

**PERSECUTION OF OTHER  
PERSONS DISCRIMINATED  
AGAINST BASED ON  
NATIONAL OR CULTURAL  
IDENTITY ON THE  
TERRITORY OF THE  
TEMPORARILY OCCUPIED  
CRIMEAN PENINSULA**



Regional  
Center For  
Human Rights

**TRANSITION**  
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During the occupation of the Crimean Peninsula in February–March 2014, the Russian Federation made the main bet on several population groups of the region to create an image of *“mass support for the return of primordially Russian Crimea to its historical homeland”* – Russian speaking population, “Soviet” and combined (so-called Soviet–Russian, consisted from not only ethnic Russians) identity representatives. All other identities were considered “uncomfortable” for the Russian aggression in Crimea. That is precisely why, after the occupation and the spread of its legislation to the peninsula, the Russian Federation began a policy of persecuting the peninsula’s disloyal pro-Ukrainian and Crimean-Tatar population.

Despite the declaration in the “Constitution of the Republic of Crimea” of three state languages – Russian, Ukrainian, and Crimean Tatar, and Ukrainians as one of the ethnic communities on the territory of Crimea, Russian is entirely dominant in Crimea. Attempts to publicly use Ukrainian are interpreted as a disloyal political position, and any manifestations of love for Ukraine, its language, and culture are presented as manifestations of “radical nationalism”. There is nothing Ukrainian in education, information sector, religion, freedom of speech, and rights to peaceful assembly in Crimea. Any public actions that could contribute to preserving Ukrainian culture on the territory of Crimea are prohibited. All persons who publicly spoke either in Ukrainian or showed their pro-Ukrainian position were under investigation, systematic pressure was applied to them, and their families and friends were threatened.

### **Persecution of the pro-Ukrainian activists**

On March 09, 2015, the Russian occupation authorities refused the Ukrainians of Crimea to hold an event with the laying of flowers at the monument of Taras Shevchenko and the celebration of the 201st anniversary of the birthday of the Ukrainian Kobzar in Shevchenko Park in Simferopol. Activists of the Ukrainian Cultural Center (UCC) – Leonid Kuzmin, Veldar Shukurijev, and Oleksandr Kravchenko – decided to hold the event in Gagarin Park instead. On this day, all three activists were detained for using Ukrainian symbols and slogans. Representatives of the occupation law enforcement agencies forcibly took them to the so-called “Railway District Court of the city of Simferopol” on the same day, found the Crimean activists and members of the UCC guilty, and sentenced them to correctional work.

## Persecution of representatives of Ukrainian media and civil society organizations

In 2014, the Federal Law of the Russian Federation No. 433-FZ, which supplemented the Criminal Code of the Russian Federation with a new article 280.1 “Public calls for the implementation of actions aimed at violating the territorial integrity of the Russian Federation”, became effective. The law provides for a punishment of up to 5 years in prison, in particular for publicly expressing an opinion on the occupation of Crimea and the territorial integrity of Ukraine and showing disloyalty to the occupation authorities.

For example, the “Simferopol District Court” convicted Ilmi Umerov, deputy chairman of the Mejlis of the Crimean Tatar people, based on Article 280.1, “Public calls for the implementation of actions aimed at violating the territorial integrity of the Russian Federation”. The basis for the verdict was his public statements in support of the territorial integrity of Ukraine, in particular, the phrase “*Crimea is Ukraine*” in the ether of the “ATR” channel.

On May 21, 2015, on Embroidery Day, the occupation “police” detained Leonid Kuzmin, Mikhail Batrak, Veldar Shukurdzhiiev, and Sergey Dub in Armyansk without explanation, who were doing a photo shoot in embroidered shirts near the stele “Crimea is the land of partisan glory” on the outskirts of the peninsula. At the same time, on the administrative border of Crimea and mainland Ukraine, three people from the Ukrainian television channel Inter crew were detained, particularly journalist Yulia Kryuchkova and cameraman Vitaly Zyatkovsky. Activists and journalists were taken for questioning to the “Police Department” of Armyansk “for identification”, even though all the detainees had documents with them and were held in the station for five hours. Answering the question of activists why “law enforcement officers” need their fingerprints, the “police” said that sometimes decapitated corpses are found in this area, and the deceased can only be identified by fingerprinting.

### **I Fabrication of cases against pro-Ukrainian activists and journalists**

In addition to particular criminal articles that are directly used to prosecute activists for representing pro-Ukrainian positions and journalists for their professional activities, the practice of fabricating criminal cases against

this category of Crimeans based on “terrorist” and “spy” articles or articles on the storage of weapons has become widespread.

## **Termination of activities of Ukrainian cultural and educational institutions**

The Russian Federation has created an atmosphere of impossibility to express its Ukrainian identity, a sense of belonging to the Ukrainian community.

After the Russian occupation of Crimea, in November 2014, the occupation authorities liquidated the Crimean Academic Ukrainian Musical Theater (Simferopol) – the only one in Crimea whose repertoire included Ukrainian-language performances. The Russians also renamed the theater “State Academic Musical Theater of the Republic of Crimea” and canceled all Ukrainian-language concerts.

In February 2015, the Museum of Ukrainian Embroidery named after Vera Roik, was closed in Simferopol. A sign with the museum’s name disappeared from the building, and the door was closed.

Since 2014, the Russian authorities have illegally appropriated the cultural property of Ukraine and launched a mass “reconstruction” policy, hiding the destruction and damage of cultural objects. The only object of the monumental art of the Crimean Tatar people – the Bakhchisarai Palace – has been in critical disrepair for almost ten years. It has been practically destroyed.

## **Implementation of anti-Ukrainian information and propaganda pressure on the Crimean population and the creation of a Ukrainophobic moral and psychological climate**

At the level of the population of the Crimean Peninsula, the Russian Federation actively worked on the formation and consolidation of the narrative about the “stupidity” of the Ukrainian state and nation, denial of their existence. In particular, the occupation administration contributed to the spread of a negative, sometimes openly aggressive attitude towards Ukraine, the Ukrainian people, its historical and cultural subjectivity, Ukrainian language, culture, symbols, etc. (often in terms of declarative respect for the rights of Ukrainians). The Russian Federation also

implements the policy of artificial isolation of Crimea from the information and humanitarian space of Ukraine, creating an “information ghetto” for the Crimeans - it has created its own media and information channels on the peninsula, which broadcast messages of similar content:

*“Ukrainians are a kind of artificially derived in the laboratories of the gloomy Germanic genius of the Orca, the whole meaning of the existence of which is war with the Russians instead of war Europeans”*  
(publication “Crimean Echo”)

## International law

The activity of the Russian Federation is a violation of Article 9 of the European Convention on Human Rights (ECHR) and Article 18 of the International Covenant on Political and Civil Rights (ICCPR), which provide for the right of every person to freedom of thought, conscience, and religion, as well as Article 10 of the ECHR and Article 19 of the ICCPR, which enshrine the right to freedom of thought, conscience and religion expression of their views.

Russia, as an Occupying Power, obliged also comply with international humanitarian law. The Russian Federation, having implemented its legislation and implementing the policy of systematic persecution and oppression of representatives of the Ukrainian and Crimean Tatar communities on the territory of Crimea, violates the principle of status quo ante bellum (the maximum possible maintenance of such a state of the territory that existed before the occupation). The Russian Federation also ignores the Geneva Convention (IV) provisions on protecting civilians during the war of 1949 regarding the prohibition of discrimination (Article 27). These provisions apply inseparably from international human rights law and are complex requirements for the Russian Federation in the occupied territory.

The actions of the Russian Federation can also be qualified as crimes against humanity, namely discriminatory persecution (Articles 7(1)(h) of the ICC Statute), torture (Articles 7(1)(f) of the ICC Statute) and enforced disappearances (Articles 7(1)(i) of the ICC Statute) and war crimes of torture or inhuman treatment (Articles 8(1)(ii) of the ICC Statute) and intentional infliction of great suffering or grievous bodily harm or damage to health (Articles 8(1)(ii) of the ICC Statute).

The full text  
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