

PERSECUTION ON RELIGIOUS GROUNDS ON THE TERRITORY OF THE TEMPORARILY OCCUPIED CRIMEAN PENINSULA

(on the Example of Crimean Muslims)



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Following the occupation, politically motivated persecution of people not loyal to the Russian authorities and those they considered potentially disloyal began, in particular, on religious grounds. Disloyal persons are being prosecuted for participation in extremist and terrorist organizations, public calls for terrorist activities, public justification of terrorism or propaganda of terrorism, propaganda or public display of attributes or symbols of extremist organizations or other characteristics and signs, the propaganda or public display of which is prohibited by law. The peculiarity of such persecutions is that the organizations in which the Crimean Muslims are mostly accused of participating and of distributing their symbols are not prohibited in Ukraine and do not entail criminal liability. About 98% of those persecuted by the occupation authorities are Crimean Tatars, which indicates the targeted nature of the persecution on ethnic grounds.

I. Political persecution for participation in “extremist and terrorist organizations”

Crimean Tatars are being prosecuted for their involvement in the organizations Hizb ut-Tahrir and Tablighi Jamaat, the activities of which are recognized as terrorist. Before the occupation of Crimea by the Russian Federation, thousands of persons belonging to both organizations lived on its territory. After the occupation, in violation of international humanitarian law, the Russian Federation extended its criminal legislation to the peninsula, under which it prosecutes Crimean Muslims for belonging to Hizb ut-Tahrir and Tablighi Jamaat. Moreover, in the months after the occupation, Russia significantly increased criminal liability for terrorism and extremism. The prosecution process is accompanied by illegal searches, often carried out by the FSS and the Investigative Committee of the Russian Federation at night or early in the morning, torture, and forcible transfer to Russia to be tried and sentenced.

Hizb ut-Tahrir

Hizb ut-Tahrir aims to spread world Islam and build a world Islamic state.

On 14 February 2003, the Supreme Court of Russia declared Hizb ut-Tahrir a terrorist organization. By this decision, Hizb ut-Tahrir was recognized as a terrorist organization. After the occupation of Crimea, Russia began criminal prosecutions of Crimean Muslims - supporters of Hizb ut-Tahrir, accusing them of organizing the activities of a terrorist organization (part 1 of Article 205.5 of the Criminal Code of the Russian Federation) or participation in the activities of such an organization (part 2 of Article 205.5 of the Criminal Code of the Russian Federation).

The first searches and detentions of Hizb ut-Tahrir members in Crimea took place in January and April 2015. On 7 September 2016, the North Caucasus District Military Court in Rostov-on-Don found all participants in the case guilty of committing a criminal offense and sentenced Yuri (Nuri) Primov, Rustem Vaitov, and Ferat Saifulayev to 5 years in a strict regime colony for participation in a terrorist organization (part 2 of Article 205.5 of the Criminal Code of the Russian Federation). Ruslan Zeitullayev was sentenced to 7 years imprisonment for organizing the activities of a terrorist organization (part 1 of Article 205.5 of the Criminal Code of the Russian Federation). On 27 July 2017, the Supreme Court of the Russian Federation increased the sentence for Ruslan Zeitullayev to 15 years in a strict regime colony.

As of 2023, the occupation authorities have already prosecuted more than a hundred Crimean Muslims for participating in Hizb ut-Tahrir. Some have already been sentenced to imprisonment and forcibly transferred to serve their sentences from Crimea to Russia.

Tablighi Jamaat

The organization's ideology is based on the Quran. Tablighi Jamaat is a "system of preachers" who preach the dogma of the "true Quran". In May 2009, the Supreme Court of the Russian Federation recognized Tablighi Jamaat as an extremist organization. On 3 August 2009, Tablighi Jamaat was included in the Federal List of Extremist Organisations.

In 2019, the «Supreme Court of the Republic of Crimea» found Renat Suleymanov, a supporter of Tablighi Jamaat, a Crimean Muslim, guilty of organizing the activities of an extremist organization (part 1 of Article 282.2 of the Criminal Code of the Russian Federation) and sentenced him to 4 years in a general regime colony and one year of restriction of freedom. To serve his sentence, Renat Suleymanov was transferred to the territory of the Russian Federation to the Kabardino–Balkar Republic. After serving his sentence and returning to Crimea, Suleymanov was under administrative supervision for eight years.

II. Political persecution for public calls for terrorist activities, public justification of terrorism, or propaganda of terrorism

Victims of criminal prosecution by the occupation authorities are also Crimean Muslims engaged in journalistic activities. The Russian Federation uses prosecution for public calls for terrorist activities, public justification of terrorism, or propaganda of terrorism (part 2 of Article 205.2 of the Criminal Code) to pressure disloyal media and citizen journalists.

In 2019, the Southern District Military Court found Nariman Memedeminov, a citizen journalist and media coordinator of the Crimean Solidarity movement, guilty of public calls for terrorist activity (part 2 of Article 205.2 of the Criminal Code) and sentenced him to 2.5 years in prison in a penal colony and banned him from administering websites for two years.

III. Political persecution for propaganda or public display of attributes or symbols of extremist organizations or other attributes or symbols, the propaganda or public display of which is prohibited by law

In addition to criminal prosecution, the occupation authorities bring Crimean Muslims to administrative liability under Article 20.3 of the Administrative Code of the Russian Federation, i.e., for propaganda or public demonstration of attributes or symbols

of extremist organizations or other attributes or symbols, the propaganda or public demonstration of which is prohibited by law.

In 2017, the 'Bakhchisarai District Court' found Seytumer Seytumerov guilty of publishing a post on a social network containing the symbols of Hizb ut-Tahrir. He was sentenced to a fine of 2000 rubles.

Violation of international law

The persecution of Crimean Muslims is a violation of international human rights law. The actions of the Russian Federation violate Article 9 of the European Convention on Human Rights and Article 18 of the International Covenant on Civil and Political Rights, which provide for the right of everyone to freedom of thought, conscience and religion, as well as Article 10 of the European Convention on Human Rights and Article 19 of the International Covenant on Civil and Political Rights, which establish the right to express one's opinions.

In addition to international human rights law, Russia, as the Occupying Power, must comply with international humanitarian law. The persecution of Crimean Muslims by the Russian Federation is a failure to comply with the obligation of the Occupying Power to ensure the right of protected persons to respect for their religious convictions and prohibiting discrimination on religious ground (Article 27 of the Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War); permission for ministers of religion to give spiritual assistance to the members of their religious communities (Article 58 of the Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War); protection of and respect for civilian personnel and protection of places of worship (Article 15 and Article 53 of the Protocol (I) Additional to the Geneva Conventions). In addition, such actions of the Russian Federation may be qualified as crimes against humanity, namely discriminatory persecution, for which liability is provided in Article 7(1)(h) of the Rome Statute of the International Criminal Court.

The full text
of the analytical report



