted Ivan Kupich, a 40-year-old resident of Crimea, on the following charges: sabotage (*RF CC Article 281-1*) and illegal trafficking of explosives (*RF CC Article 222.1-1*). The man was also accused of preparing for sabotage (*RF CC Article 281-1, with application of RF CC Article 30-1*). He was sentenced to 10 years in confinement with a RUR70,000 fine. The Third Court of Appeal of the General Jurisdiction of Sochi revised Ivan Kupich’s sentence and reduced it by six months.

According to the investigation, Kupich made “Molotov cocktails” and threw them into the building of the Military Commissariat in Simferopol, though this did not cause any fire. The RF FSB also believes that Kupich allegedly planned to blow up the railway in Crimea. The “judge” decided that “the crime committed by Kupich was motivated by his disagreement with conducting the SVO in the territory of Ukraine, and Kupich himself was aggressively disposed toward the Russian military.” The “judge” disregarded all the requests placed by the lawyer.



# 2

## USING CRIMEA AS RUSSIAN MILITARY BASE

### CONSCRIPTION OF OCCUPIED TERRITORY RESIDENTS TO ARMED FORCES OF OCCUPYING POWER AND MOBILIZATION

The Russian Federation has been involving Crimeans in a full-scale war against Ukraine. In violation of the international humanitarian law norms a forced conscription of Crimeans to the ranks of the Russian Federation Armed Forces keeps going. Compelling the residents of occupied territories to serve in the army of the Occupying Power constitutes a violation of international law, namely, clauses of Article 51, Convention Relative to the Protection of Civilian Persons in Time of War. Moreover, acts of individuals responsible for such compelling constitute a war crime according to Article 8 of International Criminal Court Rome Statute.

On July 19, 2023, Yevgeniy Mashkov, Russian Army colonel and “military commissar” of Crimea, informed on air of NOVOSTI KRYMA RIA that the 2023 spring conscription campaign in Crimea had started on 1 April and finished on 15 July<sup>31</sup>. Within this campaign 2,500 conscripts from Crimea were to be drafted to military service.

On September 25 Sergey Aksionov, the occupation “head” of Crimea, claimed that “the mobilization actions” in the peninsula territory had been finished. But it was October 1 when a new forced conscription started. The usual occupation authorities’ practice is to draft 3,000 Crimeans into the Armed Forces of the Russian Federation.



Crimeans are persecuted for evading service in the Russian army

Crimean Human Rights Group registered **493** criminal cases under RF CC Article ‘Evading the service in the Armed Forces of the Russian Federation’ in Crimea

*As of September 30, 2023*

<sup>31</sup> [https://videon.img.ria.ru/Volume75/Flv/direct/2023/07/19/2023\\_07\\_19\\_t\\_ngu1fhjt.yx5.mp4](https://videon.img.ria.ru/Volume75/Flv/direct/2023/07/19/2023_07_19_t_ngu1fhjt.yx5.mp4)



Persecutions for evading the service in the RF Armed Forces continues in Crimea. As of 30 September 2023, the Crimean Human Rights Group documented at least **493 criminal cases** under RF CC Article 328 (*Evading the service in the Armed Forces of the Russian Federation*) sent to the “courts” in the occupied peninsula. This includes at least 25 criminal cases under RF CC Article 328 documented for July 1 – September 30, 2023, with guilty verdicts delivered for 24 (fines of RUR15,000 to 50,000). The payment of fine does not exempt from the service.

The military serving in the Armed Forces of the Russian Federation under the contract are charged with RF CC Article 338 (*desertion*) if they reject the service. This is the charge that Denys Naroľsky, a military man from Crimea, who rejected combatting in Ukraine, was convicted on to 9 years in the maximum security regime penal colony<sup>32</sup>.

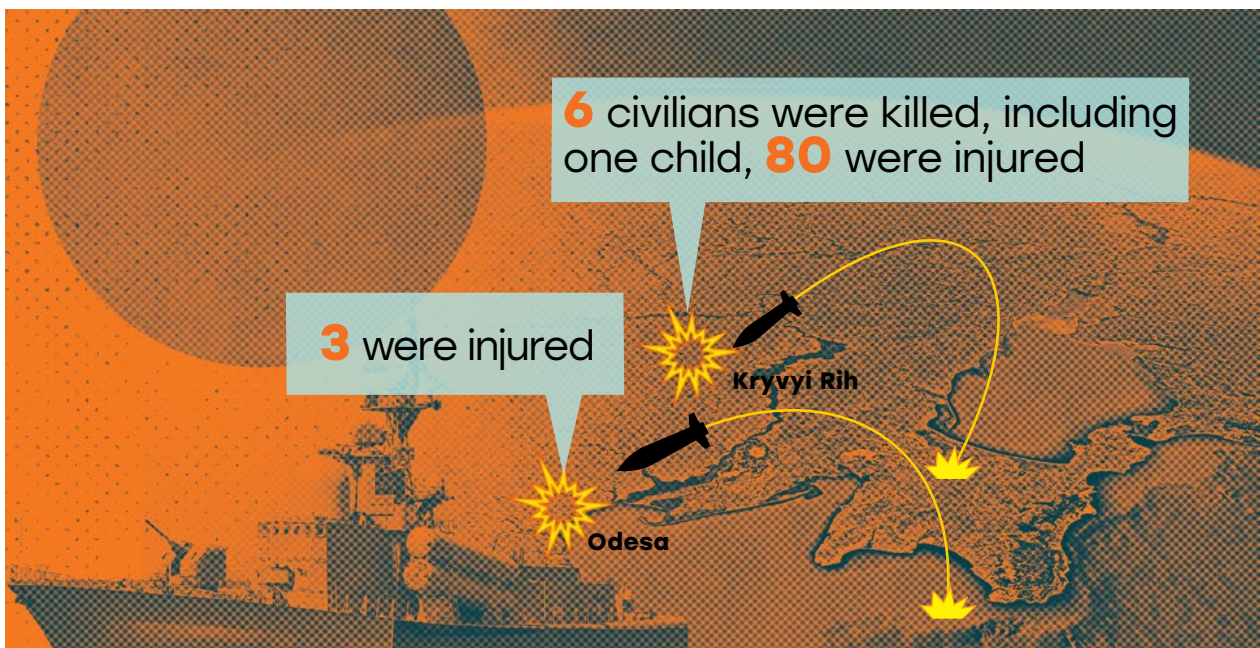
Since February 24, 2022, the Crimean Human Rights Group has been collecting data on dead and captured Russian military personnel assigned to military units in Crimea. As of late June 2023, the CHRG documented at least 268 “200ths” of such military men fighting on the Russian Federation side<sup>33</sup>.

## ATTACKS ON UKRAINIAN CIVILIAN POPULATION FROM CRIMEA

Since February 24, 2022, Crimea has become the base used by Russia for striking Ukrainian cities. Russia is constantly attacking Ukrainian civil infrastructure from the territory of occupied Crimea and the Black Sea water zone, that have caused deaths or injuries of the civilians.

Since the late September 2022, the Russian Federation has begun using actively Iranian-made SHAHED-136 kamikaze drones for attacks on civil infrastructure. These drones are also launched from the territory of the occupied Crimea. To train the drone operators the Iranian authorities sent their instructors to the peninsula.

On the night of July 19, 2023, the Russian troops attacked the port and critical infrastructure of Odesa from the south, using air-, ground-, and sea-launched cruise missiles as well as Iranian-made



<sup>32</sup> <https://crimeahrg.org/uk/krimskomu-kontraktniku-yakij-vidmovivsya-voyuvati-zatverdili-virok-u-9-rokiv/>

<sup>33</sup> <https://crimeahrg.org/uk/zagibli-vijskovi-iz-krimu/>

Shahed-type UAVs. Totally, 16 KALIBR SLCMs from the Black Sea water zone, 8 Kh-22 ALCMs (TU-22M3 long-range bombers) from the Black Sea water zone, 6 ONYX GLCMs from BASTION coastal defence missile system located in the occupied Crimea, and 1 Kh-59 controlled air missile launched by Su-35 fighter from the Black Sea water zone were used. Due to the hit into an industrial facility, grain and vegetable oil terminals, a civil employee was injured. In addition, several multistoried buildings were damaged in Odesa, with six civilians, including a 9-year's old boy, wounded<sup>34</sup>.

On July 31, 2023, the Russian military stroke the city of Kryvyi Rih from the territory of the occupied Crimea, area of Dzhankoy. The missiles hit a multistoried building and an educational institution. This attack caused 6 fatalities including a child, and over 80 people were injured<sup>35</sup>.

On the night of August 14, 2023, the Russian troops attacked several times using combat UAVs and KALIBR cruise missiles. The missiles were launched from the Black Sea water zone. Falling missile parts caused fires in several districts of Odesa, with 3 persons injured as a result<sup>36</sup>.

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<sup>34</sup> [https://lb.ua/society/2023/07/19/565929\\_rosiya\\_atakuvala\\_odeskiy\\_oblasti.html](https://lb.ua/society/2023/07/19/565929_rosiya_atakuvala_odeskiy_oblasti.html)

<sup>35</sup> <https://hromadske.ua/posts/dvi-raketi-po-krivomu-rogu-rosiyani-vipustili-z-rajonu-timchasovo-okupovanogo-dzhankoya-zelenskij>

<sup>36</sup> <https://www.radiosvoboda.org/a/news-povitriani-syly-rakety-drony/32546842.html>