



PC.DEL/247/17

3 March 2017

ENGLISH only

Permanent Mission of Ukraine
to the International Organizations in Vienna

Statement
on gross and uncorrected human rights violations by Russia in the illegally occupied Autonomous Republic of Crimea and city of Sevastopol (Ukraine)

As for delivery by the Delegation of Ukraine
to the 1135th Meeting of the Permanent Council,
2 March 2017

Mr. Chairman,

Three years ago when Russian special forces flagrantly violated Ukraine's sovereignty and territorial integrity by moving to take control of the governmental buildings and legitimate bodies of power in Crimea was a day that set in motion the worst security crisis in Europe since the end of the Cold war. Russia activated its plans of invasion on 20 February 2014 while Moscow's representative was taking part in talks in Kyiv on political resolution of the crisis. By pursuing the armed aggression against Ukraine, illegal occupation of Ukraine's Autonomous Republic of Crimea and the city of Sevastopol, as well as its further military intervention and hybrid warfare in Donbas Russia has positioned itself as a clear threat to the European and global security.

In the course of three years of illegal occupation of Crimea, the Russian Federation has committed gross violation of human rights and fundamental freedoms of the Crimean population. The violations have been registered and documented by the United Nations and the OSCE ODIHR/HCNM missions, civil society organizations and human rights defenders. From day one of the illegal occupation Russia has been transforming the Crimean peninsula into the human rights "exclusion zone" marked by injustice, terror and repression, by attempts to erase the national identity of the Ukrainians and of the indigenous people of the peninsula — the Crimean Tatars, by cruel silencing of any dissenting voices.

While flagrantly breaching all ten principles of the Helsinki Final Act, the Russian Federation has systematically violated the OSCE commitments on promotion and protection of human rights and fundamental freedoms, strengthening instead the oppression of the population under its occupation.

We would like to draw the attention to some of the most glaring violations.

Forced disappearances and murder were practiced from the very beginning of the illegal occupation. The Crimean Tartar Reshat Ametov was kidnapped, tortured and killed by the so-called "Crimean self-defense" in March 2014. Ervin Ibragimov, member of the Executive Committee of the World Congress of Crimean Tatars and member of the regional Mejlis was kidnapped by persons in Russian traffic police

uniform in May 2016, resembling similar disappearances between 2014-2016. As per 25 February 2017, 12 persons were killed on political grounds, 17 persons are missing, 39 persons were placed behind bars because of their political views.

The occupation authorities use harsh criminal punishment to suppress dissent over Russia's illegal actions. Oleh Sentsov and Oleksandr Kolchenko were thrown into jail on fabricated charges for twenty and ten years respectively and were recognized as political prisoners in Russia, together with many other Ukrainian citizens. Deputy Chairman of the Crimean Tatar Mejlis Akhtem Chiygoz has now been behind bars for two years, another Deputy Chairman of Mejlis Ilmi Umerov is criminally persecuted. The leader of the Crimean Tatar people Mustafa Dzhemilev and Chairman of the Mejlis Refat Chubarov have been banned entry to their native land. The Mejlis – a traditional representative body of the Crimean Tatar people – was labeled by the Russian occupation authorities “an extremist organization” and banned. Only last week another group of twenty Crimean Tatars was placed under arrest.

The arbitrarily detained persons are subjected to torture, inhumane and degrading treatment to extort self-incrimination. The Russian occupation authorities do not react to reports of torture. One of the victims, Oleksandr Kostenko, presented his accounts of tortures by the Russian FSB as wires were put under his nails to cause shocks by electric power, his arm and fingers were broken. One of the so-called “Ukrainian saboteurs” Andriy Zakhtey informed in his written statement that he had been taken by the FSB to an unknown building with a bag over his head, was beaten up and tortured over two days with the demands to confess to being a part of a group of saboteurs, who were preparing explosions in the Crimea.

The Russian occupation authorities brought to the Crimea the abhorrent Soviet Union's repressive practice of forced psychiatric examination which had been imposed on dissidents in the Soviet times. Deputy Chairman of the Mejlis Ilmi Umerov, Vadym Siruk, Muslim Aliev, Refat Alimov, Arsen Dzheparov and others have been forced to undergo such examination.

The occupation authorities suppressed all independent media outlets, among them ATR TV channel, "Black Sea TV" channel, “Crimean News (QHA)” news agency, “Avdet” newspaper, the "Center of Journalist Investigations", Information Press Center. The journalists, who dare to report differently from the position of the occupation authorities, are harassed, detained and interrogated. Their apartments are searched and relatives get intimidated. The OSCE Representative on Freedom of the Media has repeatedly reacted to this unacceptable treatment of the media. The present most conspicuous case is that of the Ukrainian journalist Mykola Semena who faces fabricated charges of “undermining Russian territorial integrity via mass media”. Taking a position in full compliance with international law is a criminal offence in Russia's inverted reality.

The people in Crimea are denied the right to freedom of expression, freedom of association and freedom of religion. The occupation authorities banned the traditional ceremonies in connection with anniversaries of the deportation of the Crimean Tatar people, peaceful assembly on the Crimean Tatar Flag Day, annual rally on the International Day of Human Rights and other events. A demonstration of the

Ukrainian flag or laying flowers to the Ukrainian monuments can easily become the reason for a criminal or administrative charge. That was the case for Kurseit Abdullayev, Leonid Kuzmin and Olexander Kravchenko who were detained and found guilty for displaying the Ukrainian flag and inscriptions "Crimea is Ukraine" which the so-called "court" considered to be symbols of extremist organizations. Or the recent case of Crimean farmer Volodymyr Balukh who was thrown in jail last December on fabricated charges just for hoisting the Ukrainian flag at his private house. V.Balukh joined a long list of Ukrainian citizens who are political prisoners in Russia and in the Russia-occupied territory of Ukraine.

The Russian FSB Centre for Counteraction to Extremism has conducted scores of searches of mosques and Islamic schools (madrassas) under a pretext of looking for "drugs, weapons or extremist materials". A large number of Muslim literature that was used freely by Crimean Tatars is now prohibited by the occupation authorities entailing fines or criminal prosecution for possession or distribution. The Ukrainian Orthodox Church of Kyiv Patriarchate is under constant pressure and attacks of Russian propaganda. The number of religious communities operating in Crimea dropped nearly three times under the occupation regime.

Half a million of ethnic Ukrainians in Crimea are deprived of their right to maintain and develop their culture and national identity. The occupation authorities closed all but one secondary school with the Ukrainian as the language of instruction.

Mr. Chairman,

Against the backdrop of glaring and systematic human rights violations in the illegally occupied Crimean peninsula, on 19 December 2016 the UN General Assembly adopted a Resolution 71/205 "Situation of human rights in Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)".

In particular, the General Assembly, condemning Russia's occupation of a part of Ukraine's territory and not recognizing the attempted annexation, called on the Russian Federation "to take all measures necessary to bring an immediate end to all abuses against residents of Crimea, in particular reported discriminatory measures and practices, arbitrary detentions, torture and other cruel, inhumane or degrading treatment, and to revoke all discriminatory legislation." It also urged Russia to "immediately release Ukrainian citizens who were unlawfully detained and judged without regard for elementary standards of justice, as well as those transferred across internationally recognized borders from Crimea to the Russian Federation".

We attach particular importance to this resolution's reference to the Geneva Conventions of 12 August 1949, which, inter alia, foresees the humane treatment of population of the occupied territory and protects its rights under international humanitarian law.

The Russian Federation must ensure full compliance with its obligations as an occupying power according to international law, and to provide safe and unfettered access for international human rights mechanisms to the temporarily occupied peninsula to monitor and report on the situation in accordance with their mandate.

Mr. Chairman,

Until now the Russian Federation has continuously ignored calls of the OSCE participating States, the United Nations, the OSCE Parliamentary Assembly, the Council of Europe to stop human rights violations in the occupied Crimea. This attitude should not discourage us, but rather strongly motivate to keep focus and increase efforts to make Russia restore respect for its political commitments and international obligations. It remains crucial to seek de-occupation of the Crimean peninsula. It is necessary to have unimpeded access for permanent human rights monitoring in the occupied peninsula.

At the same time, it should be noted that the effective monitoring of the human rights situation in Crimea could be carried out only under the existing international legal standards. Any political influence on these processes should be excluded. Any possible political ad-hoc initiatives could be exceptionally arranged with a view to facilitate an access to Crimea for conventional and institutional human rights mechanisms. They cannot substitute or prejudice regular activities of these mechanisms.

In the absence of such access, we call on the OSCE Chairmanship and the OSCE Institutions – HCNM, ODIHR and RFoM - to use all assets at their disposal for distant monitoring, documentation and reaction to human rights situation in the illegally occupied Crimea. It must not be tolerated that Russian occupation authorities commit glaring human rights abuses and oppression of the people under their control. Last Sunday, on 26 February, public marches and rallies dedicated to Crimean resistance to occupation were held in Kyiv and many other cities. We note that also in Russia many people courageously went public on that day shaming the authorities for occupation of Crimea and demanding to put an end to repressions there.

We urge Russia, as an occupying power, to take responsibility for stopping all human rights violations on the peninsula and to facilitate free and unconditional access of the international monitors to Crimea.

We urge Russia to reverse the illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol which are an integral part of the sovereign territory of Ukraine.

Thank you, Mr. Chairman.