



Крымская полевая миссия  
по правам человека



ЦЕНТР ГРАЖДАНСКОГО  
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# ***Crimean Field Mission on Human Rights***

## **Brief Review of the Situation in Crimea**

### **(May 2015)**

*Analytical Review*

#### **TABLE OF CONTENTS**

TABLE OF CONTENTS .....	1
1. INTRODUCTION .....	2
2. CIVIL AND POLITICAL RIGHTS .....	3
THE RIGHT TO LIBERTY AND PERSONAL SECURITY .....	3
FREEDOM OF SPEECH AND EXPRESSION .....	6
FREEDOM OF ASSEMBLY .....	8
FREEDOM OF ASSOCIATION .....	9
FREEDOM OF FAITH AND RELIGION .....	9
FREEDOM OF MOVEMENT .....	10
THE RIGHT TO A FAIR TRIAL AND EFFECTIVE REMEDIES .....	10
ISSUES RELATED TO CITIZENSHIP .....	11
3. SOCIAL AND ECONOMIC RIGHTS .....	12
PROPERTY RIGHTS .....	12
APPENDICES .....	13

## 1. INTRODUCTION

The present Monitoring Review has been prepared by the Crimean Field Mission on Human Rights and is based on the materials collected by the Mission in May 2015 during its work in Crimea, as well as in Russia and Ukraine.

the Crimean Field Mission ("the CFM") commenced its work on March 5, 2014.

The aims of the Mission are as follows:

- provision of information about the developments in Crimea;
- mitigation of threats to all parties to the conflict;
- maintenance of proper legal guaranties in the region, strengthening and promotion of human rights standards and effective protection mechanisms through the monitoring of the situation and verification of incoming messages about different human rights violations;
- provision of comprehensive assistance to the initiatives aimed at the protection of human rights of all participants of the conflict.

Emphasizing that human rights remain to be a direct and legitimate concern of the international civil society while implementing the abovementioned aims, the Mission shall:

- perform monitoring of the general situation concerning compliance with the provisions of international humanitarian law and fundamental human rights in Crimea, issues of protection of human rights defenders, journalists, lawyers, as well as public figures and ensuring their professional activities;
- pay special attention to the monitoring of inter-ethnic and inter-religious relations;
- conduct monitoring of the activities of law enforcement agencies and state authorities;
- call on all parties of the confrontation to abide by the rules of international humanitarian law and obligations in the field of the protection of human rights, as well as call on international organizations and their members and participants to control the observance of such obligations.

The Mission unconditionally refuses to resort to violence or discrimination in its activities and is guided by the principles of political neutrality and adherence to law.

The conclusions of the paper have been made on the basis of the first-hand information (observation of the situation and developments in Crimea, interviewing the representatives of key target groups), mass media monitoring, analysis of the developments and legal basis, as well as on the basis of official statistic data.

The review is prepared monthly and includes the chapters on the situation with civil and political, socio-economic rights in Crimea, as well as deals with the issues of the status of vulnerable groups and manifestations of xenophobia in the Peninsula.

In addition, the Review features the issues of the residents of Crimea who had to escape from the peninsula and move to Ukraine's mainland (internally displaced persons).

The CFM is grateful to everyone who assisted with the preparation of the present Review.

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*The opinions, positions, and assessment contained in this Review do not necessarily represent the position of the United Nations Development Programme, other UN agencies, the Ministry of Foreign Affairs of Denmark.*

## 2. CIVIL AND POLITICAL RIGHTS

### THE RIGHT TO LIBERTY AND PERSONAL SECURITY

By the present time, a practice has formed in Crimea when the Peninsula residents who are pro-Ukrainian activists are brought to justice for acts committed prior to the establishment of control of the Russian Federation, or for participation in events that took place outside of Crimea (in other Ukrainian cities), but, in the opinion of the Crimean authorities, threatening the established order of power.

This practice applies to the **“Case of February 26”**, where criminal proceedings for “organizing and participating in mass disorders” (Article 212 of the Criminal Code of the Russian Federation) were opened against Deputy Chairperson of the Medzhlis of the Crimean Tatar People **Ahtem Chiygoz** and **Ali Asanov, Eskender Nebiev, Eskender Kantemirov and Eskender Emirvaliev**.

In May 2015, **Ahtem Chiygoz**, while being detained in the Simferopol pre-trial investigation center, was transferred to solitary confinement, without a respective order. On May 15, the Kievsky District Court of Simferopol extended the detention term for Chiygoz until July 29, 2015. Lawyers insisted on changing the measure of restraint to house arrest or to a personal guarantee and served a large number of applications for a bail. However, the court did not accommodate those requests, arguing that the law enforcement authorities did not have enough time to complete the investigation, in particular, to interview numerous witnesses. On May 25, the Supreme Court of Crimea upheld the decision.

On May 1, 2015, the Gagarinsky District Court of Sevastopol sentenced **Nikolay Shiptur** to 10 years of imprisonment. The court decided that on March 9, 2014, N. Shiptur committed an attempted murder of a member of the “the Crimean self-defense” with a gun, which he had allegedly found in February 2014 in Kyiv.

On May 16, 2015, a pro-Ukrainian activist **Leonid Kuzmin** was interrogated at the Centre for Combatting Extremism in Simferopol. He said that he was interrogated as a witness in the “Case of February 26”.

It is important to note that the local media have repeatedly run statements by Sergey Aksyonov and Natalia Poklonskaya about the detention of members of a Ukrainian political or public association, or a Ukrainian armed group, which, according to local authorities, are nationalist. Those statements, however, do not identify the detainees. Thus, on May 1, the media carried a news, citing Natalia Poklonskaya's statement, about the arrest in Crimea of *“a member of the nationalist Azov battalion who took part in the armed conflict in the east of Ukraine”*. According to Poklonskaya, the young man is suspected of involvement in the arson of the Chukurcha Mosque in Simferopol and the attempted terrorist act in front of the prosecutor's office of the Republic. *“The suspect was arrested and a preventive measure in the form of detention was applied to him”*, Poklonskaya said<sup>1</sup>. Besides, Deputy Prime Minister of Crimea Ruslan Balbek asserted that the detainee allegedly confessed that he had arrived *“to organize provocations on May 18 in order to cause a wave of discontent among the Crimean Tatars”*<sup>2</sup>. The identity of the suspect still remains unknown. At the same time, the Azov battalion press service said that the information about the detention of their fighter in Crimea is not true. Absence of information about the identity of the detainee limits his chances of protection against torture and for provision of a lawyer.

#### Searches and detentions

On May 7, the media reported that in the Razdolnensky District in Crimea, a search was carried out in the house of a pro-Ukrainian the Crimean activist **Volodymyr Balukh**. Volodymyr Balukh was not at home during the search, but his passport was seized. The search was reported by Chairperson of the Crimean organization of the

<sup>1</sup> <http://tass.ru/proisshestviya/1945064>

<sup>2</sup> <http://www.interfax.ru/russia/442457>

Congress of Ukrainian Nationalists (KUN) Vasyl Ovcharuk who stays in Kyiv. In 2006 and 2010, Volodymyr Balukh was nominated by KUN to run for the Supreme Council of Crimea. After V. Balukh learned about the search, telephone contact with him was lost.

On May 21, a three-person crew of the **Inter TV Channel** and four pro-Ukrainian activists were detained for identification on the Simferopol-Armyansk road. They stated that the detention was groundless because they had their identification documents (more details in the section "*Freedom of speech and expression*").

### **"The Case of Hizb ut-Tahrir"**

On May 13, 2015 according to the lawyer of the arrested the Crimean Tatars who are accused of terrorist activities of the "Hizb ut-Tahrir" organization, the Leninsky District Court of Sevastopol, when considering the extension of the measure of restraint, rejected the request for engagement of the public in the trial (residents of the Orlinoye village were not allowed into the courtroom). Also, the petition to engage other defenders for the detained persons was declined. The lawyer's statement of no confidence in the court and challenge of the judge was dismissed. The prosecutor demanded that the lawyer be brought to disciplinary responsibility for pressure on the court.

### **"The Case of May 3"**

The Armyansk city court declared **Musa Abkerimov** (a participant in the rally of protest against the prohibition for Mustafa Dzhemilev to enter Crimea) guilty of an offense envisaged by part 2 in Article 318 of the Criminal Code of the Russian Federation (violence against a government representative). It is noteworthy that, according to the investigation data, on May 3, 2014, in the area of the "Armyansk" ("Turetsky Val") checkpoint, the accused Musa Abkerimov resorted to violence, dangerous for health, against a police officer of the department №1 of the operational platoon №1 (city of Evpatoria) of the Berkut special battalion, who was in the cordon to prevent illegal border crossings by numerous civilians. However, at the time of the incident, the police departments of the Russian Federation did not have Berkut special battalion in its composition. Despite that, the accused pleaded guilty and repented. The court sentenced him to four years and four months of deprivation of freedom, which was applied conditionally.

Musa Abkerimov was detained on October 16, 2014, in connection with "the case of May 3". On December 12, 2014 he was released from custody on bail. Apart from Abkerimov, criminal proceedings were opened against four more Crimean Tatars for the "exerting violence against a government representative".

### **The Case of Oleksandr Kostenko**

One of the most obvious cases that are politically motivated is the case of Oleksandr Kostenko, who was declared guilty by a court in Simferopol in May 2015.

On May 15, in the course of a trial in the case of a Euromaidan activist, additional details became known about torture applied during the illegal detention of Oleksandr Kostenko. According to the interrogation of witnesses and Kostenko, conducted by his lawyer, on February 5 Kostenko left his house and at that moment two men ran up to him; one of them hit him in the face and then he was pushed into a blue minivan, against his will. This was witnessed by his neighbors who informed Kostenko's father of the license plate of the car that took Oleksandr away – AK 3274 CH. Feodor Stepanovich, Oleksandr Kostenko's father, that same day filed a statement with the police about the abduction of his son, but was denied opening criminal investigation into the abduction. He found out, however, that the car belonged to the Russian Federal Security Service, and Oleksandr was detained by the FSB.

During the interrogation conducted by lawyer Dmitry Sotnikov, Oleksandr Kostenko stated that in the van he recognized a former officer of the Security Service of Ukraine currently employed by the FSB of Russia, Andrey Tishenin. While in the van, Kostenko had his arm broken and handcuffed; the Russian FSB Major Andrey Tishenin put a plastic bag on his head and tied it with duct tape so that Kostenko could not breathe. Then he

was hit on his head and back several times; he had a gun pointed to his head and the trigger was pulled several times, simulating the killing. On the way he was threatened to be killed and continued to be hit on the head. Oleksandr Kostenko was brought to a basement in a building where he was subjected to torture in the form of electrical discharges. Along with Andrey Tishenin, there was another FSB officer in the room, Senior Lieutenant Artur Shambazov, who conducted further interrogation (**Appendix 1-2**).

The next day, Kostenko was forced to come to the FSB building to turn himself in. On February 6, criminal proceedings were opened on the basis of the acknowledgment of guilt of bodily injury to a Berkut officer (riot police).

On the same day, an inspection of the apartment where the Kostenkos lived was carried out based upon his father's request for his search. During the inspection, the safe box where Oleksandr kept his personal belongings was opened. A gun barrel was allegedly found during the search.

On February 13, 2015, O.Kostenko's father Feodor hired lawyer Dmitry Sotnikov for the defense. O.Kostenko disclaims his testimony given under torture and his voluntary surrender. Following that, Kostenko was repeatedly tortured in order to force him to waive the counsel, and refused the necessary medical services. The FSB officer Artur Shambazov also visited him in the cell for intimidation and threats. The counsel repeatedly appealed to regulatory and investigative authorities, including Chief of the detention center, Internal Service Major Igor Levenets, demanding that tortures be stopped and violations of the detainee's rights be investigated.

However, despite the statements and petitions by lawyer Sotnikov regarding exclusion of any evidence obtained in violation of the law during the pre-trial proceedings in the criminal case, a Russian court in Simferopol, chaired by Judge E.V. Mozhelyansky, pronounced Oleksandr Kolchenko guilty of committing crimes envisaged in para. "b" of Part 2 of Article 115, Part 1 of Article 222 of the Criminal Code of the Russian Federation, and sentenced him to four years and two months' imprisonment in a penal colony.

Apart from use of torture, this criminal case is politically motivated persecution of a Euromaidan activist by local authorities, primarily, by the Crimean Prosecutor Natalia Poklonskaya, who personally represented the prosecution in court proceedings. It was established that the order for Kostenko's search had appeared on October 12, 2014, that is, two months before the victim, the Berkut officer V.V. Polienko, wrote a statement about bodily harm caused to him during the events on Hrushevskogo St. in Kyiv, on February 18, 2014. At the same time, the reason why Kostenko had been wanted two months before that, is not stated in the order.

The text of the sentence itself<sup>3</sup> suggests a politically motivated persecution against Kostenko, starting with the fact that he is charged with an act committed in the territory that was not under the jurisdiction of the Russian Federation, and at a time when both he and V.V. Polienko were citizens of Ukraine. Also, the political nature of Kostenko's persecution is attested to by pickets in support of the victim outside the court building, which violates the Russian legislation regarding the prohibition to hold public meetings in areas adjacent to the courthouse. The prosecutor's office, however, did not hold organizers or participants liable.

In his appellate complaint<sup>4</sup> he counsel pointed out that even before the day of identification procedure under his statement, V.V. Polienko had seen Kostenko's photograph and an APB, identifying him as a Maidan participant, that was pasted near the armory room in the detachment quarters. The complaint also stated that the report on the search in Kostenko's apartment had been made with violations, that the search itself was partially conducted in the absence of witnesses. Besides, the photos that were taken during the search do not show a gun barrel or weapon parts. The court also refused to conduct fingerprint examination to establish the barrel belonging to Kostenko.

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<sup>3</sup> <http://crimeahr.org/wp-content/uploads/2015/06/Prigovor-Kostenko.pdf>

<sup>4</sup> <http://crimeahr.org/wp-content/uploads/2015/06/Appelyatsiya-Kostenko1.pdf>

Counsel Dmitry Sotnikov believes that the grounds for the cancellation or modification of a judgment are as follows: an inconsistency between the court's conclusions set out in the judgment and the factual circumstances of the criminal case established by the court of first instance; a material breach of the law of criminal procedure; incorrect application of the criminal law; unjust sentence.

In the case of Oleksandr Kostenko, human rights registered in the European Convention on Human Rights (ECHR) have been grossly violated, such as the prohibition of torture, the right to personal liberty and security, the right to a fair trial, the right to an effective remedy. Political motivation and personal hatred motives in the actions of the investigative and judicial bodies and the office of public prosecution created a substantiated threat of politically motivated criminal prosecutions against Euromaidan participants in Crimea.

## FREEDOM OF SPEECH AND EXPRESSION

### **Illegal detention and obstruction of journalists' work**

On May 18 in Simferopol, police detained employees of the "**For Human Rights**" publication. The journalists were filming a story with one of the activists of the Crimean Tatar people, near the memorial to the deportation victims located at the Simferopol railway station. The journalists were informed that the formal reason for the detention was the absence of a permit for the shooting, but such a permit is not required, which indicates to a groundless detention. The publication employees were taken to the Zheleznodorozhnoye police station in Simferopol "for personal identification". At the station, they were asked questions about their work in the publication and their finger prints were taken. In 3 hours, the journalists were released, no charges were presented against them, and they were refused to be given the detention report.

On May 21, on the Simferopol-Armyansk road, the STSI officers and the police stopped a car of the Ukrainian **Inter TV Channel**, with three persons in it. The driver did not violate any traffic rules, but the police inspected the car and checked documents. After that they demanded that the journalists proceed to the Armyansk police station "for identification". The journalists, however, had the documents proving their identity with them, which rules out any need for detention to establish identity. At the police station, the journalists were made to undergo fingerprinting. One of the detainees, **Yulia Kryuchkova**, said that journalists stated that they did not wish to have their fingerprints taken and that such demands are illegal. The officers, however, staff ignored those statements. In 4 hours the journalists were released and were served a report on delivery to a police station.

Crimean reporters have repeatedly encountered restrictions in the coverage of activities of judiciary authorities. Thus, a judge of the Crimean Supreme Court dismissed the petition of the **ATP Channel** crew to conduct videotaping in the course of the hearing on the appeal petition on election of a restraining measure for an employee of the ATP Channel Eskender Nebiev. The journalists reported that the judge explained his decision by the videotaping equipment allegedly cluttering the room, and the hearing was not of interest to the public. On May 14 an ATP camera operator was not allowed into the courthouse where the hearing was held on the extension of measures of restraint for Ahtem Chiygoz, and a judgment was to be passed in the case of the Maidan activist Oleksandr Kostenko. It is important to note that employees of the Russian television channels (NTV, Russia-1) were allowed in the courthouse without any restrictions.

It is necessary to note a case of destruction of information on the work of the FSB officers. On May 26 in Yalta, the FSB was searching a vehicle of a Kherson oblast resident. Those actions were videotaped by **a local resident**, a blogger, who was a witness of the incident and of the inspection. After the inspection had been completed, an FSB officer demanded him to proceed to a police station where his video camera was taken with the ostensible purpose of adding the video files to the inspection materials. In 40 minutes, however, when the camera was returned, all the files in it happened to be damaged.

### **Criminal Prosecution**

One of the main threats to freedom of expression is the use of the Russian legislation, namely Article 280.1. of the Criminal Code of the Russian Federation "Public calls for action aimed at violating the territorial integrity of the Russian Federation" (with the maximum penalty being deprivation of liberty for up to 5 years). Criminal cases under this Article are also opened against Ukrainian citizens who no longer reside in the territory of the Crimea.

In May, the Crimean Prosecutor Natalia Poklonskaya reported that the investigative unit of the FSB of Russia in Crimea opened a criminal case against the Head of the Medzhlis of the Crimean Tatar People, People's Deputy of Ukraine **Refat Chubarov**. The case was opened under Article 280.1. of the Criminal Code of the Russian Federation "Public calls for action aimed at violating the territorial integrity of the Russian Federation". The Prosecutor also added that Refat Chubarov had been announced wanted.

Editor-in-Chief of the Internet publication «BlackSeaNews» **Andrey Klimenko** said that a criminal case under Article 280.1. of the Criminal Code of the Russian Federation was opened against him in Crimea. According to him, several of his friends in Crimea underwent searches or were summoned for interrogation. Editorial The editorial board of the **Internet publication «BlackSeaNews»** left Crimea in the spring of 2014 and has been operating in Kyiv.

Earlier, a criminal case was opened against journalist **Anna Andrievskaya**, for public calls to infringement on the territorial integrity of the Russian Federation. Anna Andrievskaya resides in Kyiv, and the article was published in a publication that is located in Kyiv.

### **Restrictions on the freedom of expression**

Use of the Ukrainian symbols is regularly restricted. Thus, on May 15, the Crimean Prosecutor's Office warned **Leonid Kuzmin**, activist of the "Ukrainian Cultural Center", on the inadmissibility of use of the Ukrainian symbols in the course of solemn ceremonies on May 18, the Day of the deportation of the Crimean Tatar people. Another activist of the Center, **Veldar Shukurdzhiev**, was warned by officers of the Prosecutor's Office and the Center for Counteraction to Extremism on the inadmissibility of use of the Ukrainian symbols in the course of the Crimean Tatar events on May 16 and 18.

On May 19, 2015, the Supreme Court of Crimea held a session on the appeal of the activist Leonid Kuzmin. Earlier, on March 12, a court found Veldar Shukurdzhiev, Leonid Kuzmin and Oleksandr Kravchenko guilty of an offense under Article 20.2 of the Administrative Code (violation of the established procedure for organizing or holding meetings, rallies, demonstrations, marches or picketing) and sentenced them to compulsory labor for 40 hours. The grounds for the decision were the use, during the events dedicated to the birthday anniversary of the Ukrainian writer Taras Shevchenko, of the Ukrainian flag with the words: "Crimea Is Ukraine" and the Ukrainian flag and yellow-and-blue ribbons. The appealed court upheld the charge and replaced the compulsory labor by a fine in the amount of 10 thousand rubles.

On May 21, Ukrainian activists (**Veldar Shukurdzhiev, Leonid Kuzmin, Mykhailo Batrak and Serhiy Doub**), on occasion of the Vyshyvanka Day (Ukrainian national embroidered clothes) visited Crimean cities for photographs in vyshyvankas. On the Simferopol-Armyansk road their car was stopped by the STSI officers and police. The car was searched; no prohibited items or materials were found. The activists had identity documents with them. In spite of that, however, they were detained and escorted to the Armyansk city police station (**Appendix 3**). Several hours later they were released; the report on delivering to the police station stated the absence of identification documents as the reason, but the activists presented their documents while their car was inspected.

On May 18, a motor rally dedicated to the Memorial Day of victims of deportation of the Crimean Tatar people was blocked by police vehicles and STSI officers at the Zapadnaya bus station in Simferopol. Several participants were taken to the police station. The rally participants did not use any posters or materials with slogans inciting extremism. Witnesses told that the vehicles in the rally moved in small groups of 4, and the total number of

participants was about two hundred people. As a result, the rally was stopped and reports on causing an accident-dangerous situation were written in respect of several participants.

## FREEDOM OF ASSEMBLY

May 18, 2015 marked the 71<sup>st</sup> anniversary of deportation of the Crimean Tatar people. Traditionally, the Crimean Tatars on this day hold public events of remembrance and mourning. Last year, the decree of the head of the Crimea Sergey Aksyonov banned public events in Crimea until June 6, including the solemn ceremonies to mark the 70<sup>th</sup> anniversary of deportation of the Crimean Tatars. This year, the Crimean authorities also banned or significantly restricted the events to mark the 71<sup>st</sup> anniversary of the deportation of the Crimean Tatar people.

On May 8, the Simferopol city administration prohibited organizers to hold a memorial rally on May 18 on the occasion of the 71<sup>st</sup> anniversary of the deportation of the Crimean Tatar people. The reason for ban was a message that all the venues where it is allowed to hold public events had been booked for May 18 by other public organizations.

Members of the **Medzhlis of the Crimean Tatar People** and a number of activists received a warning from the Crimean Prosecutor's Office about the inadmissibility of public events. Thus, on May 14, First Deputy Chairperson of the Medzhlis of the Crimean Tatar People **Nariman Dzhelal** said that the Prosecutor's Office of the Crimea issued a warning to the Medzhlis about the inadmissibility of events on the Deportation Day on May 18.

On May 15, a member of the Medzhlis of the Crimean Tatar People, Editor-in-Chief of the **Avdet newspaper Shevket Kaybullaev** was summoned to the Crimean Prosecutor's Office. Officers of the Prosecution served him a warning about the inadmissibility of mourning events on May 18 to be held by representatives of the Medzhlis of the Crimean Tatar People. Sh. Kaybullaev said that during the conversation the prosecutor's office informed him that they believed that some Medzhlis members were preparing anti-Russian protests. Besides, the Prosecutor's Office included Sh. Kaybullaev in the list of 14 "radically minded members of the Medzhlis".

On May 15, activist of the "Ukrainian Cultural Center" **Leonid Kuzmin** received a warning from the Prosecutor's Office about the responsibility in connection with the mourning events on May 16 and 18. The warning was issued orally, no written documents prosecutors had been presented by the Prosecution officers.

On May 19, law enforcement officers summoned for questioning the Head of the Regional Medzhlis in the Krasnoperekopsky District **Saniye Ametova**, in respect of whom an administrative report for violation of the established mass event procedures was written. S. Ametova said that the grounds for the report was the use of home-made banners for the Day of Remembrance of victims of deportation at the memorial meeting, which was held in Krasnoperekopsk on May 18. A trial is scheduled for June 18.

Also, a court hearing in relation to the imam of the Dolinka village in Krasnoperekopsky District **Yunus Nemetullaev** is scheduled for June 18. He is also being brought to administrative responsibility for violation of the established procedures of organization or holding of meetings, rallies, demonstrations, marches or picketing while attending the memorial rally on May 18 to commemorate the victims of deportation of the Crimean Tatar people.

On May 18, the riot police and the STSI officers detained participants of the rally dedicated to the Day of remembrance of victims of deportation at the exit route from the city of Simferopol,. The participants argued that a motor rally, by its organizational form, was not a mass event. As a result, administrative reports for causing an accident-dangerous situation were written in respect of 8 participants.

Another example of a ban on a mass event, not associated with the anniversary of the deportation of the Crimean Tatar people, is the situation in Evpatoria. On May 4, organizers planned opening a racing competitions season at the former airfield. Police officers arrived at the venue after they had received information about a large gathering of people. The police officers demanded to stop the event because it had not been agreed with

the local authorities, and the organizers had not ensured the necessary safety standards. The participants left the airfield; no information about bringing them to administrative responsibility was received.

## FREEDOM OF ASSOCIATION

A serious threat to freedom of association, in particular, on the territory of Crimea, is the Federal Law "On Amendments to Certain Legislative Acts of the Russian Federation", which was adopted by the Russian State Duma on May 19. The law was dubbed "the law on undesirable foreign and international organizations".

The law provides for banning activities by organizations that, according to authorities, pose a threat to the constitutional order, defense capacity or national security. The law stipulates strict penalties for its violation, including deprivation of liberty. Besides, the law makes it possible to prosecute for cooperation "with undesirable organizations" or for dissemination of information about them. The law allows the use of selectivity, many provisions lack legal certainty.

That law is a serious limitation of freedom of association, and also significantly complicates the activities of human rights organizations, including those in the territory of Crimea.

Representatives of local organizations report that officers of prosecution offices were instructed to carry out verification of consistency between legal and actual addresses where non-profit organizations are registered, as well as the contents of the statutory documents. Inconsistency between the addresses entails certain liabilities. Such regulations and actions limit the freedom of association, since the exercise of the right of association does not depend on the legal status of such an association or presence of a registered address.

## FREEDOM OF FAITH AND RELIGION

Archbishop of Simferopol and Crimea of the **Ukrainian Orthodox Church, Kyiv Patriarchate (UOC-KP)**

**Klyment** said that the local authorities force the church to register under the laws of the Russian Federation. The Archbishop spoke out against such registration. The main factor for such coercion that he named is the fact that in the absence of registration churches will be cut off from public amenities (water and electricity supply, etc.). Moreover, absence of such registration makes it impossible for a religious association to pay for utilities and other costs necessary for the functioning of the church<sup>5</sup>.

Archbishop Klyment reported the loss of the UOC-KP property. Thus, on May 29, 2015, an auction was held for the lease of premises with the total space of 112.6 sq.m at 17, Sevastopolskaya St. in Simferopol. Previously, that space was leased by the Crimean Diocese of the Ukrainian Orthodox Church, Kyiv Patriarchate. The auction was held by the Ministry of Property and Land Relations of the Crimea without notifying the tenants of the premises. Following the auction, the space is to be let for lease by a commercial organization registered in Yalta. The Archbishop considers those actions to be seizure of the church premises. The main part of the building is still in use by the Diocese.

On May 5, **the Muslim community of the Stary Krym city** was deprived of possibilities to conduct burials at a new land plot allocated for a cemetery. Burial is an important part of worship. Earlier, one person was buried at that cemetery. However, the city utility services removed the fence that delineated the cemetery boundary. According to the Chairperson of the city's **Muslim Vatan community Rasim Sadredinov**, the reason for that was a protest of the Prosecutor's Office of the Crimea against the City Council decision on the land allocation. The reason for actions of the Prosecutor's Office was the proximity of a water well, but, according to the community members, the mandatory health requirements had been met.

On May 12, Deputy Prime Minister of the Crimea Ruslan Balbek said that some Muslim religious sites of the Crimea, which were previously used by **the "Crimea Foundation" Charitable Organization**, would be transferred to the Spiritual Administration of Muslims of the Crimea (SAMC). In April, a court ruled to seize the

<sup>5</sup> [http://risu.org.ua/ru/index/all\\_news/state/church\\_state\\_relations/60073/](http://risu.org.ua/ru/index/all_news/state/church_state_relations/60073/)

property of the "Crimea Foundation". However, **Riza Shevkiev**, director of the "Crimea Foundation", believes that such actions by local authorities are intended to oppose the "public associations of the Crimean Tatars created by the Kurultai to each other". Besides, he argues that "*they want to turn the Muftiate into a warehouse for stolen (pilfered) property*".<sup>6</sup> These actions by the authorities may cause a split among Muslims, as well as the negative attitude towards the SAMC.

## FREEDOM OF MOVEMENT

In May 2015, the largest number of complaints was related to inspections at the Crimean border checkpoints during the May holidays. People had to wait at the checkpoints for several hours. That long waiting time was also aggravated by the fact that passengers had to wait outside, in the open air, including at night time.

Besides, on the eve of the May holidays and during the holidays, people who had the Ukrainian passports at the entrance to the Crimea were often asked to undergo the so-called special inspection, namely a conversation with a Russian FSB officer aimed at preventing terrorist or extremist activity. Such interrogations lasted typically from 1 to 3 hours without making a report. Import of personal vehicles was also complicated by stricter checkups for prohibited items and materials, which made drivers and their passengers wait at the checkpoints for up to 8 hours.

Beginning from May 15, tickets for suburban buses are sold in Sevastopol only on presentation of an identity document. On May 20, the main **passenger carrier "Krymavtotrans"** also introduced the sale of tickets for long-distance routes upon presentation of identity documents, namely: a passport of a citizen of the Russian Federation, a foreign travel passport of a citizen of the Russian Federation, a diplomatic passport, a service passport, a military ID card, a temporary identity card of a citizen of the Russian Federation; for foreigners — a passport, a refugee certificate, a certificate of temporary asylum in the Russian Federation or a residence permit. To purchase a ticket for a child under 14, their birth certificate is to be presented. Management of the carrier company informed that all passenger data will be provided for the single state information system of transport security.

## THE RIGHT TO A FAIR TRIAL AND EFFECTIVE REMEDIES

### The Case of Sentsov and Kolchenko

On May 6, judge of the Moscow City Court Nikolai Tkachuk extended Oleg **Sentsov's** detention term in the Lefortovo pre-trial detention center until July 11. The arrest extension was requested by a senior investigator for particularly important cases of the Investigative Department of the FSB, Major of Justice Artem Burdin. Prosecutor Zdorenko supported the petition.

Counsel Dmitry Dinze pointed out that charges against Sentsov were based on the testimony of two other persons involved in the case — Gennady Afanasyev and Alexey Chirniy, who were previously sentenced to 7 years' high security imprisonment, and therefore their testimony deserved a critical attitude as they were motivated by the desire to get a minimal penalty and made a deal with the investigation.

Oleg Sentsov did not agree with the charges and said the following in court: *"I have many times explained in previous sessions that I regard neither this detention nor the investigation to be lawful, since they are politically motivated and framed up. I have read the five volumes of the criminal case and failed to see any evidence of my guilt. I believe that the Russian Federation illegally annexed the Crimea, illegally detained me, convoyed me to the Russian court and put me on trial illegally. I am very sorry that the Russian Federation commits these actions and blots itself with its actions in Ukraine, and in respect of the Crimeans, and in respect of all. I am ashamed of it. I myself 100 percent Russian, my parents come from the Urals. I am just a citizen of Ukraine. I love my country, but I love Russia too, and I am very sorry for what is happening now in this country, in our*

<sup>6</sup> <http://ru.krymr.com/content/article/27041051.html>

*countries and in this courtroom. I hope that sooner or later the regime that exists in your country will be no more".*

In May, Zoya Svetova, a Russian lawyer and a member of the PMC, visited Oleg Sentsov in the "Lefortovo" pre-trial detention center. The Ukrainian film director told her that during his stay in jail he was subjected to different forms of torture, including being placed in the so-called "rat cell", where there is no lighting. Sentsov's defense repeatedly stated use of torture against Oleg Sentsov.

On May 13, judge of the Moscow City Court Andrey Motorin extended arrest of **Oleksandr Kolchenko** until July 16. In the court ruling, Kolchenko was referred to as a citizen of Ukraine. Kolchenko had not pleaded guilty either. He confirmed his involvement in the arson of the United Russia party office, but does not agree to the qualification of those actions as an attempted terrorist attack.

Earlier, Oleg Sentsov and Oleksandr Kostenko had been served charges in the final version. At present, the investigation has been completed; the defendants and their defense familiarize themselves with the case materials.

### **ISSUES RELATED TO CITIZENSHIP**

One of the most vulnerable groups of people living in Crimea are those who used to, and want to continue to reside in Crimea, but had no registration. They are forced to prove the fact of their permanent residence in court. However, even in case of a positive court decision, they are faced with a problem: they need to secure their Crimean residence registration so that they can be issued a Russian passport. Some of them have no possibility to obtain registration at the place of residence of their relatives or at the address of their own home. In such case, the FMS authorities refuse to issue them a passport of a citizen of the Russian Federation.

Another vulnerable group are the citizens of Ukraine who lived in Crimea and try to obtain a residence permit. Some of them are also facing the problem of residence registration after obtaining a residence permit. The FMS authorities do not allow them to be registered in the quarters that belong to them on the right of ownership. The migration authorities refer to the requirement of the Russian legislation, under which it is necessary to register with the hosts.

The CFM has repeatedly received reports that in matters related to confirmation of a long stay in Crimea as a basis for obtaining citizenship of the Russian Federation, the judges hold meetings without prior notification of the date and time of the hearing, in absence of the petitioner, disregard evidence provided or illegitimately put them under question.

Problems with the immigration status in Crimea were recognized by the Russian Federation Commissioner for Human Rights Ella Pamfilova. In her annual report, she points out that *"at least 100 thousand Crimean residents failed in 2014 to legalize their stay or residence on the Peninsula for obtaining a passport of a citizen of the Russian Federation."*

### 3. SOCIAL AND ECONOMIC RIGHTS

#### PROPERTY RIGHTS

The process of misappropriation of commercial property in the territory of Crimea continues. For example, the **Ukrainian businessman Gennady Korban** said that the Crimean authorities seized several tourist hotels in Crimea (the "Energetik" the "Krym" hotels). Earlier, he transferred to the Crimea the necessary documents confirming his title. The businessman intends to apply to the relevant international courts to protect his property rights.

The director of the "**Skazka**" **zoo** in Yalta and the "**Taigan**" **lion park** made a public statement asserting that the local authorities and the prosecutor's office illegally try to strip him of those facilities by framing up criminal cases against him. For example, a form of pressure that he mentioned was the illegal euthanasia of monkeys in his zoo, which, according to him, was contrary to the provisions in the Russian legislation. Veterinary inspection employees who carried out the euthanasia refused to make a record in the visitor log and leave copies of the documents on the grounds for the inspection.

On May 12, the Sevastopol authorities transferred a **land plot at the Gasfort mountain** to the Russian Night Wolves biker club to establish an amusement park and recreation area. On May 23, the government suspended its decision, and the Head of the Legislative Assembly Alexey Chaly said that the site would be offered at a contest. That land plot, however, is in use of the **Balaklava Gorky Mining Administration PJSC**, which is associated with a large Ukrainian businessman **Vadim Novinsky**. The right to the use the area is considered in court, the next session is scheduled for June 15

Co-coordinator of the **Committee for the Protection of the Crimean Tatar people** said that in the Rybachie village and in the city of Alushta, unidentified persons **set fire to 7 commercial facilities**: a hotel, the "Ai-Petri" cafe, the "Uyut" cafe, a retail trade pavilion, retail outlets and 4 cars, which belonged to Crimean Tatar entrepreneurs.

Administration of the "**Musafir**" **cafe** in Bakhchisarai reported that, beginning from May 11, the cafe had been forced to stop its operation because of pressure on part of local authorities and prosecutors.

Earlier, property of the "**Crimea Foundation**" **charitable organization** was seized, including the building where the Medzhlis of the Crimean Tatar People was located. The Crimean Council of Ministers decided to transfer to the Spiritual Administration of Muslims of Crimea the building of the Zindzhirli madrasah in Bakhchisarai and the mosque in the village of Amurskoye in Krasnogvardeisky Amur District, which had previously been in use of the "Crimea Foundation". However, the Fund's management believe that such actions are illegal and are aimed at provoking a split among the Crimean Tatars.

The review was prepared by:

**Olga Skrypnik**, Deputy Head of the Crimean Field Mission on Human Rights;

**Vissarion Aseev**, analyst of the Almenda Center of Civic Education

**Andriy Krisko**, координатор Coordinator of the Crimean Field Mission on Human Rights office in Simferopol;

**Dariia Sviridova**, lawyer, Ukrainian Helsinki Human Rights Union;

**Tetiana Pechonchyk**, Chairperson of the Board of the Human Rights Information Centre.

 <p><b>АДВОКАТСКАЯ ПАЛАТА МОСКОВСКОЙ ОБЛАСТИ</b> адвокат Сотников Дмитрий Валерьевич (номер в реестре: 50/7072, Адвокатское бюро в Москве, адрес: тел. +7(905)741-52-28, e-mail: <a href="mailto:advokat@soznikov7072.ru">advokat@soznikov7072.ru</a>) 123009, г.Москва, а/я 54</p> <p>Иск. № 1-213/15 от 28.04.2015 На вк. № _____</p> <p>Следственного комитета Российской Федерации ПОЛУЧЕНО 22.04.15 Документ</p> <p>Председателю Следственного комитета Российской Федерации А.И. Бастрыкину</p> <p><b>ЗАЯВЛЕНИЕ</b> о совершении преступления начальником ФКУ «СИЗО-1 УФСИН России по Р.Крым и г.з.Севастополь» майором внутренней службы Левенцем Игорем Леонидовичем; старшим лейтенантом УФСБ по Р.Крым Шамбазовым А.</p> <p>13.02.2015 я приступил к защите Костенко Александра Федоровича, обвиняемого в совершении преступлений, предусмотренных п. «б» ч. 2 ст. 115 и ч. 1 ст. 222 УК РФ.</p> <p>14.02.2015 ко мне поступила информация об изъятии у меня подзащитным в СИЗО-1 по Р. Крым. Я срочно приехал в СИЗО-1. Ко мне вышел Левенец И.Л., который сообщил, что никаких изъятий над мной подзащитным нет и, поскольку была суббота, то увидеть моего подзащитного в этот день я не смог (несмотря на то, что в субботу в СИЗО-1 активно проводятся следственные действия).</p> <p>24.02.2015 я встретился в СИЗО-1 со своим подзащитным, который сообщил, что во время задержания 05.02.2015 сотрудниками ФСБ РФ Артуром Шамбазовым, Андреем Тишини и др. сломали ему руку, вымылили плечо, причинили иные телесные повреждения, а также пытали его с помощью электричества. Когда он поступил в СИЗО-1, его посадили в камеру, где сокамерники сразу стали издеваться над ним, пользуясь тем, что у него сломана рука. В результате моей было написано заявление на имя Левенца И.Л. с требованием перевести его в другую камеру.</p> <p>03.03.2015 Костенко А.Ф. сообщил мне, что в другую камеру его не переводили, а вместо этого вызвали в оперчасть. В оперчасти сидел какой-то человек в штатском, который стал ему угрожать, что, если Костенко А.Ф. продолжит жаловаться, то его изберут в камере.</p> <p>В следствие жалобы, поступившей от Уполномоченного по правам человека Украины в адрес Уполномоченного по правам человека России, была организована проверка. Перед проверкой Левенец И.Л. все же перевел Костенко А.Ф. в другую камеру.</p> <p>31.03.2015 Левенец И.Л. при посещении Костенко А.Ф. представителем Уполномоченного по правам человека РФ лично осуществлял коноприворот Костенко А.Ф., чтобы тот не смог сообщить сведения о воплощенных условиях своего содержания.</p> <p>02.04.2015 в СИЗО-1 к Костенко А.Ф. приходил сотрудник ФСБ Артур Шамбазов, пытающий его электричеством при задержании, он понуждал его к даче признательных показаний на суде и откале от адвоката.</p> <p>20.04.2015 в судебном заседании по уголовному делу № 1-213/2015 в отношении Костенко А.Ф. в Кисловский районный суд г. Симферополь Республики Крым поступил заявление Костенко А.Ф. об откале от адвоката. Заявление было подано в суд Артуром</p>	<p>Шамбазовым через кашельяно с сопроводительным письмом из СИЗО-1, при этом такое сопроводительное письмо могло быть изготовлено только по приказу Левенца И.Л. и с его ведома. В судебном заседании был установлен факт подложности данного письма, однако никаких дальнейших действий для проверки обстоятельств, связанных с его подложностью не предпринималось.</p> <p>27.04.2015 от матери Костенко А.В. мне стало известно, что Левенец И.Л. привез Костенко А.Ф. в убийством. Заставили его написать откат от адвоката, однако он отказался. Тогда они повесили Костенко А.Ф. головой вниз и стали "обрабатывать". В результате его заставили написать заявление (приложение 7). Как видно, оно написано разными руками. Такие Левенец И.Л. напечатал откат адвокату досту в СИЗО-1.</p> <p>Также Костенко А.Ф. нуждается в медицинской операции на сломанной руке, однако начальник СИЗО-1 не принимает никаких мер к оказанию ему соответствующей квалифицированной медицинской помощи.</p> <p>На основании вышеизложенного считаю, что в действиях Левенца Игоря Леонидовича имеются следующие составы преступлений, предусмотренные УК РФ:</p> <ul style="list-style-type: none"> <li>- ч. 3 ст. 33 п. «а» ч. 2 ст. 117 УК РФ – организация систематических изъятий Костенко А.Ф. в камере СИЗО-1;</li> <li>- ч. 3 ст. 303 УК РФ – фальсификация заявления об отводе, которая могла привести к тяжким последствиям – лишению подсудимого права на защиту;</li> <li>- ч. 1 ст. 119 УК РФ – угроза убийством в случае отказа заявить отвод адвокату;</li> <li>- п. «а» ч. 3 ст. 286 УК РФ – применение насилия, чтобы заставить Костенко А.Ф. дать признательные показания и отказаться от адвоката;</li> <li>- ч. 3 ст. 286 УК РФ – новая фальсификация заявления об отводе, которая может привести к тяжким последствиям – лишению подсудимого права на защиту;</li> <li>- ч. 1 ст. 125 УК РФ – неподчинение Костенко А.Ф. на медицинскую операцию в соответствии с медицинскими показаниями, что фактически является оставлением его в опасной для здоровья ситуации.</li> </ul> <p>На основании вышеизложенного, считаю, что в действиях Артура Шамбазова имеются следующие составы преступлений:</p> <ul style="list-style-type: none"> <li>- ч. 2 ст. 302 УК РФ – пытки Костенко А.Ф. с целью совершения им якви с повинной и дачи признательных показаний;</li> <li>- ч. 3 ст. 303 УК РФ – фальсификация заявления об отводе, которая могла привести к тяжким последствиям – лишению подсудимого права на защиту;</li> <li>- ч. 1 ст. 151 УПК РФ;</li> </ul> <p><b>ПРОШУ:</b></p> <ul style="list-style-type: none"> <li>1. Всебудьт уголовное дело в отношении начальника ФКУ «СИЗО-1 УФСИН России по Р.Крым и г.з. Севастополь» майора внутренней службы Левенца Игоря Леонидовича по ч. 3 ст. 33 п. «а» ч. 2 ст. 117, ч. 3 ст. 303, ч. 1 ст. 119, п. «а» ч. 3 ст. 286, ч. 3 ст. 303, ст. 125 УК РФ;</li> <li>2. Всебудьт уголовное дело в отношении оперативного сотрудника УФСБ России по Р.Крым старшего лейтенанта Шамбазова Артура по ч. 2 ст. 302, ч. 3 ст. 303 УК РФ;</li> <li>3. Взыскать с иных лиц, виновных в совершении указанных преступлений;</li> <li>4. Провести проверку как можно в более скрытые сроки, вследствие того, что в настоящее время в отношении Костенко А.Ф. рассматривается уголовное дело, а указанными лицами на него оказывается жесткое давление.</li> </ul> <p><b>Приложение:</b></p> <ol style="list-style-type: none"> <li>1. Ордер – на 1 листе;</li> <li>2. Копия адвокатского опроса о пытках при задержании – на 1 листе;</li> </ol>
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**Statement of crime against Oleksandr Kostenko perpetrated by Chief of the pre-trial detention center  
I.L. Levenets and Senior Lieutenant A. Shambazov**

В Киевский районный суд г. Симферополь Республики Крым по уголовному делу № 1-213/2015

от защитника Сотникова Дмитрия Валерьевича, регистрационный № 50/7072, удостоверение № 8689, выданное Управлением Министерства РФ по Московской обл. 17.09.2014, осуществляющего адвокатскую деятельность в Адвокатском бюро «Норма»  
место нахождения: г. Москва, ул. Тверская, д. 201, оф. 431  
почтовый адрес: 125009, Москва, а/я 54  
тел.: +7(905)741-52-28  
e-mail: advokat@sotnikov7072.ru

в интересах Костенко Александра Федоровича, обвиняемого в совершении преступления, предусмотренного п. «б» ч. 2 ст. 115, ч. 1 ст. 222 УК РФ

**ХОДАТАЙСТВО №1**  
об исключении доказательств по уголовному делу в порядке ст. 235 УПК РФ

Пришу исключить следующие доказательства по уголовному делу:  
Л.д. 40-45 т. 1 протокол дополнительного допроса обвиняемого;  
Л.д. 55-61 т. 2 протокол допроса обвиняемого;  
Л.д. 74-81 т. 2 протокол допроса обвиняемого;  
Л.д. 87-92 т. 2 протокол дополнительного допроса обвиняемого, а также  
Л.д. 38-39 т. 2 протокол явки с повинной по следующим основаниям:

В протоколе дополнительного допроса обвиняемого л.д. 99-101 т. 2 подсудимый отказался от данных ранее показаний, заявляя, что к нему применялось давление.

В протоколе допроса л.д. 112-114 т. 2 подсудимый своей вины не признал.

В протоколе ознакомления с СМЭ л.д. 187 т. 1 подсудимый с выявленными экспертами не согласился.

Защитой были произведены адвокатские опросы в порядке пп. 2 ч. 3 ст. 6 Федерального закона № 63-ФЗ от 31.05.2002 «Об адвокатской деятельности и адвокатуре в Российской Федерации», п. 2 ч. 3 ст. 86 УПК РФ подсудимого Костенко А.Ф., свидетелей Рябенко Д.Ю. и Новиковой А.М.

Костенко А.Ф. при производстве адвокатского опроса показал, что 05.02.2015 он пригласил в свою квартиру рабочих, чтобы сдать старый холодильник на металломол. Когда он с рабочими вышел из подъезда, к нему подбежали двое человек, один из которых ударил его по лицу, они скрутили его и затолкали в синий микроавтобус. В автобусе он узнал Андрея Тищенко, интегрированного сотрудника, майора ФСБ. Подсудимому сломали руку и локтевой сустав, и одели наручники. После чего Тищенко надел ему на голову пакет и завязал его скотчем так, что Костенко А.Ф. не мог дышать. Тогда Костенко А.Ф. прыгнул в пакете дыру. Одни из сотрудников, находившихся в автобусе сказали, что везут его на Украину. После чего ему нанесли несколько ударов в голову и по спине. Затем к голове Костенко А.Ф. приставили пистолет, несколько раз спустили курок. Одни из сотрудников сообщили ему, что сейчас отрежут ему палец и отошлут его родным. Тогда

Костенко А.Ф. скакал кудаки, после чего получил несколько ударов в голову. После этого Костенко А.Ф. привезли в какой-то дом и спустили в подвал. Привезли к мизинцам провода и пустили электрический заряд. Затем один из сотрудников сказал, что Костенко А.Ф. сейчас будет говорить на камеру, и если он скажет неправду, то сотрудник будет пускать ток. После этого в помещении засел Тищенко Андрей и Шамбазов Артур (также интегрированный сотрудник ФСБ). Шамбазов задавал ему вопросы, а когда Костенко отвечал на них, то говорил ему, что он врет и пускал ток. 06.02.2015 сотрудники дали Костенко А.Ф. 200 гр. водки и привезли в неизвестное место, после чего он должен был пройтись по улице, чтобы он идет для написания явки с повинной.

Рябенко Д.Ю. при производстве адвокатского опроса показал, что 05.02.2015 во второй половине дня он заехал на парковку во дворе своего дома по адресу:

Услышал крики, шум. Перед ним стоял синий автобус. Он покачивался, а затем уехал. Он записал его номер: АК 3274 СН. В тот же вечер от кого-то из соседей он услышал, что на этой машине увезли парня с третьего этажа. Он засел к этим соседям и сообщил им номер машины.

Новикова А.М. при производстве адвокатского опроса показала, что 05.02.2015 в 17-

15 часов дома по адресу: г. Симферополь она ждала свою соседку. Во дворе дома стояли два автобуса белый и синий. Вдруг вышел сын Федора Степановича – Александр. В синем автобусе открылась дверь, выбежали двое мужчин, ударили Александра в живот, заломали руки и забрали его в автобус. Она стала кричать, звать милицию. Один из нападавших обернулся и сказал, что это санитары. Затем вышел Федор Степанович. Соседи сообщили ему номер синего автобуса. Он передергся и куда-то ушел. Когда Федор Степанович вернулся, то Новикова А.М. спросила у него, выяснила ли он по номеру, кому принадлежит машина, в которой увезли его сына. Он ответил, что номер не пробивается, а машина принадлежит ФСБ.

Вышеприведенные сведения также подтверждаются заявлением Костенко Ф.С. л.д. 55 т. 1. Относится Костенко Ф.С. на сегодняшний день не представляется возможным, так как он пропал без вести.

В деле также имеется СМЭ Костенко А.Ф. л.д. 137-138 т. 2, согласно которому Костенко А.Ф. причинен временный средней степени тяжести.

У защиты также имеется открытое письмо правоохранителям, написанное Костенко А.Ф. в котором он говорит, что его сокамерники издаются над ним и требуют показаний на его товарищ по «Майдану».

Полагаю, что все вышеизложенные факты свидетельствуют о получении доказательств, об исключении которых просит защита, с нарушением ст. 8 УПК РФ, п. 2 ст. 2, ст. 15 Конвенции против пыток и других жестоких, бесчеловечных или унижающих достоинство видов обращения и наказания, принятой резолюцией 39/46 Генеральной Ассамблеи от 10.12.1984, ратифицированной Указом Президиума ВС СССР от 21 января 1987 г. № 646-ХII, п. 2 ст. 21 Конституции РФ, что является основанием для признания таких доказательств недопустимыми в соответствии с ч. 3 ст. 7 УПК РФ.

Приложение:

- 1) Протокол адвокатского опроса Костенко А.Ф.,
- 2) Протокол адвокатского опроса Рябенко Д.Ю.,
- 3) Протокол адвокатского опроса Новиковой А.М.,
- 4) Открытое письмо Костенко А.Ф.,
- 5) Копия с приложениями для стороны обвинения.

Адвокат

Д.В. Сотников

**The petition to exclude evidence in the criminal case obtained by from the application of torture to Oleksandr Kostenko**



Ukrainian activists Veldar Shukurdzhiev, Leonid Kuzmin, Mykhailo Batrak and Sergey Doub at the Armyansk city police station on the Vyshyvanka Day