

SITUATION ANALYSIS **IN THE OCCUPIED CRIMEA** **AS OF 2020**





Situation analysis in the occupied Crimea as of 2020

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The publication presents the results of the analysis of information obtained from open sources during the interviews of activists, lawyers, victims of repressions and their relatives, monitoring of the Committee for the Protection of Rights of the Crimean Tatar People and the Crimean Tatar Resource Center.

Based on this analysis, the authors developed recommendations aimed at preventing and minimizing the negative consequences of the actions of the occupying authorities in Crimea.

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INTRODUCTION

In 2014, the Russian Federation occupied Crimea, the homeland of the indigenous Crimean Tatar people, and part of the territory of a sovereign state, Ukraine, in violation of Article 3 of the UN Declaration on the Rights of Indigenous Peoples¹, as well as its obligations under the Budapest Memorandum². The first reaction to these actions was the European Parliament resolution «On the invasion of Ukraine by Russia»³ adopted on March 13, 2014 and the UN General Assembly resolution 68/262 «Territorial Integrity of Ukraine»⁴ adopted on March 27, 2014. With this resolution, the UN General Assembly declared the Crimean referendum illegal and called on all states, international organizations and specialized agencies not to recognize the change in the status of the Autonomous Republic of Crimea and the city of Sevastopol on the basis of the March 16 referendum and to refrain from any action or dealing that might be interpreted as recognizing any such altered status.

In accordance with the Statement of the Verkhovna Rada of Ukraine on repelling the armed aggression of the Russian Federation and overcoming its consequences⁵, February 20, 2014 was recognized as the official date of the beginning of the Russian temporary occupation of Crimea. In this regard, the responsibility for all events in Crimea, since February 20, 2014 lies on the Russian Federation, as a state that effectively controls the territory, in accordance with the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949⁶. Interim decision⁷ on the admissibility of the interstate lawsuit «Ukraine v. Russia» of the European Court of Human Rights of December 16, 2020 found that from February 27, 2014, the Russian Federation extends its jurisdiction over Crimea.

The Crimean Tatar people and pro-Ukrainian activists opposed the occupation. To overcome nonviolent resistance, the occupying authorities launched a campaign to persecute them and create an image of an «internal enemy» using hate speech, violating fundamental human rights and collective rights in particular of the indigenous Crimean Tatar people. The de facto authorities actively use all instruments of pressure: illegal detentions, arrests, searches, the institution of fabricated administrative and criminal cases, threats, beatings, torture, abductions, murders, denial of re-registration and illegal alienation of private property, destruction of property. All these crimes are systemic.

This document analyzes information obtained from open sources during interviews with activists, lawyers, victims of repression and their relatives, monitoring of the Committee for the Protection of Rights of the Crimean Tatar People and the Crimean Tatar Resource Center. Based on this analysis, the authors have developed recommendations aimed at preventing and minimizing the negative consequences of the actions of the occupying power in Crimea.

1 <https://undocs.org/A/RES/61/295>

2 https://zakon.rada.gov.ua/laws/show/998_158

3 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014IP0248&qid=1582481437326&from=EN>

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

5 <https://zakon.rada.gov.ua/laws/show/337-19>

6 https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.33_GC-IV-EN.pdf

7 <https://hudoc.echr.coe.int/eng#%7B%22tabview%22:%7B%22document%22%7D%22itemid%22:%7B%22001-207622%22%7D%7D>

INDIVIDUAL RIGHTS

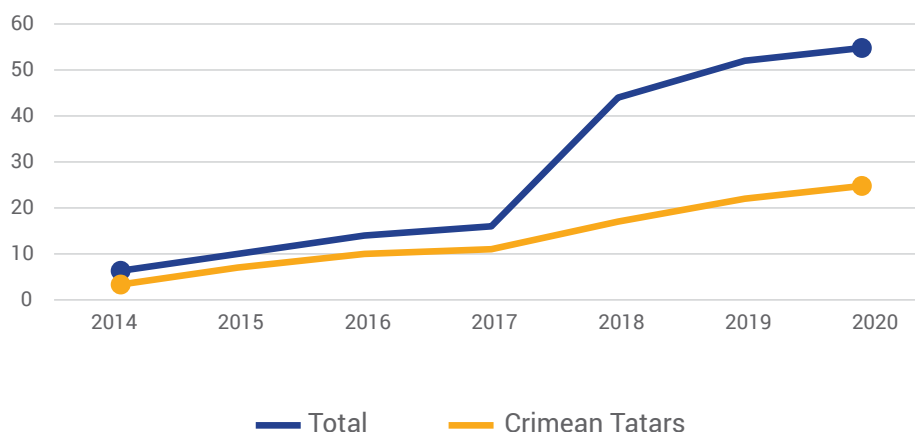
Right to life

In 2020, as a result of actions or inaction of de facto law enforcement agencies in Crimea, **3** representatives of the Crimean Tatar people died. Musa Suleymanov, a 3-year-old son of political prisoner Ruslan Suleymanov, who disappeared on July 24, 2020, was found dead on July 26. On July 20, 2020, the father of political prisoner Vadym Bektemyrov, Zaidin Bektemyrov, died of a heart attack on the 13th day after his son was detained. Neither Ruslan Suleymanov nor Vadym Bektemyrov were allowed to attend the funeral of family members. Diliaver Seitmetmetov, who disappeared on November 19, 2020, was found dead on November 28.

The death of pro-Ukrainian activists and representatives of the indigenous Crimean Tatar people under the so-called mysterious circumstances began on February 20, 2014, when the legal Ukrainian law enforcement system virtually ceased to perform its functions. The result was the formation of the «Crimean Self-Defense», a paramilitary association controlled by the Federal Security Service of the Russian Federation, which brutally suppressed any disapproval of their position. The first victim was a representative of the indigenous Crimean Tatar people, Reshat Ametov, who in 2014 went on a solitary picket against the occupation, was forcibly abducted by people in military uniform, and later his body was found with traces of torture.

In 2014, 6 people died, in 2015 — 4 people, in 2016 — 4 people, in 2017 — 2 people, in 2018 — 28 people (including 21 victims of the Kerch terrorist attack on October 17), in 2019 — 8 people, in 2020 — **3** people, which is a direct violation of Articles 1, 2, 3, 28, 30 of the Universal Declaration of Human Rights⁸, Articles 2, 5, 14, 17, 18 of the European Convention on Human Rights⁹, Article 1 of Protocol No.12 and Articles 1, 2, 7, 9 of the UN Declaration on the Rights of Indigenous Peoples.

People, who died over the occupation period of Crimea



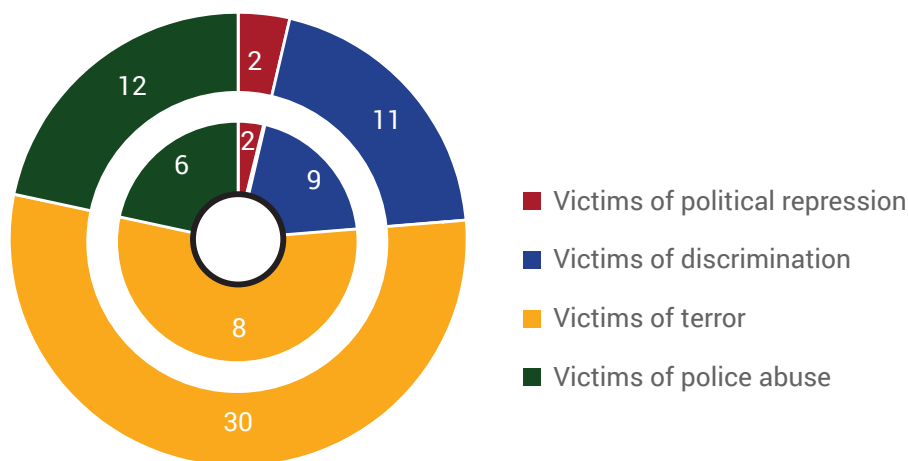
⁸ https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

⁹ https://www.echr.coe.int/Documents/Convention_ENG.pdf

A total of 55 people died during the occupation, given that these people were victims of crime, for various reasons, the Crimean Tatar Resource Center has developed a Classification of «Victims of the occupation of Crimea». It consists of four categories: Victims of political repression, Victims of discrimination, Victims of terror, Victims of police abuse.

The first group includes people who were socially active and opposed the actions of the occupation structures, which was the cause of their deaths. The second group includes representatives of the Crimean Tatar people and ethnic Ukrainians, the circumstances of their death remain unknown. The third group includes victims of the Kerch terrorist attack on October 17, 2018, as well as victims of violent death. The fourth group includes people who died from the actions of representatives of the so-called law enforcement or in jail.

55 people killed over the occupation period of Crimea, 25 of them are the representatives of the Crimean Tatar people

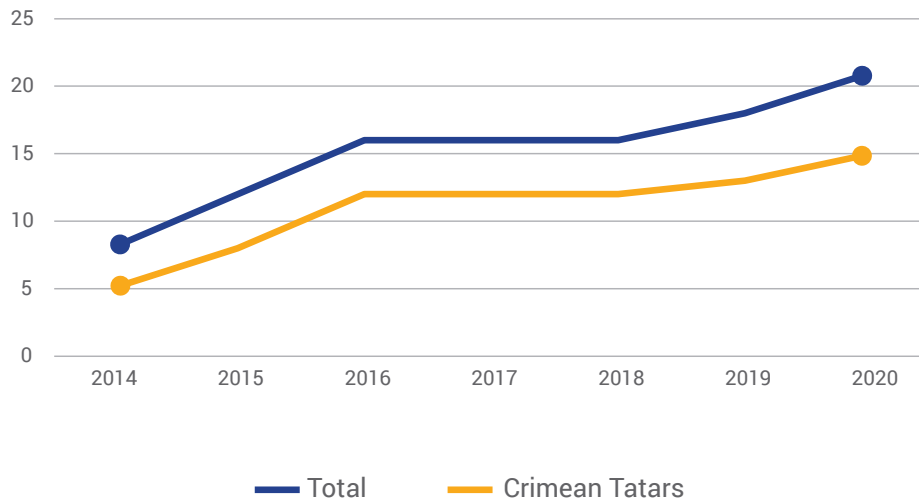


Abduction of people

The practice of abduction and disappearance of people who have an active civil position has become regular. As of March 13, 2020, there is no reliable information about the whereabouts of a 38-year-old **Marlen Shevketov**. As of April 28, 2020, there is no reliable information about the whereabouts of a minor **Kateryna Kalapova** from Simferopol. According to the Liza Alert search and rescue team, as of June 24, 2020, there is no reliable information about the whereabouts of a 41-year-old **Shevket Aripov**.

In 2014, 8 people went missing on the territory of the occupied Crimea, in 2015 — 4 people, in 2016 — 4 people, in 2019 — 2 people, in 2020 — 3 people. So far there is no information about them, this is a violation of Articles 1, 2, 3, 28, 30 of the Universal Declaration of Human Rights, Articles 2, 5, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 7, 9 of the UN Declaration on the Rights of Indigenous Peoples.

Victims of abductions over the occupation period of Crimea



A total of **21** people became victims of enforced disappearances over the occupation period, including **Ervin Ibragimov**, a member of the Coordinating Council of the World Congress of Crimean Tatars. His whereabouts have remained unknown for more than four years. The Crimean Tatar Resource Center classified the missing during the occupation based on the de facto actions of the Crimean authorities. The first category includes people who, according to the website¹⁰ of the so-called Main Investigation Department of the Investigative Committee of the Russian Federation for the Republic of Crimea and the city of Sevastopol are wanted. The second category includes people, who are not wanted.

21 victims of abductions over the occupation period of Crimea, 15 of them are the representatives of the Crimean Tatar people

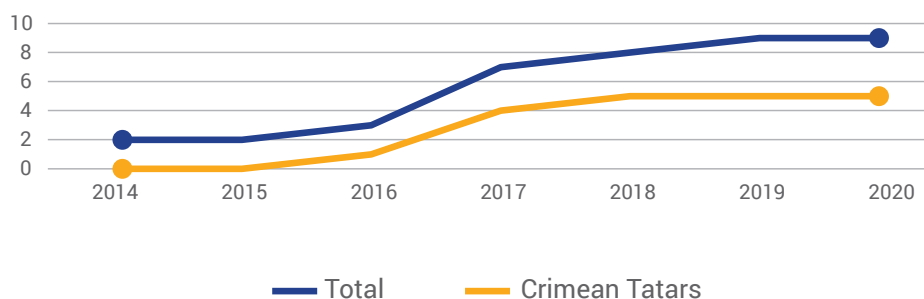


¹⁰ https://crim.sledcom.ru/attention/missing_persons

Cases of abductions of people who were later found by activists in order to intimidate and persuade them to cooperate with so-called law enforcement agencies are systematically recorded. Similar cases were recorded: in 2014 – 2 cases, in 2016 — 1 case, in 2017 — 4 cases, in 2018 — 1 case, in 2019 — 1 case, which directly violates Articles 1, 2, 3, 5, 28, 30 of the Universal Declaration of Human Rights, Articles 2, 3, 5, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Article 1, 2, 7, 9 of the UN Declaration on the Rights of Indigenous Peoples.

An example is the abduction in September 2017 of Renat Paralamov by FSB officers, who persuaded him to cooperate. The next day after his so-called detention, he was found at the bus station with traces of torture. Paralamov himself stated that FSB officers tortured him with tasers, damaged his jaw and threatened to rape him with a metal pipe.

People, who disappeared, but were found later



Since the beginning of the occupation, in violation of Article 64 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, the Russian Federation began to apply its own criminal law in the occupied Crimea. It also destroyed the system of independent Ukrainian courts, creating in return and in violation of Article 67 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, the so-called courts, which are fully controlled by the Russian and occupying authorities, and also consider the so-called cases in violation of Article 71 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949. In addition, it has become common practice to prosecute actions committed before the occupation of Crimea, which is a violation of Article 70 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

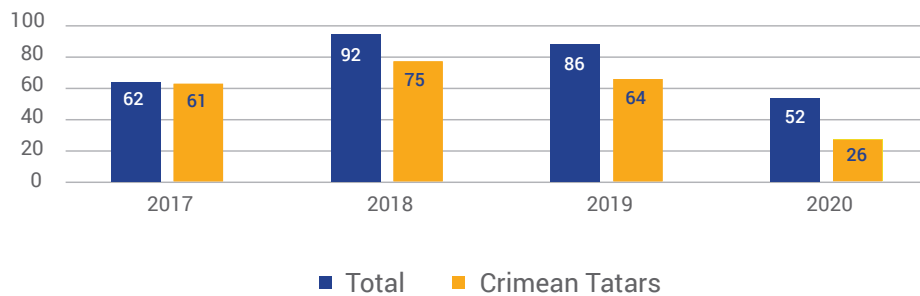
Searches

Since the beginning of the occupation of Crimea, searches of the dwellings of Crimean Tatar people and pro-Ukrainian activists have become a regular practice. As a rule, the so-called militiamen break into dwellings early in the morning, behave rudely and cruelly. In 2020, at least **52** searches were recorded in the occupied Crimea, **26** of which were in the dwellings of Crimean Tatars. This figure is almost 2 times less than in 2019 and 2018 and is almost identical to the number of searches in 2017 (62). Such dynamics, according to the CTCRC experts, is related to the pandemic of coronavirus infection.

Despite the decrease in the number of searches in 2020, the trend of conducting mass

searches on suspicion of involvement in prohibited in Russia organizations «Hizb ut-Tahrir and «Jehovah's Witnesses» remains unchanged. Also, formal reasons for conducting searches were allegedly participation in the «Noman Çelebicihan Crimean Tatar Volunteer Battalion», espionage in favor of Ukraine, extremism, the spread of hatred or enmity, and others. A new feature is searches for a so-called failure to report a crime.

Searches in 2017 — 2020

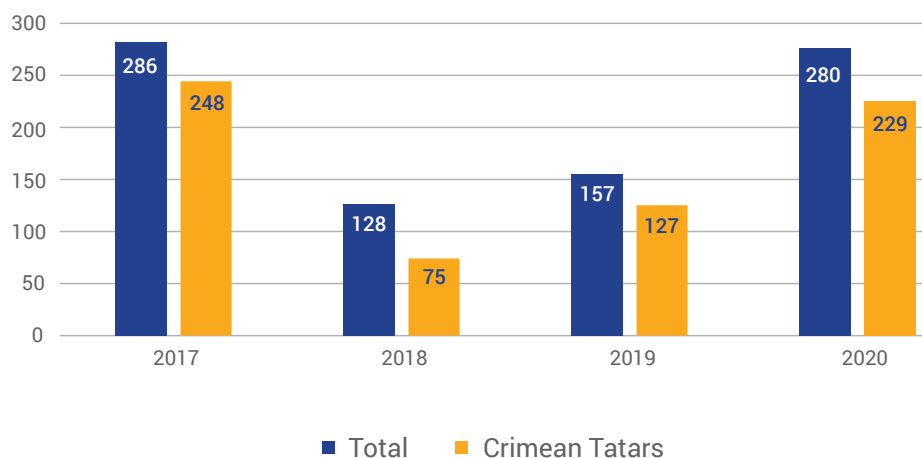


During searches, security forces violate the rights of victims. In particular, during the intrusion into the dwellings there were cases of damage to property, or searches in the absence of the owner, or planting prohibited literature. Thus, the occupying power is trying to discredit the indigenous people of Crimea and pro-Ukrainian activists in the eyes of the Russian and international community, presenting them as terrorists and extremists. These actions are a violation of Articles 1, 2, 3, 12, 28, 30 of the Universal Declaration of Human Rights, Articles 5, 8, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 7, 9, 12 of the UN Declaration on the Rights of Indigenous Peoples.

Detentions

In the occupied Crimea, there is a tendency for mass detentions after searches, usually on suspicion of involvement in the prohibited in Russia organizations Hizb ut-Tahrir and Jehovah's Witnesses, participation in the Noman Çelebicihan Crimean Tatar Volunteer Battalion, failure to report a crime, public calls for terrorist / extremist activities, participation in a terrorist organization, espionage in favor of Ukraine, illegal acquisition, storage, transportation of explosives, ammunition, etc. In 2020, **280** detentions were recorded in the occupied Crimea, **229** of which were against Crimean Tatars. This figure is almost 2 times higher than last year (157), in 2018 it was known about 128 cases of detention, and in 2017 — about 286 cases.

Detentions in 2017 — 2020

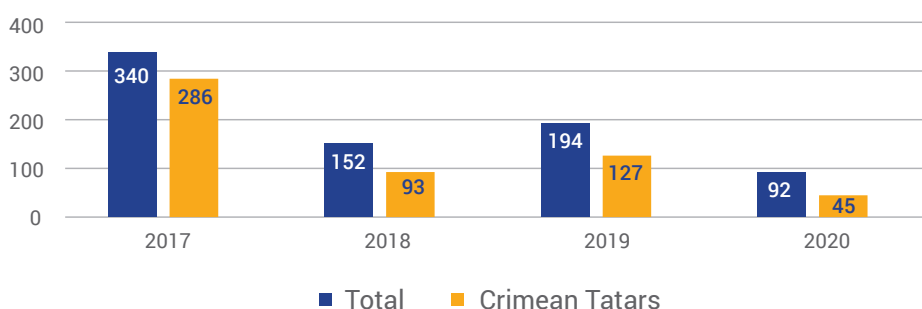


Activists who come to support political prisoners at the so-called court sessions are systematically detained. In 2020, the trend was to detain representatives of the Crimean Tatar people on the way to the Rostov region through the so-called Kerch Bridge to participate in court sessions on the Kremlin's transferred hostages. These actions are a violation of Articles 1, 2, 3, 7, 9, 28, 30 of the Universal Declaration of Human Rights, Articles 5, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Article 1, 2, 7, 9, 12 of the UN Declaration on the Rights of Indigenous Peoples.

Interrogations, interviews, conversations

Another common tool for pressuring and intimidating activists is calling them in for interrogations, interviews and so-called conversations. In 2020, **92** cases of interrogations, interviews and conversations were recorded in the occupied Crimea, **45** of which were against representatives of the Crimean Tatar people. Compared to previous years, the number of interrogations has decreased: in 2019, 194 cases were recorded, in 2018 — 152, in 2017 — 340.

Interrogations, interviews, conversations in 2017 — 2020



Most of the interrogations, interviews and conversations were conducted after illegal detentions, including on the administrative border with Crimea. Crimean Tatar and pro-Ukrainian activists,

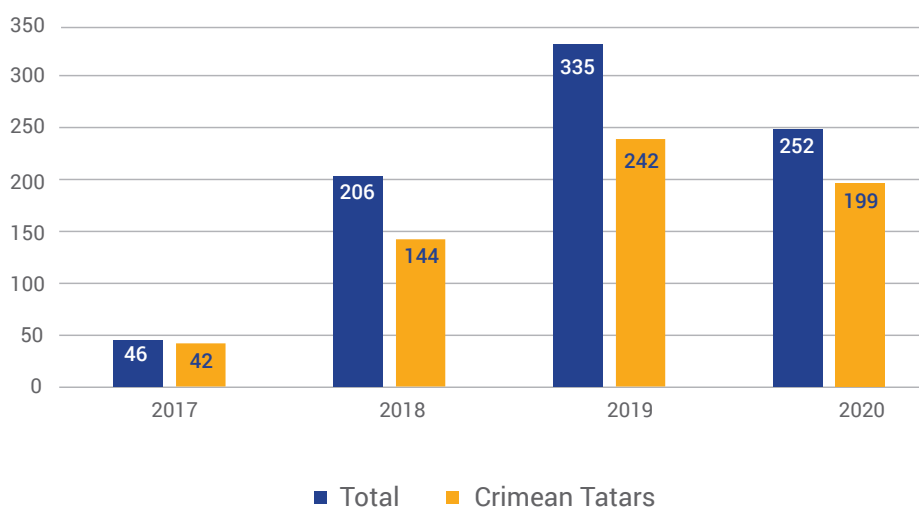
left-wing activists, and religious figures who were imams of the mosques, detained Crimeans on suspicion of alleged participation in banned in the Russian Federation Hizb ut-Tahrir, Jehovah's Witnesses, and detained Crimean Tatars on suspicion of alleged participation in the Noman Çelebicihan Crimean Tatar Volunteer Battalion, in calls for extremist or terrorist activity, in making explosives. In addition, cases of interrogation/ interviews of relatives of political prisoners, religious figures, activists of the Crimean Tatar national movement, members of regional mejlises, and others were registered. These actions violate Articles 1, 2, 3, 7, 28, 30 of the Universal Declaration of Human Rights, Articles 5, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 7, 9 of the UN Declaration on the Rights of Indigenous Peoples.

Arrests

The occupying authorities of Crimea continue the policy of keeping activists in pre-trial detention centers, primarily due to the institution of new cases and extension of detention periods.

In 2020, **252** arrests were recorded in the occupied Crimea, **199** of which were against the indigenous people. Out of 252 cases: 47 are new arrests, 16 — sentencing, 189 cases — extension of detention periods of political prisoners in Crimea. In this category, we observe the following trend: in 2019, 335 cases of arrests were recorded, in 2018 — 207, and in 2017 — 46. Despite this trend, the policy of systematic extensions of detention periods, new arrests and the imposition of long prison terms in Crimea has remained unchanged in recent years. These actions violate Articles 1, 2, 3, 7, 9, 13, 28, 30 of the Universal Declaration of Human Rights, Articles 5, 13, 14, 17, 18 of the European Convention on Human Rights, Article 2 of Protocol No.4 and Article 1 of Protocol No.12, Articles 1, 2, 7, 9, 12 of the UN Declaration on the Rights of Indigenous Peoples.

Arrests in 2017 — 2020



Politically motivated persecution

In the occupied Crimea, new fabricated so-called criminal cases are instituted every year, including the ones against Crimean Tatar and pro-Ukrainian activists. In 2020, **39** people became new participants in the so-called criminal cases.

The third Bakhchysarai Hizb-ut Tahrir case: **Osman Seytumerov, Seytumer Seytumerov, Rustem Seitmemetov, Amet Suleimanov, Seytumer Seytumerov.**

The case of the so-called spies: **Kostiantyn Shyrynha**, a resident of Sevastopol.

The case of Noman Çelebicihan Crimean Tatar Volunteer Battalion: **Nariman Mezhmedynov, Medzhyt Abliamitov.**

The case of Jehovah's Witnesses: **Artem Shablii, Yevhen Zhukov, Volodymyr Maladyka, Volodymyr Sakada, Ihor Schmiedt**, a resident of Simeiz.

The July 7 Hizb-ut Tahrir case: **Vadym Bektemyrov, Zekirya Muratov, Ismet Ibrahimov, Emil Ziyatdynov, Alim Sufianov, Seyran Khayretdynov, Oleksandr Syzykov.**

The case of non-reporting: **Ayder Kadyrov, Ayder Ablyakimov, Ridvan Umerov, Enver Topchi.**

The case of Rosliakov's followers: 2 teenagers (data to be specified).

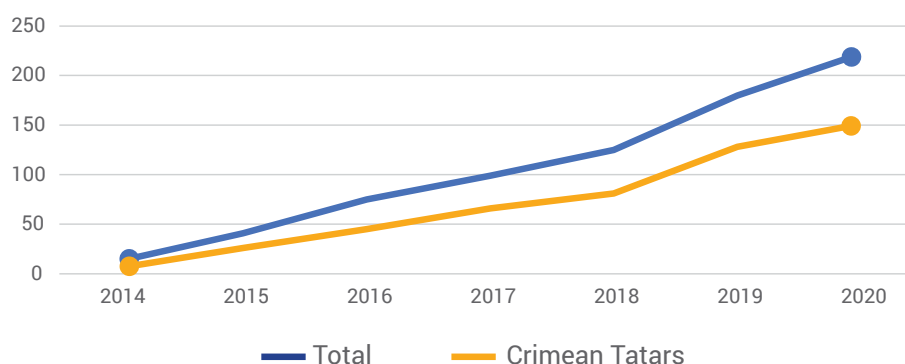
The case of saboteurs: **Valentyn Khoroshaiev, Andrii Kuliievych, Reshytnychenko, Lahutin.**

The second Simferopol Hizb-ut Tahrir case: **Ruslan Bulhakov, Ruslan Zaurov, Eldar Ibrahimov.**

Single cases: **Oleksandr Dolzhenkov, Ruslan Bekirov, Ayder Muzhdabaiev, Ilver Ametov**, a resident of Evpatoria, a resident of Kerch, as well as a Crimean, whose names remain unknown.

In 2014, 13 people became political prisoners, in 2015 — 27 people, in 2016 — 34 people, in 2017 — 24 people, in 2018 — 26 people, in 2019 — 55 people, in 2020 — **42** people. These actions violate the provisions of Articles 1, 2, 3, 7, 28, 30 of the Universal Declaration of Human Rights, Art. 5, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 7, 9, 12 of the UN Declaration on the Rights of Indigenous Peoples.

Political prisoners and persecuted in the criminal cases in 2014 — 2020



According to this indicator, from 2017 to 2019 there is an active growth caused by the authorities' desire to suppress any civil resistance under the guise of fighting so-called terrorists, as accusations are made of organizing or participating in the activities of Hizb ut-Tahrir banned in Russia and Jehovah's Witnesses. The slowdown in growth in 2020 is due to the quarantine restrictions imposed to prevent the spread of coronavirus infection.

Sentences

In 2020, **16** people were sentenced in the criminal cases.

On March 5, the so-called Dzhankoy District Court sentenced **Serhii Filatov** to six years in a maximum security penal colony with 1 year of probation for organizing and participating in the Jehovah's Witnesses cell.

On April 6, the so-called Armiansk City Court sentenced **Denys Kashuk** to 3 years and 8 months in prison on suspicion of allegedly storing explosives and ammunition.

On June 4, the so-called Crimean Supreme Court reconsidered the Yalta City Court's verdict against Crimean citizen **Artem Herasymov** and commuted the previously imposed fine to six years in prison. He is accused of organizing the activities of the religious organization Jehovah's Witnesses.

On July 22, the so-called Chornomorsky District Court of Crimea sentenced **Nariman Mezhmedinov**, to 8 years in prison, for allegedly participating in an illegal armed formation — the Noman Çelebicihan Crimean Tatar Volunteer Battalion.

On September 16, the Southern District Military Court in Rostov-on-Don announced the verdict against the defendants in the so-called second Bakhchysarai Hizb ut-Tahrir case. **Marlen Asanov** was sentenced to 19 years in a maximum security prison, **Memet Belyalov** to 18, **Timur Ibrahimov** to 17, **Seyran Saliiev** to 16, **Server Mustafayev** to 14, **Server Zakiryaev** and **Edem Smailov** to 13.

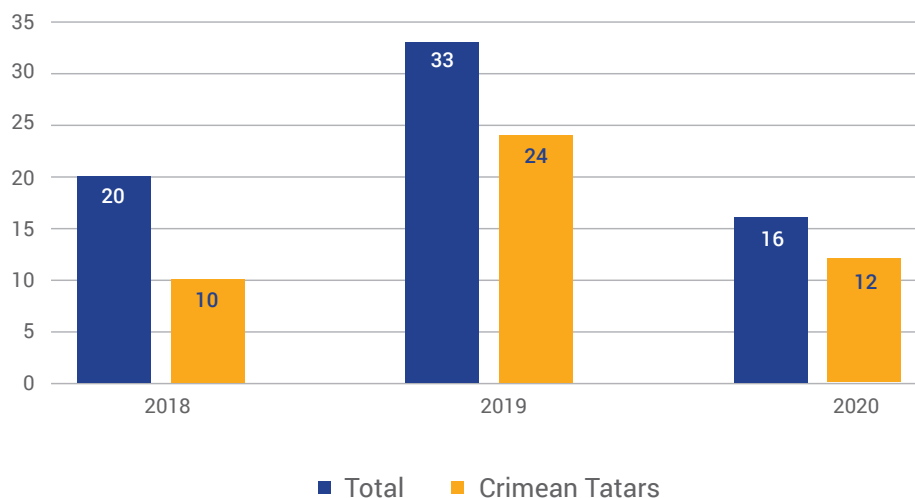
On October 26, the so-called Nakhimov District Court of Sevastopol sentenced activist **Valerii Bolshakov**, accused of publicly calling for extremist activities through a VK publication, to two and a half years of probation and a ban on holding public office.

On November 3, the Southern District Military Court in Rostov-on-Don announced the verdict against the participants of the so-called Krasnohvardiiske Hizb ut-Tahrir case. **Rustem Emiruseinov** was sentenced to 17 years in prison, **Arsen Abkhairov** to 13, and **Eskender Abdulhaniev** to 12.

On December 10, the Supreme Court of the occupied Crimea sentenced **Lenur Isliamov**, owner of the Crimean Tatar TV channel ATR, in absentia to 19 years in a maximum security prison with a two-year ban on information activities.

In 2018, around 20 people were sentenced, in 2019 — 33 people, in 2020 — **16** people. These actions breach Articles 1, 2, 3, 7, 10, 11, 13, 18, 19, 28, 30 of the Universal Declaration of Human Rights, Articles 5, 6, 7, 9, 10, 13, 14, 17, 18 of the European Convention on Human Rights, Article 2 of Protocol No.4 and Article 1 of Protocol No.12, Articles 1, 2, 7, 9 of the UN Declaration on the Rights of Indigenous Peoples.

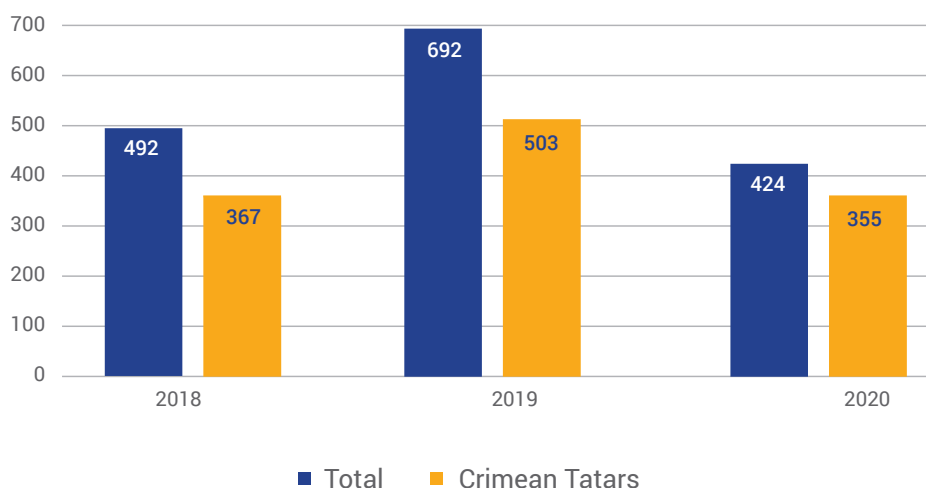
Sentences in 2018 — 2020



Right to a fair trial

The above-described facts of human rights violations in the occupied Crimea led to the fact that in 2020 there were **424** cases of violations of the right to a fair trial, **355** of which — in relation to the Crimean Tatars.

Violations of the right to a fair trial in 2018 — 2020



This figure is less than the previous ones for the same period: in 2019 there were 692 cases, in 2018 — 492 in 2017 — 515. However, such statistics show the deliberate detention of more than 100 political prisoners, misuse of Russian legislature for political purposes, in particular, in order to suppress the non-violent struggle of Crimean Tatars and pro-Ukrainian activists and their protest against the occupation of Crimea. During the reporting period, mass cases of extension of detention periods, rejection of appeals and motions of lawyers were recorded.

Indicators of violations of the right to a fair trial indicate continued discrimination against indigenous peoples and pro-Ukrainian activists. The Russian Federation is illegally using its legislation for political purposes, in particular, in order to suppress the non-violent struggle of the Crimean Tatars and their protest against the occupation of Crimea.

Principle of publicity of court sessions

A violation of the right to a publicity of court sessions is systemic. Judicial hearings concerning the choice of a measure of restraint in the form of detention are mostly held behind closed doors in violation of the principle of publicity. In all cases, the so-called courts indicate that the listeners are a threat to the participants in the trial. As a rule, it has the following forms:

1. A closed session, when except for a judge, lawyers, a prosecutor, a court secretary and a civil servant who ensures order in court, no one else is allowed into the courtroom.
2. Deliberate election by the court of the courtroom with the smallest capacity. For example, in Simferopol, the so-called Kyiv District Court has a courtroom located on the second floor of a building that can accommodate only 2 to 4 listeners.
3. Pressure on the listeners in order to repel the desire to continue to come to court for fear of negative consequences, for example, to be summoned for questioning in this case, to obtain a summons for questioning in court. There were recorded cases when these listeners' passports were copied or copies were made, and listeners were videotaped.

In their decisions to hold a closed session, the so-called courts indicate the following grounds: in order to ensure the safety of participants in the proceedings; in connection with the aggravated socio-political situation in the country; in connection with the increased terrorist threat in the country and the possibility of committing terrorist acts; the secrecy of the investigation.

These actions are carried out in order to limit public access to information about trials, to exclude public control, to put pressure on the accused. In order to protect the right to a public trial, lawyers, clients (defendants) and listeners made inquiries, petitions and complaints to the courts and public authorities. Courts in all cases rejected such statements by lawyers and defendants, and public authorities responded with formal reasons. Thus, we see that political prisoners and persecuted in Crimea do not have the opportunity for a public, fair, independent and impartial trial, which is a violation of Articles 1, 2, 3, 7, 8, 10, 11, 28, 30 of the Universal Declaration of Human Rights, Articles 5, 6, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 7, 9, 12 of the UN Declaration on the Rights of Indigenous Peoples.

Reclassification of the so-called cases to graver parts or articles and imposition of more severe punishment

Another trend in pressure and suppression of resistance is the reclassification of the so-called crimes in which political prisoners are charged with more serious offenses. Thus, the defendants in the so-called second Simferopol Hizb ut-Tahrir case **Remzi Bekirov, Farkhod Bazarov** and **Raim Ayvazov** were accused of another article — 278 of the Criminal Code – Attempt to seize power by force and change the constitutional order of the Russian Federation.

Another feature of 2020 in the framework of the illegal persecution of the inhabitants of the occupied Crimea and the indigenous Crimean Tatar people is the imposition of a heavier punishment for political prisoners. If earlier, according to the so-called verdicts of the occupation courts, those sentenced to imprisonment were to serve their sentences in correctional colonies, in 2020 the political prisoners were sentenced to serve their sentences in prisons. In particular, such punishment was applied to the defendants in the so-called Kransohvardiiske Hizb ut-Tahrir case. **Arsen Abkhairov, Rustem Emiruseinov** and **Eskender Abdulhaniev** were sentenced to 13, 17 and 12 years in prison, of which the first 2 years will be spent in prison. The regime of detention in prisons is much harsher than in the colonies, as in the first type of institutions political prisoners will be restricted and deprived of a wider range of fundamental rights and freedoms.

Torture or degrading treatment and punishment

All political prisoners complain about inadequate conditions of detention, unsanitary conditions, overcrowded cells, dampness and failure to provide timely medical care. Lawyers and human rights activists equate such treatment with torture, cruel, inhumane and degrading treatment, in violation of the provisions of Articles 1, 2, 3, 5, 7, 18, 19, 28, 30 of the Universal Declaration of Human Rights, Articles 2, 3, 5, 9, 10, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 7, 9, 12 of the UN Declaration on the Rights of Indigenous Peoples.

In 2020, 19 people were placed in solitary confinement, a special unit, a punishment cell and solitary confinement: **Vadym Siruk, Emir-Usein Kuku, Muslim Aliev, Refat Alimov, Arsen Abkhairov, Eskender Abdulhaniev, Emil Dzhemadenov, Ruslan Suleymanov, Teymur Abdullaev, Ruslan Nagaev, Uzeir Abdullaev, Tofik Abdulgaziev, Yashar Muetdinov, Eldar Kantimirov, Remzi Bekirov, Enver Seitosmanov, Rustem Seitmemetov, Marlen Asanov**. For example, Teymur Abdullaev was in a pre-trial detention center for more than 6 months in 2020.

During the year political prisoners repeatedly complained of inadequate conditions of detention. Complaints were about low temperature in the cells, which led to disease, unsanitary conditions, cold water, the presence of cockroaches and rats, overcrowding of the cells, insufficient lighting, or failure to provide proper medical care.

Muslim Aliev, a defendant in the so-called Yalta Hizb ut-Tahrir case, was detained in a basement in the Taganrog pre-trial detention center. Conditions of detention changed for the worse after he refused to take part in the vote on amendments to the Constitution of the Russian Federation. **Arsen Dzhepparov**, a defendant in the so-called Yalta Hizb ut-Tahrir case, was kept in a semi-basement, in a very small cell, which was covered in mold. According to him, it is very cold and damp. As a result, on the second day of his stay, he developed gum disease

and a swollen cheek. He underwent surgery to remove the flux without painkillers: «first, the cavity pierced with a needle, then somehow cleaned.» **Zevri Abseitov**, a defendant in the so-called Bakhchysarai Hizb ut-Tahrir case, was constantly threatened with being placed in a pre-trial detention center and closely watched.

A defendant in the so-called June 10, 2019 Hizb ut-Tahrir case, **Eskender Suleymanov**, was detained for two months in a cell with a prisoner suffering from tuberculosis. The political prisoner repeatedly complained, but his statements were not satisfied.

On February 3, a so-called court session was held against the participants in the so-called June 10, 2019 Hizb ut-Tahrir case, **Eldar Kantimirov** and **Lenur Khalilov**. The political prisoners were hungry throughout the day, as they were not provided with biscuits for the duration of the trial. Defendants in the so-called Krasnohvardiiske Hizb ut-Tahrir case **Eskender Abdulhaniev**, **Rustem Emiruseinov** and **Arsen Abkhaïrov** were given spoiled biscuits with a putrid smell during the so-called court session.

On March 12, during a so-called court session, political prisoner **Shaban Umerov** fell sick. This state of health is due to the fact that the participants in the so-called case could not eat, as the food contained pork. After numerous complaints about expired biscuits given to Crimean political prisoners, products from there began to be transferred in plastic bags without labeling.

Ukrainian **Volodymyr Yakymenko**, who was sentenced to 15.5 years in prison for drug trafficking, was threatened with violence due to repeated appeals to the Verkhovna Rada Commissioner for Human Rights Lyudmyla Denysova and representatives of diplomatic missions of Ukraine, after which the penitentiary institution was inspected.

Yashar Muedinov, a defendant in the so-called second Hizb ut-Tahrir case in Simferopol, was placed for compulsory psychiatric examination at the Crimean Republican Psychiatric Hospital No.1. He is being held together with a man who, according to Muedinov himself, has serious mental disorders and, thus, he behaves inappropriately and provokes Muedinov to conflicts all the time. It is known that while being held in a pre-trial detention center, he killed his cellmate. **Raim Ayzov**, a participant in the second Hizb ut-Tahrir case in Simferopol, is being held together with a person with severe mental disorders as part of a compulsory forensic psychiatric examination.

Rustem Ismailov, a defendant in the so-called first Simferopol Hizb ut-Tahrir case, was forcibly detained in a prison hospital for two months, although he did not require medical treatment. According to the political prisoner himself, during his entire stay in captivity (more than 3.5 years), this was the most difficult place of imprisonment.

Enver Ametov, a defendant in the so-called second Simferopol Hizb ut-Tahrir case, complained about the inhumane conditions in the pre-trial detention center, in connection with which many detainees fell ill. The pre-trial detention center administration does not respond to the complaints of political prisoners, does not call an ambulance, and the patients are not treated if they have a fever. Enver Ametov also stressed that the schedule of investigative measures is very exhausting.

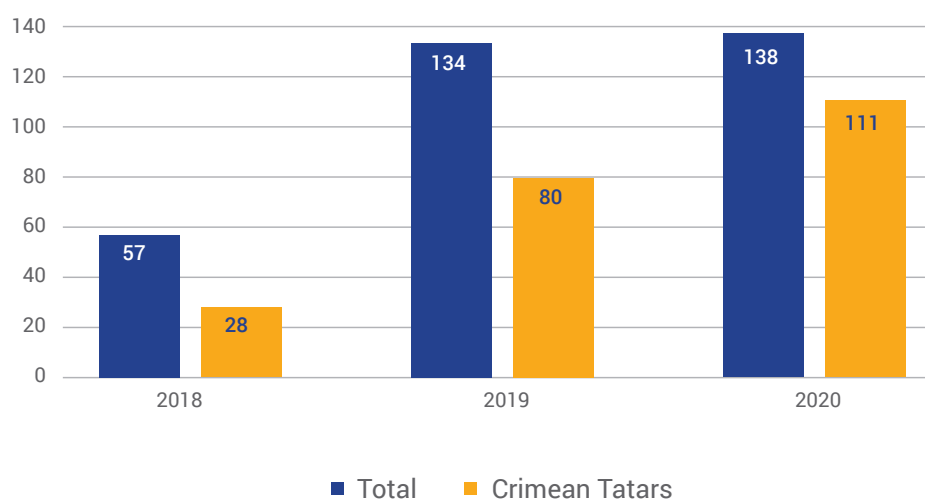
Employees of the Simferopol pre-trial detention center refused to accept a transfer with vital medicines for the defendant in the so-called second Simferopol Hizb ut-Tahrir case **Dzhemil Gafarov**. Pro-Ukrainian activist **Oleh Prykhodko**, who is being held in a pre-trial detention center, has not been given vital medicines for a long time.

A coronavirus infection was found in the Lefortovo pre-trial detention center in Moscow, where Ukrainian political prisoners **Ivan Yatskin**, **Halyna Dovhopola** and **Kostiantyn Shyrynha** are

being held. In the conditions of spread of coronavirus infection in the pre-trial detention center the necessary measures are not taken: political prisoners are not given masks, special means of protections, antiseptics, because of which they are in a big risk zone. Earlier, the Prosecutor's Office of the Autonomous Republic of Crimea launched criminal proceedings against the occupiers for failing to ensure proper conditions in places of detention during the coronavirus pandemic.

In 2020, **138** cases of violation of the right to the healthcare access were recorded, **111** of which were in relation to the representatives of the indigenous Crimean Tatar people. This figure exceeds the figure for 2019 (134 cases), for 2018 (57 cases) and 2017 (38 cases).

Violations of the right to the highest attainable standart of physical and mental health in 2018 -2020



2020 is characterized by mass cases of failure to provide adequate medical care and deteriorating health of political prisoners in Crimea in pre-trial detention centers and prisons in Russia and the occupied peninsula. There have been cases when the staff of the pre-trial detention center administration did not provide or confiscated medicines and remedies provided by relatives. In addition, there are known cases of moral pressure and physical violence against detained activists and political prisoners. Also, in this section the cases of compulsory psychiatric examination are included.

Refusal to have meetings with relatives

The systematic refusal to relatives of political prisoners to have a meeting with their detained loved ones is used as a method of psychological pressure in order to force them to cooperate with the investigation. The families of **Ruslan Suleymanov**, **Osman Arifmetetov** and **Erfan Osmanov**, who were involved in the so-called second Simferopol Hizb ut-Tahrir case, have been denied an official visit for more than 10 months, without explaining the reasons. They can see them only at the so-called court sessions.

On March 25, the so-called Supreme Court of Crimea again rejected the complaint of the mother of **Arsen Abkhaïrov**, a participant in the so-called Krasnohvardiiske Hizb ut-Tahrir case, against the refusal to meet with her son according Article 125 of the Criminal Procedure

Code of the Russian Federation.

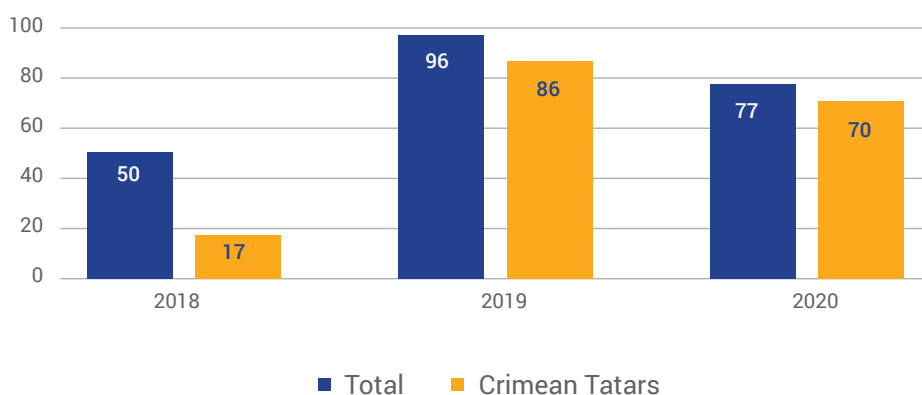
The family of pro-Ukrainian activist **Oleh Prykhodko** was denied a visit due to the epidemiological situation, but even before the coronavirus pandemic, the occupiers kept refusing to allow such meetings.

This contradicts the provisions of Articles 1, 2, 5, 7, 12, 16, 28, 30 of the Universal Declaration of Human Rights, Articles 5, 6, 8, 12, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 9 of the UN Declaration on the Rights of Indigenous Peoples.

Transferring of political prisoners

Another obstacle to being able to see relatives, the method of psychological pressure, as well as conducting the so-called court sessions without visitors, is the transferring of political prisoners in Russia. In 2020, there were **77** cases of illegal transferring of political prisoners, **70** of which were against representatives of the indigenous Crimean Tatar people.

Illegal transferring of the political prisoners in 2018 — 2020



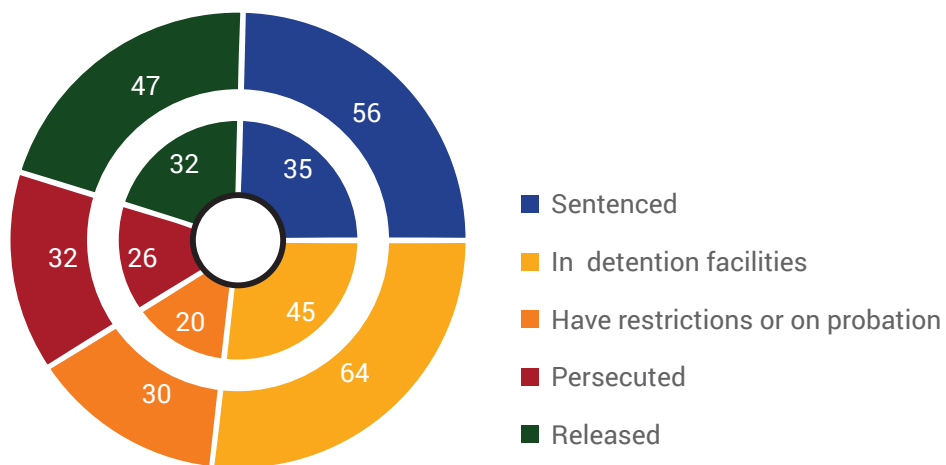
During this period from Crimea to the territory of the Russian Federation there were following transferrings: defendants in the so-called Kransnohvardiiske Hizb ut-Tahrir case — **Rustem Emiruseinov, Arsen Abkhairov, Eskender Abdulganiev**, defendants in the so-called Simferopol Hizb ut-Tahrir case – **Teymur Abdullaev, Uzeir Abdullaev, Ayder Saledinov, Rustem Ismailov, Emil Dzhemadenov, Seytveli Seytabdiev**, defendants in the so-called case of Ukrainian saboteurs — **Volodymyr Dudka** and **Oleksii Bessarabov**, defendants in the so-called Hizb ut-Tahrir case — **Enver Omerov, Riza Omerov, Ayder Dzapparov, Ruslan Mesutov, Eldar Kantimirov, Ruslan Nagaev** and **Lenur Khalilov**, defendants in the so-called Jehovah's Witnesses case — **Serhii Filatov, Artem Herasymov**, defendants in the so-called Yalta Hizb ut-Tahrir case — **Emir-Usein Kuku** and **Muslim Aliev**, as well as **Oleh Prykhodko, Ruslan Suleymanov, Enver Seitosmanov** and **Nariman Memediminov**, defendants in the so-called second Bakhchysarai Hizb ut-Tahrir case **Marlen Asanov, Seyran Saliiev, Timur Ibrahimov, Memet Belyalov, Ernest Ametov, Server Zakiryaev, Server Mustafayev** and **Edem Smailov**, defendants in the so-called third Bakhchysarai Hizb-ut Tahrir case **Rustem Seitmemetov**, as well as all the defendants in the so-called second Simferopol Hizb ut-Tahrir case. In addition,

some political prisoners were illegally transferred twice, in violation of Article 76 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War August 1949, as well as Articles 7, 8, 10 of the UN Declaration on the Rights of Indigenous Peoples.

Political prisoners and persecuted people in Crimea over the entire period of occupation

A total of **229** people became political prisoners and persecuted over the occupation period of the peninsula, **158** of whom are the representatives of the indigenous Crimean Tatar people. As of March 1, 2021, **56** political prisoners have been convicted and are serving sentences in colonies, **35** of them are Crimean Tatars; **64** are in the pre-trial detention facilities, **45** of them are Crimean Tatars; **30** are on probation or have restrictions, 20 of them are Crimean Tatars; **32** are persecuted, **26** of them are Crimean Tatars; **47** political prisoners were released, **32** of them were Crimean Tatars.

229 political prisoners and persecuted in the criminal cases over the occupation period of Crimea, 158 of them are the representatives of the indigenous Crimean Tatar people



Up to **25** political prisoners and **24** POWs were subjected to punitive psychiatry, **23** of them were Crimean Tatars.

Property rights

In the occupied Crimea, the property rights of legal entities and individuals are regularly violated, the following are the cases that became known in 2020.

Russian President Vladimir Putin has expanded the list of territories in which land plots cannot be owned by foreigners and foreign legal entities by adding coastal areas of the occupied Crimea. More than 11,000 foreigners will lose their land because of this decree. The number

of property owners includes citizens of 55 countries.

The occupying authorities of Crimea «as a sign of strengthening friendly relations» handed over to the Chechen Republic the territory of the former health resort on the first shore line in Alushta. On behalf of Ramzan Kadyrov, they plan to build a children's camp¹¹ there.

On December 14, 2020, the subsidiary of the bank «Russia» LLC «Southern Project» bought at auction 100% of the shares of the Crimean winery Massandra.

These actions violate Articles 1, 2, 7, 8, 17, 28, 30 of the Universal Declaration of Human Rights, Articles 9, 10, 13, 14, 17, 18 of the European Convention on Human Rights, Art. 1 of the Additional Protocol and Article 1 of Protocol No.12.

¹¹ Source: Minister of Labor, Employment and Social Development of Chechnya Usman Bashirov

COLLECTIVE RIGHTS

Right to freedom of speech

With the beginning of the occupation on the peninsula, mass repressions and persecutions against Crimean Tatar and pro-Ukrainian activists began. In order to conceal numerous crimes from the international community, the authorities de facto destroyed all independent and disloyal media that covered all searches, arrests, detentions and other repressive actions. Several newsrooms, including the «ATR» media holding office, were searched and raided by security forces. After some time, the only Crimean Tatar TV channel «ATR», radio stations «Meydan» and «Leader», online outlet «15 minutes», news agency «QHA», «Black Sea TV and Radio Company» and a number of other media were forced to leave the mainland of Ukraine. Many journalists were also forced to leave the peninsula for security reasons. Prior to the occupation, about 3,000 media outlets operated in Crimea. Already in May 2015, there were 232 left — the ones, loyal to the occupation authorities, Ukrainian journalist Mykola Semena was convicted, and «QHA» news agency founder Ismet Yuksel, journalist Olena Savchuk, Alina Smutko, and others were banned from entering. The inhabitants of the peninsula found themselves in an information vacuum.

Streamers and bloggers from among Crimean Tatar youth are reliable sources of information about the situation in Crimea. However, they too are being oppressed and repressed by the de facto authorities in Crimea. They are forcibly detained, prohibited to stream and their equipment is confiscated. One example is the trial of civilian journalist Nariman Memedeminov, who in 2019 was sentenced to 2 years and 6 months in a penal colony.

On January 18, 2020, the FSB banned Ukrainian journalist **Taras Ibrahimov** from entering the occupied Crimea until 2054. The reason for the ban was an administrative report for illegal employment.

On May 28, 2020, the so-called court of the occupied Crimea fined the acting head of the local Muslim religious community Alushta **Ruslan Emirvaliev** 1,000 rubles for posting on his page via the social network VK in 2016.

In the occupied Crimea, in 8 settlements, 11 providers completely block 25 Ukrainian information sites and 5 partially, including the website of the Mejlis of the Crimean Tatar people¹².

These actions violate Articles 1, 2, 7, 8, 19, 28, 30 of the Universal Declaration of Human Rights, Article 9, 10, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 3, 5, 16, 18 of the UN Declaration on the Rights of Indigenous Peoples.

Right to peaceful assembly and association

As the Russian Federation applies its own legislation in violation of humanitarian law in the territory of the temporarily occupied Crimea, locals are forced to obey its norms.

Freedom of assembly in Russia is guaranteed by the Constitution, but from year to year the

¹² https://crimeahrg.org/ru/ukrainskie-onlajn-media-v-krymu-blokiruyutsya-minimum-11-provajderami-v-8-gorodah/?fbclid=I-wAR3qx_E7mOxd6Vj3es8OmNFKMfCwm01B9apLV7PqBFWYr7RUB_YuuGlaOEo

number of actual bans on holding peaceful assemblies and unjustified interference in their organization and course is growing. The situation with the right to freedom of assembly deteriorated sharply with the adoption of the Federal Law of June 8, 2012 № 65-FL, which amended the Federal Law «On assemblies, rallies, demonstrations, marches and pickets» and the Code of Administrative Offenses and significantly expanded powers of the RF bodies in this area. Adoption on July 21, 2014 of the Federal Law №258-FL introduced criminal liability for repeated violations of the rules of organization and conducting of public events.

Since 2010, on June 26, Crimean Tatars have been annually celebrating Crimean Tatar Flag Day. By the decision¹³ of the 3rd session of the 5th Qurultay of the Crimean Tatar people of August 29, 2010, June 26 was declared the Day of the Crimean Tatar flag. As a rule, rallies are held on this day, car processions are organized, but since 2014 it has become impossible to hold such events. For example, in 2019, residents of the village Oktiabrske were refused the right to hold a rally dedicated to the Day of the Crimean Tatar flag. The official reasons for the refusal were incorrectly filled in applications, non-compliance with the deadlines for their submission and unclear route. The so-called employees of the Ministry of Internal Affairs of the Russian Federation arrived at the place of the beginning of gathering of participants of the rally and declared that the rally was unauthorized. They also threatened responsibility to the participants, if the rally took place. Several security officers videotaped the activists. Then on the route Dzhankoy — Simferopol employees of the so-called Russian police repeatedly stopped participants of motor rally dedicated to the Day of the Crimean Tatar flag. The first three times the protesters were stopped by Russian traffic police officers to check documents without being charged with any offense. On the eve of the Crimean Tatar Flag Day, Nariman Dzhelal, Deputy Head of the Mejlis of the Crimean Tatar people, Emine Avamilieva, a lawyer, and Kurtseit Abdullaiev, an activist, received warnings from the Crimean occupation authorities that violations of the «Anti-extremist Law» were inadmissible. In 2020, in the occupied Crimea, Crimean Tatar activists held an action «Bayraq Areket» («Flag Movement»), dedicated to the Day of the Crimean Tatar Flag, in the frame of which visited the veterans of the Crimean Tatar national movement in various parts of the peninsula. On June 24 alone, activists' cars were stopped more than five times by a so-called «patrol» allegedly to check documents.

In 2020, there was a tendency to suppress any form of exercise of the right to peaceful assembly by the occupying authorities of Crimea. May 18 is the Day of Remembrance of the Victims of the 1944 Crimean Tatar Genocide. Every year in Simferopol and other settlements of the peninsula in the central squares mourning rallies and other actions were held to commemorate the victims of deportation, but after the occupation of Crimea, the so-called authorities allowed to hold a mourning rally only once on the outskirts of the city.

In 2020, in the occupied Crimea, Crimean Tatar activists received mass warnings about the inadmissibility of unauthorized events, such as rallies, marches, processions between February 23 and June 26.

On March 9, 2020, on the birthday of Ukrainian poet Taras Shevchenko, residents of Simferopol came to his monument with flowers decorated with yellow and blue ribbons. People began to sing the Ukrainian national anthem quietly, but Russian security forces forbade them to do so.

In 2020, the so-called administrative cases were initiated against the mother of the defendant in the so-called second Bakhchysarai Hizb ut-Tahrir case Server Mustafayev, the mother of the defendant in the so-called Krasnohvardiiske Hizb ut-Tahrir case Arsen Abkhairov and the mother-in-law of the defendant in the so-called second Bakhchysarai Hizb ut-Tahrir case Edem Smailov because of the solitary pickets in support of their relatives.

¹³ <http://surl.li/aoii>

Later, the so-called Bakhchysarai District Court of Crimea returned the protocols on the so-called case against **Venera Mustafayeva** to the so-called police department. According to lawyer Lilia Hemedzhi, the protocols were drawn up in violation of current administrative legislation. In particular, the rights and responsibilities of **Venera Mustafayeva** were not explained. The interpreter, who was present during the drawing up of the report on the administrative offense, was not warned about the responsibility. Police officers regard the picket as a public event that violated Sergey Aksyonov's decree «On the introduction of a high-alert regime on the territory of the Republic of Crimea» of March 17, 2020.

These actions of the occupying security forces described above are criminal, politically motivated, and violate Articles 1, 2, 7, 8, 19, 20, 28, 30 of the Universal Declaration of Human Rights, Articles 9, 10, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 3, 5, 16, 18 of the UN Declaration on the Rights of Indigenous Peoples.

Right of indigenous people to maintain and develop a representative institution

The Crimean Tatar people, the indigenous people of Crimea, achieved the right to return to their homeland only at the end of the 20th century after the forcible deportation of 1944, as a result of which 46% of the people perished. Despite this, the Qurultay of the Crimean Tatar people was restored in 1991 (the highest representative body of the Crimean Tatar people, which is elected according to a certain electoral democratic procedure). The Qurultay elects the Mejlis of the Crimean Tatar people (representative-executive body) according to a certain parliamentary democratic procedure. In accordance with UN ECOSOC Decision¹⁴ E / DEC / 1995/317 of 25 November 1995, the Mejlis of the Crimean Tatar People was recognized as an organization of indigenous people and admitted to the UN as such. The Mejlis received the official status in the Ukrainian legal system as the Council of Representatives of the Crimean Tatar People in accordance with the Decree of the President of Ukraine of May 18, 1999 № 518/99¹⁵. The Mejlis was recognized by Ukraine as a representative institution of the Crimean Tatar people in numerous parliamentary resolutions of the Verkhovna Rada of Ukraine, in resolutions and orders of the Government of Ukraine, and others. The Qurultay-Mejlis system is a democratic body that regulates all spheres of life of the Crimean Tatar people. Accordingly, the Mejlis of the Crimean Tatar people is a representative institution of the indigenous people within the meaning of Articles 18-20 and other UN Declarations on the Rights of Indigenous Peoples 2007.

After the illegal annexation of Crimea by the Russian Federation, the consistent position of the Mejlis of the Crimean Tatar people on the legitimate and nonviolent defense of the collective rights of the Crimean Tatar people and their representatives led to pressure and repression against the members of Mejlis. At the beginning of the occupation, there were 250 local Mejlises in the AR of Crimea.

By the decision of the so-called Supreme Court of the Republic of Crimea of April 26, 2016, the Mejlis of the Crimean Tatar people was banned. The decision of the Supreme Court of the Russian Federation of September 29, 2016 rejected the appeal of the Mejlis lawyers and upheld the decision of the so-called court of April 26, 2016. On April 19, 2017, the UN International

¹⁴ <https://digitallibrary.un.org/record/202232>

¹⁵ <https://zakon.rada.gov.ua/laws/show/518/99/ed20100903>

Court of Justice ruled¹⁶ in «Ukraine v. Russia» on a complaint of violation of the International Convention on the Elimination of All Forms of Racial Discrimination, which ordered Russia to lift the ban of the Mejlis of the Crimean Tatar People, a representative body of the indigenous people of Crimea. However, Russia has not yet implemented this decision. The building of the Mejlis of the Crimean Tatar people in Simferopol, which was seized by the occupiers, is systematically subjected to acts of vandalism. In particular, unknown people painted the facade of the building, where Crimean Tatar and Ukrainian flags hung before the search and arrest. In addition, plaques with the name of the representative body of the Crimean Tatar people in Crimean Tatar and Ukrainian were torn from the building.

Due to the position of the Russian authorities, members of Mejlis of the Crimean Tatar People are limited in their actual ability to exercise their representative functions, as they cannot be exercised under Russian jurisdiction in the occupied Crimea, as they will be prosecuted as members of an extremist organization. In addition, the activities of the Mejlis of the Crimean Tatar people are significantly limited because after the ban by the Russian authorities, most members that are in Crimea can not participate in the meetings and events of Mejlis due to the constant risk of prosecution.

The ban on the representative body of the indigenous Crimean Tatar people is a violation of Articles 1, 2, 7, 8, 19, 20, 21, 28, 30 of the Universal Declaration of Human Rights, Articles 9, 10, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 3, 5, 18, 19, 20, 23, 33 and 34 of the UN Declaration on the Rights of Indigenous Peoples.

Right to manifest, practise, develop and teach spiritual and religious traditions, customs and rites

In addition to the persecution of individuals belonging to a particular religious group, other means are used in the occupied Crimea to prevent the worship of a religious cult, in violation of Article 58 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949. The following are cases of violations of religious rights in the peninsula, which became known in 2020.

The so-called Simferopol Magistrate's Court fined Imam **Rasim Dervishev** 5,000 rubles for illegal missionary activity. At the same time, the experts involved in the so-called case could not accurately confirm the presence of signs of missionary activity in Dervishev's actions.

On March 20, officers of the so-called Russian police arrived at a mosque in the village of Zavitne, Sovietskyi district, occupied Crimea. The security forces read an article about the order of missionary activity, and also had a so-called conversation with the imam of the mosque.

The management of the Simferopol pre-trial detention center violated the right to worship of the defendant in the so-called second Simferopol Hizb ut-Tahrir case **Dzhemil Gafarov**. Similar violations were recorded in relation to other Crimean Tatar political prisoners.

The so-called Alushta Prosecutor's Office has opened a so-called administrative case against the imam of the Alushta religious community, **Yusuf Ashirov**, for allegedly illegal missionary activity.

Later, in the occupied Crimea, another so-called administrative case was opened against the imam of the mosque, **Diliaver Khalilov**, for conducting illegal missionary activity and organizing unauthorized gatherings, marches, and rallies. On April 29, he was fined 30,000

16 <https://www.icj-cij.org/files/case-related/166/166-20170419-ORD-01-00-EN.pdf>

rubles for organizing an unauthorized assembly, namely, holding a compulsory in Islam collective Friday prayer in a mosque.

The Muslim religious community of «Alushta» in the occupied Crimea has been warned based on Russia's anti-extremist law. In particular, the so-called Crimean Ministry of Justice demanded to expel **Ruslan Emirvaliev** from the founders of the religious organization, as his actions allegedly contain signs of extremist activity.

In addition to the violation of the Muslims' rights, believers of the Orthodox Church of Ukraine (formerly the Ukrainian Orthodox Church of the Kyiv Patriarchate) and representatives of other religious movements are also persecuted.

According to the Ministry of Foreign Affairs of Ukraine, the occupying authorities continue to systematically persecute religious communities in Crimea: only **7** out of **49** religious communities in the OCU are left and only **4** out of **23** clergymen are left.

Archbishop of Simferopol and Crimea of the OCU Klyment received a resolution from the so-called Crimean Bailiffs Service on the demolition of the church of the OCU in Yevpatoria. The cult building was required to be demolished within five days.

On August 4, the Supreme Court of the Russian Federation refused to reconsider the decision to evict the OCU community from the cathedral in Simferopol. According to lawyer Serhii Zaiets, this means the complete liquidation of the Ukrainian Orthodox community in Crimea, and by such actions the Russian Federation continues to cleanse Crimea of everything Ukrainian.

Pro-Ukrainian activist and political prisoner **Oleh Prykhodko** filed two petitions to the penitentiary administration for the admission of a priest, but received no response.

On March 5, the so-called Yalta city court found **Artem Herasymov**, a Crimean citizen, guilty of organizing the activities of the Jehovah's Witnesses and fined him 400,000 rubles.

On March 5, the so-called Dzhankoy District Court sentenced **Serhii Filatov** to six years in a maximum security penal colony for one year for allegedly organizing and participating in the Jehovah's Witnesses cell.

Russian authorities in the occupied Crimea have prematurely terminated the lease agreement for the premises where the only church of the Orthodox Church of Ukraine on the peninsula is located. The corresponding letter from the so-called Ministry of Land and Property Relations was received by the administration of the local Crimean Diocese of the OCU on March 27.

On June 8, the Crimean Arbitration Court decided to terminate the lease agreement for the premises of the Volodymyr and Olha Cathedral of the Ukrainian Orthodox Church. The so-called court ordered the church to return the premises to the so-called Ministry of Property and Land Relations of Crimea and donate to the income of the federal budget 12,000 rubles of state duty. The reason for termination of the contract is a debt of 2.3 hryvnias.

According to Ukrainian activist Andrii Shchekun, in Simferopol on the site where in 2013 a plot of land was allocated for the construction of the Christ the Savior Cathedral of the Ukrainian Orthodox Church of the Kyiv Patriarchate (currently OCU), the occupiers began construction of a residential complex for employees of the FSB. In addition, according to Shchekun's assumptions, geodesy work has begun for the construction of a church of the Moscow Patriarchate.

The so-called Ministry of Property and Land Relations of Crimea began so-called repairing

of the premises of the Cathedral of Volodymyr and Olha of the Orthodox Church of Ukraine (OCU) in Simferopol, as a result of this, the property of the OCU, according to Archbishop of the Crimean Diocese of the Orthodox Church of Ukraine, Klyment, was damaged.

The so-called Yevpatoria City Court ordered the Orthodox Church of Ukraine to demolish the church in Yevpatoria. According to Klyment, Archbishop of the Crimean Diocese of the Orthodox Church of Ukraine, construction began before 2014 and the OCU has the relevant documents for the church.

All these actions are a violation of Articles 1, 2, 7, 8, 17, 18, 19, 20, 28, 30 of the Universal Declaration of Human Rights, Articles 9, 10, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of the Additional Protocol and Article 1 of Protocol No.12, Articles 1, 2, 3, 5, 9, 12, 15 of the UN Declaration on the Rights of Indigenous Peoples.

Right to practise and revitalise cultural traditions and customs

Crimea is the historical homeland of the Crimean Tatars, the only place where the monuments of the cultural heritage of the indigenous people have been preserved. In the period from 1944 to the 90s of the last century, the Crimean Tatar people were deprived of the right and opportunity to preserve and develop their own culture. And with the beginning of the occupation in 2014, the de facto authorities are trying to do everything possible to destroy cultural monuments, confirming the direct and inseparable connection of the Crimean Tatar people with Crimea.

Under the guise of so-called restoration, the occupying power destroys the Bakhchysarai Historical and Cultural Reserve Khan's Palace, which is a unique architectural monument of the XVI century, the only example of Crimean Tatar palace architecture in the world. Crimean Tatar activist Edem Dudakov published photos and videos from the so-called excavations around the Great Khan's Mosque, Khan's Cemetery and the Khan's Stable, which show that the so-called workers are not professional archaeologists, but cheap labor. According to him, the found artifacts without photofixation are simply piled up. He also added that the tender for the so-called archaeological work was won by a Moscow firm, which in turn hired local cheap labor.

In Kerch, columns fell at the excavations of Pantikapaion (Mithridates) on Pritanee. They were «reinforced» on January 28 so that they would not fall, but this did not help. Later, all the fallen columns were taken out by the museum staff. The ruins of Pantikapaion on Mount Mithridates in Kerch are a monument of cultural heritage of Ukraine.

The occupiers in Crimea dismantled the building of the Crimean Tatar coffee house of the XVIII century (better known as the house where the composer Spendiarov lived), located on the square in the central part of Qarasuvbazar (Bilohirsk). Activists report about it via the pages on Facebook and note that the house is sold, at it has the new owner, who has new plans for it.

In August 2019, archaeologists conducted excavations in the occupied Crimea at the site of an old Muslim burial ground in the missing village of Unhut in the Kirovskiy district. Arriving at the scene, activists found excavated graves, some of them with skeletons, as well as human remains collected in packages. Locals suggest that the excavations are related to a water pipeline under construction from the northern regions of Crimea to Kerch.

The occupying authorities of Crimea are carrying out a so-called large-scale reconstruction of the Chersonesos Tavriia Reserve, which is a UNESCO World Heritage Site. Construction is prohibited in the ancient archeological museum-reserve. However, many metal and wooden structures were built there.

In Yevpatoria, vandals smashed a memorial plaque to Ukrainian writer Lesia Ukrayinka.

On the eve of the Muslim holy month of Ramadan, vandals in the occupied Crimea threw rotten eggs at the mosque in the village of Kopiurlikoy (Cheremysivka) in the Qarasubazar (Bilohirsk) district.

On the eve of the anniversary of the genocide of the Crimean Tatar people, unknown individuals committed an act of vandalism at the Crimean Tatar (Muslim) cemetery in the village of Vladyslavivka of the Nyzhniihirsk district. Vandals destroyed the tombstones, but Russian law enforcement called it an intra-family dispute.

On June 29, 2020, a resident of Kemerovo, Russia, tried to break a memorial stone depicting a Crimean Tatar symbol (tamga) and written lines from the Koran. These actions were accompanied by insults against the Crimean Tatars and their religion. When trying to escape from the crime scene, his car did not start. As it became known later, she was arrested for 10 days, but the specified administrative punishment absolutely does not correspond to gravity of the committed crime.

These actions are a gross violation of Articles 1, 2, 7, 8, 19, 27, 28, 30 of the Universal Declaration of Human Rights, Articles 9, 10, 13, 14, 17, 18 of the European Convention on Human Rights, Article 1 of Protocol No.12 and Articles 1, 2, 3, 5, 8, 9, 11, 13, 15, 16, 31 of the UN Declaration on the Rights of Indigenous Peoples.

Right to education in native language and to preservation of history

Despite the fact that the occupying power officially recognized the Crimean Tatar language as one of the official languages, its usage is constantly being narrowed, there are no Crimean Tatar versions of the official pages of the websites of the occupying authorities, ie presented exclusively in Russian, records are kept only in Russian, people are even denied the right to use native language in the so-called courts, there were cases of threats or dismissal of employees for speaking to each other in their native language.

Prior to the occupation, there were **15** schools and **384** classes with Crimean Tatar as the language of instruction in Crimea. Despite the fact that 16 new schools were opened in Simferopol, the occupation authorities later changed the status of the schools. Thus, according to the occupation authorities, there are currently **7** schools with Crimean Tatar as the language of instruction, **3** with Russian and Crimean Tatar as the languages of instruction, and **6** have received the status of general education schools. Education in the Crimean Tatar language is allowed only up to 9th grade and at the request of parents. The administrations of educational institutions under various pretexts create obstacles in submitting the following applications: there is only one native language in Crimea — Russian, lack of classrooms, lack of teaching staff, lack of textbooks, also recorded cases of gross refusal: forcing parents to refuse to educate their children in Crimean Tatar language, or reduce the number of hours to study the Crimean Tatar language and literature.

For example, according to journalist Shevket Haniiev, at the secondary school №8 in Simferopol, a teacher asked parents of students to abandon the study of the Crimean Tatar language. In the statement, in which it was necessary to indicate the language of instruction for the child, she demanded to put a dash next to the column «please organize the study of the native language.»

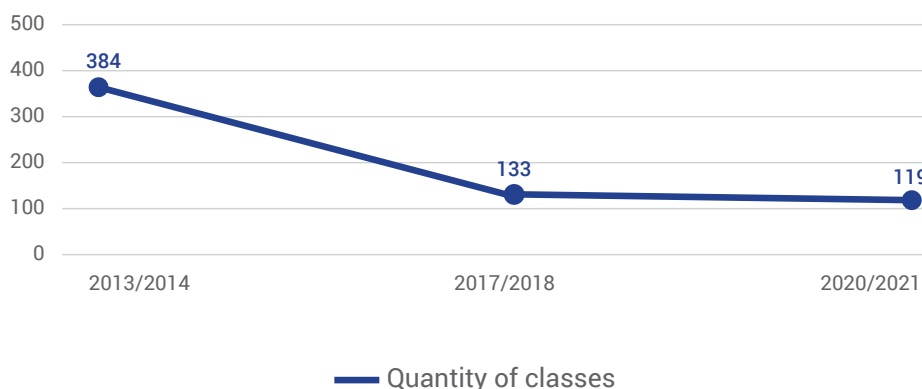
The Crimean Tatar Resource Center learned that similar statements were also made in other Crimean schools, where teachers also asked to put a dash in front of the column «please organize the study of the native language.»

A similar situation in the school №8 of Simferopol was repeated a few months later, when the leadership held talks with the parents of students and forced them to abandon the study of the Crimean Tatar language.

The second clear example, according to lawyer Lenura Enhulatova, happened in February 2020, the mother of the future first-grader turned to the director of the Simferopol school №37 with the question of the opportunity to study in the Crimean Tatar language. In response, she heard aggressive rhetoric, culminating in the phrase, «Who are you? You, Tatars, are nobody here! That's all. There will be no Crimean Tatar class.» The child's mother told the police about the extremist statements of the school principal as an official and the refusal to admit her child to school. The mother turned to the so-called Ministry of Education of Crimea, which sent to the so-called Department of Education of Simferopol. The department stated that it was not obliged to open a class with the native language of instruction (although there were more than 12 parents willing to educate their children in the Crimean Tatar language). The so-called police once again refused to initiate the case on the grounds that the schoolmaster allegedly did not meet with the mother at all that day, and all this was allegedly a fruit of the woman's imagination.

In confirmation of the above-mentioned, we present the dynamics on the basis of official data of the occupying power.

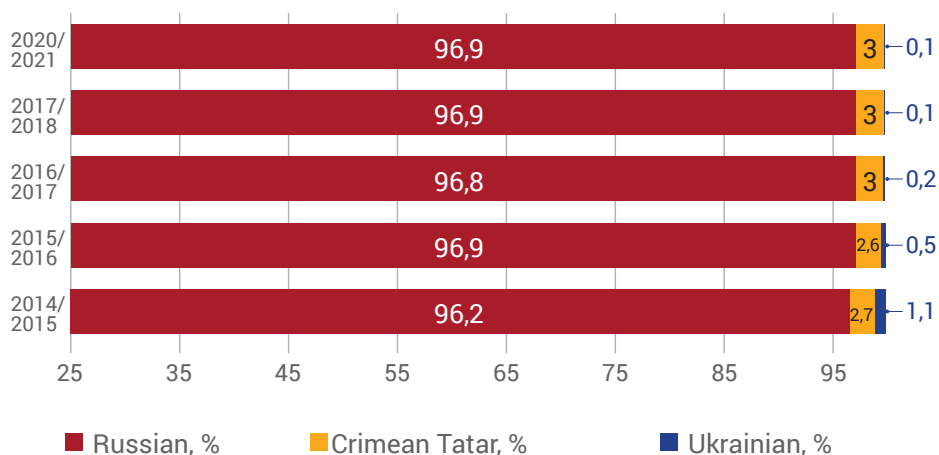
Quantity of Crimean Tatar classes



As it can be seen in the graph, the number of classes with the Crimean Tatar language of instruction has decreased.

An important indicator is the ratio of the number of children studying in Russian, Crimean Tatar and Ukrainian.

Ratio of the number of children, studying in Russian, Crimean Tatar and Ukrainian



In the 2020-2021 academic year, 73,900 children study in 554 educational organizations of the Republic of Crimea that implement preschool education programs, including 72,600 children in Russian (**98.3%**), 1,200 (**1.6%**) in Crimean Tatar and only 93 (**0.1%**) in Ukrainian.

The school administration makes remarks to children due to communication in their native language, raids are conducted to search for so-called extremist and forbidden literature.

FSB officers come to schools for so-called preventive talks with the Crimean Tatar children.

In schools, pupils are given questionnaires, through which they try to find out the mood in families and their propensity for denunciations.

The native language cannot develop without the training of specialists in teaching the Crimean Tatar language. There are 30 budget places in the Crimean Engineering and Pedagogical University, but they often remain understaffed. Because of the obstacles in opening native language schools and classes in schools, Crimean Tatar language teachers have a low workload, so the occupying power creates indirect conditions for creating the hopelessness of obtaining the profession of Crimean Tatar language teacher. In 2017, a search was recorded in the house of a Crimean Tatar language teacher.

The occupying power is actively rewriting and falsifying the historiography of Crimea and the Crimean Tatar people, which is also reflected in school history textbooks. The history textbook for the 10th grade, which is used in the schools of the occupied Crimea, contained statements that incited ethnic hatred, in particular, hatred of the Crimean Tatar people. The publication contained false and biased statements about the history of the Crimean Tatar people with manifestations of xenophobia. Under public pressure, the occupation authorities withdrew this textbook from schools, however, in 2020 this textbook was used in the educational process.

These actions grossly violate Articles 1, 2, 7, 8, 19, 26, 28, 30 of the Universal Declaration of Human Rights, Articles 9, 10, 13, 14, 17, 18 of the European Convention on Human Rights, Article 2 of the Additional Protocol and Article 1 of Protocol No.12, Article 1, 2, 3, 5, 8, 9, 13, 14, 15, 16 of the UN Declaration on the Rights of Indigenous Peoples.

Right to territory, land and resources

As at the legislative level the Ukrainian state did not recognize the Crimean Tatars as an indigenous people until 2014, the right of the Crimean Tatars to land, territory and resources was not regulated accordingly. Since 2007, the Ukrainian authorities have been trying to resolve the issue of providing land plots to Crimean Tatars by setting up appropriate commissions and working groups. Thus, in the period from 2007 to January 2014 on the territory of the AR of Crimea 5358 sites were allocated for individual housing construction in Simferopol, Simferopol region, on the South and West Coast.

On March 16, 2014, an illegal referendum on the status of Crimea was held, which serves as a pretext for justifying Russia's attempt to annex Crimea, in turn, the indigenous Crimean Tatar people ignored the plebiscite, which violates international law and Ukrainian law. The occupying authorities are illegally applying Russian law in all spheres of life on the peninsula, as well as passing local illegal laws. Thus, on January 15, 2015, the «Law of the Republic of Crimea» «On the provision of land plots in state or municipal ownership, and some issues of land relations» was adopted. Article 5 of this so-called law provides conditions for the provision of land to privileged categories of citizens, including the repressed. The provisions of this article are discriminatory, as the plot in Simferopol can be obtained by a citizen who at the time of application lives in the city of Simferopol for more than 5 years. Given that Crimean Tatars who apply for land in accordance with this so-called law mostly live on land occupied arbitrarily, they do not meet these criteria, as they do not have the appropriate registration. To date, unresolved issues with the registration of land occupied arbitrarily exist in such regions as Zhyhulina Roshcha, Striletske, Crimea Avtogaz, Balaklava, Kurban-koyu, Molodizhne, Zavodsky Airport, Yevpatoria, Sudak, the Southern coast of Crimea. According to activists of the Crimean Tatar people, the de facto government refuses to resolve the issue of land allocation on the southern coast of Crimea and other regions, until the issue of land allocation in Simferopol is resolved. In addition to the adoption of such discriminatory laws, the legislation of the Russian Federation lacks the concept of private ownership of land.

Land auctions have been held in Crimea since 2011. Given the policy of replacing the population on the peninsula, the occupying power encourages Russian citizens to buy land in Crimea, providing them with preferential employment conditions.

In addition to depriving the indigenous Crimean Tatar people of the right to land, all these years the inalienable right of the indigenous people to resources and minerals in Crimea has been ignored. On December 6, 2009, the Statement of the Qurultay of the Crimean Tatar People of the 5th convocation «On the inalienable right of the Crimean Tatar people to land and natural resources»¹⁷ was adopted. On November 17, 2019, the Mejlis of the Crimean Tatar people adopted the Statement of the Mejlis of the Crimean Tatar people «On observance of the inalienable rights of the indigenous Crimean Tatar people in the conditions of temporary occupation of Crimea by the Russian Federation»¹⁸. However, the practice of using the resources, subsoil and minerals of the Crimean peninsula without the free, prior and informed consent of the representative body of the indigenous Crimean Tatar people continues to this day. For example, the problem of insufficient water supply in Crimea is de facto solved by the peninsula authorities by drilling wells and pumping water from underground lakes in the north of Crimea, which led to salinization of soils in the region, as well as changes in the chemical composition of water, the levels of calcium and limestone have drastically risen. Due to insufficient rainfall throughout the use of groundwater lakes, as well as the level of exploitation of these wells, the water balance of groundwater is not restored, which may lead to further subsidence of the soil in this region.

¹⁷ http://qtmr.org/public/images/ckeditor/file/quick-folder/04_zayavlenie_o_neotemlemom_prave_na_zemlyu.doc

¹⁸ <https://www.facebook.com/dogrujol/posts/2499882433440229>

Since April 2015, the construction of the so-called Crimean Bridge has been underway, the automobile part of which was opened in 2018, and at the end of 2019 a railway connection was launched. The construction of this bridge began without the consent of the representatives of the indigenous Crimean Tatar people and was carried out with violations of the ecosystems of the Crimean peninsula, as well as the Azov and Black Seas. This construction entails a regional environmental catastrophe.

Similarly, with the gross violation of the Crimean mountain ecosystem in 2020, the construction of the «Tavryda» route was completed, during the construction of which the karst rocks of the Crimean mountains and landscape were destroyed, which negatively affects the traditional livelihood of the Crimean Tatars. Russia-controlled authorities are developing quarries to extract rubble and other minerals, thus changing the landscape of Crimea, blowing up the top of Mount Aharmysh, which led to its destruction and disruption of groundwater formation, in the village of Kholodivka in the Kirovskiy district the river dried up, the occupiers destroyed 300-400-year-old juniper forests. In addition, the explosions damage the houses of local residents. In Kerch because of extraction of sand from the Plavni tract in the territory of the Lower-Churbashynsky water reservoir part of the dam collapsed, which is interfering with a disposal of waste into the sea. Environmentalists say that the sand contains toxic chemicals — arsenic, vanadium, phosphorus and iron in concentrations that significantly exceed the permissible safe levels for human life and health.

In modern conditions, the de facto government in Crimea, controlled by the Russian government, and commercial structures managed by these bodies and their individual representatives, operate in some areas of mass development of mineral and biological sources of the Black and Azov Seas and the Gulf of Syvash:

- 1) mass industrial production of gas and gas condensate on the Black Sea shelf adjacent to Crimea, using paramilitary platforms and pipelines with the subsequent use of such gas as fuel for two new thermal power plants built for military purposes in Crimea in 2015;
- 2) mass industrial excavation of sand on the coastal seabed in Karkinit and Kalamit bays of the Black Sea with the subsequent use of this sand for construction of military facilities in Crimea and the corresponding complete destruction of coastal marine ecosystems and unique coastal areas such as the Bakal Plateau, Swan Islands and Lake Donuzlav;
- 3) industrial offshore mining in the Black and Azov Seas, the Kerch Strait and the Eastern Syvash Bay;
- 4) mass industrial extraction of mineralized waters of the Western Syvash Bay for the needs of chemical plants in Krasnoperekopsk (Yañı Qapu).

Thus, such management, including violations of the rights of the indigenous Crimean Tatar people, poses a threat to the biological diversity of the peninsula.

The Russian de facto government does not comply with the requirements of international law on the recognition, implementation and protection of the relevant rights of the Crimean Tatar people to marine resources. After the illegal ban of the Crimean Tatar Mejlis in 2016 and mass discrimination against Crimean Tatars in Crimea, the occupiers' persecution of the so-called Crimean Tatar extremism, even open discussion of these topics in Crimea or Russia is absolutely impossible and dangerous for its initiators.

Unfortunately, the Ukrainian government, which ratified the 1992 Convention and recognized

the 2007 Declaration, is also failing to fulfill its obligations to recognize, exercise and protect the relevant rights in terms of its current practical capacity in the Crimean issue. For example, the Sea of Azov and the Kerch Strait, adjacent to the Crimea, with all their resources were declared in 2003 «historic inland waters» of Russia and Ukraine — but no one in the governments of both countries, both before 2014 and later, on this issue, did not take into account the opinion of the indigenous Crimean Tatar people and its representative body.

The position of the Crimean Tatar people and its representative bodies has never been taken into account in the work of the Ukrainian-Russian Fisheries Commission in Azov, which held its annual meetings under the bilateral agreement of 1993, even after 2014. Thus, in October 2018, the Chairman of the Mejlis of the Crimean Tatar people Refat Chubarov, who was present at the 30th meeting of the commission, which took place near Kyiv, demanded an end to the criminal practice of transferring fishing quotas by Russian authorities to commercial entities in Crimea — but his demands were ignored. The relevant annual protocol of this commission was postponed, and later, in February 2019, signed by the parties, rejecting all the demands of the plenipotentiary leader of the Crimean Tatars without any explanation.

The Government of Ukraine is still undergoing illegal excavations of the national park in Syvash Bay for the needs of chemical plants in Krasnoperekopsk near the pumping station located in the Kherson region. Moreover, in the summer of 2019, the Ukrainian government announced a tender for the use of part of the Black Sea shelf («Dolphin section») with an extremely short and non-transparent procedure, and then transferred the rights to such use to a company controlled by a Russian businessman. Later, the results of the tender were annulled, and the position of the Crimean Tatar people and its representative bodies was not taken into account in this process.

The Russian Federation is illegally selling maritime electronic navigational charts on the territory of Ukraine, creating a threat to navigation in the Black and Azov Seas. This was reported by the head of the State Hydrography Olexander Shchypstov via the website of the institution.

The occupying power deploys military bases, imports heavy military equipment into the territory of Crimea, and there are suspicions that nuclear weapons were imported into the territory of Crimea. In 2019, in the occupied Crimea, Russian servicemen completed the laying of a field main water supply system to ensure water supply to the population and connections of the army corps of the Black Sea Fleet. UN GA Resolutions 73/194¹⁹ Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov of December 17, 2018, 74/17²⁰ Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov of December 9, 2019 and 75/29²¹ Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov of December 7, 2020 condemned the ongoing militarization of the Black Sea and the Sea of Azov. Military exercises are also held regularly, and indigenous people are drafted into the Russian Armed Forces. A number of conscripts are sent to serve outside Crimea.

In 2020, despite the spread of coronavirus infection, the Crimean Tatar Resource Center recorded mass illegal military exercises in the occupied Crimea, systematic militarization of the peninsula, regular military service propaganda and illegal conscription into the armed forces of the Russian Federation. The Russian occupiers conducted twelve conscription

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

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

21 <https://undocs.org/ru/A/RES/75/29>

campaigns in Crimea.

According to the Ministry of Defense of Ukraine²², the peninsula is home to: personnel — about **32,500** servicemen, about **70** warships / boats, including 6 naval-based cruise missile carriers, **6** strike submarines, up to **200** tanks, more than **400** armored combat vehicles, about **280** artillery systems of various calibers, including rocket-propelled grenade launchers, up to **120** TPU vehicles, a dozen coastal missile systems, more than 150 aircraft and helicopters. In addition to the armed forces, Russia has deployed in the Crimea a group of forces of the Federal Service of the National Guard and the Border Service of the FSB of the Russian Federation numbering up to **10,000** people. In the future, their number is planned to increase to **14,000** people.

During the temporary occupation of Crimea, about **40** new units, formations, divisions and subdivisions of the Black Sea Fleet, the Air and Space Forces and the Airborne Troops of the Russian Armed Forces were formed. To maintain the Crimean group in constant combat readiness on a regular basis, operational and combat training activities were organized, including with the involvement of federal and regional authorities, as well as other power ministries and agencies. It is estimated that during the period of temporary occupation of Crimea, about **3,000** exercises of various orientations were conducted with the participation of the Armed Forces, as well as other power ministries and departments, including large-scale (brigade, intercorporate, interdepartmental) up to **200**. In total, more than **1,600** units of military equipment were involved from the Crimean group of troops / forces and the Armed Forces of the Russian Federation stationed on the mainland.

The main areas where these activities were held were the following landfills – Anharskyi (Perevalne), Bezemennyi (Dzhankoy), Perevalnyi (Perevalne), Konchekskyi (Konchevska), Chauda (Cape Chauda), Kozachyi (Kozacha Bay, Sevastopol), Opuk (Cape Opuk), Filatovskiy (North of Crimea), Staryi Krym (Staryi Krym), as well as sea areas located in the waters of the Black and Azov Seas.

According to the Crimean Tatar Resource Center, in 2020, **26** illegal military exercises were conducted in the occupied Crimea, involving at least **515** units of equipment and more than **3,100** servicemen.

These actions violate Articles 30 and 32 of the UN Declaration on the Rights of Indigenous Peoples. These actions of the occupying power also violate Article 51 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (The occupying Power may not compel protected persons to serve in its armed or auxiliary forces).

Due to the location of military bases, the access to forests in Crimea is limited, which is an obstacle to the preservation and development of such a traditional and unique type of livelihood of the Crimean Tatars as tea gardening. Tea forests are an ancient historical tradition of Crimea. The formation of such forests is the result of centuries of human influence on mountain vegetation, a kind of selection work, which naturally selected those tree species that were able to adapt to harsh conditions and grow without human intervention, without pruning, watering, loosening and protection from diseases and pests. By 1917, there were 8,000 hectares of tea gardens on the peninsula, and by the beginning of the 21st century, just over 20 hectares of ancient tea gardens remain. On the territory of Alushta, Bakhchysarai, Bilohirsk forestry in tea gardens you can find relict 100-120-year-old trees of White Rosemary, Ranet Champagne and Candil-senap.

The organization of management on the territory of the peninsula by the occupying authorities

22 Лист від Міністерства оборони України вих. 222/4Д/1251 від 15 жовтня 2020 року

poses a threat to environmental security. For two years, residents of urban-type settlements Hresivskiy, Ahrarne, Molodizhne and Bitumne settlements of the Simferopol district have been polluted by the industrial enterprises operating in the area of 9 km of the Moscow highway. In the north of the annexed Crimea, the residents of Armiansk again complained of ill health with the onset of summer and attributed it to the deteriorating environmental situation. In Kerch in the bypass channel in the area on Arshyntsevskaya spit, the release of unknown substance was noted. The longest river in Crimea — Salhir — is rapidly overgrown with dense vegetation due to the minimum water level in the river and waterlogging of the riverbed. In addition, from year to year it becomes increasingly polluted and dries up.

According to the results of the analysis²³ of satellite images in 2020, a regional analysis of the intensity of drying of water bodies of the Crimean peninsula was carried out. There is a reduction in the area of the water mirror for almost all large reservoirs of the Crimean peninsula, compared to the area of the water mirror in 2015, with the average drying area of reservoirs was higher (45%) than the area of water mirror reduction of lakes (25%). On the one hand, natural lakes may have an underground power source, but the difference in the reduction of the water mirror of natural water bodies and artificial hydraulic structures (reservoirs) may still indicate the impact of water management on the distribution of water supply.

Also, comparisons of the intensity of drying and climatic indicators such as rainfall, temperature and evaporation during the summer of 2020, which are important for the distribution of water resources, show that the cause of water drying is not only the climatic factor. Thus, in some cases, in an area with a large relative amount of precipitation and low temperature and lower evaporation, a large area of reduction of the water mirror was recorded, for example, in the case of the Simferopol Reservoir.

Analysis of the long-term dynamics of the water index of water bodies for the annual period 2013 — 2020 shows a downward trend in the water index, which is also an indicator of water surface area, with a downward trend observed in 2015 or 2016.

Of the 300,000 indigenous peoples, tens of thousands were forced to flee their homeland. At the same time, the population is actively resettled from Russia to the territory of Crimea, according to the monitoring of the Crimean Tatar Resource Center, about **500,000** people settled in Crimea.

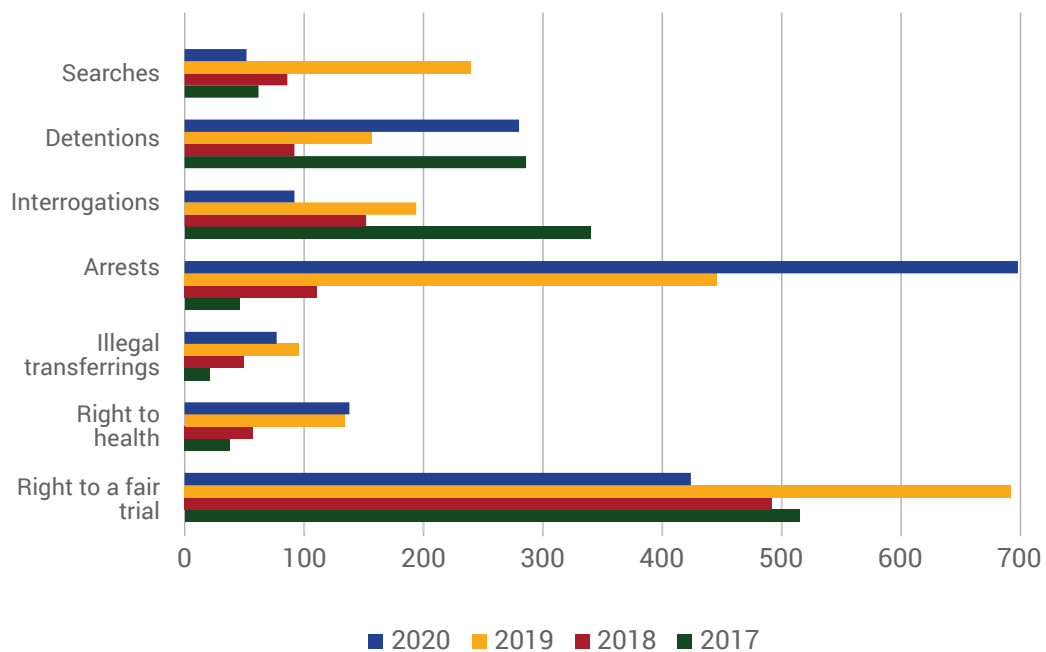
The Crimean Tatar people were deprived of the right to land, territory and resources in 1783, which has not been restored until now. This situation will continue as long as Crimea remains occupied by the Russian Federation and the Ukrainian state does not adopt the Law on Indigenous Peoples of Ukraine, which will take into account all the rights enshrined in the UN Declaration on the Rights of Indigenous Peoples. These actions violate Articles 1, 2, 3, 4, 5, 7, 8, 10, 18, 19, 20, 21, 23, 25, 26, 27, 28, 29, 32 of the UN Declaration on the Rights of Indigenous Peoples.

23 <https://cutt.ly/Fk5h5ER>

SITUATION ANALYSIS

Since the beginning of the temporary occupation, systemic mass human rights violations in Crimea have become commonplace. From year to year, the facts of gross violation or restriction of the rights of citizens of Ukraine in the temporarily occupied territories are recorded.

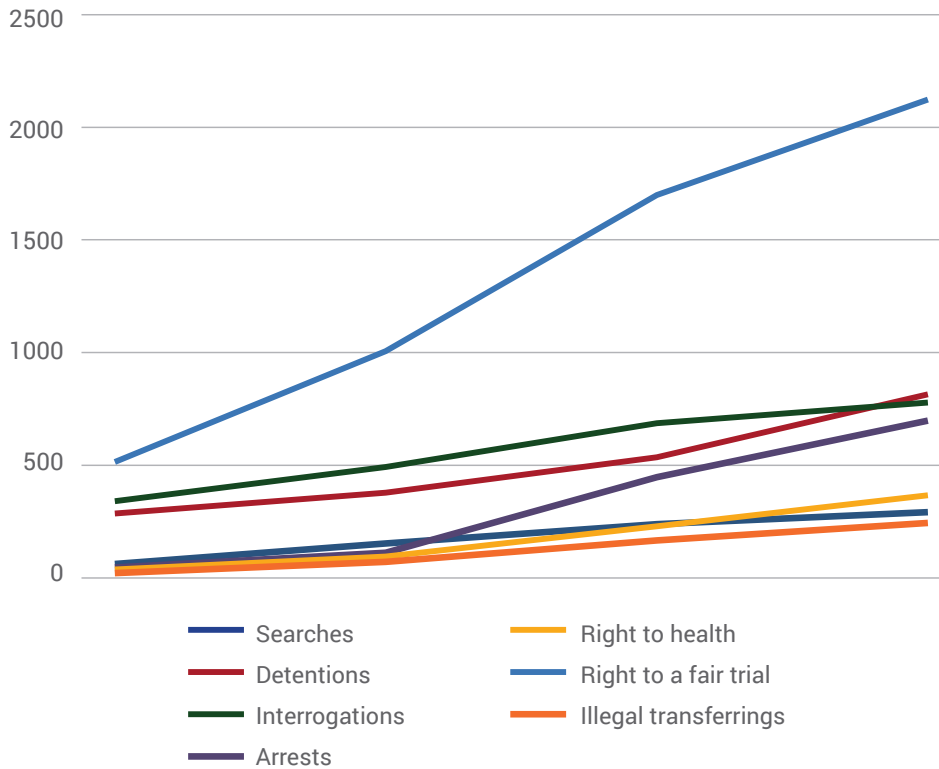
Human rights violations in 2017 — 2020



The histogram Human rights violations in 2017 — 2020 shows the dynamics of increasing the number of almost all types of basic human rights violations, except for interrogations. This is due to the fact that the so-called proceedings in such cases as the so-called case of May 3 and the so-called case of February 26 have been completed as part of the so-called investigation, in which the activists were summoned for interrogations. In addition, in previous years, activists were often summoned for the so-called conversations to identify their opinion, as well as to intimidate them. The rapid increase in the number of arrests is due to the fact that the number of political prisoners is increasing from year to year, and the number of detainees is being increased accordingly.

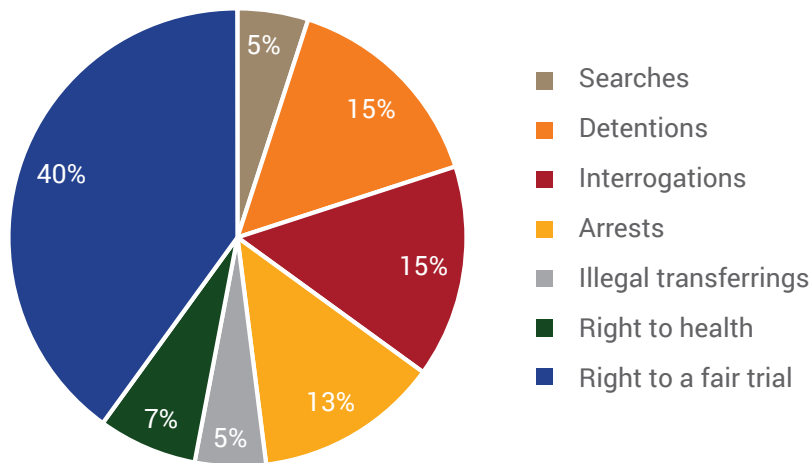
Analyzing the dynamics of changes in the number of major human rights violations in Crimea for each type, we can conclude that the total number of searches in 2017 — 2020 increased **4.7** times compared to 2017, detentions increased **2.8** times, interrogations **2.3** times, arrests **15.2** times, violation of the right to health **9.7** times, violation of the right to a fair trial **4.1** times, illegal transferrings **11.6** times. This is more clearly shown in the graph below.

Dynamics of human rights violations in 2017 — 2020



According to the Crimean Tatar Resource Center, in **2017 — 2020**, **4,950** major human rights violations were recorded in the occupied Crimea. Of these, violations of the right to a fair trial constitute **40%**, detentions and interrogations — **15%**, arrests — **13%**, violation of the right to health — **7%** and **5%** searches and illegal transferrings each.

Human rights violations structure in 2017 — 2020



In the territory controlled by Ukraine, the duty to protect the rights, freedoms and interests of man, society and the state in Crimea is assigned to the National Police in the Autonomous

Republic of Crimea and Sevastopol (temporarily located in Kherson) and the Prosecutor's Office of the Autonomous Republic of Crimea and Sevastopol (temporarily located in Kyiv). Requests from the Crimean Tatar Resource Center to provide information on measures taken to identify those responsible for the crimes and bring them to justice from February 1, 2021 were answered²⁴ only by the Prosecutor's Office of the Autonomous Republic of Crimea and Sevastopol.

According to the Prosecutor's Office of the Autonomous Republic of Crimea and Sevastopol, in 2020 two members of the illegal armed formation Self-Defense of Crimea were suspected of criminal proceedings in 150 cases of persecution of Crimean Tatars (illegal searches, illegal detention, etc.), in which 25 people were reported as suspects; 18 criminal proceedings concerning crimes committed against journalists, of which 13 persons were reported as suspects in 8 criminal cases; 7 criminal proceedings on the facts of illegal persecution of citizens of Ukraine. 2 persons were informed about the suspicion within the procedural guidance in criminal proceedings on the facts of illegal transferring of Ukrainian citizens from the temporarily occupied territory of Crimea and Sevastopol and its replacement by the civilian population of the occupying country.

The Prosecutor's Office of the Autonomous Republic of Crimea and the city of Sevastopol provides procedural guidance in criminal proceedings on the fact of illegal conscription of Crimean citizens for service in the Armed Forces of the Russian Federation under Part 1 of Article 438 of the Criminal Code of Ukraine.

In order to attract the attention of the general public and the desire to emphasize the importance of its position, the UN General Assembly adopted Resolutions Regulations in the field of human rights in Crimea and Sevastopol, a total of 5 similar resolutions were adopted on December 19, 2016 № 71/205²⁵, December 19, 2017 №72/190²⁶, December 22, 2018 №73 / 263²⁷, December 18, 2019 №74 / 168²⁸, December 28, 2020 №75 / 192²⁹. In August 2019, in pursuance of UN General Assembly resolution №73 / 263 of December 22, 2018, the first report of the UN Secretary General Situation in the field of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine³⁰ was published. Two more reports on the implementation of this resolution were published in June 2020³¹ and September 2020³². Resolutions on the situation in Ukraine and, in particular, in the occupied Crimea were also regularly adopted by the European Parliament. On April 17, 2014 Eastern Partnership countries and in particular the destabilization of eastern Ukraine³³, on March 17, 2015 «Resolution on the Russian military aggression against Ukraine and the urgent need to a peaceful resolution to the conflict»³⁴, on June 11, 2015 «Report on the strategic military situation in the Black Sea Basin following the illegal annexation of Crimea by Russia»³⁵, on September 10, 2015 «On Russia in particular the case of Eston Kohver, Oleg Sentzov and Alexander Kolchenko»³⁶,

24 Letter from the Prosecutor's Office of the Autonomous Republic of Crimea and the city of Sevastopol No. 27-30/21 February 5, 2021

25 A/RES/71/205

26 A/RES/72/190

27 A/RES/73/263

28 A/RES/74/168

29 A/RES/75/192

30 A/74/276

31 A/HRC/44/21

32 A/75/334

33 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014IP0457&qid=1582481821623&from=EN>

34 [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22015P0923\(06\)&qid=1582482436387&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22015P0923(06)&qid=1582482436387&from=EN)

35 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015IP0232&qid=1582482349590&from=EN>

36 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015IP0314&qid=1582482192689&from=EN>

on February 4, 2016 «On the human rights situation in Crimea, in particular of the Crimean Tatars»³⁷, on March 16, 2017 «Ukrainian political prisoners in Russia and situation in Crimea»³⁸ and «EU priorities for the UN Human Rights Council sessions in 2017»³⁹, on October 5, 2017 «On the cases of Crimean Tatar leaders Akhtem Chiygoz, Ilmi Umerov and the journalist Mykola Semena»⁴⁰, June 14, 2018 «Russia, notably the case of Ukrainian political prisoner Oleg Sentsov»⁴¹.

In addition to the adoption of the above-mentioned resolutions relating to political sanctions, economic ones have also been introduced. The United States were the first to react. To date, all sanctions against Russia related to its aggression against Ukraine are governed by four US Presidential executive orders EO13660⁴², EO13661⁴³, EO13662⁴⁴, EO13685⁴⁵. These sanctions are directed against senior Russian officials responsible for aggression against Ukraine, as well as against legal entities, and are described in more detail in the analytical report of the Treasury's Office of Foreign Assets Control (OFAC) «Program of Ukraine/Russia related Sanctions»⁴⁶. Economic sanctions have also been imposed by the European Union. EU sanctions apply to senior Yanukovich-era officials responsible for the Euromaidan mass killings, as well as to those involved in corruption, senior Russian officials responsible for aggression against Ukraine, and legal entities in several categories (paramilitary groups, terrorist groups in eastern Ukraine, and also legal entities engaged in trade with the occupied territories).

37 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016IP0043&qid=1582482884950&from=EN>

38 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017IP0087&qid=1582483436493&from=EN>

39 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017IP0089&qid=1582483679837&from=EN>

40 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017IP0382&qid=1582484023948&from=EN>

41 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018IP0259&qid=1582484318249&from=EN>

42 https://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo.pdf

43 https://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo2.pdf

44 https://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo3.pdf

45 https://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo4.pdf

46 https://home.treasury.gov/system/files/126/ukraine_overview_of_sanctions.pdf

RECOMMENDATIONS

During the 7 years of struggle for the deoccupation of Crimea, a number of steps have been taken, including the protection of the rights of Crimean residents, but this is not enough. In this regard, the Crimean Tatar Resource Center offers the following recommendations.

At the level of Ukraine:

1. To adopt laws regulating the status of political prisoners, persecuted, victims of occupation and aggression, as well as facilitating the identification of perpetrators of crimes in the occupied territories. In drafting these bills, one should take into account the «Methodology for assessing the feasibility of imposing personal sanctions on persons who cooperate with the occupation administrations of the Russian Federation in the temporarily occupied territories»⁴⁷, developed by the Crimean Tatar Resource Center.
2. To strengthen the institutional capacity of law enforcement agencies, which are responsible for protecting the rights, freedoms and interests of man, society and the state in Crimea and public organizations of Ukraine that monitor human rights violations in Crimea.
3. To include in the monitoring reports on the human rights situation in Crimea / Ukraine a section on collective rights, including the rights of indigenous peoples.
4. To implement the provisions of the UN Declaration on the Rights of Indigenous Peoples, in particular adopt the Law of Ukraine «On the Indigenous Peoples of Ukraine», a draft law⁴⁸ developed by the Crimean Tatar Resource Center and sent to the Office of the President of Ukraine on September 12, 2019.
5. To develop a mechanism of institutional representation of the Mejlis of the Crimean Tatar people as a part of the Ukrainian representation in interparliamentary cooperation.
6. To form an institution of the authorized Cabinet of Ministers of Ukraine for the rights of indigenous peoples, the formation of which will be agreed with the Mejlis of the Crimean Tatar people.
7. To develop and implement a National Action Plan to ensure the rights of the Crimean Tatar people, as well as initiate the development of an Action Plan to improve the situation of indigenous peoples in the OSCE region.
8. To draw attention to the violation of the collective rights of the Crimean Tatar people. To initiate a visit of the UN Special Rapporteur on the Rights of Indigenous Peoples and the UN Expert Mechanism on the Rights of Indigenous Peoples in accordance with their mandates by the Ministry of Foreign Affairs.
9. To carry out educational activities to explain the concept of 'indigenous people', its difference from national minorities and the need to implement their rights in Ukraine.
10. To facilitate the conduct of a full, objective and impartial pre-trial and judicial

47 Appendix A

48 Appendix B

investigation of criminal proceedings recognizing the deportation of the Crimean Tatar people in 1944 as an act of genocide.

11. Together with the Mejlis of the Crimean Tatar people to create conditions for the realization of the collective rights of the Crimean Tatar people in the border areas of Kherson region, to restore budget support for previously deported persons and to create favorable conditions for the return of Crimean Tatars from deportation to this territory.
12. To initiate the adoption of laws similar to the Magnitsky Act in the partner countries in order to impose personal sanctions on those responsible for human rights violations in the occupied Crimea.
13. To initiate an appeal to the signatory states of the Budapest Memorandum to hold consultations on the implementation of their commitments to guarantee the territorial integrity and sovereignty of Ukraine in accordance with paragraph 6 of the Memorandum and with the participation of representatives of the Mejlis of the Crimean Tatar people.
14. To develop a consolidated position and file a complaint with the International Court of Justice against violations of the Convention Concerning the Protection of the World Cultural and Natural Heritage, the Convention on Biological Diversity, the Convention on the Protection and Use of Transboundary Watercourses and International Lakes and the United Nations Framework Convention on Climate Change.
15. To initiate the opening of the United Nations Office for the Protection of the Environment (UNEP) in Ukraine in order to implement the concept of UNEP environmental peacebuilding and assess the consequences of armed conflicts for the ecosystem.
16. To formulate a consolidated claim to the Russian Federation, including the environmental component, in particular, define the concept of environmental damage caused by the occupation of Crimea.

At the international level:

1. To increase the pressure on the Russian Federation, in particular to improve the mechanism of monitoring and control of the implementation of the sanctions policy with the systematic updating of the sanctions list. Introduce a mechanism for applying personal sanctions against persons responsible for human rights violations by analogy with the Magnitsky Act.
2. To intensify work to protect human rights in the occupied Crimea, for example, to provide political patronage over political prisoners in Crimea and their families. Include a section on collective rights, including indigenous rights, in human rights monitoring reports in Crimea / Ukraine.
3. To develop an Action Plan to improve the situation of indigenous peoples in the OSCE region.
4. To initiate the development of a UN Humanitarian Response Plan for Crimea.
5. To consider possible forms of institutional cooperation with the Mejlis of the Crimean Tatar people, a representative body of the Crimean Tatar people, for example, within the framework of Euronest. Assistance should also be provided in establishing inter-

parliamentary cooperation between representative institutions of indigenous peoples, such as the Sámi Parliament of Norway and the Mejlis of the Crimean Tatar people.

6. Not to recognize the illegal Russian elections on the territory of Crimea, not to recognize the legitimacy of the Russian State Duma, elected with the participation of Crimean voters, and to include people and organizations that participated in the elections in Crimea in the sanctions lists.
7. To use exclusively the ethnonym Crimean Tatar people or Crimean Tatars in official documents and statements of officials concerning the Crimean Tatars, but not Tatars or Tatars of Crimea. In official documents and speeches of Crimean Tatar officials it is necessary to mention the indigenous people of Crimea, instead of national minority, Crimean Tatars of Crimea.
8. Not to accept official reports or any other documents of the Russian Federation where Crimea is mentioned as part of its territory by the secretariats of international organizations
9. To include the protection of the rights of indigenous peoples and national minorities in Crimea to the agenda of the formal CoE-OSCE dialogue.
10. The EU leadership and the EU member states, the Council of Europe, the OSCE, the UN should demand on a permanent basis, including during bilateral cooperation, that Russia implement the interim decision of the UN Security Council, the CoE resolution on the abolition of the Mejlis ban.
11. The EU needs to establish a systematic dialogue with other international organizations and bodies (UN, UNESCO, UN Human Rights Council, OSCE, CoE) on the human rights situation in Crimea in order to ensure synergies.
12. To facilitate the inclusion of the environmental component in the agenda of the OSCE Economic and Environmental Dimension, the Environmental Security Initiative (ENVSEC) and strengthen consultative work to assess the environmental damage of the occupation of Crimea.
13. To initiate the incorporation of the environmental component of the consequences of the occupation of Crimea into the activities of the European Environment Agency (EEA) and the development of a strategy to respond to and neutralize environmental risks and threats from armed conflicts within the Eastern Partnership Panel on Environment and Climate Change).
14. To initiate the establishment of an international monitoring group on environmental security with the involvement of representatives of the OSCE, the Government of Ukraine, international human rights and environmental organizations in order to effectively monitor the condition of high environmental hazards.
15. To assist in providing advisory and technical assistance to Ukraine in fulfilling its obligations under the Association Agreement insofar as it brings Ukrainian environmental legislation into line with EU environmental legislation due to the difficulty of fulfilling certain obligations in the context of armed conflict .
16. In order to ensure stability and security in the Black Sea region, develop a Strategy for Public Diplomacy and Security in the Black Sea Region.

Demands for the Russian Federation:

1. To stop the temporary illegal occupation of Crimea.
2. To implement the interim decision of the UN Security Council, i.e. cancel the decision of the Supreme Court of Russia to ban the Mejlis of the Crimean Tatar people. Implement the resolutions of the UN General Assembly and the European Parliament, adopted in 2014 — 2020 in connection with the occupation of Crimea.
3. To stop violating the Universal Declaration of Human Rights, the UN Declaration on the Rights of Indigenous Peoples and other international instruments and release all political prisoners of Crimea.
4. To ensure the free operation of independent journalists and human rights defenders in Crimea.
5. To respect the rights of indigenous peoples guaranteed by international law, including the traditional use of nature, the preservation of natural monuments, landscapes and ecosystems with which indigenous peoples have a special connection. Stop the persecution of the Crimean Tatar people and the spread of hate speech.
6. To stop the negative practice of using elements of hate speech against official Crimean Tatar people and Ukrainians in official documents, textbooks and media.
7. To stop the practice of coercion to serve in the armed forces of the Russian Federation and its auxiliary units, persons residing in the occupied territories.
8. To stop pollution of the air, land and water environment of Crimea and adjacent marine waters in the framework of militarization, including exercises and nuclearization of the peninsula.
9. To stop the uncontrolled operation of the chemical industry of the Northern Crimea, which causes irreparable damage to the ecosystems of the region.
10. To carry out artesian water extraction in the Crimea exclusively to meet the basic needs of the population and in the absence of other sources, to optimize economic activity in Crimea as a low-water area. Stop artificially increasing the water use needs of Crimea through the operation of water-intensive enterprises and illegal mass resettlement of citizens of the Russian Federation in Crimea, deployment and expansion of military bases in Crimea, rational use of the system of reservoirs and water distribution systems of the peninsula.
11. To stop illegal extraction of sand and other building materials in inland waters and on the continental shelf of the Black and Azov Seas adjacent to Crimea, which leads to the destruction of unique marine and coastal ecosystems.
12. To stop the illegal production of petroleum products that threaten the environment in the Arkhanhelsk, Bulhanak, Holitsyn, Kazantyp, Odesa and Shtormove fields on the continental shelf of the Black and Azov Seas.
13. To comply mutatis mutandis in Crimea and the marine waters adjacent to the Crimea as an occupying state, following the norms of international maritime law, existing regional agreements on the protection of the marine environment from pollution and unjustified exploitation.

14. To comply *mutatis mutandis* in Crimea and the marine waters adjacent to the Crimea as an occupying state, following the norms of international environmental law on the dumping and transportation of waste, transboundary impact and protection of wetlands.
15. To stop the destruction of unique natural and cultural sites and monuments of the Crimea.

CRIMEAN TATAR RESOURCE CENTER INFO

CTRRC's mission

The Crimean Tatar Resource Center is a public organization that works at local, national and international levels aimed at non-violent de-occupation, reintegration and sustainable development of Crimea, by protecting human rights, realizing the collective rights of indigenous peoples in their historical homeland, monitoring and analyzing the components of sustainable development of Crimea, supporting cultural, educational, scientific initiatives, information and educational activities.

We protect the rights of the Crimean Tatar people, develop draft laws and regulations, support cultural, educational, advocacy and democratic initiatives related to Crimea and the Crimean Tatar people, monitor violations of individual and collective rights in the occupied Crimea, document human rights violations, inform the international community about the situation in the occupied Crimea, attract legal, social and humanitarian assistance for political prisoners and their families, send statements, complaints and appeals to the special and universal treaty bodies, conduct international information campaigns and activities aimed at maintaining the topic of Crimea in the focus, we train lawyers, human rights activists and prepare new public diplomats of the Crimean Tatar people. We believe that all the activities of the CTRRC will facilitate the process of de-occupation and reintegration of Crimea.

CTRRC's vision

The activities of the Crimean Tatar Resource Center became a component of the de-occupation of Crimea. The result of the work of the Crimean Tatar Resource Center contributed to the peaceful coexistence of representatives of different ethnic groups and religions, the protection of the rights of indigenous peoples and human rights, the sustainable development of Crimea in Ukraine and the strengthening of democratic institutions in it. The activity of the Crimean Tatar Resource Center has led to an objective perception of the Crimean issue at the global and European levels.

CTRRC's values

- Rule of law;
- Human rights;
- Non-violent struggle;
- Sustainable development;
- Rights of indigenous peoples;

We pay special attention to:

- protection of the rights of indigenous peoples of Crimea and their representatives;
- preservation and development of the national identity of the indigenous peoples of Crimea and ethnic minorities;
- protection of the Crimean resources as the homeland of indigenous peoples;
- anti-discrimination.

CTRC's primary goal until 2023:

Preventing the completion of attempted annexation of Crimea by updating the problem of its occupation at the national and international levels and attracting more partners and supporters for joint activities.

Special objectives:

1. Promoting the protection and realization of human rights.
2. Promoting the protection and realization of the rights of indigenous peoples.
3. Promoting the protection of the environment of Crimea.
4. Promoting self-organization of the population of Crimea.
5. Promoting the activities aimed at the de-occupation and preparation for the reintegration of Crimea.

Appendix A

Methodology for assessing the feasibility of imposing personal sanctions on persons who cooperate with the occupation administrations of the Russian Federation in the temporarily occupied territories

The classification of forms of cooperation with the occupying power of Russia in the Autonomous Republic of Crimea and the city of Sevastopol (collaboration in Crimea) within the framework of a certain simple scheme consisting of several elements, seems impossible.

A number of indicators of responsibility should be considered as an appropriate way to assess the forms of collaboration in relation to a particular person in order to further respond to his or her actions. The set of such indicators should indicate the need to include a person in the sanctions lists and the degree of urgency of such a need for this person.

The following (indicative) indicators are proposed to determine such responsibility in the measurement of sanctions policy, which should be applied in its entirety. To calculate the indicators for a particular person, one of the options is chosen, and if it is possible to choose several options at the same time, one that provides more points is chosen. The scores of indicators from 1 to 9 are added arithmetically and the scores of indicators from 10 to 12 are subtracted from the obtained number.

1. *Citizenship*

- 1.1. Citizen of Ukraine (regardless of other documents) (5)
- 1.2. Non-citizen of Ukraine (0)

2. *Legality of stay in Crimea*

- 2.1. Criminal stay (arrival of foreigners in Crimea with the assistance of the Russian authorities, in compliance with its instructions or orders) (5)
- 2.2. Illegal stay (initiative arrival of foreigners in Crimea contrary to the laws of Ukraine) (4)
- 2.3. Stay with violations (citizens of Ukraine who arrived in Crimea hiding from law enforcement agencies or from responsibility for separatism) (2)
- 2.4. Legal stay (residents of Crimea under Ukrainian law) (0)

3. *Special obligations to Ukraine*

- 3.1. An oath was given by a serviceman (except for military service and reserve) (10)
- 3.2. Person is the bearer of a state secret (6)
- 3.3. An oath was given by another civil servant (including police, tax, etc.) (4)
- 3.4. Other public commitment was given (local government, notaries, lawyers) (2)

- 3.5. Person has no special obligations to Ukraine (0)

4. *Termination of obligations to Ukraine*

- 4.1. Person has not terminated his obligations (5)
- 4.2. Person has terminated his / her duties (passed the procedure of dismissal, from office) (0)

5. *Status in the system of occupation power*

- 5.1. Military service in favor of the Russian Federation (RF Armed Forces, Rosguard, except for «conscription», «military assembly») (20)
- 5.2. Militarized service in favor of the Russian Federation in punitive bodies interacting with the population (police, other punitive bodies of the Ministry of Internal Affairs, border service, FSO, FSB, penitentiary service) (19)
- 5.3. Paramilitary services for the benefit of the Russian Federation, interacting with the population (18)
- 5.4. Other service in favor of the Russian Federation in punitive bodies interacting with the population (investigative committee and prosecutor's office) (17)
- 5.5. Judicial Service (Judges, Assistant of the Judges, Court Secretaries) (17)
- 5.6. Public service in the federal and «regional» authorities of the Russian Federation (16)
- 5.7. «Elected» positions involving permanent performance of government functions («mayors», «justices of the peace») (16)
- 5.8. «Municipal service» in the territory of Crimea (14)
- 5.9. «Elected» positions that provide for the temporary performance of government functions («local deputies», «jurors») (12)
- 5.10. Positions that are not authoritative but involve public functions (lawyers, private notaries, arbitrators, arbitrators, inspectors, etc.) (10)
- 5.11. Managers and responsible officials of enterprises, institutions, organizations, in particular in the fields of production, transport, communications, education, science, culture, media, which are formally or de facto under the control of the occupying authorities (8)
- 5.12. Managers and responsible officials of enterprises, institutions, organizations, associations of citizens who are not under the control of the occupiers, but constantly or periodically perform the functions of servicing or ensuring the activities of the occupying authorities (6)

6. *Attitude to the tasks of the occupying power*

- 6.1. Initiative performance of tasks of the occupying power in its interests, using the

so-called official opportunities (10)

- 6.2. Execution of tasks of the occupying power within the framework of «official duties» (0)

7. *Negative consequences of collaboration with the occupiers*

- 7.1. Committing international crimes (seizure of private property, conscription of Crimeans, deportation of Crimeans from Crimea, application of Russian laws, which grossly limited human rights, participation in aggression against Ukraine, its preparation and provision) (30)
- 7.2. Gross violations of fundamental human rights (involvement in murder, torture, abduction, long-term imprisonment, especially ill-treatment, racial discrimination) (28)
- 7.3. Other violations of human rights (imposition of fines, evictions, searches, violations of privacy, prohibition of meetings, organizations, media, interference in religious activities, etc.) (24)
- 7.4. Violation of public interests (destruction or negative change of the actual state and regime of cultural heritage, natural objects, natural resources, anti-Ukrainian propaganda, active support of the policy of «Russian peace») (20)
- 7.5. Committing corruption or other similar acts, gross errors or negligence that encumbered human rights or public interests (10)
- 7.6. No significant negative consequences of cooperation with the occupiers were revealed (0)

8. *Duration of cooperation with the occupiers*

- 8.1. More than five years (5)
- 8.2. Up to five years (3)
- 8.3. Up to one year (2)
- 8.4. Up to three months (0)

9. *Evaluation of the activities of the person by the occupiers*

- 9.1. Receiving state awards from the Russian Federation (10)
- 9.2. Receiving of departmental («republican, municipal») awards (8)
- 9.3. Public positive mentioning of a person in the media controlled by the occupiers (6)
- 9.4. Encouragement of a person in material or disciplinary order (4)
- 9.5. Promotion of a person on «service» with the consent of the occupiers (except automatic) (2)
- 9.6. No special positive assessment of the occupiers' activities was detected (0)

10. Positive needs for cooperation with the occupiers

- 10.1. Ensuring the critical needs of the population (medicine, veterinary medicine, fire, sea and mountain rescue, ensuring the functioning of water, electricity, gas, sewerage and public roads, ensuring the production and distribution of food, medicines and basic necessities) (20)
- 10.2. Providing other needs of the population (primary and secondary education, library and museum affairs, local transport, Internet, charity, animal rescue) (10)
- 10.3. No significant positive consequences of cooperation with the occupiers were found (0)

11. Grounds for termination of cooperation with the occupiers

- 11.1. Termination at the initiative of the occupiers due to disloyalty (10)
- 11.2. Initiative termination (5)
- 11.3. Termination at the initiative of the occupiers due to unsuitability or «violation» (0)
- 11.4. Termination due to external circumstances (0)

12. General factors to be taken into account

- 12.1. Sabotage of actions contrary to public interests or human rights (20)
- 12.2. Acting in the public interest or human rights (15)
- 12.3. Professional specialization of the person (10)
- 12.4. Unsatisfactory financial condition (10)
- 12.5. Objective difficulties of leaving the Crimea (sick relatives, family) (10)

Appendix B

Draft

LAW OF UKRAINE «On the Indigenous Peoples of Ukraine»

This Law

In accordance with the Constitution of Ukraine and international treaties of Ukraine,

Relying on the Universal Declaration of Human Rights, the Declaration of State Sovereignty of Ukraine, the Declaration of the Rights of Ethnicities, the United Nations Declaration on the Rights of Indigenous Peoples,

Respecting the rights and interests of indigenous peoples and recognizing existing international norms and standards in this field,

Noting that indigenous peoples contribute to the cultural diversity, social and economic harmony of mankind, to international cooperation and mutual understanding,

Arguing that the indigenous peoples of Ukraine are an integral part of the Ukrainian nation,

Being aware of the need to exercise the right to self-determination of the Crimean Tatar people in Ukraine, to overcome the consequences of their deportation,

Recognizing the importance of preserving the identity of the endangered indigenous peoples of Ukraine, the Karaites and the Krymchaks,

Aiming to ensure interethnic harmony and counteract discrimination against citizens of Ukraine on racial, ethnic, religious, linguistic grounds,

Recognizing the will of the indigenous peoples of Ukraine to preserve and develop their identity, traditional institutions, way of life, language and religion within an integral part of Ukraine — the Autonomous Republic of Crimea, where they were formed as integral and self-sufficient ethnic groups,

Establishes guarantees for the observance of the rights, freedoms and legitimate interests of the indigenous peoples of Ukraine.

SECTION I TERMS

Article 1. Definition of terms

1. Assimilation — the absorption of an indigenous people or a certain part of it by another ethnic community, or the dissolution of the indigenous people in another ethnic environment, as a result of which the indigenous people lose their

language, culture, identity, traditions, customs etc.

2. Demographic indicator of the relative number of indigenous peoples — is defined as the ratio of the number of indigenous peoples living in a given area to the total population of the same territory.
3. The indigenous peoples of Ukraine are separate ethnic communities that have historically formed on the territory of Ukraine, preserve and seek to pass on to their descendants their collective ethnocultural identity and self-awareness, are carriers of original language and culture; have traditional social, cultural and political institutions; have no other state, except Ukraine, where they could exercise their own right to self-determination; who are self-aware of the indigenous peoples of Ukraine.

The indigenous peoples of Ukraine include the Crimean Tatar people.

The endangered indigenous peoples of Ukraine include the Karaite and Krymchak peoples.

Recognition of other ethnic groups as the indigenous peoples of Ukraine is carried out by approving the relevant Statement by the Verkhovna Rada of Ukraine, which is notified to Ukraine by the competent structures of the United Nations on indigenous issues.

4. Organizational and managerial decisions — the result of creative purposeful analysis of the problem situation, the choice of ways, methods and means of solving it in accordance with the purpose.

Article 2. The rights of indigenous peoples and human rights

1. The indigenous peoples of Ukraine and persons belonging to them have the right, collectively and individually, to the full enjoyment of all human rights and fundamental freedoms recognized in the Charter of the United Nations, the Universal Declaration of Human Rights, and the United Nations Declaration on the Rights of Indigenous Peoples and in international treaties, the binding nature of which has been approved by the Verkhovna Rada of Ukraine, as well as those provided for in the Constitution and laws of Ukraine.
2. The Commissioner for Human Rights of the Verkhovna Rada of Ukraine shall, during the preparation of reports on the state of observance of human rights, interact with representative structures and other special institutions of indigenous peoples in accordance with the procedure agreed with such structures and institutions.

Article 3. Legal capacity of indigenous peoples

1. The indigenous peoples of Ukraine are subjects of law, they are equal and free in the exercise of their collective rights and in the promotion of the rights of persons belonging to them.
2. Discrimination against the indigenous peoples of Ukraine and persons belonging to them in the exercise of their rights, especially on the basis of their origin or identity, is prohibited.
3. The rights of indigenous peoples and persons belonging to them guaranteed by

this Law are aimed at ensuring de facto equality of indigenous peoples with ethnic groups that are in a more favorable position, in particular in the territories of the historical formation of the indigenous peoples of Ukraine.

4. The indigenous peoples of Ukraine may not have rights and guarantees of their own interests to a lesser extent than national minorities of Ukraine, in particular with regard to the right to autonomy.

Article 4. The right of indigenous peoples to self-determination

1. The indigenous peoples of Ukraine have the right to self-determination in the Ukrainian state. By virtue of this right, they establish their political status within the Constitution and laws of Ukraine, freely carry out their economic, social and cultural development.
2. Indigenous peoples in exercising their right to self-determination have the right to autonomy or self-government in matters relating to their internal affairs, including the ways and means of financing their special institutions, which are formed and operate within the Constitution and laws of Ukraine.
3. The Autonomous Republic of Crimea must guarantee the realization of the right of the Crimean Tatar people to self-determination, protection of the rights of other indigenous peoples and national minorities.

Article 5. Institutionalility of indigenous peoples

1. The indigenous peoples of Ukraine have the right, in accordance with the Constitution of Ukraine of this Law and other acts of legislation, to preserve and strengthen their special political, legal, economic, social and cultural institutions, while retaining their right to full participation in political, economic, social and cultural life. Of Ukraine.
2. The special political, legal, economic, social and cultural institutions of the indigenous peoples of Ukraine are a means of ensuring self-determination, sustainable development, realization of property and cultural rights of indigenous peoples and may operate in the format of representative structures and public associations.
3. The Cabinet of Ministers of Ukraine shall establish the procedure for granting the status of legal entities to special political and legal institutions of the indigenous peoples of Ukraine and interaction with the relevant institutions of the indigenous peoples of Ukraine as their representative structures.
4. Authorities and officials of the Autonomous Republic of Crimea, bodies of state power and local self-government of the city of Sevastopol, regions, separate districts and territorial communities of compact historical residence of the indigenous peoples of Ukraine shall, within their competence, interact with interested special institutions of the indigenous peoples of Ukraine to grant them the right to self-determination in the Ukrainian state, guaranteed by this Law.
5. Acts of the legislation of Ukraine, organizational and administrative decisions on the rights of indigenous peoples and persons belonging to them must be adopted subject to prior, voluntary and informed consent of the indigenous peoples of Ukraine, reflected in the decisions of relevant special institutions of the indigenous peoples of Ukraine.

6. The State, represented by its competent authorities, together with the representative structures of the indigenous peoples of Ukraine, shall promote the formation of territorial communities which would correspond to the places of compact settlement of the indigenous peoples of Ukraine.

SECTION II RIGHTS OF INDIGENOUS PEOPLES

Article 6. The right of the indigenous peoples of Ukraine to exist

1. The indigenous peoples of Ukraine have a collective right to live in freedom, peace and security as distinctive ethnic communities and shall not be subjected to any acts of genocide or any other act of collective coercion, violence or punishment. It is the duty of the state to protect the existence and identity of the indigenous peoples of Ukraine.
2. The assimilation of the indigenous peoples of Ukraine and persons belonging to them, coercive influence on them or other actions aimed at or as a result of deprivation of their integrity as original ethnic communities or their ethnicity shall be prohibited.
3. The indigenous peoples of Ukraine shall not be subject to forced relocation from their historical lands and territories of compact residence in the Autonomous Republic of Crimea. No mass movement of persons belonging to the indigenous peoples of Ukraine shall take place without the voluntary, prior and informed consent of the relevant representative structures of the indigenous peoples of Ukraine.
4. Propaganda in any form aimed at encouraging or inciting racial, ethnic or religious hatred or enmity against the indigenous peoples of Ukraine and persons belonging to them, denying the ethnicity or ethnic identity of such indigenous peoples and persons is prohibited, and entails for legal entities and individuals liability under the law.
5. The state must use all mechanisms of influence provided by international law to protect the indigenous peoples of Ukraine, their special political, legal, economic, social and cultural institutions in the temporarily occupied territory of Ukraine.
6. Ensuring the rights of internally displaced persons belonging to the indigenous peoples of Ukraine shall be carried out taking into account the peculiarities provided for by this Law.
7. Non-governmental organizations of representatives of the indigenous peoples of Ukraine, who are not citizens of Ukraine, outside Ukraine have the status of public organizations of foreign Ukrainians and the corresponding rights and obligations under the legislation of Ukraine.

Article 7. The right of the indigenous peoples of Ukraine to identity

1. The indigenous peoples of Ukraine have the right to self-determination of their own identity, to the dignity and diversity of their own culture, traditions, language and history. The indigenous peoples of Ukraine have the right to tolerance, mutual understanding and good relations between indigenous peoples themselves, the

- titular ethnicity and all national minorities and other ethnic groups in Ukraine.
2. Respect for the identity of the indigenous peoples of Ukraine, for their ethnicity and ethnic self-awareness, for their integrity as distinctive ethnic groups and their national symbols should be reflected in the education system and information space of Ukraine.
 3. Self-identification of a person as belonging to the indigenous people of Ukraine and origin of a person from persons belonging to the indigenous people of Ukraine is a sufficient condition for granting this person the status of a foreign Ukrainian and for this purpose should be considered as Ukrainian self-identification and Ukrainian ethnic origin.
 4. The indigenous peoples of Ukraine independently through their own special political and legal institutions determine their own national symbols and the procedure for its application in compliance with the legislation of Ukraine.
 5. The application of the national symbols of the indigenous peoples of Ukraine in the Autonomous Republic of Crimea may be carried out together with the application of the symbols of the Autonomous Republic of Crimea in cases and in accordance with the procedure approved by the authorities of the Autonomous Republic of Crimea.

Article 8. Cultural rights of the indigenous peoples of Ukraine

1. The indigenous peoples of Ukraine have the right to observe and revive their cultural traditions and customs, to preserve their own cultural heritage. This includes the right to preserve, protect and develop past, present and future forms of expression of their culture, such as archaeological and historical sites, other monuments of material culture, drawings, rituals, technology, fine arts and literature.
2. The indigenous peoples of Ukraine have the right to:
 - to observe, exercise, develop and transmit their spiritual and religious traditions, customs and rites;
 - independently or together with the competent state bodies to preserve, protect, and determine the order of visiting their places of religious and cultural significance;
 - to use and dispose of their ritual objects and the right to bury their dead.
3. The list of places and objects of religious and cultural significance of the indigenous peoples of Ukraine and the procedure for using these objects, their financing and income from such activities shall be determined by the Cabinet of Ministers of Ukraine in coordination with special political and legal institutions of indigenous peoples of Ukraine.
4. The indigenous peoples of Ukraine have the right to revive, use, develop and pass on to future generations their history, languages, traditions of oral art, philosophy, writing and literature, as well as to give their names and names to communities, places and settlements and preserve them.
5. Authorities and officials of the Autonomous Republic of Crimea, bodies of state power and local self-government of the city of Sevastopol, regions, separate districts and territorial communities are obliged to cooperate within their competence with representative structures and other special institutions of the

indigenous peoples of Ukraine, specific mechanisms for the implementation of this right of the indigenous peoples of Ukraine in some cases.

6. The procedure for restoring the historical toponymy of indigenous peoples shall be established by the Cabinet of Ministers of Ukraine in agreement with the relevant representative structures of the indigenous peoples of Ukraine.

Article 9. Educational and linguistic rights of the indigenous peoples of Ukraine

1. The indigenous peoples of Ukraine, through their own representative structures and other special institutions, have the right, in accordance with the Constitution and legislation of Ukraine, to establish their own educational institutions or to cooperate with educational institutions of all forms of ownership in order to ensure that their native languages are taught so that it corresponds to their culture, traditions of teaching and learning and provided training in the field of language, history and culture of the indigenous peoples of Ukraine.
2. The state, through interaction with representative structures and other special institutions of indigenous peoples, determines the procedure for including information on the language, history and culture of the indigenous peoples of Ukraine in the educational process in accordance with the legislation on education.
3. The state guarantees the possibility of teaching the native languages of the indigenous peoples of Ukraine and ensures the preservation and research of these languages and the cultural heritage of indigenous peoples.
4. On the territory of the Autonomous Republic of Crimea, acts of individual action of the authorities of the Autonomous Republic of Crimea, local self-government bodies shall be promulgated in the state language and additionally promulgated in translation into Crimean Tatar as the language of the indigenous people of Ukraine.
5. The language of the cultural and artistic, entertainment and exhibitional events organized by representatives of the indigenous people of Ukraine and / or reflecting the culture, traditions, customs of the indigenous people of Ukraine may be the language of the indigenous people of Ukraine.
6. During the accompaniment (conference) of cultural events organized by the indigenous people of Ukraine, the language of the respective indigenous people of Ukraine may be used.
7. Public events (meetings, conferences, rallies, exhibitions, training courses, seminars, trainings, discussions, forums, other events, available or open to participants of such events freely or by invitation, for a fee or free of charge, permanently, periodically, once or from time to time) organized by representative bodies or special institutions of indigenous peoples are conducted in the language of the relevant indigenous people of Ukraine.
8. During public events (meetings, conferences, rallies, exhibitions, training courses, seminars, trainings, discussions, forums, other events, available or open to participants of such events freely or by invitation, for a fee or free of charge, permanently, periodically, once or from time to time), the topic of which directly or indirectly concerns the interests of indigenous peoples, translation into the language of the respective indigenous people shall be provided.
9. In the print media published in the places of residence of indigenous peoples,

- advertising is carried out with mandatory duplication of information in the Crimean Tatar language.
10. The language of the respective indigenous people shall duplicate the information contained in the advertisements distributed by the television and radio organizations located on the territory of the indigenous people of Ukraine.
 11. Along with the state language, the official names of state authorities, authorities of the Autonomous Republic of Crimea and local governments, enterprises, institutions and organizations of state and communal ownership located in the territory of the indigenous peoples of Ukraine are indicated in the language of the indigenous people.

Article 10. Information rights of the indigenous peoples of Ukraine

1. The indigenous peoples of Ukraine, through their own representative structures and other special institutions, have the right, in accordance with the Constitution and legislation of Ukraine, to establish their own media of all kinds and to access all other media without any discrimination.
2. Authorities and officials of the Autonomous Republic of Crimea, bodies of state power and local self-government of the city of Sevastopol, oblasts, separate districts and territorial communities are obliged within their competence to ensure proper coverage in mass media financed from the State Budget of Ukraine or local budgets, cultural diversity of the indigenous peoples of Ukraine, to promote such coverage by other media.
3. The state provides support to television and radio media outlets that provide more than half of the information product in the languages of the indigenous peoples of Ukraine and dedicate it to the implementation of the rights of the indigenous peoples of Ukraine in accordance with this law. The procedure for providing such support shall be determined by the Cabinet of Ministers of Ukraine in coordination with representative structures and other special institutions of indigenous peoples.

Article 11. The right of the indigenous peoples of Ukraine to sustainable development

1. The indigenous peoples of Ukraine, through their own representative structures and other special institutions, have the right to set priorities and develop strategies to exercise their right to development. This right includes participation in the development and implementation of state and regional target programs and strategies on all issues affecting the interests of indigenous peoples and the use of land, water, forest, recreational, mineral resources located in the Autonomous Republic of Crimea, regardless of ownership of such resources.
2. The indigenous peoples of Ukraine through their own representative structures and other special institutions interact with public authorities, the Autonomous Republic of Crimea and local governments on environmental protection and ensuring efficient and equitable use of land, water, forest, recreational and mineral resources located on territory of the Autonomous Republic of Crimea. The order of such interaction is determined by acts of the Autonomous Republic of Crimea approved in coordination with representative structures and other special institutes of indigenous peoples within its competence.

3. The procedure for directing part of the revenues received by the State Budget of Ukraine from the exploitation of natural resources located in the Autonomous Republic of Crimea to the needs of the indigenous peoples of Ukraine established by this Law shall be determined by the Cabinet of Ministers of Ukraine in coordination with representative structures.
4. The procedure for reserving for representatives of the indigenous peoples of Ukraine returning to the Autonomous Republic of Crimea lands of agricultural and other forms of destination, allocation of land plots and their accounting shall be established by the Cabinet of Ministers of Ukraine in coordination with representative structures and other special institutions of indigenous peoples.

Article 12. Rights of persons belonging to the indigenous peoples of Ukraine

1. The indigenous peoples of Ukraine through their own representative structures and other special institutions have the right in accordance with the Constitution and legislation of Ukraine to promote and ensure observance and protection of labor and social rights of persons belonging to the respective indigenous people of Ukraine, the rights of such persons to protection against discrimination, health care, safe environment and peaceful ownership of property.
2. The Commissioner for Human Rights of the Verkhovna Rada of Ukraine shall assist the representative structures and other special institutions of indigenous peoples in exercising the rights guaranteed by this Article in accordance with the procedure agreed with such structures and institutions.

SECTION III REPRESENTATION OF THE INDIGENOUS PEOPLES OF UKRAINE

Article 13. The right of the indigenous peoples of Ukraine to represent common interests

1. The right to represent common interests is exercised by the indigenous peoples of Ukraine through the activities of their own representative structures and through forms of direct democracy (general meetings of persons belonging to indigenous peoples at the place of residence, appeals of such persons, public hearings and public initiatives).
2. Within the limits of their own powers, the following may assist the indigenous peoples of Ukraine in exercising their rights:
 - special institutions of the indigenous peoples of Ukraine, which have the status of public organizations;
 - other associations of citizens, which in their own statutory documents provide for the implementation of such assistance;
 - members of local councils, MPs of the Verkhovna Rada of the Autonomous Republic of Crimea and the Verkhovna Rada of Ukraine, who provided for such

assistance in the election program or who were nominated by special institutions of the indigenous peoples of Ukraine.

Article 14. Representation of the Indigenous Peoples of Ukraine in the Verkhovna Rada of Ukraine

1. Representation of the indigenous peoples of Ukraine in the Verkhovna Rada of Ukraine is guaranteed through the formation of a two-mandate ethnic constituency.
2. The election of deputies in a two-mandate ethnic constituency shall be organized by the representative structures of the indigenous peoples of Ukraine in accordance with their own rules of procedure, which shall comply with international standards for equal, direct and transparent elections by secret ballot.
3. The rules of procedure for voting, counting of votes and determination of winners may not contradict the Constitution of Ukraine and international treaties of Ukraine and shall be determined by representative structures of the indigenous peoples of Ukraine with the assistance of the Central Election Commission of Ukraine, approved by the Central Election Commission to the Verkhovna Rada of Ukraine.
4. Participation of voters in voting for candidates for MPs in a two-mandate ethnic constituency does not exclude participation in voting in constituencies at the place of permanent residence in the relevant elections to the Verkhovna Rada of Ukraine.

Article 15. Representation of the Indigenous Peoples of Ukraine in the Verkhovna Rada of the Autonomous Republic of Crimea

1. Representation of the indigenous peoples of Ukraine in the Verkhovna Rada of the Autonomous Republic of Crimea is guaranteed by the formation of a multi-mandate ethnic constituency with a number of deputies equal to one third of the total number of MPs of the Verkhovna Rada of the Autonomous Republic of Crimea.
2. Special representation in the Verkhovna Rada of the Autonomous Republic of Crimea of the endangered indigenous peoples of Ukraine shall be guaranteed through the formation of two single-mandate ethnic constituencies.
3. The election of candidates in an ethnic constituency shall be organized by the representative structures of the indigenous peoples of Ukraine in accordance with their own rules of procedure, which shall comply with international standards for equal, direct and transparent elections by secret ballot.
4. The rules of procedure for voting, counting of votes and determination of winners may not contradict the Constitution of Ukraine and international treaties of Ukraine and shall be determined by the representative structures of the indigenous peoples of Ukraine with the assistance of the Central Election Commission of Ukraine to the Verkhovna Rada of the Autonomous Republic of Crimea.
5. Participation of voters in voting for candidates in one of the ethnic constituencies does not exclude participation in voting in other constituencies in the relevant elections to the Verkhovna Rada of the Autonomous Republic of Crimea.

Article 16. Representation of indigenous peoples of Ukraine in local councils

1. Representation of the indigenous peoples of Ukraine in elected local self-government bodies shall be proportional to the demographic indicators of the relative number of the indigenous peoples of Ukraine in the territory within which the relevant body operates.
2. The list of elected bodies of local self-government, which provide for the representation of the indigenous peoples of Ukraine, shall be approved by a resolution of the Verkhovna Rada of Ukraine on the proposal of representative structures of the indigenous peoples of Ukraine. The ethnic origin of the citizens who make up the population of the respective administrative-territorial unit is determined on the basis of a notification from the local self-government bodies of indigenous peoples and according to the data of the latest General Ukrainian Census.
3. Approval of the said list, amendments and additions to it shall take place not later than one year before the respective regular local elections and not later than three months before the relevant early local elections. In territorial communities and their associations, not included in the specified list or included in the specified list of later determined terms, elections are held according to the general procedure. The Central Election Commission of Ukraine and the elected bodies of local self-government of territorial communities and their associations included in the said list shall be notified of the approval of the said list, making changes and additions to it within a week.
4. Local councils of territorial communities and their associations included in the list referred to in part 2 of this Article shall be elected with the formation of a multi-member ethnic constituency with a number of seats equal to the number of members of these local councils of the next convocation, that shall represent the interests of the indigenous peoples of Ukraine determined in the manner prescribed by part 3 of this article.
5. Elections in a multi-member ethnic constituency shall be an alternative for voters participating in elections to the relevant local council under a majority electoral system. Voter participation in voting for candidates in one of the ethnic constituencies excludes his / her participation in voting in other constituencies in the respective local elections.
6. In the event that the representatives of the indigenous peoples of Ukraine constitute an absolute majority of the territorial community, local elections in the relevant administrative-territorial unit shall be held without applying the provisions of parts 1-5 of this article in accordance with applicable law.

Article 17. International Representation of the Indigenous Peoples of Ukraine

1. Ukraine promotes the development of the ethnic, cultural, linguistic and religious identity of all the indigenous peoples of Ukraine and cares for the satisfaction of the national, cultural and linguistic needs of their representatives living outside the country. Relevant activities should be subject to the voluntary, prior and informed consent of the relevant representative structures of the indigenous peoples of Ukraine.

2. To ensure the international representation of the indigenous peoples of Ukraine, in agreement with the representative structures of the indigenous peoples of Ukraine, Ukraine may include representatives of the indigenous peoples of Ukraine, diplomatic missions of Ukraine to foreign states and international organizations and / or include representatives of the indigenous peoples of Ukraine in the aforementioned organizations, their bodies and at international conferences or negotiations.
3. The representative structures of the indigenous peoples of Ukraine may delegate their representatives on behalf of indigenous people or the indigenous peoples of Ukraine to participate in the work of the international organization, its body and the international conference, provided that the rules of such international organization, its body and the international conference representatives of indigenous peoples.
4. Such delegation shall be notified by the central executive body, which shall ensure the formation and implementation of state policy in the field of foreign relations not later than three days after the appointment of the delegation and not later than one week before the delegation within the international organization, its body and an international conference.
5. Ukraine may not create obstacles for special political, legal, economic, social and cultural institutions of the indigenous peoples of Ukraine, as well as for public associations registered in the manner prescribed by the legislation of Ukraine, which provide for the protection of the interests of the indigenous peoples of Ukraine outside Ukraine, in carrying out in accordance with the Constitution and laws of Ukraine activities to represent the interests and protect the rights of the indigenous peoples of Ukraine in international organizations, their bodies, at international conferences and in relations with organizations that protect the interests of indigenous peoples in foreign countries.

Article 18. Ensuring the activities of representative structures of the indigenous peoples of Ukraine

1. Representative structures of the indigenous peoples of Ukraine, their local and specialized bodies are legal entities under public law.
2. Financial support of the activities of the representative structures of the indigenous peoples of Ukraine provided for by this law shall be provided by a separate budget program at the expense of the State budget of Ukraine. The financial needs of the representative structures of the indigenous peoples of Ukraine are determined annually by their motivated requests.
3. Representative structures of the indigenous peoples of Ukraine, their local and specialized bodies, if necessary, shall receive free use of premises in state or communal ownership for carrying out their own activities.
4. Representative structures of the indigenous peoples of Ukraine, their local and specialized bodies may receive charitable and humanitarian assistance from international organizations, foreign states, legal entities of Ukraine, foreign Ukrainians and citizens of Ukraine.
5. Taxation of the activities of representative structures of the indigenous peoples of Ukraine, their local and specialized bodies shall be carried out in accordance with the norms of the tax legislation of Ukraine on the activities of charitable organizations.

Article 19. Procedure for making decisions on the basis of prior, voluntary and informed consent with the representative bodies of indigenous peoples

1. Indigenous representative bodies shall consider draft decisions of the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, as well as bodies of state power and local self-government in the Autonomous Republic of Crimea on issues within the competence of indigenous peoples.
2. Indigenous representative bodies shall independently determine their own decision-making procedure on matters requiring agreement on the basis of part 1 of this article.
3. In order to obtain the consent of the relevant representative body of the indigenous people provided for in this Article, the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, public authorities and local governments in the Autonomous Republic of Crimea shall submit draft decisions to the relevant representative body. The rationale for the decisions must include the necessary rational arguments in favor of its adoption, as well as a list of expected risks and forecasts of their social, cultural, economic, environmental and other consequences.
4. Draft decisions provided for in part 3 of this article shall be considered by the relevant representative bodies of indigenous peoples within a period not exceeding 45 (forty five) working days, and in urgent cases justified in the draft, within the specified period, but not less than 5 (five) working days. The relevant representative body of indigenous people has the right to give consent, to refuse to give consent, to give partial consent (consent with reservations) in respect of decisions sent to it for consent.
5. The Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, state authorities and local governments in the Autonomous Republic of Crimea, which have received partial consent (consent with reservations) from the relevant representative body of indigenous peoples, have the right to make a decision after ensuring the necessary changes.
6. The Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, state authorities and local governments in the Autonomous Republic of Crimea, which have received full or partial consent to make their decisions from the representative self-governing body of the Crimean Tatar people one) year from the date of receipt of such consent. If this deadline is missed, the consent of the representative bodies of indigenous peoples expires.
7. The Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, state authorities and local self-government bodies in the Autonomous Republic of Crimea shall not have the right to make decisions on which the relevant representative body of indigenous people has refused to give consent. Refusal to give consent to the representative self-governing body of the Crimean Tatar people does not prevent re-application for such consent.
8. The refusal of indigenous representative bodies to grant the consent provided for in this article may be challenged in court.

9. Actions and inaction of the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, state authorities and local governments in the Autonomous Republic of Crimea, violating the right of indigenous representative bodies to agree with them on decisions be challenged in court.

SECTION IV FINAL PROVISIONS

1. This Law shall enter into force on the day of its official publication.
2. The Cabinet of Ministers of Ukraine within one month from the date of official promulgation of this Law is obliged to:
 - a. prepare and submit to the Verkhovna Rada of Ukraine proposals on bringing the Tax, Budget, Civil Codes of Ukraine, laws of Ukraine On the Verkhovna Rada of the Autonomous Republic of Crimea, On Elections of MPs of Ukraine, On Public Associations, On Foreign Ukrainians, On Local Elections, On Local State Administrations, On Local Self-Government in Ukraine, On MPs of Ukraine, On the Verkhovna Rada of the Autonomous Republic of Crimea, On the Rules of Procedure of the Verkhovna Rada of Ukraine, On the Verkhovna Rada Commissioner for Human Rights and others in accordance with this Law;
 - b. bring its regulations in line with this Law;
 - c. ensure the adoption of regulations provided for by this Law;
 - d. ensure the review and repeal by ministries and other central executive bodies of their regulations that contradict this Law.

Situation analysis in the occupied Crimea as of 2020

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