



HUMAN RIGHTS CONCERNS IN CRIMEA: MARCH 2020 UPDATE

The human rights situation in Crimea has continued to deteriorate, including since Amnesty International's last submission to UNESCO in July 2019. The downward trend has been very clear with regard to issues and cases that fall either within the scope of UNESCO's competence or have direct implications for matters that lie within several fields of UNESCO's work. For more details, please refer to Amnesty International's past submissions.

The rights to freedom of expression, peaceful assembly and association in particular have been affected, as policies of harassment, threats and intimidation of critics and opponents of the de facto authorities have continued unabated ever since the peninsula's occupation and illegal annexation by Russia in 2014. These policies have particularly targeted prominent members and activists of the Crimean Tatar community, pro-Ukrainian activists and public figures, and members of faith-based groups, amongst others.

The ongoing severe clampdown on freedom of association and peaceful assembly has continued to impact enjoyment of other rights including cultural rights.

The Mejlis of the Crimean Tatar People, the self-governing organisation of the Crimean Tatars that had played a leading role in promoting Crimean Tatar culture, identity and traditions, has been arbitrarily banned since 2016 under Russian anti-extremist legislation. The numerous cultural and educational events of the Crimean Tatar community that previously took place under the auspices of the Mejlis are no longer possible. Any open association with it is considered a criminal offence. For information on specific cases of persecution and imprisonment of members of the Mejlis please see Amnesty International's previous submissions.

In the absence of the Mejlis, and following the closure of independent Crimean Tatar-language media and the ousting of all other independent media (see Amnesty International's previous submissions), and in response to numerous ongoing human rights violations targeting the Crimean Tatar community, Crimean Solidarity emerged as a grassroots self-help group which brought together many active members of the community. Its members too, have been targeted by the de facto authorities with harassment and reprisals. Dozens of its members have been arrested under terrorism-related charges and faced politically-motivated prosecution. The founder and coordinator of Crimean Solidarity, human rights defender and prisoner of conscience [Server Mustafayev](#), has been in detention since May 2018, under falsified terrorism-related charges. In September 2019 he was transferred from Crimea to southwest Russia for a trial at a military court. Along seven other men, his co-defendants, Server Mustafayev is facing terrorism-related charges that carry a sentence of up to 25 years in prison. Meanwhile he has been subjected to ill-treatment in custody, while the lawyers working on his case have faced harassment by the Russian authorities.



The prosecution alleges that Server Mustafayev and his co-defendants are members of Hizb ut-Tahrir, an international Islamic organisation that is banned as "terrorist" in Russia but is legal in Ukraine. Notably, its members have not engaged in, nor advocated violence, in Crimea neither before nor after the peninsula's occupation in 2014 – nor have its alleged members in Russia; the listing of Hizb ut-Tahrir as "a terrorist" organisation by the Russian authorities appears arbitrary. Involvement with this organisation, whether real or purported, has been widely used by the occupying Russian authorities to target members of the Crimean Tatar community, and particularly human rights defenders (please see details of the case of Emir-Usein Kuku in Amnesty International's previous submissions) and members of Crimean Solidarity. It has become a blunt tool for prosecuting dissenting voices from among practicing Muslims in Crimea.

In Server Mustafayev's case, the only evidence against him is an audio-recording of his brief theological remarks made during a religious lecture held at a mosque in Bakhchisaray and attended by some 70 people, in which he talks about his understanding of love in light of Muslim beliefs, and in which he said nothing that could be construed as inciting hatred or violence.¹

While dozens of members of Crimean Solidarity have faced politically motivated criminal proceedings, numerous other members of the group and of the Crimean Tatar community have faced other forms of harassment and reprisals, including arbitrary intrusive house searches, unofficial interrogation by Russian security forces, and intimidation. As recently as the last week of March 2020, members of Russian law enforcement agencies visited the homes of several members of Crimean Solidarity, including its current coordinator Mustafa Seydaliyev, and human rights defender Abdureshit Dzhepparov amongst others, and served them with an official written warning against taking part in "unsanctioned actions between 1 and 5 May 2020." The warnings were referring to a peaceful march from mainland Ukraine to Crimea announced by the exiled activist Rifat Chubarov, for 5 May, and the warnings are intended to prevent any assembly of Crimean Tatars and their supporters on these dates in Russia-occupied Crimea.

Such warnings are a widely used practice in Russia whereby law enforcement officials notify specific individuals, often political and civil activists engaged in peaceful protest activities, to inform them that their activities, or planned activities, are regarded unlawful and must stop under threat of criminal prosecution.²

Other dissenting groups in Crimea, including faith-based groups, have been targeted by the de facto authorities, in connection with their held beliefs or their religious affiliation outside Crimea and Russia.

¹ <https://www.amnesty.org/en/documents/eur46/1351/2019/en/>

² For instance, the leader of the Mejlis of the Crimean Tatar People Rifat Chubarov, was served such a written warning against "extremist activities" before the Mejlis was banned as an "extremist" organisation.



Since February 2019, the de facto authorities have been demanding that the Orthodox Church of Ukraine (OCU) vacates the building of the Cathedral of St Vladimir and St Olga in Simferopol, allegedly on account of the expiration of the OCU's lease. The de facto authorities refuse to extend the lease unless the OCU registers under Russian legislation, which has been extended wholesale to Crimea in violation of international humanitarian law. For its part, the OCU in Crimea cannot meet the registration requirements without violating Ukraine's criminal law applicable to its occupied territories and prohibiting collaboration with the occupying authorities. The OCU has attempted to appeal the de facto court eviction order. However, not only has the appeal has been unsuccessful but in March 2020 it was also ordered to pay 50,000 rubles of court expenses.

In 2015, the OCU had already lost two church buildings, and has been litigating since in an attempt to have them returned. According to Archbishop Clement (Klyment), OCU's eviction from the Cathedral will lead to the closure of all eight remaining OCU parishes on the peninsula. Should this happen, Russian law will bar it from being able to relocate its movable property such as icons to mainland Ukraine.

Jehovah's Witnesses is another faith-based group in Crimea which is facing extreme reprisals. Its members are persecuted for their religious beliefs following the 20 April 2017 arbitrary decision by the Russian Supreme Court to ban Jehovah's Witnesses in Russia as an "extremist organization". On 5 March 2020, Dzhankoi District Court [sentenced Jehovah's Witness Sergei Filatov to six years of imprisonment](#) in a penal colony after it found him guilty of "organizing the activities of an extremist organization". He is a prisoner of conscience imprisoned solely for peacefully exercising his right to freedom of religion and belief.³ Another Crimean Jehovah's Witness, Artyom Gerasimov from Yalta, was also criminally convicted and sentenced to a fine of 400,000 rubles (6,000 US dollars).

According to watchdog Forum 18, administrative proceedings were opened against 23 individuals in 2019, for ill-defined "missionary activity" (including for holding worship at unapproved venues or for sharing their faith on the street), of which 17 ended in fines. Further cases have continued in 2020.

There has been no improvement in Crimea in terms of media freedom. All independent media outlets have been closed or ousted from the peninsula to mainland Ukraine following Russian occupation, their online editions continued to be blocked by internet operators, and open independent media work in Crimea has been impossible (see details in Amnesty International's previous submissions). Throughout 2019, occupying Russian authorities repeatedly refused entry to Crimea to Ukraine-based journalists, including to photographer Alina Smutko in February (barred from Russia and Crimea until 2028) and reporter Alyona Savchuk in November (also barred until 2028). On 18 January 2020,

³ <https://www.amnesty.org/en/latest/news/2020/03/crimea-jehovahs-witness-sentenced-to-six-years-in-a-penal-colony/>



Ukrainian journalist Taras Ibrahimov was barred from entering Crimea and issued with an official warning not to attempt re-entry until 2054 or face criminal prosecution under Russian law. All three believe they were denied entry because of their journalistic work.

The only positive news was the decision of 14 January 2020 by a de facto court in Simferopol to terminate probation and expunge the criminal record of, and lift travel restrictions on, journalist Mykola Semena, who had been convicted in September 2017 under trumped-up charges of “threatening the territorial integrity of the Russian Federation”, for speaking out against the Russian occupation of Crimea. Following this, the journalist left Crimea indefinitely (see details of Mykola Semena’s case in Amnesty International’s previous submissions).

At the same time, reprisals against critical media voices in Crimea – now restricted to the internet – continued.

On 2 October 2019, Crimean blogger Nariman Memedeminov was convicted of “public calls to terrorism” by the military court in Rostov-on-Don, in southwest Russia, and sentenced to two years and six months of imprisonment. He was prosecuted in relation to videos in his vlog on YouTube, posted between 2013 (predating Russian occupation) and 2015, in which Nariman Memedeminov allegedly made political, religious (he is a practicing Muslim) and other commentaries.

On 1 January 2020, Yalta-based blogger Yevhen Gayvoronskiy was deported to mainland Ukraine, via Russia, by the Russian Federal Security Service (FSB). Twice during 2019, in March and in October, the blogger was arrested and sentenced to 12, and the second time 15 days of so-called administrative detention, for allegedly using addictive medications without medical prescription and refusing to undergo drug rehabilitation. Yevhen Gayvoronskiy insisted that he had no drug addiction and that his arrests were politically motivated. Notably, in 2014 he welcomed Russia's annexation of Crimea, and later supported the de facto authorities, but the reprisals against him started soon after he turned their critic in his online posts. While in detention the second time, Yevhen Gayvoronskiy was accused of insulting Russian authorities and symbols online (an offence under Article 20.1(3) of the Russian Code of Administrative Offences). On 20 December 2019, a court in Yalta ruled that Yevhen Gayvoronskiy had fraudulently acquired Russian citizenship and invalidated it, leading to his deportation.