



CRIMEAN
HUMAN RIGHTS
GROUP

e-mail: crimeahrg@gmail.com

website: crimeahrg.org

HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW NORMS: CRIMEA 2023 SITUATION REVIEW

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КРИМСЬКА
ПРАВОВАХИСНА
ГРУПА

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.¹

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



After the full-scale invasion of Ukraine by the Russian Federation, the CHRG also joined the Ukraine 5 AM Coalition², that collects and documents war crimes and crimes against humanity committed during the Russian armed aggression in Ukraine.



KCHRG is a member of the Coalition for the International Criminal Court.³

¹ <https://crimeahrg.org/en/>

² <https://www.5am.in.ua/>

³ <https://www.coalitionfortheicc.org/>

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FORCED DISAPPEARANCES







When the full-scale invasion of the Russian Federation into Ukraine started, the occupied Crimea has been used by the Russian authorities to hold Ukrainian citizens abducted from the newly occupied territories, in particular the Kherson and Zaporizhia Regions. In these territories, people are abducted by the Russian military, Rosgvardiya (Russian Guard), or the FSB of the Russian Federation, then they are held in places of unfreedom for some time, subjected to torture and inhumane treatment. Then, some of them are taken to Crimea, where they are again tortured by RF FSB men to falsify criminal cases.




Since the beginning of the full-scale invasion, the RF occupation authorities have opened at least two new pre-trial detention centers in Crimea to hold the civilians abducted in the South. A new facility was opened at the address of Simferopol Penal Colony in the summer of 2022 — Pre-Trial Detention Centre No.2 supervised by RF FSB and headed by Anton Gorkun. In 2023 one more pre-trial detention centre — No.8 located at the address of Pre-Trial Detention Centre No.2 — was opened. It is also supervised by RF FSB— No.8. Its head is Rauf Idrisov. In addition, the CHRG found out that the Russian authorities opened one more — illegal — pre-trial detention facility in the village of Chonhar, Henichesk District, Kherson Region.

Abducted civilians in Crimea become suspects in criminal cases or are held incommunicado without any legal assistance provided and any opportunity to inform their relatives of their whereabouts.

The criminal cases against abducted civilians are heard by “courts” in the occupied territory of the peninsula, courts in the territory of the Russian Federation (including military courts of the Russian Federation), or “courts” established after February 24, 2022, in the newly occupied territories. Thus, 16 separate “courts” were established in the occupied territory of Kherson Region to convict abducted local residents, and 8 separate “courts” were established in the occupied territory of Zaporizhia Region.

Over Year 2023, at least **9 unlawful sentences** were passed:

-  Alpaz Kurtamet, son of Khalil Kurtamet, Head of Muslim Community of the Mosque in Novooleksiyivka — 7 years in the maximum-security regime penal colony, “Kievskiy District Court” of Simferopol. Later, in November, his father, Khalil Kurtamet, was detained, too.
-  Serhiy Tsyhipa, a journalist, abducted in Kherson Region — 13 years in the maximum-security regime penal colony, the “Supreme Court” of Crimea;
-  Oleksandr Zarivnyy, head of department for humanitarian policy, Kherson District State Administration, abducted in Kherson Region — 13 years in the maximum-security regime penal colony, “Kherson Regional Court”;
-  Pavlo Zaporozhets, a volunteer, abducted in Kherson Region — 12 years in the penal colony, Southern Area Military Court in Rostov-na-Donu (RF);
-  Serhiy Kotov, a resident of village of Oleshky (Kherson Region), abducted in Kherson Region — 15 years in the maximum-security regime penal colony, the “Supreme Court” of Crimea;
-  Mykola Petrovskyy, a volunteer, abducted in Kherson — 16 years in the maximum-security regime penal colony, the “Supreme Court” of Crimea;

-  Oleksiy Kyseliov, a retired reserve 1st rank captain, and former commander of the HQ Ukrainian Navy MS SLAVUTICH, abducted in Kherson Region — 8.5 years in the maximum-security regime penal colony, “Dzhankoy District Court” of Crimea;
-  Ihor Khalilov, abducted in Kherson Region — 5 years in the penal colony, “Dzhankoy District Court” of Crimea;
-  A Kherson Region resident — 12 years in the penal colony (the name is not disclosed for security reasons).

In December 2023, the CHRG sent a verified information about **53 civilians abducted** in Kherson and Zaporizhia Regions and displaced to the occupied Crimea, to the Independent International Commission of Inquiry on Ukraine.

POLITICALLY MOTIVATED CRIMINAL PERSECUTIONS

As of the late 2023, according to the CHRG information, at least **193 Ukrainian citizens** were held in the sites of unfreedom within the politically motivated criminal persecution. The list of such persons is constantly updated on the CHRG website, at <https://dela.crimeahrg.org/uk/>

For the purpose of politically motivated persecution, the occupation authorities keep on “cooking” criminal cases under “terrorist” and “extremist” articles, articles related to illegal military units, acts of sabotage, espionage, “high treason”, and illegal storage of arms or explosives.

In 2023, two citizens convicted on political grounds by the Russian Federation in Crimea returned to Ukraine. On February 18, 2023, **Andriy Zachtay**, convicted in the case of “Ukrainian Commandos”, was released from the Simferopol colony in Crimea. He fully served an illegal sentence — six and a half years. However, the Russian authorities did not allow him to leave for Ukraine and placed him in the Center for Temporary Detention of Foreign Citizens in the Rostov Region. Andriy Zachtay managed to get to Ukraine only in June.

On April 18, 2023, **Mykola Shyptur** left the territory of the Russian Federation through the Russian-Georgian border after his release from the colony. Before the departure, he was also held in the Center for Temporary Detention of Foreign Citizens in the Rostov Region. He was detained in 2014 and convicted for participating in a Ukrainian protest against the occupation of Crimea on the 200th anniversary of the birth of the Ukrainian writer Taras Shevchenko in Sevastopol. He also served an illegal sentence.

Both citizens of Ukraine were released from Russian colonies due to the served sentences. None of the political prisoners of Crimea was released within the exchanges between Ukraine and the Russian Federation started after February 24, 2022.

ABUSE AND INHUMAN TREATMENT

The Russian authorities deliberately fail to ensure the right of prisoners to access to proper medical care, that causes serious health injury and even death. In 2023, the cases of death of Ukrainian citizens imprisoned for political reasons were recorded for the first time.

On February 7, 2023, the death of **Konstantyn Shyrinh**, a 61-year-old citizen of Ukraine, was reported in the Penal Colony No.5, City of Novotroitsk, Orenburg Region of the Russian Federation.

He was detained in Crimea in 2020 on charges of being a “Ukrainian Intelligence and Sabotage Group” member.

On February 10, 2023, the death of **Dzhemil Hafarov**, a 60-year-old Crimean Tatar, was reported in the Novocherkassk Pre-Trial Detention Center. He was illegally detained during the largest wave of searches in Crimea on March 27, 2019m and accused of allegedly a terrorist organization membership.

According to ZMINA Center for Human Rights, as of the end of 2023, at least **21 political prisoners** needed urgent medical care. For instance, **Amet Suleymanov** suffers from arterial and mitral heart failure and needs a heart valve replacement. However, he does not receive proper medical treatment in Penal Colony No. 2 in the city of Vladimir (RF), and his relatives are deprived of the opportunity to send him the necessary medicines.



Pursuant to Article 7 of the International Covenant on Civil and Political Rights, that the Russian Federation is still a party to, no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In addition, Article 147 of Geneva Convention relative to the Protection of Civilian Persons in Time of War bans inhuman treatment of the protected person.











➤ “CASE OF CRIMEAN MUSLIMS”

This case defendants, most of whom are Crimean Tatars, 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.

As of the late 2023, the number of Crimean residents deprived of liberty within the “Case of Crimean Muslims” reached at least **99 persons**.

Over year 2023, at least **17 unlawful sentences** were passed:

-  Alim Karimov, Seyran Murtaza, Erfan Osmanov, Dzhemil Hafarov and Servet Haziyeu — 13 years in the maximum-security penal colony each, Southern Area Military Court;
-  Rayif Fevziyev — 17 years in the maximum-security penal colony, Southern Area Military Court;
-  Ametkhan Abdulvapov — 10 years and 6 months in the maximum-security penal colony, Southern Area Military Court;
-  Murat Mustafayev — 4 years in the maximum-security penal colony, Southern Area Military Court;
-  Oleksandr Syzikov — 17 years in the maximum-security penal colony, Southern Area Military Court;
-  Alim Sufyanov and Seyran Khairedinov — 12 years in the maximum-security penal colony each, Southern Area Military Court;
-  Ernes Seytosmanov — 18 years in the maximum-security penal colony, Southern Area Military Court;
-  Dzhebbbar Bekirov — 17 years in the maximum-security penal colony, Southern Area Military Court;
-  Rustem Tayirov, Rustem Murasov, and Zavur Abdullayev — 12 years in the maximum-security penal colony each, Southern Area Military Court;
-  Ansar Osmanov — 20 years in the maximum-security penal colony, Southern Area Military Court. This is the longest sentence under these cases for the whole occupation period.



During 2023, the occupation authorities of the Russian Federation detained other **12 Crimean Tatars** in similar cases:

-  On January 24, **Ekrem Krosh, Ayder Asanov, Refat Seydametov, Osman Abdurazakov, Leman Zekiryayev, Khalil Mambetov** were detained.
-  On August 24, **Ametkhan Umerov, Seydamet Mustafayev, Ruslan Asanov, Abdulmedzhyt Seytumerov, Eldar Yakubov, and Remzi Nimetulayev** were detained.

> CASE OF JAMALA

On November 29, 2023, the Basmany Court of Moscow arrested the Ukrainian and Crimean Tatar singer **Jamala (Susana Jamaladinova)** in absentia. The local prosecutor's office accused her of "spreading fakes" about the Russian army. Earlier, Jamala had been declared wanted by the occupying authorities of Crimea.

The reason for the criminal case was the singer's post about large-scale war crimes by Russians, in particular in Bucha, which she published on April 4, 2022, on her Instagram. The Moscow prosecutor's office stated that Jamala had written "knowingly false" information about the actions of the Russian army in Ukraine and had been also "driven by motives of national hatred" and "hatred to the social group "the Russian Armed Forces servicemen".

> CASE OF NARIMAN DZHELIAL

On September 21, the "Supreme Court" of Crimea convicted Nariman Dzhelial, deputy Head of the Mejlis of the Crimean Tatar people, and the activists, brothers Aziz and Asan Akhtemov. The "Court" incriminated them "blasting the gas pipeline in the village of Perevalnoye" according to the Criminal Code of the Russian Federation articles: 281-2 a), b) (*sabotage committed by an organized group*), 221.1-4 (*illegal acquisition, storage and transportation of explosive devices committed by an organized group*), 226.1-3 (*illegal transportation of an explosive device across the customs border committed by an organized group*).

Nariman Dzhelial was sentenced to 17 years, Asan Akhtemov — to 15 years, Aziz Akhtemov — to 13 years, all in the maximum-security regime penal colony. They were also imposed fines: RUR700,000 to Nariman Dzhelial and RUR500,000 to each of the Akhtemov brothers. The prosecution evidence was based on the statements of the defendants made under torture or the real threat of torture.







On November 30, 2023, Nariman Dzhelial was transferred to Minusinsk Colony of Krasnoyarsk Region. For several months, the family had no information about his whereabouts.

> “CASE OF UKRAINIAN COMMANDOS”

At least **35 citizens of Ukraine** are held in confinement within the 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 (Khudoley), Kyrylo Barannyk, Serhiy Voynarovskyy, Viktor Podvalnyy, Vitaliy Talavira, Denys Petranov, Ihor Kupych, Oleksandr Lytvynenko, Serhiy Kryvosheyin, Kostiantyn Yevmenenko, Ihor Zorin, Mykhaylo Chupil.** This list includes also at least **10 persons** who were abducted in Zaporizhia or Kherson Regions after February 24, 2022: **Artem Baranov, Oleksandr Novatskyy, Vitaliy Rastorhuyev, Oleksandr Zarivnyy, Hennadiy Lasinskyy, Serhiy Tsyhipa, Mykola Petrovskyy, Serhiy Kotov, Yaroslav Zhuk, Volodymyr Kryvtsun.**

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 were recorded.

Over Year 2023, at least **6 unlawful sentences** were passed:

-  Stanislav Stetsenko (Khudoley) — 12 years in the maximum-security penal colony, “Supreme Court” of Crimea;
-  Ihor Kupych — 10 years in the penal colony, “Supreme Court” of Crimea;
-  Serhiy Tsyhipa — 13 years in the maximum-security regime penal colony, the “Supreme Court” of Crimea;
-  Oleksandr Zarivnyy — 13 years in the maximum-security regime penal colony, “Kherson Regional Court”;
-  Serhiy Kotov — 15 years in the maximum-security regime penal colony, the “Supreme Court” of Crimea;
-  Mykola Petrovskyy — 16 years in the maximum-security regime penal colony, the “Supreme Court” of Crimea.

> PERSECUTION ON CHARGE OF SERVING IN N. CHELEBIDZHUKHAN BATTALION

The official reason for persecuting the accused in Crimea under RF CC Article 208-2 (*Service in the illegal military formation which activity objectives contradict the interests of the Russian Federation*) is that they failed to come voluntarily to the RF law enforcement bodies and declare their service in

Politically motivated criminal persecution

Year 2023

31
persons

31 persons at least in custody on charges of serving in the N. Chelebidzhikhan Battalionion





At least 9 custody sentences



the “Crimean Tatar Noman Chelebidzhikhan 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 RF declared the Crimean Tatar Noman Chelebidzhikhan Volunteer Battalion “terrorist” and forbade its activity on the RF territory.

As of the late 2023, at least **31 persons, including 12 citizens of Ukraine** abducted by the Russian military in the South of Ukraine after February 24, 2022, were deprived of liberty on charges of serving in N.Chelebidzhikhan Battalionion.

Over Year 2023, at least **9 unlawful sentences** were passed, including

-  **Kostiantyn Tereschenko** — 4 years and 3 months in the maximum-security regime penal colony,
-  **Oleksiy Kyseliov,** — 8.5 years in the maximum-security regime penal colony, “Dzhankoy District Court” of Crimea;
-  **Ihor Khalilov** — 5 years in the penal colony, “Dzhankoy District Court” of Crimea;
-  Alpaz Kurtamet — 7 years in the maximum-security regime penal colony, “Kievskiy District Court” of Simferopol.

In 2023 the Russian occupation authorities more and more kept disclosed the names of persons detained or sentenced on charges of serving in the battalion. The CHRG recorded **at least 5 such convictions.**

> PERSECUTION OF JEHOVAH’S WITNESSES



In 2017, the Supreme Court of the Russian Federation recognized “Jehovah’s Witnesses” as an extremist organization and banned its activities in the territory of the Russian Federation, including the Crimean branches of Jehovah’s Witnesses. Since 2018, the CRIMINAL persecution of “Jehovah’s Witnesses” has begun. In 2020, the first confinement sentences were passed for members of the “Jehovah’s Witnesses” organization.

Politically motivated criminal persecution

Year 2023

11
persons




At least **4** sentences,
term of imprisonment
up to **6.5** years

11 persons at least deprived of liberty —
persecution of 'Jehovah's Witnesses'



As of the late 2023, at least **11 persons** were deprived of liberty on charges of “Jehovah’s Witnesses” organization membership.

Over Year 2023, at least **4 unlawful sentences** were passed:

-  Taras Kuzio — 6.5 years in the penal colony, “Yalta Town Court”;
-  Serhiy Liulin and Petro Zhyl'tsov — 6 years and 1 months in the penal colony, each, “Yalta Town Court”;
-  Darya Kuzio — 3 years in the penal colony, suspended, “Yalta Town Court”.

In the summer of 2023, at least nine homes of “Jehovah’s Witnesses” were searched in Armiansk, Simferopol, Saky, and Dzhankoy. As reported by the “Jehovah’s Witnesses: website, in total, 27 believers from Crimea were criminally persecuted.

➤ FREEDOM OF SPEECH AND EXPRESSION

In 2023 freedom of speech was being curtailed, and journalists were being persecuted in Crimea. The Russian authorities kept on persecuting under an administrative article “on public actions aimed at discrediting the Russian Army” (*RF CoAO Article 20.3.3, in force since 4 March 2022*).

For 2023, the CHRG documented at least **339 judgements of occupation “courts”** on administrative punishment under Art. 20.3.3 of RF CoAO.

The occupation authorities also kept on prosecuting citizen journalists on trumped-up charges of terrorism (*alleged Hizb ut-Tahrir membership*) or storage of arms or explosives. According to human rights activists, at least **16 Crimean journalists** are behind the bars within such cases (**Oleksiy Bessarabov, Vladyslav Yesypenko, Seyran Saliyev, Marlen (Suleyman) Asanov, Timur Ibrahimov, Server Mustafayev, Osman Arifmemetov, Remzi Bekirov, Ruslan Suleymanov, Rustem Sheikhaliyev, Amet Suleymanov, Asan Akhtemov, Nariman Dzhelil, Iryna Danylovysh, Vilen Temeryanov, Ernes Ametov**).

> CASE OF IRYNA DANYLOVYCH, CITIZEN JOURNALIST

Iryna Danylovych, a health care worker and a citizen journalist, was abducted by RF FSB on 29 April 2022. She was kept in the basement of FSB building and subject to torture, and other unlawful methods of investigation. 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*).

On December 28, “Feodisiya City Court” **sentenced the activist** to 7 years in confinement, and a RUR50,000 fine. The trial of Iryna Danylovych was accompanied by numerous violations of the right to a fair trial. Due to constant complaints against the pre-trial detention center administration, she was transferred to a cell without heating. Staying there, she fell ill with otitis media, and being left without medical care became deaf in one ear, in addition, **she suffered a stroke**.

In 2023, the “Supreme Court” of Crimea, after considering an appeal, **changed the sentence** of Iryna Danylovych, shortening the confinement term by only one month. She is being currently **held in Penal Colony No.7** in the city of Zelenokumsk, Stavropol Area of the Russian Federation, in unsanitary conditions and without proper medical care.

> CASE OF JOURNALIST VLADYSLAV YESYPENKO

Vladyslav Yesypenko, a freelance journalist of the Krym.Realiyi project, detained on March 10, 2021, in Crimea while performing an editorial task, is still behind bars. The journalist was tortured by FSB officers to extract a confession about allegedly working for Ukrainian intelligence. On February 16, 2022, “judge” D. Berberov **sentenced** Vladyslav Yesypenko to 6 years in the general security regime penal colony and a fine of RUR110,000. After consideration of the appeal, the sentence was **reduced by 1 year** (5 years in the general security regime penal colony) and the fine was decreased to RUR105,000.

Currently, Vladyslav Yesypenko is being held in the general security regime Penal Colony No. 2 in Kerch. According to his wife, Kateryna Yesypenko, the journalist is under psychological pressure in the colony: the staff monitors the journalist’s behavior and words. Vladyslav rarely gets in touch with his family, and his conversations with the defense lawyer take place only in the presence of the colony inspector, that violates the lawyer’s confidentiality.

> PERSECUTION FOR SUPPORT OF UKRAINE AND ANTI-WAR POSITION

In 2023, the Crimean Human Rights Group recorded the facts of enforcement the article “on discrediting the Russian Army” in Crimea. At least **357 administrative cases** were sent by the occupation authorities to the Crimea “courts” under RF CoAO Article 20.3.3, with punishment judgement awarded in 339 cases. For the period of the full-scale invasion, the CHRG has documents **557 such administrative proceedings**, with the total amount of fines exceeding RUR2,200,000.

The CHRG **analysis** of court decisions proves that the administrative article “on discrediting the Russian army” is used for restricting consistently freedom of expression in the territory of Crimea. It has become a common practice to persecute for anti-war slogans and statements, publication



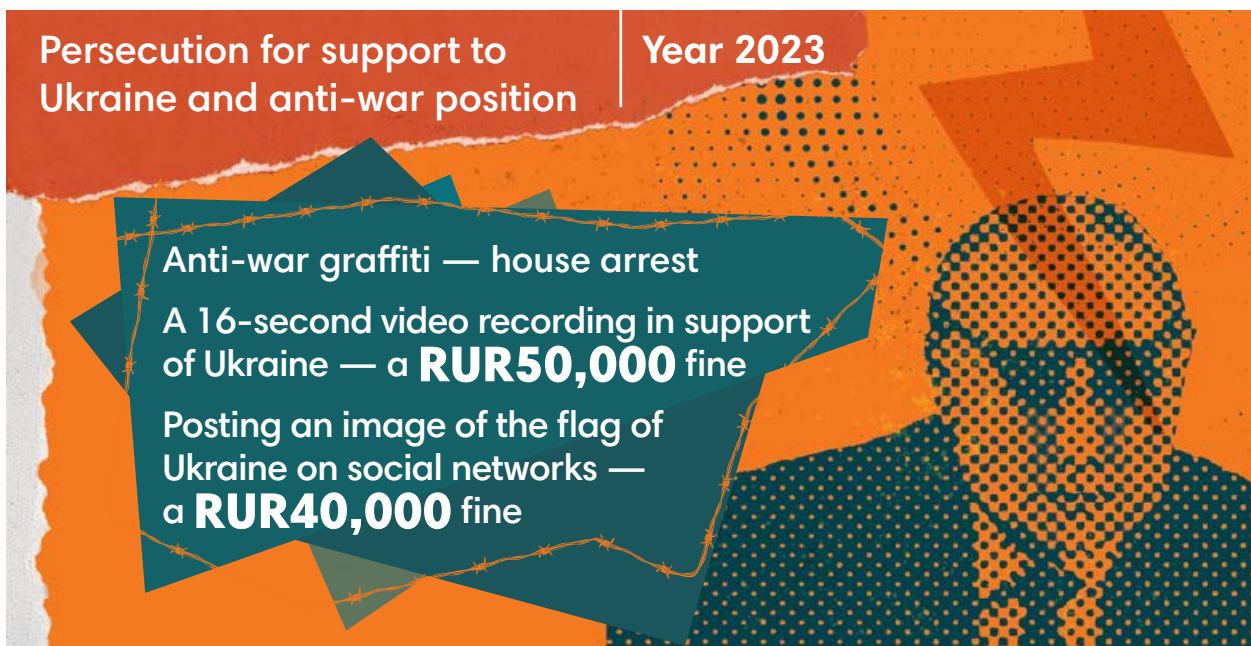
of photos of the Ukrainian flag on social networks, attempts to call Crimea an occupied territory of Ukraine, any negative statements about the Russian officials and the armed forces of the Russian Federation, statements in support of Ukraine, "Glory to Ukraine" slogan published on the network or declared in the street, expression an opinion that condemns the war crimes committed in the hostility area in the territory of Ukraine, attempts to call "special military operation" a war.

In 2023, the number of criminal and administrative cases against Crimeans provoked by the publications of the pro-Russian blogger Oleksandr Talipov, the founder and coordinator of the Internet community called "Crimean SMERSH". 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 FSB and MIA. The information produced by this community provides grounds for opening criminal and administrative cases against the Crimeans. For example, after the publication on the Talipov channel in June 2023, two residents of the village of Sieverne of the Chornormosk District were detained: **Yuriy** and **Oleksandr Velichko**, father and son. The men were forced to apologize on camera, and then the "Razdolnoye District Court" fined each of them ROR2,000 for "discrediting the Russian army." In the summer, **Dliaver Salimov**, a Crimean Tatar from Staryy Krym, **was arrested** for 14 days after refusing to publicly apologize to the Talipov Telegram channel.

The CHRG also documented cases of criminal persecution for anti-war actions. For example, in Kerch, two local residents — **Yehor Savchenko** and **Mykhaylo Zhydkov** — were **detained** because of anti-war graffiti made in the city. The "Court" placed Yehor Savchenko under house arrest. According to available information, a case was opened against the men under RF CC Article 214-2 (*vandalism motivated by political hatred*).

> CASE OF BOHDAN ZIZA

Bohdan Ziza, a local resident, 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, Bohdan 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 surveillance.

On September 27, 2023, a judge of the RF Military Court of Appeal upheld the conviction — 15 years in confinement. Bohdan Ziza is being currently held in the Russian penal colony in the city of Vladimir (T-2).

➤ CASE OF IHOR KUPYCH

On March 30, the "Supreme Court" of Crimea convicted **Ihor Kupych**, 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 Kupych's sentence and reduced it by six months.

According to the investigation, Ihor Kupych 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 he allegedly planned to blow up the railway in Crimea. The "judge" decided that "the crime committed by Kupych 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.

> CASE OF LENIYE UMEROVA

Since December 4, 2022, **Leniye Umerova**, a 25-years-old Crimean woman, 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 Ms. 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.” In early May 2023, Leniye Umerova was transported to Moscow, Lefortovo Pre-Trial Detention Center, and accused of espionage (*RF CC Article 276*). In December Lefortovo Court of Moscow extended in camera her detention period till March 2024.

> CASE OF OLEH PRYKHODKO

Oleh Prykhod’ko, a Ukrainian activist from Crimea, was added four and a half years more under two new charges. On November 7, the 2nd Western Area Military Court in Moscow sentenced Oleh Prykhod’ko to 4 years and six months in the colony and a RUR110,000 fine under articles of “justification of terrorism in public” (*CC Article 205.2-1*) and “rehabilitation of Nazism” (*CC Article 354.1-1*). According to the investigation, Prykhod’ko allegedly “supported terrorist attacks” and “approved Hitler’s actions” in World War II in conversations with convicts in one of the colonies in the Vladimir Region. In addition, he is said “to have repeatedly spoken about the necessity and permissibility of mass physical elimination of residents of Crimea and Donbass who disagree with the policy of the Kiev regime.” As Nataliya Shvetsova, his daughter, said, the activist was being constantly sent to the punishment isolation cell, and he did not hope any longer to get out of prison alive.

Oleh Prykhod’ko was detained by the FSB on October 9, 2019. While seeking through his place, the security men seized Ukrainian symbols, flags of the SVOBODA (“Freedom”) party, red and black flags, a portrait of Stepan Bandera, hardware and home CDs. Oleh Prykhod’ko was charged with the manufacture and storage of an improvised explosive device as well as with the intention to blow up the building of the “Saky District Administration”. The Ukrainian stated in court that he had not committed or planned any crimes, that the case against him was completely fabricated, that he was being persecuted for his pro-Ukrainian position. On March 3, 2021, the Southern Area Military Court in Rostov-na-Donu, Russian Federation, sentenced Oleh Prykhod’ko to 5 years in the maximum-security regime penal colony. Oleh Prykhod’ko was to be released from the colony very soon, but a new criminal case was opened against him.

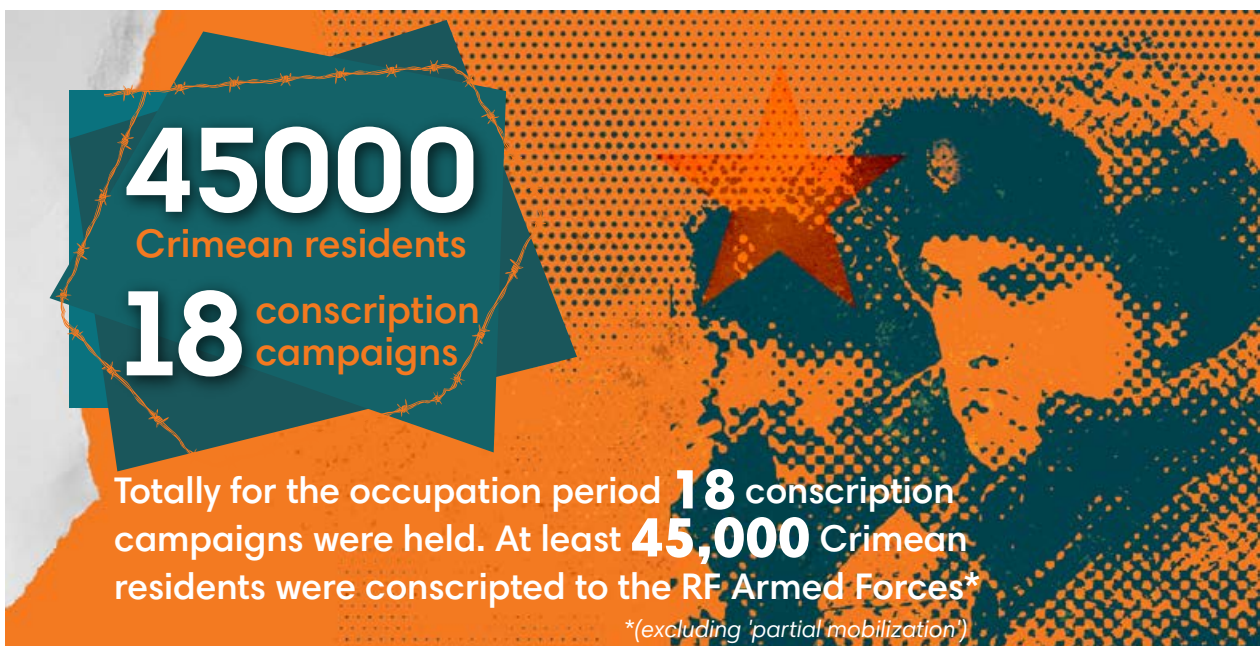
2 VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW NORMS

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

Pursuant to the Convention relative to the protection of civilian persons in time of war, Article 51, the Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. The International Criminal Court Rome Statute, Article 8(2)(b)(xv), establishes that compelling the nationals of the hostile party to take part in the operations of war directed against their own country shall be a war crime.

The Russian Federation has been involving Crimeans in the full-scale war against Ukraine. During Year 2023, two forced conscription campaigns were held in Crimea. During the spring conscription campaign, according to the plan acknowledged by the occupation authorities, 3,000 Crimeans were conscripted to the Armed Forces of the Russian Federation. Other 2,000 were to be drafted during the autumn conscription campaign finished on 31 December 2023. Thereof, during the occupation period 18 conscription campaigns have been held and at least **45,000 Crimeans** have been drafted to the RF Armed Forces. It should be noted that this number of conscripts is not final since the Russian Federation conceals complete data on mobilization and conscription.

During Year 2023 the persecutions of Crimeans for evading the service in the RF Armed Forces continued. For the period of 1 January — 31 December 2023, at least **73 new criminal cases** with convictions under RF CC Article 328 were documented (fines of RUR15,000 to 50,000). For the entire period of occupation, the CHRG has recorded at least **502** such cases. A fine paid does not mean an exemption from the military service.



Crimeans are persecuted for refusing to serve in the RF Armed Forces

Year 2023

502
criminal cases

At least **502** criminal cases under RF CC Article 328 for evading the services in the RF Armed Forces, for the entire period of occupation

**As of 31 December 2023*

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 December 2023, the CHRG documented at least **480 KIAs** among these servicemen who fought on the side of the Russian Federation.

➤ MILITARIZATION OF CHILDREN

The policy of destroying the Ukrainian identity, militarizing the consciousness of the peninsula residents, and glorifying the participants in the war in Ukraine went on in Crimea during Year 2023.

In 2023, the occupying authorities of Crimea introduced a course of initial military training into the curriculum of education institutions. Timur Asanov, so-called deputy minister of education, science, and youth of Crimea, stated that this course goal was to educate children to be ready to immediately “respond to the call of Motherland”, i.e. to join the Armed Forces of the Russian Federation. The most active organization in militarizing the children is still “YUNARMIYA” (Young Army). According to the information of Security Service of Ukraine (SBU), the Russian Federation plans to have every 10th child and teenager of Crimea engaged in the YUNARMIYA by the end of 2024. For this purpose, Yelena Romanovskaya, deputy “head” of Crimea, directly instructs the principals to force students to join this military unit. Upon the investigation findings, the SBU served Yelena Romanovskaya with the notice of charges under CC of Ukraine article “high treason”.

The YUNARMIYA Russian instructors teach Crimean children combat tactics, and conduct fire and sabotage and reconnaissance training. For example, the “School of Young Commanders” was opened in Crimea, with about 200 children involved during each shift. These children, for instance, are taught to remove trip wires, fire, and throw grenades. In the summer of 2023, about **230 children participated** in such “exercises”, including **70 illegally deported** from the occupied territories after February 24, 2022.

Other new institutions for militarizing children were opened in 2023:

- “School of Future YUNARMIYA Commanders” in Sevastopol
- AVANGARD Educational and Instructive Centre to educate children in a military and patriotic spirit in Yevpatoriya

- AI CAMP Youth Centre in the village of Pischane, Bakhchisaray District, that became a platform for “TIME FOR FIRST” forum during which 200 students brought from the occupied part of the Donetsk Region **were trained**.

In addition, about 60 first and fifth graders took the oath of cadets of the Ministry of Emergency Situations of the Russian Federation in one of the schools of Sevastopol. According to journalists, more than 480 this school students have taken **the cadet oath** since 2016. There are also the cadet corps of the Investigative Committee of the Russian Federation, dozens of cadet classes of various Russian law enforcement agencies in schools, and the “Presidential Cadet School” graduated by 75 cadets in 2023, in the city of Sevastopol. About 80% of these cadets applied for military colleges of the Russian Federation.

In 2023 “Movement of the First” created upon the initiative of the Russia President in 2022, significantly spread its activity (Движение первых: <https://будьвдвижении.рф/>). This movement is an attempt of the Russian authorities to re-create a pioneer movement of Soviet times. One of the major movement objectives is militarization of children: “to be the first in protecting the Motherland”. The Crimean branch of the movement was established, and in 2023 these branches were opened in Crimea schools, and one was registered in Sevastopol.

➤ FORCED PASSPORTIZATION

Within forced passportization in the occupied territories, the Russian Federation adopted several decisions in 2023. For instance, on March 18, 2023, the State Duma (Parliament) of the Russian Federation adopted **Law No. 62-FZ “On Peculiarities of the Legal Status of Citizens of the Russian Federation Possessing Ukrainian Citizenship.”** With this law, the Russian authorities continued their policy started in Crimea in 2014, of passporting the residents of the occupied territories by creating conditions when, without obtaining a Russian citizenship, residents of the occupied territories became unable to ensure their survival. Having adopted federal constitutional laws on including Kherson, Zaporizhia, Donetsk (as the so-called “DNR” and Luhansk (“LNR”) regions on October 4, 2022, the Russian Federation illegally extended its citizenship to all residents of these territories in the same way as it had been done in Crimea. With the adoption of the aforementioned Law No. 62, a person who has obtained a passport of the Russian Federation (in the sense of the Russian Federation law this is a citizen of the Russian Federation) shall not be considered a citizen of Ukraine and shall not to take any actions related to exercising the rights and fulfilling the duties as established for the citizens of Ukraine. This also includes a ban on obtaining and using a Ukrainian citizen passport and other documents certifying the citizenship of Ukraine or referring to the citizenship of Ukraine.

In addition, according to Edict of the President of the Russian Federation No. 307 issued on April 27, 2023 “On the Peculiarities of the Legal Status of Certain Categories of Foreign Citizens and Stateless Persons in the Russian Federation”, residents of the occupied territories who did not take the oath of the Russian Federation or declared their desire to leave the citizenship of Ukraine, shall be considered foreigners and may be deported if such persons pose a threat to the national security of the Russian Federation, advocate a violent change in the constitutional order of the Russian Federation, plan terrorist (extremist) activities, impinge on public order and public safety, and participate in unauthorized rallies, assemblies, demonstrations, marches or picketing. Given the absence of the supremacy of law and an independent trial in the Russian Federation and, accordingly, in the territories occupied by it, such charges can be brought against any person who is undesirable for the Russian Federation authorities.

It should be noted that the laws of Ukraine set that the forced acquisition of citizenship of the Russian Federation by citizens of Ukraine living in the temporarily occupied territory shall not be recognized by Ukraine and shall not constitute a reason for the loss of citizenship by Ukraine.

➤ ATTACKS ON UKRAINIAN CIVILIANS FROM CRIMEA

Since February 24, 2022, the Russian Federation has been constantly attacking many civil facilities of Ukraine with missiles, UAVs and air bombs from the territory of occupied Crimea and the Black Sea water zone, that caused fatalities and injuries among the civilians.

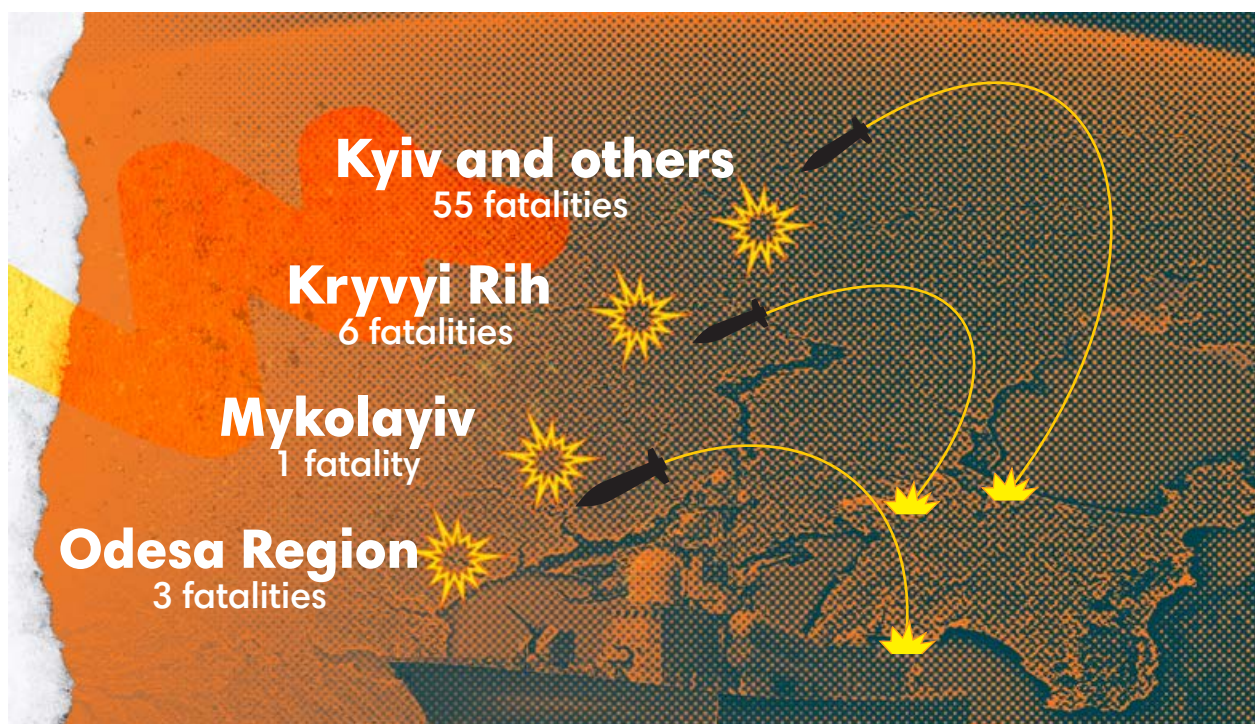
According to the [information](#) of the Air Armed Forces of Ukraine, since the start of the full-scale invasion, the Russian Federation has launched over 7,500 missiles of all types towards Ukraine, including air-launched missiles, S-300 SAMs, cruise and ballistic missiles. Some of them were fired from the occupied Crimea territory and the Black Sea water zone.

On the night of April 27, 2023, the Russian troops [attacked](#) residential districts of Mykolayiv with KALIBR SLCMs from the Black Sea water zone. **One woman was killed** due to this attack, and 23 persons were injured, including a child.

On the night of June 14, 2023, Russia [attacked](#) the Odesa Region with 4 KALIBR cruise missiles. One missile hit a civil facility, with **three persons killed** and 13 injured.

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 education institution. This attack caused **six fatalities including a child**, and over 80 people were injured.

On December 29, 2023, the Russian Federation [launched](#) the most intensive air strike on Ukraine. Totally, 158 missiles of various types and combat UAVs were fired including at least 14 missiles flying a ballistic course: S300/ S400/ Iskander-M that were set off from the occupied Crimea, the Kursk and Bielgorod regions of Russia. 18 settlements in 10 regions were hit due to the attack, 171 persons were injured, at least **55 persons were killed**.



3 GOVERNMENTAL POLICY OF UKRAINE TO PROTECT CITIZENS UNDER CONDITIONS OF OCCUPATION OF ARC AND SEVASTOPOL

For 2023 several legal regulations were approved to legally regulate the status of temporarily occupied territories of Ukraine, including Crimea.

The Government adopted several measures to **simplify access to social support for the citizens**. On January 6, 2023, the Cabinet of Ministers (hereinafter — the CMU) adopted Resolution No. 11 and expanded the list of state aid types for families with children that might be applied for via DIYA. DIYA application has become a platform to apply for an appointment for child support for single mothers, support for adopting a child, and support for a person caring for a sick child.

According to the new provisions in the “Procedure for Assigning and Paying Government Aid to Families with Children” as introduced by CMU Resolution No. 340 of April 18, 2023, during the period of martial law, to be assigned a birth allowance, one of the parents staying temporarily outside Ukraine (with the exception of the Russian Federation), **may mail** an application and certified documents verifying the birth of a child to the social welfare body at their registered (declared) place of residence. In addition, the CMU approved **the procedure for paying pensions to citizens living abroad**. According to Resolution No. 328 of April 18, 2023, pensioners temporarily living abroad and granted temporary protection or refugee status may resume payment of pensions suspended during martial law by sending a corresponding application by mail to the Pension Fund authorities. Such citizens can receive pension payments abroad by an international postal transfer operated by UKRPOSHTA.

On May 2, 2023, the **Unified Register of Persons Missing Under Special Circumstances** (due to the aggression of the Russian Federation, including disappearances in the territory of Crimea) **was launched** at the Ministry of Internal Affairs. The Register was to be created pursuant to Law of Ukraine “On the Legal Status of Persons Missing Under Special Circumstances” back in 2018 to centralize the data base of persons missing under special circumstances collected by governmental bodies that might possess relevant information. However, its launch was delayed because the CMU had not adopted the required by-laws. In addition, the CMU adopted Resolution No. 339, which approved the Procedure for Creating, Keeping, and Accessing the Unified Register of Persons, including Children, deported or forcibly displaced due to the armed aggression of the Russian Federation against Ukraine. This includes cases of deportation to the territory of Crimea. The register is designed to centralize information about persons, including children, deported or forcibly displaced due to the armed aggression of the Russian Federation against Ukraine, that is disposed by ministries, other central bodies of executive power, heads of regional and Kyiv city military administrations together with other governmental bodies.

On May 23, 2023, the CMU adopted Resolution No. 524 and approved the Procedure for Implementing a Pilot Project to Create a **Governmental Official Pool to Work in the De-Occupied Territories of Ukraine**. The purpose of creating this staff pool is to provide district, regional, settlement military administrations, and other governmental bodies that were established or

resumed their activity in the de-occupied territories of Ukraine with personnel for implementing in practice government tasks and functions in these territories. To have their candidacies considered, citizens may fill in the appropriate questionnaire. The procedure establishes the priority right of persons with the status of a war veteran, acquired in accordance with the procedure established by law, internally displaced persons; persons who previously held these positions as well as persons experienced in integrating the temporarily occupied territories; persons who have been deprived of personal liberty due to the armed aggression against Ukraine, to be appointed to positions in the governmental bodies in the de-occupied territories. Thus, it is expected that once Crimea is liberated, it will be developed by the citizens who were forced to leave the peninsula because of its occupation.

On November 10, 2023, the CMU adopted changes to several resolutions establishing procedures of social and legal protection of persons verified as deprived of their personal freedom due to the armed aggression against Ukraine. This had been preceded by an [appeal placed by human rights organizations](#) to the Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine regarding the improvement of the procedure for obtaining annual state financial aid for persons deprived of liberty due to the aggression. The matter was that, due to hostilities, relatives of persons imprisoned for political reasons were unable to leave the occupied Crimea and obtain the necessary bank documents or open accounts in Ukrainian banks in order to receive state annual financial aid. The adopted changes establish that the Commission for establishing the fact of deprivation of personal liberty shall be authorized **to consider the conditions of living in the occupied territory and to determine the right** to transfer the financial aid to the account of another person indicated by the prisoner or members of his family. In 2023 the procedure to allocate State Budget funds for **reimbursing professional legal assistance costs** for this category of persons came in force. Such costs are often borne by relatives of the politically persecuted persons held in the sites of unfreedom in the occupied territories or the Russian Federation, to pay for lawyer's services.

On December 21, 2023, the President of Ukraine signed **Law of Ukraine No. 3482-IX "On Amending Certain Laws of Ukraine Regarding the Recognition of Education Results of Persons Living in the Temporarily Occupied Territory of Ukraine."** The law was adopted to ensure that citizens of Ukraine living in the occupied territory of Ukraine may exercise unhindered their right **to continue their education** by restoring the procedure for recognizing their education results. Persons who have studied in schools in the temporarily occupied territory of Ukraine will be able to confirm their knowledge through evaluation or certification and subsequently continue their studies in schools in the government-controlled territory or receive a general secondary education certificate. The Law also provides for the possibility of **recognizing the results of studies at the levels of occupational (vocational and technical) education**, field specific pre-higher education and higher education. With regard to students of this level of education, a decision may be made to admit for obtaining an education, for instance, with a reduced period of study, according to an individual educational trajectory, which includes learning the Ukrainian language, and the history of Ukraine, taking a special course on the consequences of the Russian Federation's aggression against Ukraine and countering Russian propaganda, and developing general cultural and civic competences. Students may also be subject to a qualification certification to assign the appropriate educational and qualification level, or such an educational and qualification level may be assigned immediately. The Law will come in force on March 24, 2024, followed by the CMU actions on harmonizing all legal regulations with this Law and adopting procedures for recognizing the education results of the citizens who lived in the occupied territories.

During 2023 all **International Crimea Platform** dimensions: governmental, parliamentary, and expert, were active. Within the Platform:

 [the First Black Sea Security Conference](#) of International Crimea Platform was held on April 12–13, 2023, in Bucharest;

-  **FORESEEING THE FUTURE: EXPERTS' VIEW International Forum** of Crimea Platform Expert Network was held on July 18 – 19, in Kyiv;
-  **Eve of the Third International Crimea Platform Summit** was held by the Crimea Platform Expert Network on August 22 in Kyiv;
-  **the Third International Crimea Platform Summit** was held on August 23 in Kyiv;
-  the Second Parliamentary **Summit of International Crimea Platform** was held on October 24 in Prague.

4

SOME INTERNATIONAL DECISIONS REGARDING CRIMEA

One should mention the following international legal documents and decisions of 2023 related to the occupation of the ARC and City of Sevastopol:

8 September 2023

European Council

Decision on imposing sanctions

The Council decided today to impose restrictive measures on six individuals responsible for serious human rights violations in the occupied Crimea — prosecutors and judges who took part in the politically motivated court proceedings against Vladyslav Yesypenko, a journalist, and Nariman Dzhelial, Deputy Head of Crimean Tatar People Mejlis. The list also includes two RF FSB men who participated in torturing of Vladyslav Yesypenko and used other unlawful methods of investigation, persecuted the Crimean Tatars and “Jehovah’s Witnesses” believers in Crimea.

1 September 2023

UN Secretary General

Report: Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine

The report covers the period from 1 July 2022 to 30 June 2023 and is based on monitoring and documenting violations of international humanitarian law and human rights law norms in Crimea by the UN Human Rights Monitoring Mission.

19 December 2023

78th session of the UN General Assembly

Resolution “Situation of human rights in the temporarily occupied territories of Ukraine, including the Autonomous Republic of Crimea and the city of Sevastopol”

The resolution refers not only to Crimea but also to other temporarily occupied territories of Ukraine, including the issue of arbitrary detentions and civil hostages taken by Russia. The resolution urges to monitor the state of health and accommodate medical needs of Ukrainians, unlawfully detained, and convicted on politically motivated grounds in the temporarily occupied territories, as well as effectively investigate all deaths in detention. The list of previous resolution’s political prisoners (Emir-Usein Kuku, Halyna Dovhopola, Server Mustafayev, Vladyslav Yesypenko, Nariman Dzhelyal, Asan and Aziz Akhmetov, Iryna Danilovych, Bohdan Ziza, Enver Krosh, Vilen Temeryanov) was added with Mariano García Calatayud, a Spanish citizen, and a volunteer. The man was abducted by the Russian military in spring of 2022 in Kherson and transported to the occupied Crimea.

13 December 2023

European Court of Human Rights

On December 13, the European Court of Human Rights (ECHR) started [hearings](#) in the inter-State case, in which Ukraine accused the Russian Federation of consistent violations of human rights in the occupied Crimea.

Ukraine insists that Russia has had effective control over the territory of the peninsula since February 27, 2014, and since then has been carrying out an administrative practice of violating human rights, in particular the right to life, the prevention of inhumane treatment and torture, the right to freedom and security, the right to a fair trial, the right to respect for the privacy of life and freedom of religion, the right to education, the right to freedom of movement. The case also deals with the practice of transporting imprisoned citizens of Ukraine to the territory of the Russian Federation and persecution for political reasons. After the hearings, the court will start a session in camera.

REVIEW WAS DEVELOPED BY:

Olha Skrypnyk, Iryna Siedova, Tetiana Kurmanova, Bohdan Melnykovych,
Volodymyr Chekrygin, Anastasiia Chubukova

www.crimeahrg.org