



# CRIMEA IN THE DARK

THE SILENCING OF DISSENT

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**Cover photo:** Armed men stand guard in front of the entrance of the Mejlis of the Crimean Tatar people (the single highest executive-representative body of the Crimean Tatars) in Simferopol on September 16, 2014. Russian police on September 16 raided the assembly of pro-Kiev Crimean Tatars, activists told AFP, days after Crimean residents overwhelmingly backed pro-Kremlin parties in polls. Authorities also raided the homes of two Tatar activists in what the leader of the Tatar governing body, the Mejlis, called the start of "direct repressions" against the peninsula's pro-Kiev community.  
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# INTRODUCTION

In the two and a half years that have passed since the occupation and annexation of Crimea by Russia in violation of international law, in February-March 2014, the peninsula has changed beyond recognition. In violation of international humanitarian law, Russia has fully incorporated the peninsula into the Federation and imported its legislation wholesale, including its more repressive elements.

The annexation of Crimea was presented in Moscow and proclaimed in Crimea as the righting of a historical wrong, indeed, a return to the natural order of things. It has certainly been hugely popular in Russia and was backed by a great many in the peninsula itself. Just how many it is impossible to say: it is difficult to take the results of the “referendum” held shortly after the occupation at face value given the intensity of the repression of opposing voices. Almost two years on, there has been no let up on the part of local and national authorities, for whom the incorporation of the peninsula into the Russian Federation is not enough: they demand complete submission to this brute fact, characterizing – and prosecuting – those who oppose it as extremists and terrorists.

As the most organized focus of opposition, Crimean Tatars have borne the brunt of this repression. Their principle representative structure – the Mejlis – has been banned as an extremist organization; its leaders have been exiled, or face prosecution on a range of trumped up charges. Most other opponents of Crimea’s annexation, including pro-Ukrainian activists were harassed into exile or silence by the de facto authorities and their proxies, including paramilitaries from the so-called Crimean Self-Defence, in the weeks before and immediately after the annexation: many were forcibly disappeared.<sup>1</sup> The case of journalist Mykola Semena highlights the perils for those still minded to speak out.

Beyond the prosecution of individual activists that this briefing focuses on, the full weight of Russia’s repressive legislation has been employed to severely restrict the freedom of assembly and dramatically reduce media freedoms.

Public protest has been virtually extinguished. Since the annexation of Crimea by Russia, independent political, cultural and other events have been disallowed by the local de facto authorities in Crimea. This has affected everything from street protests, to traditional commemorative and cultural events held by Crimean Tatars and gatherings to celebrate Ukrainian culture. There have been rare exceptions when such gatherings have been allowed, but this has typically been in remote locations and under very restricted conditions.<sup>2</sup> More recently, public protest in the Crimean capital, Simferopol, has been completely prohibited after the de facto Mayor of the Crimean capital Simferopol issued, on 7 March, a decree banning all mass public, cultural, entertainment and other events except those organized by the authorities.

Prior to the peninsula’s occupation and annexation by Russia, the media in Crimea operated largely freely: access to printed and broadcast media critical of the authorities was commonplace. This has been lost. Already in 2014, the de facto authorities requested all media outlets to re-register under Russian law by 1 April 2015. They then arbitrarily refused re-registration to specific media outlets, particularly the leading Crimean Tatar-language ones, many of which submitted applications for re-registration several times, forcing them into exile or closure.<sup>3</sup> At least three TV stations, two news agencies and other independent media outlets have been closed. Those that relocated to the mainland Ukraine, like the popular Crimean Tatar-language ATR TV channel, have since been deprived of the opportunities to report freely from and broadcast to Crimea. As with a number other media outlets, ATR TV was also deprived of the opportunity to broadcast on the peninsula via the internet. Under Russian legislation, which allows the authorities to block access to specific websites without a court order for purported violations of Russia’s anti-extremism legislation or calls to “unsanctioned” public assemblies, the channel’s website was entered into the so-called Single Register of online resources which “contain information circulation of which is prohibited in the Russian Federation”. Internet providers are now obliged to restrict access to its website, and internet users from Crimea have reported that since 3 August 2016, the channel’s website is no longer accessible to them. At the same time, the channel’s correspondents are unable to operate openly in Crimea. To do so would expose them to the risk of criminal prosecution, under Russian law, in connection with the channel’s position that control over the peninsula should to be returned back to Ukraine and its criticism of the Russian authorities.

In parallel with the banning of the Mejlis and the silencing of opposition media, the authorities have targeted prominent individual activists in their efforts to stamp out the last remaining vestiges of opposition to peninsula’s annexation. The primary vehicle for this harassment has been criminal prosecution under Russian anti-terrorism and anti-extremism legislation. A growing number of people

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<sup>1</sup> For more information, see the following Amnesty International publications: *Crimean Tatars: At risk of persecution and harassment in the new Crimea*, 23 May 2014, available at <https://www.amnesty.org/en/latest/news/2014/05/crimean-tatars-risk-persecution-and-harassment-new-crimea/>; (accessed 12 December 2016) and *Ukraine: One Year On: Violations of the Rights to Freedom of Expression, Assembly and Association in Crimea*, report, 18 March 2015, available at <https://www.amnesty.org/en/documents/EUR50/1129/2015/en/> (accessed 12 December 2016).

<sup>2</sup> Once again, the Crimean Tatar community has been particularly affected by these changes. For instance, for years, its members had been holding annual commemorative events throughout Crimea on 18 May. On that date, in 1944, the entire Crimean Tatar population had been deported to remote parts of the USSR, following which its members were not allowed to return to their homeland until the late 1980s. Members of the community were allowed to assemble for the 18 May for the commemoration in 2014 in just one, remote, location, and in the presence of heavy law enforcement force. However, no commemorative assemblies were authorised on that date in 2015, and in 2016 members of the community did not even try applying for the permission in the knowledge that they would not be given it.

<sup>3</sup> For more information see: Amnesty International, “Crimean Tatar media will shut down as arbitrary registration deadline expires”, 31 March 2015, available at <https://www.amnesty.org/en/latest/news/2015/03/crimean-tatar-media-will-shut-down-as-arbitrary-registration-deadline-expires/> (accessed 12 December 2016).

faces highly questionable charges of membership of Hizb ut-Tahrir, which is a proscribed organization in Russia. Four of these have been convicted in trials outside Crimea.

No progress has been made in the investigations into the spate of enforced disappearances that followed shortly after the peninsula's annexation, including at least six documented previously by Amnesty International in Crimea (and up to 18 documented by other NGOs).<sup>4</sup> The impunity for these egregious offences has left a lasting legacy. At least one more activist, Crimean Tatar Ervin Ibragimov was forcibly disappeared in 2016.

While few doubt that a majority of residents supported and continue to support the peninsula's incorporation into the Russian Federation, it is equally clear that the move has come at considerable cost to the rights of those who oppose it. By extending restrictive Russian legislation to Crimea, the de facto authorities have significantly curbed the freedoms of assembly, association and expression and prosecuted many individuals in proceedings that have blatantly violated fair trial standards.

However the matter is perceived and presented in Moscow, the fact remains that under international law Russia is an occupying power and has clear obligations as such. This means that the authorities cannot make permanent changes to the legal regime in Crimea. According to both Article 43 of the Hague Regulations and Article 64 of the Fourth Geneva Convention of 1949 Russia, as the occupying power, must as a rule, respect the penal legislation that was in force when they occupied the territory. Although Russia can make discrete changes to the applicable law to ensure "the security of the occupying power" and may also promulgate "penal provisions for its own protection" it cannot completely replace the law in force with its own domestic law or change the law, "merely to make it accord with their own legal conceptions."<sup>5</sup> To the extent that Russia replaced in its entirety the penal laws of Ukraine with the laws of Russia it has violated international humanitarian law. In any case, according to Article 76 of the Fourth Geneva Convention of 1949 the occupying power cannot transfer prisoners outside of the occupied territory. Thus all civilians arrested in Crimea must be tried within the territory and cannot lawfully be transferred to Russia. The obligations on Russia to respect the rights guaranteed in the European Convention on Human Rights, in any case remain untouched, even if they are clearly not being observed.

## METHODOLOGY

Amnesty International researchers conducted over 50 interviews in Crimea and in Kyiv for the purposes of compiling this briefing. Amnesty International's delegates visited the peninsula at the end of September 2016 and traveled to Alushta, Bakchisaray, Bylohyrsk, Simferopol, Sevastopol, Koreiz and Yalta. There, the delegates collected testimonies and photographic evidence pointing to multiple human rights violations which particularly target the most active members of the Crimean Tatar community associated with opposition to the Russian occupation and annexation of Crimea. Representatives of Amnesty International spoke with victims or their relatives, lawyers, local Crimean Tatar activists and journalists. The identity of most of the interviewees has not been revealed on account of the very real risk of reprisals they face. Amnesty International also requested meetings with representatives of the de facto authorities. However, these requests were not granted. In particular, the de facto Prosecutor's Office did not reply to Amnesty International's letter, while representatives of the de facto Ombudsperson of Crimea told the organization that she was travelling and could not receive them, and did not suggest anyone in her stead.

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<sup>4</sup> After the annexation by Russia of Ukraine's Crimea in March 2014, Amnesty International has documented a rising number of human rights violations by the *de facto* authorities. In March 2015, the organisation published the report *Ukraine: One Year on: Violations of the rights to freedom of expression, assembly and association in Crimea* (AI Index: EUR 50/1129/2015, available at <https://www.amnesty.org/download/Documents/EUR5011292015ENGLISH.pdf>), which offered a detailed overview of its concerns, including several cases of enforced disappearances. For more information on enforced disappearances in Crimea, see also Amnesty International, "Crimea: One year on from annexation; critics harassed, attacked and silenced", 18 March 2015, available at <https://www.amnesty.org/en/latest/news/2015/03/crimea-annexation-critics-attacked-and-silenced/> (accessed 12 December 2016).

<sup>5</sup> See also the ICRC commentary of 1958 on Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949.

# THE BANNING OF THE MEJLIS OF THE CRIMEAN TATAR PEOPLE AND PERSECUTION OF ITS LEADERS

The Mejlis of the Crimean Tatar People (hereafter, the Mejlis) is a body elected at an informal all-Crimean Tatar assembly, Kurultai, to represent the community vis-à-vis the local and central authorities. Mejlis members and particularly its current and former leaders, have been subjected to harassment, forcible exile and criminal prosecution, while the body itself was promptly deprived of its offices, formally warned not to engage in “extremist” activities (criticism of the new political realities on the peninsula), and more recently declared an illegal “extremist” organisation. Several activists associated with the Mejlis are currently facing persecution. Their cases are documented below.

On 15 February 2016, the de facto Prosecutor of Crimea initiated a case against the Mejlis alleging that it was an “extremist” organization on the basis of its leaders’ non-violent defiance of the Russian occupation and annexation of Crimea. Prior to this, the Mejlis’ leader Refat Chubarov had been forcibly exiled from Crimea, as was his predecessor, Mustafa Dzhemiliev, a Crimean Tatar veteran human rights activist and informal leader, and another vocal opponent of the occupation. The Mejlis had earlier been forced out of its building in the capital Simferopol after a court ruled that the building’s owner, the charitable Foundation Crimea, had no right to rent it out, and ordered the historic building to be vacated, and then seized the property on account of the owner’s failing to evict its tenants.

On 17 March, the Supreme Court of Crimea began hearing the case brought against the Mejlis by the de facto Prosecutor’s Office alleging that it was an “extremist” organization. The prosecution relied principally on statements made by the exiled Mejlis’ leader, Refat Chubarov, who has refused to recognize the legality of the Russian annexation of Crimea, called for an economic and energy blockade of the peninsula from the mainland Ukraine, and repeatedly called for the control of the peninsula to be returned to Ukraine.<sup>6</sup> The case was concluded on 26 April resulting in the Mejlis’s final closure and banning. However, already on 13 April the de facto Prosecutor of Crimea ruled to suspend the Mejlis’s activities while on 18 April the Russian Ministry of Justice included it in the official register of “extremist organisations”. The listing of the Mejlis as an “extremist organization” meant that its members and supporters from local organisations across Crimea were open to criminal prosecution as “extremists”. Meanwhile, the two remaining in Crimea deputy leaders of the Mejlis, Akhtem Chiygoz and Ilmi Umerov, are facing prosecution on trumped up charges.

## THE CRIMINAL PROSECUTION AND FORCIBLE CONFINEMENT IN A PSYCHIATRIC INSTITUTION OF THE MEJLIS’S DEPUTY LEADER ILMI UMEROV

**“In Russia, complete loyalty is obligatory. We are the only people who are not demonstrating it to the authorities. They don’t want us to love them, they want us to fear them,”**

Crimean Tatar activist Ilmi Umerov, in an interview with Amnesty International, 28 September 2016

Following the forcible exile of the Mejlis’s former and current leaders, Mustafa Dzhemiliev and Refat Chubarov, the attention of the Russian and Crimean authorities turned to its deputy leaders. One of them, prominent Crimean activist Ilmi Umerov, became the target of harassment by the security services and was charged under the Russian anti-extremism legislation.

Born in Uzbekistan to Crimean Tatar parents – both of them victims of the 1944 deportation – Ilmi Umerov returned to the peninsula after the ban on the Crimean Tatars’ return was lifted in the late 1980s, and became a prominent member of the community and a local politician. At the beginning of the Russian occupation and annexation of the peninsula, he was serving as the Head of the Bakhchisaray District administration. He resigned in protest in August 2014. Ilmi Umerov has remained an outspoken critic of the annexation and peacefully advocates for the return of Crimea to Ukrainian control.

On 19 March 2016, Umerov gave a TV interview in the Crimean Tatar language, in which he insisted that Russia should be “forced to leave Crimea, Donetsk and Luhansk” (the latter two are cities in eastern Ukraine controlled by pro-Russian armed groups). On 12 May, at around 4 pm, two officials from the Russian Federal Security Service (FSB) and a local police officer showed up at Umerov’s house in Bakhchisaray and took him to the FSB headquarters in the Crimean capital Simferopol for questioning. During questioning, he was

<sup>6</sup> Amnesty International, “Crimea: Proposed closure of the Mejlis marks culmination of repressive measures against the Crimean Tatar community”; available at <https://www.amnesty.org/en/documents/eur50/3655/2016/en/> (accessed 12 December 2016).

informed that he was being investigated as a criminal suspect under Article 280.1 of the Russian Criminal Code for “threatening the territorial sovereignty of the Russian Federation.”<sup>7</sup>

In the following months, Umerov was summoned twice more by the FSB for interrogation, but refused to testify against himself and chose not to answer any questions. The Kievskiy District Court in Simferopol placed Umerov under travel restrictions, forbidding him to leave Crimea. Meanwhile, a translated recording of his interview was referred by the investigators for a “linguistic examination” to determine whether his words constituted “extremism”. Umerov and his lawyers have not seen the translation and worry that it might have changed Umerov’s original statements in the Crimean Tatar language.

The FSB also made an application to the court for Ilmi Umerov to undergo a forcible psychiatric examination to assess his mental health. Umerov’s lawyers contested the FSB’s application. On 11 August, during the hearing on the FSB’s request about the psychiatric examination in the Kievskiy District Court in Simferopol, Umerov – who suffers from a number of health conditions, including cardiovascular problems, diabetes and Parkinson’s disease – developed high blood pressure and had to be hospitalised. The judge approved the FSB’s request in Umerov’s absence.

“On 18 August, as I was lying in bed, FSB agents came to the hospital and transferred me to the Psychiatric Hospital number 1 in Simferopol for the forced psychiatric examination”, Ilmi Umerov told Amnesty International. This was done before his appeal could be heard, in violation of Russian law.<sup>8</sup>

On the first day of Umerov’s stay at the psychiatric hospital, he was immediately placed in a “special regime ward” (isolation ward) for patients with severe psychiatric conditions, and on that basis denied a meeting with his lawyers and family. Following mounting international pressure for his release, on the next day, 19 August, Umerov was granted twice-daily visits by family members. He spent a total of three weeks inside the psychiatric institution before his release on 7 September. His “examination” during his 21 day-long forcible confinement consisted of three interviews by the psychiatric staff. Before Umerov’s release, a medical commission concluded that he had no mental conditions that should affect his criminal prosecution.

“I call these three weeks ‘one big torture’. It was very hard to be in contact with patients with actual psychiatric problems. They were constantly trying to talk to me, pull my clothes, screamed. Some of them were always in the toilet, which had no door and was very filthy. There was no privacy at all”, Umerov told Amnesty International.

After his release from the psychiatric institution, the FSB summoned Umerov for further interrogation at least three more times, while also continuing his secret surveillance and harassment. Thus all the fellow Mejlis members he invited to tea on 25 September were subsequently summoned for questioning by the FSB. On 28 September, Umerov was found in violation of Article 20.28 of the Code of Administrative Offences of the Russian Federation (“Organization of activities of a public or religious association in respect of which a decision has been taken to suspend its activities”) and ordered to pay a 750 rouble fine (about US\$ 11) for organising the meeting. Three of his guests were similarly fined for “participating in the activities” of the banned Crimean Tatar Mejlis.

At the time of writing, the criminal investigation into Umerov’s “extremism” case is ongoing. On 2 November, the FSB informed him that he was regarded psychologically stable and that the linguistic expertise had shown that his statements had been “extremist”.

## **MEJLIS DEPUTY LEADER AKHTEM CHIYGOZ IN PRE-TRIAL DETENTION FOR 18 MONTHS ON TRUMPED-UP CHARGES**

After the forcible exile of the Mejlis’s leader Refat Chubarov in July 2014,<sup>9</sup> the Deputy Chairman Akhtem Chiygoz emerged as its most senior member still residing in Crimea. He in turn was arrested on 29 January 2015 after the *de facto* authorities accused him of having organised “mass disturbances” on 26 February 2014 under Article 212 of the Criminal Code of the Russian Federation, which carries a penalty of up to 15 years in prison.

On 26 February 2014, pro-Ukrainian and pro-Russian supporters assembled simultaneously in front of the Supreme Council of the Autonomous Republic of Crimea (the local parliament). Tensions were running high. The police had withdrawn from the streets. At some point skirmishes between pro-Ukrainian and pro-Russian supporters erupted, but these were confined to the area where the two opposing crowds met, and both crowds remained for the most part peaceful. According to the existing media footage and eyewitness accounts, Akhtem Chiygoz was one of those who tried to calm the two crowds and keep them apart in order to prevent violence. All

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<sup>7</sup> Amnesty International interview with Ilmi Umerov in Bakchisaray, Crimea, 28 September 2016.

<sup>8</sup> Amnesty International considered Ilmi Umerov a prisoner of conscience during his forcible confinement to inside the psychiatric institution, intended as reprisal for his political activism, and called for his immediate and unconditional release and termination of all criminal proceedings against him. For more information, see Amnesty International, “Activist Forcibly Detained in Psychiatric Hospital”, Urgent Action, 6 September 2016, available at <https://www.amnesty.org/download/Documents/EUR5047762016ENGLISH.pdf> (accessed 12 December 2016).

<sup>9</sup> After participating in a Mejlis meeting on 5 July 2014, which was held in mainland Ukraine for security reasons, Refat Chubarov was denied re-entry into Crimea on the *de facto* Russian border post. The Prosecutor of Crimea at the time, Nataliya Poklonskaya, published her decision banning Refat Chubarov from “entering the Russian Federation” for five years.

available evidence from that day suggests that there were no “mass disturbances”, and certainly not in the sense defined in Article 212 the Russian Criminal Code under which he has been indicted (“mass disturbances accompanied by violence, pogroms, arson attacks, destruction of property, use of arms, explosives, poisonous or other substances and objects that pose danger for those around, as well as armed resistance to a representative of the authority”).

The first court hearing in the case against Akhtem Chiygoz took place on 2 August 2016 in Simferopol after he had already spent more than 15 months in pre-trial detention. The trial judge accepted the prosecution’s request that Akhtem Chiygoz only be allowed to participate in his trial via video-link – from the Simferopol pre-trial detention center less than 500 meters away from the court house. Akhtem Chiygoz’s defense challenged this arrangement, but their application was declined. According to Akhtem Chiygoz’s lawyer, the judge ruled, on procedural grounds, that because the decision to use video conferencing had been made during the pre-trial phase of the investigation it could only be appealed after the court delivers its verdict.<sup>10</sup>

Amnesty International attended a court hearing on 27 September 2016, at which Akhtem Chiygoz was, as usual, present only via Skype. He could not hear everything that was said in court, and the trial had to be interrupted several times because of the bad quality of the internet connection. At one point, the hearing was interrupted because another Crimean court tried to dial in at the Skype address used by the pre-trial detention center where Akhtem Chiygoz was held. Because of the video link, at no point during the hearing was Akhtem Chiygoz able to consult his lawyer in private.

“They have decided to isolate me because of my protests. I would like to be present [in the court room] because here I can’t hear half of the questions”, Akhtem Chiygoz told Amnesty International delegates via the video link during a break.

The two prosecution witnesses who were questioned in court that day confirmed their presence at the demonstration in Simferopol near the Supreme Council building on 26 February 2014. However, neither of them had seen Akhtem Chiygoz or could provide any details on how the events described as mass disturbances had started. One of them told the court that he did not possess any information about Akhtem Chiygoz’s “criminal plan” to organise mass disturbances (one of the allegations against Chiygoz as stated in his indictment and cited in court). The other witness, who had suffered minor injuries and bruising following the clashes, told the court that Refat Chubarov, the leader of the pro-Ukrainian demonstration on 26 February 2014, and Sergey Aksionov, the leader of the pro-Russian demonstration, were addressing their supporters via loud speakers calling for calm. He, like the first witness, had not seen Akhtem Chiygoz on that day either.

According to Akhtem Chiygoz’s lawyer the witnesses’ testimonies heard in court on that day were similar to numerous others. At the time of writing, none of the more than 60 prosecution witnesses called has confirmed seeing Akhtem Chiygoz near the Supreme Council on 26 February 2014 or has been able to describe his role in the “mass disturbances” on that day.

“They [the Russian authorities] are trying to scare all of our people. I’m being prosecuted only because of my political activism and refusing to support them. This is a sham trial”, Akhtem Chiygoz told Amnesty International.

There are also five secret witnesses in the case against Akhtem Chiygoz whose testimonies have not been heard in court yet at the time of writing. His defence team are concerned that their testimonies may be entirely fabricated and yet impossible to challenge as such. The use of secret witnesses and undisclosed evidence in this case is a direct violation of the right to a fair trial. The trial is ongoing.

Amnesty International believes that Akhtem Chiygoz is a prisoner of conscience detained and prosecuted solely in connection with his peaceful political activism and his opposition to the Russian occupation and annexation of Crimea. He should be released immediately and unconditionally, and all charges against him must be dropped.

## THE ENFORCED DISAPPEARANCE OF ERVIN IBRAGIMOV

Crimean Tatar activist Ervin Ibragimov is a former member of the local Bakhchysarai Town Council and a member of the World Congress of Crimean Tatars, an international organisation aimed at promoting the rights of Crimean Tatars and their cultural heritage which was set up after the peninsula’s annexation by Russia in 2014. He first became aware of covert surveillance of his activities in May 2016. Ervin Ibragimov told his friends that on 17 May he noticed a car waiting outside his house, which later followed him during the day.

Ervin Ibragimov last spoke to his father on the phone at around 11 pm on 24 May. His father later found his car abandoned outside their home, in Bakchisaray, central Crimea, with the doors open and the key left in the ignition. CCTV footage from a camera at a nearby shop shows a group of men stopping Ervin Ibragimov’s car. He is seen briefly speaking to the men before trying to escape. The men are seen apprehending and forcing him into their van and immediately driving away.

On 25 May, Ervin Ibragimov’s father went to the offices of the FSB in Simferopol to file a complaint and provide the CCTV footage. FSB officers refused to register the complaint and told him to send it by post. The police in Bakhchysarai opened an investigation into the incident and inspected the car. However, at the time of writing, the investigation has not yielded any tangible results.

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<sup>10</sup> Amnesty International’s interview with lawyer Nikolay Polozov in Simferopol, Crimea on 27 September 2016.



# PROSECUTION FOR ALLEGED MEMBERSHIP OF A “TERRORIST” ORGANISATION

After the annexation of Crimea, Russia has extended its own laws over the occupied peninsula, in violation of its international obligations as an occupying power. Russian anti-extremism legislation, which is often used to target government critics in Russia, in particular the Law on Combating Extremist Activities, has been used in conjunction with anti-terrorism legislation to bring specious charges against a range of individuals.

Furthermore, hearings into cases concerning “terrorism” charges are reserved only for military courts in Russia. The nearest such court is the North Caucasus Military District Court in Rostov-on-Don in Russia. Putting defendants from Crimea on trial in a military court outside Crimea is a direct violation of the international humanitarian law governing occupation.

At the time of writing, at least 19 individuals have been arrested on charges of being members of Hizb ut-Tahrir.<sup>11</sup> Four were convicted in Rostov on Don in September 2016, in a deeply flawed trial. Amnesty International was able to examine the cases of two further individuals, Emir-Usein Kuku and Muslim Aliev, who were arrested on 11 February 2016 and remain in pre-trial detention: their cases reveal a pattern of harassment and, especially in the case of Emir-Usein Kuku, a paucity of disclosed evidence of criminal wrongdoing.<sup>12</sup> Amnesty International was unable to establish contact relatives and lawyers of the remaining suspects during its mission to Crimea and is therefore not in a position to express a view on the probity of the charges against them, though the broader pattern of abuses inevitably casts its shadow on all these cases.

In all these cases, the charges of Hiz ut-Tahrir membership either appear manifestly unfounded or there are serious doubts regarding the probity of the respective charges, raising serious fair trial concerns.

## THE “SEVASTOPOL FOUR”

Four men have already been put on trial in Rostov-on-Don in Russia and convicted of membership of Hizb ut-Tahrir, and received prison sentences of between five and seven years, while 15 others are currently in pre-trial detention in Crimea while their cases are being investigated.

On 7 September 2016, the North Caucasus Military District Court found Ruslan Zeitullaev, Rustem Vaitov, Nuri Primov and Ferat Saitullaev guilty of membership of a Hizb ut-Tahrir cell in Sevastopol. Ruslan Zeitullaev was sentenced to seven years in prison for being the “organiser” of the cell, and the three other men received a five-year sentence each.

Numerous fair trial concerns arose in connection with their trial. In particular, during the court hearings, several prosecution witnesses retracted their statements given before the trial. One man, a shepherd from Sevastopol, told the court that during his questioning the investigating FSB officer had warned him that if he did not sign the paper in front of him he would end up in jail with the other four. Others cited similar forms of pressure on them during the investigation when they retracted their statements in court.

According to one of the defence lawyers in the case against the four men, only one piece of evidence could in principle be considered as supporting the prosecution’s claim that the four men were members of Hizb ut-Tahrir: an audio and video surveillance tape which recorded a conversation between the four men in an acquaintance’s house when they were discussing religious topics. Only 10 minutes of the 90 minute-long conversation recording were played in court, followed by the testimony of a secret witness delivered over a video link who, unlike most or all of the prosecution witnesses who appeared in court in person, reiterated his earlier statement in front of the judge and the defendants.<sup>13</sup>

The prosecution appealed the sentence and requested a longer jail term for Ruslan Zeitullaev, while the lawyers of the four men appealed the conviction. At the time of writing, an appeal hearing is still pending.

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<sup>11</sup> Hizb ut-Tahrir was recognized a terrorist organisation by the Supreme Court of the Russian Federation on 4 February 2003. The Court’s decision stated:

“Islamic Revival Party” (“Hiz ut-Tahrir”) [is] an organisation that aims to eliminate non-Islamic governments and establish Islamic rule worldwide by reinstating the “World Islamic Caliphate”, initially in regions with a predominantly Muslim population, including Russia and the CIS countries.

The main forms of [its] activities: militant Islamic propaganda combined with intolerance to other religions; active recruitment of supporters, intentional activity to achieve division of the society (primarily propaganda with powerful financial backing). (Quoted in <http://www.kavkaz-uzel.eu/articles/234923/>).

<sup>12</sup> On 11 February 2016, the Russian security service arrested officials Enver Bekirov and Vadim Siruk as part of the same case as Emir-Usein Kuku and Muslim Aliev, and charged them with membership in the same Hizb ut-Tahrir “cell”. Nine other men were arrested in April, May and October in different parts of Crimea and accused, in separate cases, of membership of Hizb ut-Tahrir. Refat Alimov and Arsen Dzhepparov were arrested on 18 April in Krasnokamenka, a suburb of Yalta, Southern Crimea. Four others - Zevri Abseitov, Remzi Memetov, Rustem Abiltarov and Enver Mamutov – were arrested on 12 May in Bakchisaray. Finally, Timur and Uzeir Abdullaevs, Rustem Ismailov, Ayder Saedinov and Emil Dzhemadenov were arrested on 12 October 2016 in Kamenka and Stroganovka, villages in Central and Northern Crimea. All of these nine men were on remand and awaiting trial at the time of writing.

<sup>13</sup> Amnesty International’s interview with lawyer Emil Kurbetdinov in Simferopol, Crimea on 30 September 2016.

## THE HARASSMENT, BEATING AND CRIMINAL PROSECUTION OF HUMAN RIGHTS ACTIVIST EMIR-USEIN KUKU

Emir-Usein Kuku has been detained on remand since February 2016 on highly dubious charges of membership of a terrorist organization, namely Hizb-ut Tahrir (Article 205.5 of the Russian Criminal Code). He was a local civil servant in Yalta and Koreiz administrations at the time of the beginning of the Russian occupation and annexation of Crimea, and is a well-known member of the local Crimean Tatar community. His trial has not yet begun.

Emir-Usein first told his wife Meriem Kuku that an FSB operative had visited him at work in July 2014 and tried to convince him to become an FSB informant. In the months that followed, the FSB officer reiterated his “offer” of “cooperation” at least three more times. Emir-Usein’s wife, Meriem Kuku, was also approached once by the same FSB officer in autumn 2014, outside the school attended by their children while waiting to collect them, but she refused to talk to him.<sup>14</sup>

Following the wave of enforced disappearances of Crimean Tatars, in October 2014 Emir-Usein Kuku decided to join the newly established Crimean Human Rights Contact Group. It was created by the relatives of missing persons with the purpose of engaging with the authorities and monitoring the progress of the official investigations. As part of this initiative, Emir-Usein Kuku often travelled to document new cases of disappearances. He also participated in public meetings of the Contact Group.

On 20 April 2015, at around 8 am, Emir-Usein Kuku was walking towards the bus stop near his house on his way to work. At the time, according to eyewitnesses, two men in civilian clothing were waiting for Kuku in a Gazel minibus on a street near his home. The Gazel’s bonnet was open but the two men were sitting inside. Emir-Usein Kuku found this suspicious and turned towards a busy petrol station. The men came rushing out of the minibus, chased Emir-Usein Kuku, threw him on the ground and started kicking him in the head and torso. When he asked who they were, the men said: “Wait, you’ll see our identity soon”. A large crowd of witnesses gathered around the two men as they were beating him. Two more men with masks and automatic rifles came out of the minibus and the people beating Emir-Usein Kuku pointed at them, saying: “See, this is our identity”. Together, the four men forced Emir-Usein Kuku into the minibus and drove to the FSB station in Yalta.

About an hour later Kuku was returned to his home, again in a Gazel minibus. Eight more men with masks and automatic rifles came out with him and followed him to his door. He was limping. Another minibus with at least a dozen more masked men with automatic rifles also arrived, and the men took positions around Emir-Usein Kuku’s house. The only man without a mask was the FSB officer who, according to Emir-Usein Kuku, had repeatedly tried to recruit him as an informant. He produced a search warrant. While officers were searching his house, the FSB officer started questioning Emir-Usein Kuku about his “extremist” activities on social media and enquiring what kind of websites he visited. Meriem Kuku overheard the FSB officer promising to her husband that he would “put [him] in jail for Hizb ut-Tahrir”. The search was brief, according to Meriem Kuku, and the FSB seized their two computers, several books and Emir-Usein’s mobile phone but did not arrest him then.

On the next day, Emir-Usein Kuku visited a doctor and got a medical record of his injuries. He was advised that he required hospitalisation, but refused to be admitted to the hospital and went to the local police station to complain about his beating. On 1 May 2015, Emir-Usein Kuku learned that the local police refused to open a criminal investigation into his allegations citing the “absence of the elements of a crime” as the reason. Three months later, in August 2015, he was called in by the Military Investigative Committee in Yalta and informed that the FSB had opened a criminal case against him about him having assaulted two of their officers on 20 April.

On 3 December 2015, the Investigative Committee in Yalta called Emir-Usein Kuku and informed him that he was under criminal investigation for posting extremist material on his social media accounts. During his interrogation, the investigator asked about 42 online items that Kuku had posted on the social media, including his posts about the Mejlis and its leaders.

On 11 February 2016, around 6.45 am, Emir-Usein and Meriem Kuku were woken by the noise of the door to their house being knocked down. Two masked men with automatic rifles, two civilian men attending as witnesses, and five investigators entered their house. The investigators introduced themselves as FSB officers and produced a search warrant.

After about five hours of very thorough and intrusive searching, the men took away Emir-Usein Kuku and seized one computer, two mobile phones and one tablet. One of the FSB officers told Meriem Kuku: “Your husband brought this upon himself and you’ll go bonkers in the evening”. Later in the day, Emir-Usein Kuku was officially named a criminal suspect accused of being a member of Hizb ut-Tahrir and put in pre-trial detention, where he remains at the time of writing.

Emir-Usein Kuku has denied membership of this organisation. As a public figure in his community, he is not known to have had any links to Hizb ut-Tahrir, nor does he have a history of activities likely to make him a member. According to his lawyer, the only substantive piece of evidence that could possibly link Kuku to Hizb ut-Tahrir is a wiretapped conversation between him, Muslim Aliev (see below) and two other men on 5 October 2015. According to his lawyer, he could remember the conversation, during their private meeting, which concerned politics and the general situation in Crimea. There is an official FSB surveillance record about this conversation in Kuku’s case file. However, his lawyer has been denied access to the transcript of the conversation, which is classified, undermining Emir-Usein’s ability to challenge his ongoing detention on remand.

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<sup>14</sup> Amnesty International’s interview with Meriem Kuku on 29 September 2016 in Koreiz, southern Crimea.

Like Akhtem Chiygoz, Emir-Usein Kuku is unable to attend his remand hearings other than via video link (these have to happen regularly to extend his pre-trial detention). The connection quality is poor, and Emir-Usein Kuku cannot hear properly what is going on inside the courtroom. It has also prevented him from seeing his family, who are not able to visit him in pre-trial detention center in which he is being held.

While he has been in pre-trial detention, Emir-Usein Kuku has been visited at least twice by the same FSB officer who tried to recruit him as a secret informant, who repeated his demands - which Emir-Usein again refused.

Emir-Usein Kuku's family has continued to face harassment since his arrest. On 2 March 2016, around 3.20 pm, an unknown man approached Emir Usein's nine year-old son Bekir near his school while he was waiting for his aunt to pick him up. The man told the boy that he "worked for the FSB" and that his father "did a bad thing and will rot in jail for 10 to 12 years". Scared, the boy told his mother and with the help of Emir-Usein's lawyer, the family filed a complaint with the local police about this incident. No progress has been made in the investigation into the incident – which has since been turned against Emir-Usein himself.

On 26 September 2016, the local inspector for juvenile cases (*inspektor politsii po delam nesovershennoletnikh*) in Koreiz phoned Meriem Kuku. She informed her that, following a request from the Investigative Committee, she was looking into why Emir-Usein was unable to protect his son from harassment by a stranger. When Meriem told the inspector that she should talk to their lawyer first, the inspector insisted that she wanted to meet Bekir on his own and question him about his father. After Meriem refused, the inspector went to Bekir's school and spoke to his teachers. Meriem Kuku fears that these enquiries may have been initiated by the de facto authorities with the intention of stripping her and Emir-Usein of the custody over their son Bekir.

Amnesty International considers the charges against Emir-Usein Kuku to be unfounded and that he is being persecuted for his human rights activities and the legitimate expression of his views. All criminal charges against him must be immediately dropped, and he should be released immediately and unconditionally.

## **ACTIVIST MUSLIM ALIEV DETAINED AND PROSECUTED AFTER CHALLENGING THE RELIGIOUS AUTHORITIES**

Muslim Aliev is an informal leader in his local Muslim community in Alushta, southeastern Crimea. For some time, he has acted as the organizer of the community during conflicts with the local Islamic authority, the Muftiat. In the view of many Crimean Tatars, after the Russian occupation and annexation of Crimea, the Muftiat has been coopted by the de facto authorities, trading its loyalty in exchange for their support. Muslim Aliev's family believe that these conflicts have prompted the criminal investigation against him for membership of a terrorist organization alongside Emir-Usein Kuku.

According to Muslim Aliev's wife Najie, at around 6.30 am on 11 February, a group of armed masked men burst into their house, while they and their four children were sleeping. They were told to lie on the ground at gunpoint. The men proceeded to search their house. One of them presented his identification as an FSB officer and told the family that they were looking for guns, drugs and munitions. When Muslim Aliev insisted on calling a lawyer, he was told that he had no such right.<sup>15</sup>

"They were very rude. Everyone had dirty boots and they went everywhere in our house. One of them threw the Quran to the ground and did not let me pick it up, despite my pleas", Najie Alieva described the search to Amnesty International.

The search lasted over six hours, and nothing in the house was left untouched. The officers conducting it appeared intent on taking every opportunity to humiliate the family. For instance, when searching the cellar where the Alievs keep bags of flour, the officers joked that it might be cocaine. One of them addressed the Aliev's youngest son with a question: "When you grow up, do you want to be like us? To dunk people like your father?"

When the search was over, none of the items the FSB officers purported to be looking for were found. Instead, they confiscated some religious books, the tablet and the family's computer, and took Muslim Aliev away, without announcing where they were taking him despite Najie Alieva's repeated pleas to be informed of this.

At about 8 pm, Muslim Aliev called his wife and told her that he was in Simferopol, in the FSB headquarters. After questioning him, the FSB investigators named him a criminal suspect accused of "organising activities of a terrorist organisation", a crime under Article 205.5 of the Russian Criminal Code, punishable by imprisonment of up to 20 years in connection with his supposed membership of Hizb ut-Tahrir. At the time of writing, criminal proceedings against Muslim Aliev are ongoing and he remains in pre-trial detention.

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<sup>15</sup> Amnesty International's interview with Najie Alieva in Alushta, Crimea on 28 September 2016.

# HARASSMENT OF LAWYERS WORKING ON “TERRORISM” AND “EXTREMISM”-RELATED CASES

Lawyers representing several of those mentioned in this briefing have themselves become targets of harassment, including threats of criminal prosecution and the withdrawal of their professional licenses. Thus, Nikolay Polozov, who is representing Akhtem Chiygoz, was informed on 20 September that the Investigative Committee of Crimea, acting upon request from the Crimean Prosecutor's Office, had instigated a pre-investigation inquiry into his posts on the social media. If the content of his online posts were found to constitute criminal offense under Russian law, this would lead to him losing his professional license (status *advokata*).

Unlike Nikolay Polozov, who is based in Russia and travels regularly to Crimea to represent his clients, lawyer Emil Kurbetdinov lives and works in Crimea. He represented the four defendants in the “Hizb ut-Tahrir case”. He is also often the first lawyer to arrive at the scene when a house belonging to ethnic Crimean Tatars is raided and searched by the FSB and in other instances where members of the Crimean Tatar community require legal assistance vis-à-vis the Russian and de facto Crimean authorities. He has faced a range of threats and other forms of harassment, from authorities he believes are intent on forcing him to give up his legal practice.

Thus, on 30 August 2016, around 20 men in civilian clothes tried to force their way into the building in Simferopol where Emil Kurbetdinov's law firm has its office. Kurbetdinov was not inside, and his colleagues locked the door and refused to let them in without knowing who they were. None of the men introduced themselves, but Kurbetdinov's colleagues were able to recognize some FSB operatives whom they had seen earlier, in court or during house searches. The men insisted that Emil Kurbetdinov should open the door, and kept on banging and hovering outside the windows for the next two and a half hours. After they left, Kurbetdinov's colleagues noticed that a suspicious car with a man inside was parked close to their office, where it remained for several weeks.

Kurbetdinov's fellow lawyers from the Crimean Bar Association told him that the FSB had informally approached several of them and with a request to try to convince him to withdraw from cases involving Crimean Tatars.

On 2 November, Kurbetdinov received a call from an official in Simferopol who told him that he should leave the Crimean Bar Association because he is involved in politics, travels a lot and speaks against Russia. The official warned that all lawyers in the Bar Association would suffer if he did not leave. The chair of the Bar Association also received a call, from an FSB official, who demanded that Kurbetdinov be expelled. The business center where Kurbetdinov rents office space is frequently inspected by the municipal authorities, possibly in an attempt to pressure the landlord into terminating the lease.

## THE CRIMINAL PROSECUTION AND HARASSMENT OF JOURNALIST MYKOLA SEMENA

The right to freedom of expression in particular has taken a severe blow in Crimea, and the current state of the media in the peninsula is a striking testimony to this. The media has ceased to be pluralist, while individual journalists daring to be critical of the de facto authorities are effectively restricted to writing for media based outside of Crimea and under assumed names. Denouncing the Russian occupation and annexation is a criminal offence, under Article 280.1 of the Russian Criminal Code (“Public calls for the implementation of actions aimed at violation of the territorial integrity of the Russian Federation”) introduced two months before the occupation of Crimea and amended further since its annexation, and may lead to prosecution, as the case of Mykola Semena demonstrates.

Mykola Semena is one of the few remaining pro-Ukrainian journalists in Crimea after the occupation and annexation in violation of international law and continued working for international media under different pseudonyms. On 11 September 2015, he published an article titled “Blockade – the Necessary First Step for the Liberation of Crimea” on the website of Krym.Realii, a Radio Free Europe sponsored project.<sup>16</sup>

Using a pseudonym, Semena argued in the article that the blockade of delivery of goods into Crimea, which some Crimean Tatars and other activists had started days earlier on the border with mainland Ukraine, was a form of “struggle necessary for the return of the peninsula to Ukraine”.

“I continued working in Simferopol as if nothing happened. Then, on 19 April 2016, at 7 am someone knocked on my door. It was the Federal Security Service of Russia (FSB). The agents told me that they had started a criminal investigation against me and presented a court order to search my house,” Semena told Amnesty International.<sup>17</sup>

After searching his home, the FSB officers seized Semena's computer, took his mobile phone and requested him to come with them to the FSB regional office in Simferopol for questioning.

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<sup>16</sup> The article is available at: <http://ru.krymr.com/a/27240750.html> (accessed 12 December 2016).

<sup>17</sup> Amnesty International interview with Mykola Semena in Simferopol, Crimea on 27 September 2016.

During the questioning, the officers showed Semena over 30 screenshots from his computer, which had been secretly taken while he was writing his article about the blockade. Semena confirmed that he was the author of the article but insisted that he had not committed any criminal offence.

After the questioning, a case was opened against Semena for the purported crime of “making public calls threatening the territorial integrity of the Russian Federation” Semena was put under travel restrictions which bar him from leaving Simferopol while the criminal proceedings against him are ongoing (which is still the case at the time of writing). He has a pre-existing medical condition on his spine, which was diagnosed before the FSB search in February 2016, requiring surgery.

“Every morning I need about 30 minutes to stretch before I can start moving and get on with my day. I would like to get surgery in Kyiv because I don’t trust the doctors here. My lawyer has made a request to the FSB to lift my travel restriction, but they refused”, Semena told Amnesty International.

In addition to the travel restrictions, Semena has already been placed on the Russian federal list of “extremists”, despite the investigation being ongoing. Being on the list severely restricts Semena’s access to his bank account. He must submit a written application to his bank every time when he wants to withdraw any funds. Semena has stopped working as a journalist because of the criminal investigation and is living off his savings.

“I wasn’t planning on leaving. My house and my family are here. But now I need to get the surgery and I can’t work in Crimea to pay for it. I don’t think I’m guilty. I was just voicing my own opinion.”<sup>18</sup>

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<sup>18</sup> Amnesty International interview with Mykola Semena in Simferopol, Crimea on 27 September 2016.

# RECOMMENDATIONS

## TO THE DE FACTO CRIMEAN AND RUSSIAN AUTHORITIES IN CRIMEA

- Request access for all relevant monitoring mechanisms, including the Committee for the Prevention of Torture, the European Commission against Racism and Intolerance, to the territory of Crimea.
- Effectively and impartially investigate all alleged and suspected cases of enforced disappearance in Crimea since March 2014, and in particular:
  - Immediately disclose the fate and whereabouts of all those arbitrarily deprived of liberty, including those subjected to enforced disappearances, and inform their families accordingly;
  - For those in custody either release them immediately or bring them before a competent civilian court and charge them with a recognisable criminal offence, ensure that they have access to a lawyer of their choice, to medical care and to their families;
  - Bring to justice in fair trials anyone suspected of criminal responsibility for crimes under international law and other serious human rights violations, including any arbitrary deprivation of liberty, unlawful killing or enforced disappearance.
- Respect the rights to freedom of expression, peaceful assembly and association, and ensure that these can be exercised by any individual and group in Crimea, without discrimination on the grounds of political or religious views, ethnicity, or any other grounds:
  - Remove the restrictions imposed on the right to peaceful assembly, including the highly restrictive regulations introduced under Russian law, as well as any arbitrary prohibitions which affect the exercise of this right by members of the Crimean Tatar community and any other groups and individuals;
  - Allow and facilitate media outlets that have been unlawfully closed, or forced to close, under the requirement to re-register under the Russian law, to reopen;
  - Ensure that journalists have unrestricted access to, and the freedom to conduct their professional activities in, Crimea, including those from mainland Ukraine;
  - Investigate all reported instances of unlawful detention, intimidation and harassment of journalists in Crimea, and bring those suspected of criminal responsibility to justice in fair trials;
  - End the practice of blocking access to online resources on arbitrary grounds and without judicial authorisation.
- Remove the Mejlis of the Crimean Tatar People from the list of “extremist organisations” and lift all the associated restrictions imposed on its activities.
- Cease the use of criminal proceedings to harass and imprison individuals peacefully opposed to the Russian occupation and annexation of Crimea.
- Stop arbitrary house searches, summons for questioning and other forms of harassment by members of the police and the security services of those peacefully opposed to Crimea’s annexation.
- Immediately and unconditionally release and drop all charges against Akhtem Chiygoz.
- Drop all criminal charges against Ilmi Umerov, Mykola Semena, as well as anyone else who has been arbitrarily subjected to criminal or administrative proceedings in connection with their peaceful activism, pro-Ukrainian or other peaceful views critical of or disapproved by the de facto Crimean and the Russian authorities.
- Immediately end the transfer of Crimean residents to Russia and their trials before Russian military courts.
- Quash the convictions in unfair trials of membership of Hizb ut-Tahrir; any retrial must respect international fair trial standards and international humanitarian law, and be conducted before a civilian court within Crimea.
- Immediately release and drop all charges against Emir-Usein Kuku.
- Ensure that Muslim Aliev, and other individuals under investigation for alleged membership of Hizb ut-Tahrir, are provided with sufficient elements of the accusations against them to effectively challenge their detention on remand; cases that move to trial must be

heard in Crimea and scrupulously respect fair trials standards.

- Ensure that all lawyers in Crimea are able to perform their professional duties without intimidation, hindrance, harassment or improper interference in accordance with the UN Basic Principles on the Role of Lawyers.
- Cooperate fully with all international and regional monitoring mechanisms, in particular with the UN, OSCE and Council of Europe, as well as all independent human rights monitoring initiatives, including by providing them with full and unrestricted access to Crimea and, in particular, by lifting the requirement to obtain a Russian visa to visit Crimea.

## **TO THE UKRAINIAN AUTHORITIES**

- Promptly ratify the Rome Statute of the International Criminal Court, signed on 20 January 2000.
- Develop a programme of state support to victims of human rights violations from Crimea and ensure that it is made as accessible to them as possible in present circumstances, including, amongst other things, a programme of effective legal, consular, medical, psychological and other support to individuals in or from Crimea, including those transferred to Russia as part of their criminal prosecution.
- Cooperate fully with all international and regional monitoring mechanisms and explore all available opportunities to facilitate the extension of their mandate (where this is not yet the case) and their access to Crimea.
- Facilitate independent human rights monitoring in, and access to, Crimea by other actors, including international non-governmental organisations, in particular by easing the legislative restrictions outlined in the Ukrainian Council of Ministers decree #722 from 16.09.2015.

## **TO THE INTERNATIONAL COMMUNITY**

- Explore every available opportunity for effective monitoring of the human rights situation in Crimea.
- Use every available opportunity to address human rights issues in Crimea with the Russian authorities in bi- and multi-lateral fora, and insist on full respect for human rights and for Russia's obligations to protect them under international law.
- Insist on Russia's full cooperation with all international and regional monitoring mechanisms, including by granting full and unrestricted access to their representatives to Crimea.

## **TO THE OSCE**

- Escalate efforts to ensure full implementation of the mandate of the Special Monitoring Mission to Ukraine, which extends to Crimea, including by insisting on full and unrestricted access to the peninsula.
- Provide as effective and comprehensive monitoring of human rights violations in Crimea as possible in the circumstances, and regular public updates on findings.

## **TO THE UN OFFICE OF HIGH COMMISSIONER FOR HUMAN RIGHTS**

- Escalate efforts to ensure full implementation of the mandate of the Human Rights Monitoring Mission to Ukraine, which extends to Crimea, including by insisting on full and unrestricted access to the peninsula.
- Provide as effective and comprehensive monitoring of human rights violations in Crimea as possible in the circumstances, and regular public updates on findings.

## **TO THE COUNCIL OF EUROPE**

- The Committee of Ministers and the Secretary General should ensure regular political consultations to address the human rights situation in Crimea and find solutions that ensure and facilitate the immediate and unrestrained access for all Council of Europe human rights monitoring mechanisms and bodies, including the European Committee for the Prevention of Torture, the Commissioner for Human Rights, the Advisory Committee of the Framework Convention for the Protection of National Minorities , the European Commission against Racism and Intolerance, to the territory of Crimea.
- Ensure that the Parliamentary Assembly is given unrestricted access to Crimea to observe and report on the human rights situation there as a matter of priority in line with its Resolution 2133 (2016) on Legal remedies for human rights violations on the Ukrainian territories outside the control of the Ukrainian authorities, adopted in October 2016 . The PACE should continue to follow closely and debate regularly the political and humanitarian consequences of the conflict in Ukraine also as per Resolution 2132 on the Political consequences of the Russian aggression in Ukraine, adopted in October 2016.



# CRIMEA IN THE DARK

## THE SILENCING OF DISSENT

Since the Russian occupation and annexation of Crimea in February-March 2014, the Russian and de facto local authorities, have demanded total submission to this brute fact. With most opponents of Crimea's annexation harassed into exile or silence, Crimean Tatar leaders and activists have been the most organized focus of opposition, and have borne the brunt of the repression. Their representative structure, the Mejlis, was banned as an "extremist" organisation and any association with it has been outlawed; its leaders have been exiled or prosecuted on a range of trumped up charges; several have been forcibly disappeared. The most popular Crimean Tatar-language media outlets have been forced to close and have been blocked from reaching their audiences in Crimea via the internet. Public protest has been extinguished. Beyond the fundamental political questions relating to Crimea's annexation, Russia remains bound by the full range of international human rights law. It has shown that it is only too happy to flout these as it seeks to consolidate its hold on peninsula. Those silenced and bullied need others, internationally, to speak out alongside them.