

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

17 March 2016
EUR 50/3655/2016

CRIMEA: PROPOSED CLOSURE OF THE MEJLIS MARKS CULMINATION OF REPRESSIVE MEASURES AGAINST THE CRIMEAN TATAR COMMUNITY

On the eve of the second anniversary of Russia's annexation of Crimea, the *de facto* authorities are seeking to deprive Crimean Tatars of their representative body, the Mejlis of the Crimean Tatar People, whose members are elected by the community. On 17 March, the Supreme Court of Crimea began hearing a case brought by the *de facto* Prosecutor's Office against the Mejlis under Russian anti-extremism legislation. The unfounded allegation against the Mejlis of being an "extremist organization" must be withdrawn, and the ongoing reprisals against Crimean Tatar activists and any pro-Ukrainian and other dissenting voices in Crimea, must stop. The rights to freedom of assembly, association and expression must be fully respected.

Two years ago, on 18 March 2014, a "treaty" was signed in the Kremlin in Moscow, marking the annexation of Crimea by the Russian Federation. Since then, the fundamental rights to freedom of assembly, association and expression have been repeatedly violated in Crimea. The *de facto* authorities in Crimea are responsible for creating an increasingly oppressive environment which is aimed at silencing all dissent on the peninsula and targeting individuals opposed to the annexation or suspected of harboring pro-Ukrainian sympathies. Most vocal critics of the annexation have left the peninsula, including two Crimean Tatar leaders who have been barred from returning, while for those who remain the picture looks bleak and they remain at personal risk of intimidation and harassment, including criminal prosecution.

The Crimean Tatars, recognized as the indigenous people of the peninsula prior to the deportation of their entire population to remote parts of the then Soviet Union in 1944, began the painstaking process of re-establishing themselves in Crimea in the late 1980s. It is the Crimean Tatar community which is bearing the brunt of the above violations.¹

Amnesty International has documented at least seven cases of suspected enforced disappearances in Crimea. In at least six of the cases, the victims, who are still missing, are Crimean Tatars. In one further case, the man who was abducted was subsequently killed. Ethnic Crimean Tatar, Reshat Ametov, aged 39, was abducted by three men in unidentifiable uniforms on 3 March 2014 while attending a small protest in front of the Council of Ministers in Crimea. He was active on social media, where he voiced his concern for the fate of his community and the peninsula. His body was found on 15 March 2014 with signs of torture.

In some cases, the victims were seen being approached on the street by masked men, forced into a vehicle and driven in an unknown direction. Their abductors are widely believed to have been pro-Russian paramilitaries, known as the "Crimean self-defence forces" who were particularly active in the period immediately following occupation. In some cases, strong evidence exists, such as CCTV footage, pointing directly to the "Crimean self-defence forces" involvement in these disappearances. The families of the missing persons received assurances by the *de facto* authorities that these events would be effectively investigated, but there is no

¹ See: Crimea: One year on from annexation; critics harassed, attacked and silenced, Amnesty International, available at <https://www.amnesty.org/en/latest/news/2015/03/crimea-annexation-critics-attacked-and-silenced/> (accessed 3 March 2016)

indication that any genuine investigation has taken place, and not one of the cases has yet been resolved.

The *de facto* authorities have also clamped down on public gatherings in the peninsula. Requests to mark traditional Tatar or Ukrainian dates, like the Crimean Tatar Deportation Remembrance Day on 18 May or the birthday of Ukrainian poet, Taras Shevchenko, on 9 March, have either been entirely denied or restricted under Russian legislation on assemblies which requires prior approval from the authorities for any public gathering. Other traditional commemorative events have been allowed but moved from central squares to remote locations. Moreover, on 7 March this year, the *de facto* mayor of Simferopol signed a ruling banning all mass public, cultural, entertainment and other events which are not organized by the authorities.

Similarly, heavy restrictions on the media have also been imposed. During 2014 and 2015, critical media outlets, journalists and bloggers were harassed, including by office and house searches. Media outlets were required to re-register under Russian law and then simply denied registration arbitrarily, despite following stipulated procedures. Many media workers, particularly those representing Crimean Tatar media outlets, have left the peninsula while those who remain exercise considerable self-censorship for fear of closure or other legal sanctions. The forced closure of the Crimean Tatar-language TV channel ATR and the Crimean Tatar news agency QHA, amongst others, by the *de facto* authorities on 1 April 2015 has effectively left the community without local independent media.

In early 2014, the *de facto* authorities banned the Crimean Tatar activist and prominent Soviet-era human rights defender and dissident, Mustafa Dzhemilev, from entering his homeland for five years. Until shortly before the peninsula's annexation by Russia, he had been the first, long-standing Chairman of the Mejlis. The successive leader of the Mejlis, Refat Chubarov, was also banned from Crimea in the same year. Subsequently, the *de facto* Crimean authorities reportedly lifted the ban but issued orders for their arrest. Both men are now in Kyiv.

Meanwhile, reprisals against the Mejlis and its members have continued. In September 2014, the Mejlis building was seized by law enforcement officers after a court in Simferopol declared it a "cultural heritage site" and repossessed it as Russian state property. One of the two most senior members of the Mejlis still in Crimea, Deputy Chairman Akhtem Chiygoz, was arrested on 29 January 2015, the first to be detained in a wave of arrests targeting Crimean Tatar activists; he remains in detention. His arrest, and those that followed, including of Ali Asanov, Mustafa Degermendzhi and Arsen Yunusov, were in connection with the events of 26 February 2014. On that day, pro-Ukrainian (predominantly ethnic Crimean Tatars) and pro-Russian supporters clashed during a huge gathering in front of the Supreme Council of Crimea. Akhtem Chiygoz has been charged with "the organization of mass disturbances" even though all available evidence suggests that the level of violence on the day did not constitute the crime of "mass disturbances" even as defined by Russian law (under Article 212 of the Criminal Code of the Russian Federation, it involves violence, arson, property destruction and use of weapons amongst other things). Furthermore, Russian law did not apply to Crimea at the time, either *de jure* or *de facto*, as the event preceded Russia's annexation. Additionally, existing media footage and eyewitness accounts from the day indicate that Akhtem Chiygoz was trying to appease the crowds rather than incite violence. His family told Amnesty International that prior to his arrest, he had been under persistent pressure to demonstrate his support for the *de facto* authorities which he refused to do. If convicted of the charge against him, he faces a prison sentence of up to 15 years. The *de facto* authorities have only prosecuted members of the Crimean Tatar community in connection with the 26 February 2014 events and none of the alleged perpetrators of the violence from amongst the pro-Russian demonstrators, adding to concerns that the prosecutions have been politically motivated.

This current case against the Mejlis is the latest example in a long line of reprisals against the Crimean Tatar community. On 15 February, the *de facto* Prosecutor of Crimea filed a case

against the Mejlis alleging that it is an “extremist” organization. Central to the de facto Prosecutor’s arguments for the ban are statements made by the exiled Mejlis’ leader, Refat Chubarov, who has refused to recognize the legality of the Russian annexation of Crimea, called for an economic and energy blockade of the peninsula from the mainland Ukraine, and has repeatedly called for the peninsula to be returned to Ukraine. Its intended closure and the reprisals against its members constitute a violation of the rights to freedom of association and of expression and signal a new wave of repression against those associated with it.

END/