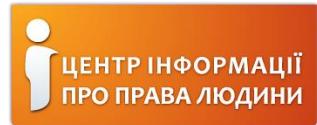




Крымская полевая миссия
по правам человека



Crimean Field Mission on Human Rights

Brief Review of the Situation in Crimea

(March 2015)

Analytical Review

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I. 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 March 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 clashes;
- 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.

The monitoring review was prepared with support from the Federal Department of Foreign Affairs of Switzerland and the "Democratization and Human Rights in Ukraine" project implemented by the United Nations Development Programme in Ukraine and financed by the Ministry of Foreign Affairs of Denmark..

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 and the Federal Department of Foreign Affairs of Switzerland.

II. PROBLEMS OF THE RESIDENTS OF CRIMEA

2.1. CIVIC AND POLITICAL RIGHTS

RIGHT TO LIFE

A year has passed since the abduction and murder of **Reshat Ametov**. It is known that on March 3, 2014 he was holding a one-person picket in Simferopol, near the building of the Council of Ministers of the Autonomous Republic of Crimea, where he was detained by the "Crimean self-defense", which fact was video-recorded¹. On March 15, Ametov's body carrying traces of torture, with duct-taped mouth, was found by local residents in the village of Zemlyanichne, in Belogorsky District. The charred remains of his belongings were found three kilometers away from the place where the body was found. Forensic examination concluded that the body has two stab wounds in the area of the forehead and supraorbital ridge, and the death was caused by a knife stab in the eye.

The Investigative Committee of Russia opened a criminal case № 2014417004. In the course of investigation into the case, relatives of the murdered person provided all possible assistance to the investigators. In that way it was established that Reshat Ametov was taken from the place of detention in a Chevrolet car. The car and its owners were found, who were brought into the case as witnesses. Also, the investigators interrogated the "Crimean self-defense" soldiers who had detained Reshat Ametov. They explained to the investigator that carried Ametov in their car to their headquarters, where they dismounted, and the driver took Reshat away in an unknown direction.

According to information available with the CFM, investigators detected Reshat Ametov's killer, but they believe that the killer is in Donetsk Oblast, on the territory of the so-called DPR. The investigators assure relatives that as soon as the suspect enters the territory of Russia, he would be arrested. The criminal case was open only for the fact of murder of Reshat Ametov (the abduction is not considered in the investigation), and all parties in the case are regarded only as witnesses.

On November 4, 2014, the criminal case No. 2014417004 for the murder of Reshat Ametov was suspended, the official reason being as follows: "The person subject to being brought into the case as an indictee has not been established". Any attempts by the relatives and the lawyer to familiarize themselves with the case papers encounter opposition on part of the investigators who, using various pretexts, refuse to meet their legitimate demands (**Appendix 1**).

CFM received a letter from the investigator for particularly important cases of Kherson, who reported that a criminal case was opened in connection with the abduction and murder of Reshat Ametov.

On March 13, the Crimean garrison military court delivered a judgment in the criminal case under Article 105 "Murder", on the murder of Ukrainian Navy Major **Stanislav Karachevsky**, on suspicion of commission of which sergeant of the Armed Forces of the Russian Federation Evgeny Zaytsev was arrested. According to the husband of S. Karachevsky's sister, for the murder of the Ukrainian Major the Russian sergeant E. Zaytsev was conditionally sentenced to two years' imprisonment². As of March 31, the sentenced is appealed. At the single session that journalists were able to attend, it was revealed that the accused person was not kept under custody in the course of the proceedings. To recall: the Ukrainian officer Stanislav Karachevsky was murdered on April 6, 2014, in the Crimean village of Novofedorivka in the dormitory where the Ukrainian military personnel of the Saky base was quartered before departure for the mainland Ukraine.

¹ <https://www.youtube.com/watch?v=11S2Vhkr-bc>

² <http://www.depo.ua/ukr/life/rokovini-vbivstva-ukrayinskogo-ofitsera-v-krimu-vbivtsyu-06042015152400>

A year has passed since the murder of the 36-year-old Ukrainian warrant officer **Serhiy Kokurin**. He was killed in Simferopol on March 18, 2014, during the storm attack on the 13th Photogrammetric Center of the Chief Directorate for Operational Support of the Armed Forces of Ukraine. According to the forensic examination, the Ukrainian officer was killed by two 5.45 bullets shot from a Kalashnikov rifle fired upwards, since Serhiy was on a watchtower. According to the officers who guarded the Photogrammetric Center, the entire area around the military units was controlled by the "Crimean self-defense" and the Russian military for three days before the assault. The tower, where the warrant officer S. Kokurin was killed and other Ukrainian officers wounded, was fired at from a low point, as evidenced by the holes in the casing of the tower.

Until now, however, there has been no investigation into the murder. Ministry of Internal Affairs of the Crimea stated that the Ukrainian military officer was shot by "an unknown sniper". The statement said that *"according to preliminary data, shots were fired from one place in two directions. The unknown person shot from the window of the unfinished building located in close proximity to the military unit at the "self-defense" personnel, who were checking a report on the presence of armed men in that unfinished building, and in the direction of the Ukrainian military unit stationed nearby."*

THE RIGHT TO LIBERTY AND PERSONAL SECURITY

DISAPPEARANCE

The Crimean Field Mission continues to monitor the progress in the investigation of the 10 people missing in the Crimea: **Ivan Bondarets, Valery Vashchuk, Vasyl Chernysh, Timur Shaimardanov, Seyran Zinedinov, Islyam Dzheparov, Dzhevdet Islyamov, Eskender Apselyamov, Fedir Kostenko, O.M. Potapov**.

In March it became known that, in the course of the investigation into the abduction of Seyran Zinedinov it was revealed that witnesses saw how a «Daewoo Lanos» car with transit license plates was leaving the alleged abduction place at high speed.

Abduresheet Dzheparov, the father of one of the Crimean Tatars (Islyam) abducted near under Belogorsk (Dzhavdet Islyamov and Islyam Dzheparov), continues to search for the missing persons; no attorney has been brought to this case.

During the 113th session of the UN Human Rights Committee, the Russian delegation stated that the investigation in the Crimea considers a number of theories in cases of disappearances of the Crimean Tatars. In the case of Timur Shaimardanov and Seyran Zinedinov, the investigation considers theories of their disappearance in connection with their business activities or voluntary departure from the Crimea. In the case of the disappearance of Islyam Dzheparov and Dzhevdet Islyamov, the investigators consider a theory of their voluntary departure from the Crimea or leaving for Syria to take part in warfare. In all those cases, however, the investigators do not consider theories of forceful disappearance and involvement of the "Crimean self-defense" personnel, as was stated by witnesses. In this regard, the effectiveness of the investigation of the abductions raises doubts.

DETENTIONS, ARRESTS, SEARCHES

«The Case of Kostenko»

Oleksandr Kostenko, a Euromaidan activist and a former officer of the Ministry of Interior of Ukraine, was arrested in Simferopol on February 5 and is in custody. The charges against him are that, while being in Kyiv in February 2014, he participated in the overthrow "of the constitutional system in Ukraine" and in the process caused minor bodily injuries to an officer of the Crimean "Berkut" detachment. He is now charged

with commission of two crimes envisaged by paragraph "b" in part 2, Article 115 of the Criminal Code - deliberate infliction of minor bodily harm on the grounds of political, ideological, racial, ethnic or religious hatred or enmity, or hatred or enmity towards a particular social group; and part 1, Art. 222 of the Criminal Code — illegal acquisition, possession and carrying of main components of firearms.

On March 3, Kostenko's relatives reported that his father **Fedir Kostenko** was coming back from Kyiv to the Crimea, but never reached Simferopol. According to them, Fedir told them that he had entered the territory of the Peninsula. After that, he did not answer calls to his phone for two days, and then his phone was off and no longer on since. According to lawyer Dmitry Sotnikov, the investigator addressed the Border Guard Service with an inquiry and was told that Fedir Kostenko never crossed the border of the Russian Federation. The lawyer contends that the certificate was signed by the Deputy Head of the FSB Department for the Republic of Crimea, but, in his opinion, the executor was one of the officers who used torture against Kostenko in February. Since then, the fate of Kostenko's father has remained unknown. It is known that prior to his disappearance, Fedir Kostenko arrived in Kyiv to interact with the media about his son's arrest, but was forced to urgently leave for the Crimea since he learned that the FSB was conducting yet another search of his apartment. Relatives of the missing person and Kostenko's lawyer connect the disappearance of the detainee's father with the possible pressure on his son, who had previously stated regular beatings, threats and bullying.

On March 11, another search was conducted in Oleksandr Kostenko's apartment. According to the lawyer, witnesses for the investigative measures were the active officers of the Interior Ministry, who were holding a suspicious package. The lawyer insisted, however, that witnesses who are not law enforcement officers were present during the search. In the course of the search, nothing was found..

«The Case of February 26»

In January 2015, the Investigative Committee of the Russian Federation opened a criminal case under Article 212 of the Russian Federation Criminal Code "Mass Riots". For organizing and participating in the mass riots in Simferopol, on January 29, 2015, Deputy Chairperson of the Medzhlis of the Crimean Tatar People **Ahtem Chiygoz** was detained under that case, and is now in custody. Human Rights Commissioner of the Verkhovna Rada of Ukraine Valeriya Lutkovska confirmed that the actions that occurred on February 26, 2014, at the said location, were an exercise of the right to peaceful assembly and do not violate the laws of Ukraine. However, contrary to the principle of territorial jurisdiction, the criminal case was opened under the Russian Federation law..

On March 6, law enforcement officers detained **Asan Charukhov** at his workplace in the traumatology department of the Kerch city hospital, brought him to the Investigative Committee in Simferopol and interrogated for several hours on the case of "February 26". On the same day, Charukhov was released. Throughout the time after his detention, any communication with him was absent.

On March 11, at about 7 am, in the village of Yastrebovka in Krasnogvardeisky District, a group of armed masked men detained **Talat Yunusov** and searched his house. On March 13, the Kievsky District Court passed a decision on application of a measure of restraint in the form of detention for 2 months. Ten days later, an appeal against that decision was dismissed by the Supreme Court of the Republic of Crimea.

On March 11 it became known that on February 18, a resident of the village of Grushevka (Sudak District) **Eskender Emirvaliev** was arrested, for whom the court extended the measure of restraint in the form of detention in custody until April 18. He is suspected of carrying out mass riots on February 26, 2014, near the Crimean parliament building. According to the Head of the CEC of Kurultay of the Crimean Tatar People Zair Smedlyayev, on the day following Emirvaliev's arrest his house was searched by masked men armed with

machine guns. Investigative actions were carried out after 22:00. As a result, the detainee's wife was hospitalized with the diagnosis of "hypertensive crisis", where she stayed for a week.

On March 23, member of the Medzhlis **Ilmi Umerov** was interrogated as a witness in the case of "February 26". Investigators were looking for information on the activities by Ahtem Chiygoz and on who was the organizer of the rally of February 26, 2014. On March 30, he again was summoned for questioning, which, according to the Head of the Medzhlis Refat Chubarov, lasted close to seven hours. After that, the investigating authorities took a decision to conduct a search of his home. On March 30, around 20:00, a search was carried out in the house of the Medzhlis member Ilmi Umerov. In the course of the search, a mobile phone was seized.

On March 27, First Deputy Head of the Medzhlis **Nariman Dzhelal** was interrogated as a witness. An activist of the Crimean Tatar national movement Zair Smedlyaev said that the interrogation lasted about five hours. On the same day, a search was conducted in Nariman Dzhelal's house. Investigative actions were carried out for an hour, in the presence of a lawyer, nothing was seized, except a mobile phone.

At this point, four people have been detained in connection with the "February 26 case": Ahtem Chiygoz, Eskender Kantemirov, Talyat Yunusov, Eskender Emirvaliev..

Detentions on March 9, the anniversary of the birth of the Ukrainian writer Taras Shevchenko

In Simferopol on March 9, after the sanctioned rally on occasion of the anniversary of Taras Shevchenko, law enforcement officers detained and delivered to the Zheleznodorozhny Police station the event organizer **Leonid Kuzmin** and two participants (**Veldar Shukurdzhiev** and **Oleksandr Kravchenko**) "to furnish explanations". Several hours later, reports of an administrative offense were prepared, and in doing so the police officers breached time limits for temporary detention, up to three hours.

On March 12 a court session was held, which declared Veldar Shukurdzhiev, Leonid Kuzmin and Oleksandr Kravchenko guilty of an offense envisaged by a part of Article 20.2 of the Russian Federation Administrative Offense Code and determined the punishment in the form of compulsory labor for a period of 40 hours. The court decision was grounded by use of the Ukrainian flag with the inscription "Crimea is Ukraine", and the presence of the Ukrainian flag and yellow-and-blue ribbons at the rally (for details, see "Freedom of assembly" section).

On March 14, near the monument to Taras Shevchenko in Simferopol, during an interview with a Polish journalist, members of the "Crimean self-defense" detained Ukrainian activists Leonid Kuzmin and Oleksandr Kravchenko. The pretext was yellow-and-blue ribbons worn by Oleksandr Kravchenko. The journalists called the police, but the police took both the activists and the reporter for the Polish Polsat News channel **Tomasz Kulakowski** to the Central Department of the Internal Affairs. After that, Leonid Kuzmin and Oleksandr Kravchenko were sent to the Centre for Combatting Extremism (for details, see "Freedom of assembly" section).

Searches of employees of the Center for Investigative Journalism

On March 13, a search was conducted in the home of parents of **Anna Andriyevskaya**, a staff member with the Center for Investigative Journalism; computer equipment that does not belong to Andriyevskaya was seized. Anna herself currently lives in Kyiv. Anna's parents called her and told about the search and seizure of her father's computer. Her father was served a decision of the Simferopol court stating that criminal proceedings had been initiated against Andriyevskaya for a story that allegedly contained calls for the overthrow of the Crimean government. Andriyevskaya believes that the story in question is an article published in October on the web site of the Center for Investigative Journalism. The article, according to the journalist, tells about the "Crimea" battalion volunteers and does not call for the overthrow of authorities in the Peninsula.

The same day, a search was conducted in the apartment of the parents of **Natalia Kokorina**, the former editor of the web site of the Center for Investigative Journalism. A counsel was not allowed to be present during the investigative actions as his demands to open the apartment door were ignored by the FSB officers.

After the search, N. Kokorina was taken to the FSB, where she was questioned as a witness in a criminal case under article 280.1, which envisages liability for public calls for action aimed at violation of the territorial integrity of Russia. After a six-hour interrogation, the FSB officers released her.

«The Hizb ut-Tahrir Case»

On March 13, the Sevastopol City Court extended for another two months the term of arrest of three Muslims (**Nuri Primov, Ruslan Zeytullaev** and **Rustem Vaitov**). All of them are charged with participation in the activities of the Hizb ut-Tahrir organization, which is officially banned in the territory of Russia. This was reported by the counsel of the arrested persons Emil Kurbedinov.

To recall, Nuri Primov, Ruslan Zeytullaev and Rustem Vaitov were detained by the FSB officers in late January. All of them are formally suspected of violation of Article 205.5 of the Criminal Code of the Russian Federation ("Organization of a terrorist organization and participation in the activities of such an organization"). On January 23, the court of primary jurisdiction imposed a measure of restraint for all three detainees in the form of detention in custody for a period of 2 months.

The detention of protesters against the closure of the ATR TV Channel

On March 30 in Simferopol, police officers detained eight people for holding an "unauthorized mass event". As a social activist **Alexey Efremov** explained, all the participants were planning to make a video message in support of the ATR channel; seven of the detainees (except Efremov) were students. The detainees reported that they were subjected to psychological pressure and intimidation (for more details, see "*Freedom of assembly*" section).

FREEDOM OF SPEECH AND EXPRESSION

One of the main threats to freedom of speech in the Crimea is the requirement for registration under the Russian legislation by April 1, 2015. Many media were unable to complete such registration within the specified time limits.

As of April 1, Federal Service for Supervision in the Sphere of Communications, Information Technology and Mass Media (Roskomnadzor) registered 232 media, 163 of which are print media and news agencies. As of the beginning of last year, 1840 publications were registered in the Crimea.

As a result, many of the media were forced to stop broadcasting. This problem led to the discontinued broadcasting by the world's only **Crimean Tatar TV channel, ATR**.

The ATR channel applied for re-registration several times, but received denials every time. Thus, on March 6, Roskomnadzor declined the request by the "ATR-T" television and broadcasting company to consider its application for registration of a medium on grounds that "information, contained in the list of shareholders, about the sizes of the partnership shareholders' shares does not match the information contained in the Single State Register of Legal Entities."

Earlier, Roskomnadzor did not reveal that violation — the application was rejected for two other reasons: improper certification of copies of documents attached to the application (11.14.14) and the state fee paid by the wrong details (26.01.15). In that respect, reconsideration of the application for registration of a medium was conducted in violation of the time limits specified by the legislation.

Monitoring of the situation with freedom of speech revealed that out of 5 media resources that are part of the ATR media holding, one (**radio "Leader"**) was forced to stop working completely, and four suspended operation with the status of the media pending registration (**ATR** and **Lale TV channels, Meydan radio station, "15 Minutes" news agency**).

Legal analysis of the responses provided by the of the Federal Service for Supervision in the Sphere of Communications, Information Technology and Mass Media, received by the media holding administration to their application for registration of media (Annexes 2-4), indicates the following:

- In all cases of rejection, a complete list of defects in the documents submitted for registration was not provided (those were identified only after previous errors had been eliminated);
- In six cases, the responses by the Federal Service for Supervision in the Sphere of Communications, Information Technology and Mass Media were sent in violation of the laws of the Russian Federation or with a significant discrepancy between the outgoing date indicated and the actual date of sending / receiving of the mail item;
- In the case of registration of both base stations, the reason for the return of the documents without consideration was that *"the name of the station may mislead consumers about the product of media"*. This allegation is contrary to Article 13 of the Russian Federation Law "On mass media", which contains an exhaustive list of grounds for leaving the application without consideration..

Absence of registration of mass media that are part of the ATR media holding caused the first Crimean Tatar ATR TV channel to stop broadcasting on March 31, and continue attempts to register. The history of registration attempts by the ATR media holding is available on the website of the "15 minutes" online publication³.

By the end of March 2015, one Crimean Tatar newspaper – the neutral-content **"Golos Kryma" (Voice of Crimea)** — passed the registration procedure within the specified time limits; two newspapers, directly or indirectly related to the State Committee for Ethnic Relations in Crimea, namely **"Qirim"** and **"Yani dyunya"**, are in the process of registration, and the **"Avdet"** newspaper and the **"QHA"** news agency, whose editorial policy was critical of the Crimean authorities, were denied registration two times.

Thus, on March 27, Roskomnadzor once again refused to re-register the "QHA" news agency in connection with "incorrect data on the founder in terms of the passport data" - namely, no indication was made when and by what authority the document was issued. It is noteworthy that the first time Roskomnadzor denied registration on different grounds, without indicating the presence of that discrepancy.

The "Avdet" newspaper filed the application for registration two times, but both times the documents were returned without consideration. For the first time, errors were found in the way data were filled out, the second time — the duty was paid by the wrong details.

The CFM has noted a selective approach in granting registration depending on the information policy of a medium and the selective nature of bans on activities by the media that failed to pass registration.

On March 27, **Gayana Yuksel**, head of the **QHA** agency, received a response to her address to Roskomnadzor, which stated: *"Taking into account the fact that electronic mail is not included in the infrastructure of interaction, its use for receiving a public service in electronic form is not possible. Your application accompanied by a set of documents prepared in a specified manner, may be submitted by courier, by mailing or electronically through the single portal of public services"* (**Appendix 5**). The agency

³ <http://15minut.org/article/atr-borba-za-zhizn-2015-03-20-08-35-22>

still undergoes the registration procedure. Management of the QHA information agency said in an interview that they will continue operating after April 1 without the registration documents..

In March 2015, the first criminal case against media was opened in the Crimea on article on separatism. The reason for the opening of the case was an interview with the commander of the "Crimea" battalion placed on the web site of the **Center for Investigative Journalism** (CJI). This gave grounds for searches in the homes of the parents of the author **Anna Andriyevskaya** and the former CJI website editor **Natalia Kokorina** (for details, see the "Right to Liberty and Security" Section). However, the story authored by A. Andriyevskaya does not call for a violation of the integrity of the Russian Federation or the overthrow of the Crimean authorities. In addition, CJI is a Ukrainian medium, registered in Kyiv

On March 11 and 13, the crew of the **Chernomorskaya TRC** were forbidden by FSB officers to carry out videotaping near the houses where CJI staff members were searched. The journalist tried to call the police, but the police emergency number did not respond.

On March 13 during the interrogation of the former CJI editor Natalia Kokorina, a group of journalists waiting outside the FSB building, were approached by police officers who demanded that the journalists follow them in the department for personal identification. After law enforcers were explained that no visit to the precinct is required for that, the police officers made notes of all the journalists data, as well as recorded number plates of the cars on which they arrived. A patrol car remained on duty until the end of the interrogation.

On March 12 reporters were not allowed into the building of the Zheleznodorozhny District Court of Simferopol, where hearings were held to consider the administrative charges against the organizers and participants of the March 9 rally (Veldar Shukurdzhiev, Leonid Kuzmin, Oleksandr Kravchenko).

On March 14, during the recording of an interview with the pro-Ukrainian activists, Polish journalists of the **Polsat News TV** encountered aggressive behavior of the "Crimean self-defense" members and illegitimate demands on their part. The media representatives had to call the police, who delivered the journalists and the interview participants to the police station to give explanations, without taking any measures to detain the paramilitary unit members.

FREEDOM OF ASSEMBLY

PEACEFUL ASSEMBLY ON MARCH 9 (BIRTHDAY ANNIVERSARY OF T. SHEVCHENKO)

On March 9, a group of Ukrainian activists came to a rally in the Yuri Gagarin park in Simferopol, on the occasion of the 201st birth anniversary of the famous Ukrainian writer Taras Shevchenko. The peaceful assembly organizer, **Leonid Kuzmin**, on February 27, 2015 filed a respective notice about the rally with the Simferopol city administration. This notice was reviewed and sanctioned by the administration. During the March 9 rally, the participants used the Ukrainian symbols, including the flag of Ukraine and the inscription "Crimea is Ukraine" (**Appendix 6**).

In the course of the peaceful assembly, law enforcement officers arrested three activists - Leonid Kuzmin, Oleksandr Kravchenko and Veldar Shukurdzhiev. The detainees were taken to the police station of Zheleznodorozhny district of Simferopol. The activists were held in the police station several hours, and reports were prepared on an administrative offense under Article 20.2 of the Administrative Offense Code "Violation of the order of organizing or holding meetings, rallies, demonstrations, marches or picketing" (**Appendix 7**), and on delivery to the police station. The detainees gave written explanations, after which they were released. The trial was scheduled for March 10, then postponed for March 11, and was held on March 12.

On March 12, 2015, judge N.V. Urzumova at the Zheleznodorozhny District Court of Simferopol passed a ruling regarding the three activists.

In relation to **Leonid Kuzmin** the court decided that he, as the rally organizer, failed to take into account the provisions of the Russian Federation laws "On meetings, rallies, demonstrations, marches and pickets" and "On Countering the Extremist Activities". Specifically, the court found that Kuzmin did not take sufficient actions to prevent the protesters from demonstrating the Ukrainian flag with the inscription "Crimea is Ukraine". In particular, according to witnesses, Kuzmin did not ask the police to stop that. The court determined such actions as an administrative offense (Article 1, Article 20.2 of the Administrative Offense Code), namely, violation by the organizer of a public event of the established order of organizing or holding meetings, rallies, demonstrations, marches and pickets. The court ruled to impose administrative punishment on L.Kuzmin in the form of compulsory labor for the duration of 40 hours (**Appendix 8**).

In relation to **Veldar Shukurdzhiev**, the court referred to the provision in the Russian Federation Law "On Countering the Extremist Activities", namely: in the course of mass events, use of extremist symbols and paraphernalia, as well as dissemination of extremist materials, are not permitted. The court decided that V. Shukurdzhiev violated the law, because during the peaceful assembly her demonstrated the state symbols of Ukraine — the state flag with the inscription "Crimea is Ukraine". Those actions were defined by the court as an administrative offense (Article 5, Article 20.2 of the Administrative Offenses Code), namely violation by a public event participant of the established order of a meeting, rally, demonstration, march or picket. The court ruled to impose administrative punishment on V. Shukurdzhiev in the form of compulsory labor for the duration of 40 hours (**Appendix 9**).

In relation to **Oleksandr Kravchenko**, the court decided that the use of the national flag of Ukraine and yellow-blue ribbons by him was in violation of the requirements to observe public order and the public assembly rules of procedure. Kravchenko explained to the judge that he considered using the attributes of the national flag of Ukraine acceptable, since T. Shevchenko is a Ukrainian poet. According to the judge, however, it *"does not correspond to the historical facts - during Shevchenko's life, Ukraine did not exist as a separate territorial state and was part of the Russian Empire"*. The court declared Kravchenko guilty of an offense under part 5, Article 20.2 of the Administrative Offense Code of the Russian Federation, violation by a public event participant of the established order of the meeting, rally, demonstration, march or picket. The court ruled to impose administrative punishment on O. Kravchenko in the form of compulsory labor for the duration of 40 hours (**Appendix 10**).

Therefore, all three participants were found guilty of violating the legislation of the Russian Federation on peaceful assemblies due to the fact that during the rally they used Ukrainian symbols, flag of Ukraine, and the inscription *"Crimea is Ukraine"*. All three pleaded not guilty in court. Kuzmin, Kravchenko and Shukurdzhiev do not agree with the court ruling and appeal against that decision.

In particular, in his complaint against the judgment in the case of an administrative offense, Shukurdzhiev claims that the court violated the principle of presumption of innocence and the right to a fair trial. The activist believes that the court wrongly and erroneously takes into account provisions of the RF Law "On Countering the Extremist Activity", namely the provision envisaging that mass events may not be involve extremist organizations or use their symbols or paraphernalia, as well as extremist materials. Since the Ukrainian flag is an internationally recognized attribute of the state, it may not be regarded as a symbol and an attribute of an extremist organization, or as an extremist material on the territory of the Russian Federation. Shukurdzhiev does not agree that the court uses a report on an administrative offense as evidence. The report does not indicate the time and place of the alleged violation, as well as does not specify the essence of the act that might be regarded as a violation. For that reason, the report may not be regarded as a grounded proof.

On March 30, the Zheleznodorozhny District Court of Simferopol held a session in the case of another participant in the March 9 event, **Kurtseit Abdullayev**. The court also found him guilty of an offense under Part. 5, Article 20.2 of the Administrative Offenses Code - violation by a public event participant of the established order of a meeting, rally, demonstration, march or picket. The court ruled to bring him to an administrative penalty in the form of compulsory labor for the period of 20 hours. The grounds for the decision was also the use of Ukrainian symbols and the inscription "*Crimea is Ukraine*". K. Abdullayev did not admit his guilt and intends to appeal the court ruling.

On March 11 **Leonid Kuzmin**, a teacher of a school in Simferopol, was dismissed by the school administration from his position of a teacher for "inconsistency with the position". Earlier, after his participation in the March 9 event, he was summoned to the school administration and forced to submit a voluntary resignation. L. Kuzmin refused to do that. At school, he was explained that "*it is unacceptable for a school employee to engage in political activity*".

On March 14, two participants in the March 9 rally were detained by the police and members of the "Crimean self-defense" in Simferopol while talking to reporters, for demonstration of the yellow-blue ribbons. They were taken to a police station and then sent to the Centre for Combatting Extremism, where they spent several hours. Kravchenko said that they were served a warning about the inadmissibility of extremist activity. According to Kravchenko, only he had Ukrainian symbols, and Kuzmin did not have any, which makes the reasons for Kuzmin's detention obscure.

On March 17, one of the March 9 rally participants, Veldar Shukurdzhiev, was summoned to the Center for Combatting Extremism. A "preventive conversation" was conducted with him, aimed at "precluding possible extremist actions". In particular, the Center staff told him that he was suspected of intending to disrupt the celebrations to mark the accession of the Crimea to Russia, planned in a school in Simferopol. Any grounds for such suspicions were absent.

At the moment, one of the March 9 rally participants, Oleksandr Kravchenko, already left the territory of Crimea.

PROTESTS AGAINST THE TERMINATION OF BROADCASTING OF THE ATR TV CHANNEL

On March 30, 2015, students of one of the educational institutions in Simferopol organized videotaping of a message in support of the ATR TV channel. Prior to that, one of the organizers, **Aleksey Efremov**, was warned by police officers about the inadmissibility of extremist activities. A. Efremov said that the same warning was served to another participant of the planned event during school hours, after which she decided not to participate in the recording of the video message.

In the course of the video message recording, police arrested eight people on suspicion of holding an unsanctioned mass event. Students expressed concern that their phones could be tapped, because they had changed the venue of the video message recording but the police knew about the new location nevertheless. Court hearing in respect of the seven students who participated in the video message recording is appointed for April 1. Counsel Dzhemil Tamishev filed a motion to adjourn the meeting to get acquainted with the case file. However, the court denied that to him.

On March 30, **Nariman Dzhelal**, First Deputy Head of the Medzhlis of the Crimean Tatar People was served a warning about the inadmissibility of extremist activity and carrying out unauthorized mass events in connection with the possible closure of the ATR TV channel. The warning was read at his home, but the police refused to issue a copy of the warning notice.

FREEDOM OF ASSOCIATION

Persecution of activists and coordinators of the **Committee for the Protection of the Rights of the Crimean Tatar People in Crimea** continues.

One of the Committee coordinators Eskender Bariev reported that in early March, **Mustafa Maushev, Kurtseit Abdullayev, Gulnara Seitumerova, Reshat Artmambetov** and **Kamil Kadyrov** were summoned for interrogation. The interrogations concerned their participation in the conference on December 10, 2014, where the Committee announced its appeal to international organizations on matters of protection of the rights of the Crimean Tatar people.

According to them, criminal proceedings have been opened against the coordinators. Earlier, the Crimean Public Prosecutor Natalia Poklonskaya provided relevant files to open criminal proceedings against the Committee coordinators for public calls to actions aimed at violation of the territorial integrity of the Russian Federation. At present, the three coordinators of the Committee for the Protection of the Rights of the Crimean Tatar People are forced to stay outside the Crimean territory for fears of criminal prosecution.

On March 12, the Crimean Office of Public Prosecution reported⁴ that it conducted an inspection on a report by Bakhchisarai District residents on the commission of unlawful acts against participants in the "**fields of protest**" events. They are an initiative group of residents who address issues of ownership of certain land plots in Bakhchisarai District. The prosecutor's office already accused the group members "*in organization of a scheme to ensure that the land ownership will be granted only to several individuals in the initiative group*". However, no facts were presented. Some in the group believe that such actions by the Office of Public Prosecution are directed at discrediting them and are part of the pressure exerted on the regional Medzhlises and the Crimean Tatars.

The Crimean Field Mission monitored the situation of a number of public associations involved in environmental and social issues. Those associations encounter the following problems.

1) Problems with re-registration: the majority of the public organizations previously had the status of a legal entity with the aim of raising funds and participation in decision-making at the local level. At the moment, however, many organizations have not been able to pass the re-registration due to denial of registration, reluctance to apply for registration, fear of penalties due to the lack of knowledge in the field of the Russian legislation.

2) Lack of funding to carry out their activities. Most organizations in the environmental or social sphere used to conduct their activities financed by foreign funds or international organizations. But now they cannot receive foreign funding, as most of them are afraid to be listed as "foreign agents". Local authorities, such as the Ministry of Ecology and Nature Management of Crimea, do not provide financial assistance to environmental organizations.

3) A number of members in public organizations, including environmentalists, scientists, and public figures, left the Crimea because the events that happened there and went to the mainland Ukraine. This caused a reduction in the number of experts and members of civil society organizations, which greatly limited the activities by such organizations.

For those reasons, a number of organizations have suspended or terminated their public activities. For example, the "**Center for Animal Help**" and the "**Crimean Association for Animal Rights**" stopped their operations due to the fear of being declared "foreign agents" and due to the difficulties of working in the legal field of the Russian Federation, because the regulations on the protection of animals from abuse, which exist in the Ukrainian legislation, are absent in Russian law..

⁴ <http://rkproc.ru/news/prokuratura-provela-proverku-po-voprosu-soversheniya-nezakonnnyh-deystviy-v-otnoshenii>

Registration problems have affected many environmental organizations. Thus, the Crimean **"Ecology and the World"** Republican Association, founded in 1988, recently managed to re-register. However, its regional offices in Feodosia, Kerch, Evpatoria, Yalta, Alushta, Dzhankoy, which had previously had the status of a legal person, have not yet been able to re-register. For example, the Feodosia branch of the organization received a notice of the registration denial.

The **"MAMA-86"** environmental organization in Feodosia was a separate legal entity and was part of the All-Ukrainian Network of environmental organizations "MAMA-86". At present, the organization decides the issue of registering and saving its name, since the name refers to the Ukrainian network of organizations. **Association for support and conservation of biological and landscape diversity of the Crimea "Gursuf 97"** decided to suspend its public activities.

The said problems entail restriction of the freedom of association and the reduction of civil society institutions.

FREEDOM OF FAITH AND RELIGION

For some time now, a significant problem for religious communities has been posed by the local authorities' requirement to get registered as a religious organization under the laws of the Russian Federation. March 1, 2015, was set as the final day for the registration. Most religious communities, however, failed to pass the registration. In that regard, the State Duma of the Russian Federation on March 27 proposed to make changes in the legislation and extend the period. The Crimean authorities (represented by Deputy Prime Minister of Crimea Ruslan Balbek) recognized that "*the majority of religious organizations did not have enough time to re-register*". As a result, religious organizations of Crimea were granted a time period for re-registration extended until January 1, 2016, by making changes⁵ in the Federal Law "On Freedom of Conscience and Religious Associations".

The CFM review for February 2015 described the main problems faced by religious communities during registration. One of the first to pass the re-registration was the **Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP)**. According to the Single State Register of Legal Entities of the Russian Federation, this church was registered as the "Orthodox religious organization of the Simferopol and Crimea diocese" on December 23, 2014 (registration number 1147700000150). Now this religious organization is subordinated to the Moscow Patriarchate.

The further fate of the **Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP)** remains questionable. The Kyiv Patriarchate officially announced that the Simferopol and the Crimea Diocese of the Kyiv Patriarchate, and parishes and monasteries that are within its structure, have not attempted to register under the Russian legislation⁶. At this point it is unclear what the consequences of failure to register under the laws of the Russian Federation for UOC-KP in the Crimea will be.

On March 10, 2015, Administration of the Federal Bailiff Service in the Crimea, in its response to a request by the Editor-in-chief of the printed periodical "RosOtvet"⁷ reported that the Administration signed letters of intent in the area of interaction between the said Administration and the Ukrainian Orthodox Church in the person of the Simferopol and the Crimea Diocese of the Ukrainian Orthodox Church, Moscow Patriarchate (dated September 30, 2014⁸), and the Spiritual Administration of Muslims of Crimea (dated October 21,

⁵ [http://asozd2.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=663960-6](http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=663960-6)

⁶ <http://www.cerkva.info/ru/publications/articles/6491-krym.html>

⁷ <http://rosotvet.ru/fssp-i-rpc/>

⁸ <http://r82.fssprus.ru/news/document22485001>

2014⁹). One of the goals of such cooperation is the "*awakening of consciousness of citizens who are indebted to the enforcement proceedings, encouraging them to fulfill judicial acts and acts by other authorities*". The format of cooperation is the education and awareness-raising activities on the part of the clergy. Thus, religious communities have partially assumed functions of the bailiff service, which may affect the autonomy and independence of religious belief, is contrary to the principle of separation of church and state, and entail intervention of governmental authorities in the affairs of religious communities.

FREEDOM OF MOVEMENT

One of the main problems when crossing the Russian border is the inability to cross for persons in possession of a passport of a citizen of Ukraine who are unable in the Crimea to paste their photo upon reaching 25 and 45 years of age.

On March 18, the Moscow City Court issued a decision in the case on a claim of **Ismet Yuksel** against FSB of the Russian Federation challenging the decision of the Russian FSB to ban his entry into the territory of the Russian Federation (**Appendix 11**). The said ban was passed on July 17, 2014. The court determined to initiate proceedings in the case at the Moscow City Court. The parties in the case have been summoned to the court session appointed for 7 April 2015 for questioning on the circumstances of the case. However, I. Yuksel cannot be present at the session, because he is forbidden to enter the territory of the Russian Federation.

According to the Ukrainian legislation, entering the territory of the mainland Ukraine from the Peninsula is only possible in presence of a stamp about the crossing of the state border of Ukraine. All state border checkpoints of Ukraine on the Peninsula are not functional from the time when Ukraine lost control over the Crimea. If a person entered the Crimea from the Russian Federation, they may not enter the territory of Ukraine from the Crimea, through the Ukrainian checkpoints, until they cross the state border of Ukraine. In the Crimea, Russia applies the legislation on the state border of the Russian Federation. This situation causes certain problems. For example, a citizen of Uzbekistan **Kemran Ayvazov**, due to violation of the migration legislation of the Russian Federation, was not able to enter the territory of Crimea from the mainland territory of Ukraine. His permit for stay in the Russian Federation expired. However, at the moment of his entry into the territory of Crimea, the period for his stay on the territory of Ukraine expired as well, and he cannot return to Ukraine. Therefore, Ayvazov involuntarily found himself in the so-called buffer zone — between the two borders. By the end of March, he had spent about 50 days in that zone.

Ukrainian border guards apply the norms of Ukrainian legislation requiring that, in case a minor child crosses the Crimean border accompanied by a parent, they must demand a notarized consent of the other parent. This guards apply this provision to protect the parental rights of the other parent. However, there are frequent cases when a parent is unable to obtain the other parent's consent to the travel of the child (for example, he or she located on the territory of another state, is in service in the area of anti-terrorist operation, or their location cannot be established). In this situation, a parent with a child has no practical possibility to pass through the Ukrainian administrative border.

On March 26, 2015, the State Border Guard Service of Ukraine reported that the procedure for entry to and exit from the territory of Crimea had been developed. That procedure was submitted to the government of Ukraine for consideration. Along with the regulation, the form of a written decision on refusal of entry to / exit from the territory of Crimea was submitted for approval. The Ukrainian Helsinki Human Rights Union was engaged in the development of the form of the written denial. Therefore, in the near future Ukraine will have

⁹ <http://r82.fssprus.ru/news/document22514722>

a separate procedure to determine the specifics of crossing the Ukrainian administrative border with the Crimea..

RIGHT TO A FAIR TRIAL AND EFFECTIVE REMEDIES

"Sentsov-Kolchenko Case"

Oleksandr Kolchenko's lawyer Svitlana Sidorkina reported that he was served charges in the final version. O. Kolchenko is charged with one episode — participation in the arson of the United Russia Party office in Simferopol in April 2014. This episode is qualified under Part 2 of Article 205.4 (participation in a terrorist association), paragraph "a" Part 2 in Article 205 of the Criminal Code of the Russian Federation (terrorist attack committed by an organized group). The penalty for the first of those charges is up to 10 years imprisonment, for the second one — up to 20 years.

O. Kolchenko continues to insist that he is a citizen of Ukraine. Previously, on January 28, the court in Simferopol refused Kolchenko in the preservation of the Ukrainian citizenship, and his lawyer Svitlana Sidorkina appealed the decision.

The Kyiv Prosecutor's Office began a pre-trial investigation on grounds of criminal offenses against O. Kolchenko, namely, part 1, Article 146 of the Criminal Code of Ukraine "Illegal deprivation of liberty or abduction" (**Appendix 12**).

Dmitry Dinze, filmmaker **Oleg Sentsov's** lawyer, a citizen of Ukraine, another defendant in the case, said that he received no notification about the upcoming presentation of final charges against his client.

The situation with O. Sentsov and O. Kolchenko continues to cause resonance in the international creative community. Thus, during the award ceremony of the Polish Cinema Academy "Orły" Prizes in Warsaw, Polish filmmakers held a rally of solidarity with the Ukrainian director Oleg Sentsov from the Crimea. In the course of the ceremony, the Polish composer and singer of Ukrainian origin Olena Leonenko told Sentsov's story to the audience. After that, the Academy President Dariusz Jablonski called on all those present to raise a card with the inscription "Jestem Oleg Sentsov" ("I am Oleg Sentsov").¹⁰

ISSUES RELATED TO CITIZENSHIP

In recent time, there have been an ever increasing number of complaints of the Crimean residents who refused to receive the Russian citizenship (filed an application for preservation of the Ukrainian citizenship) or who deliberately refuse to obtain a Russian passport, despite their "automatic" recognition as Russian citizens.

A number of people who rejected the Russian citizenship fear pressure or persecution on part of local authorities. Many citizens of Ukraine who rejected the Russian citizenship argue that such people have been listed as the so-called "politically unreliable", who are often summoned for preventive conversations to the FSB where they are explained that they may be "prone to extremism".

Many citizens of Ukraine who do not have the Russian passport but always resided and continue to reside in the Crimea face various forms of discrimination in the exercise of socio-economic rights. The most serious problem in the area of discrimination in the Crimea, as determined by citizens of Ukraine without the Russian citizenship, is employment and exercise of labor rights.

Citizens of Ukraine, which filed an application for preservation of their citizenship, had a possibility to secure a residence permit under the laws of the Russian Federation. However, they began to be regarded as

¹⁰ <http://empr.media/ru/kultura/polska-akademia-filmowa-wspiera-olega-sentsova>

foreigners, therefore, in order to be employed, they need to obtain a patent or a work permit, which is a lengthy and complicated bureaucratic procedure.

Individuals who have not filed such a statement, but due to their beliefs do not receive a Russian passport, find themselves in an even more difficult situation. They cannot obtain a work permit as foreigners, because local authorities consider them citizens of the Russian Federation, but they do not have a Russian passport, and therefore have little or no chance to continue to work or find a job.

Besides, there exists an independent practice by employers who prefer to hire only individuals with the Russian citizenship. For example, the No. 11 (602) issue of the weekly advertising newspaper "Soroka. Krym" (Magpie. Crimea), for March 25-31, runs the following classifieds on pp. 7 and 8: "*Alushta, wanted for the "Vstrecha" cafe: cook, kitchen workers, dishwasher with citizenship of the Russian Federation...*"; "*Guards wanted for a security company to work in Yalta, Sevastopol, Sudak, Simferopol; age 20-55 years, Russian citizenship ...*"⁴¹.

The "Yalta City Website", the "Wanted" section, also contain ads with the requirement of the Russian Federation citizenship. For example, an ad of March 28, 2015: "*Marat park-hotel opens a contest to fill the vacancy of the senior administrator of the hotel room stock. Requirements: higher or secondary education. At least 1 year experience in a similar position. Russian citizenship*"⁴²; of March 30, 2015 - "*Sales person wanted for fashion jewelry and hair accessories kiosk, on the beach in the city of Yalta. Residence registration of the Russian Federation. Previous experience is an advantage.*"⁴³.

Besides, company management find themselves under pressure to prevent employment of Ukrainian citizens without a Russian passport. Thus, the Bristol hotel in Yalta was fined by the Migration Service, without a prior notice, in the amount of 4.8 million rubles for 12 Ukrainian staff who were not registered with the FMS as foreigners by the hotel manager. Ukrainian citizens who refused to accept the citizenship of the Russian Federation, are forced to obtain a patent, and entrepreneurs who are their employers fear fines by the Federal Migration Service for failure to register their foreign employees. The fines are incommensurable with the business incomes — 400 to 800 thousand rubles per one illegal employee. As a result, business managers are forced to dismiss such employees.

There is a problem of discrimination in receiving free health services, which are available only to citizens of the Russian Federation. Ukrainian citizens who permanently reside in the Crimea and do not have Russian passports, report that they have repeatedly been denied outpatient or inpatient treatment in the absence of a Russian passport.

ARMY: MILITARY REGISTRATION AND CONSCRIPTION

On March 4, 2015, the head of the Crimea Sergey Aksenov issued two decrees aimed at ensuring the recruitment to the army of the Russian Federation in the Crimea: "On establishment of draft boards and securing conscription for military service in the Republic of Crimea in April to July 2015"¹⁴ and "On the draft board for mobilization of citizens in the Republic of Crimea"¹⁵

The first decree, *inter alia*, prescribes the Ministry of Internal Affairs of the Crimea "*to detect and, in presence of legal grounds, to detain citizens evading conscription and military service*".

¹¹ http://soroka-crimea.com.ua/attachments/article/135/Soroka_Crimea25.03.2015.pdf

¹² <http://www.3654.ru/job/vacancy/full/64884>

¹³ <http://www.3654.ru/job/vacancy/full/65117>

¹⁴ http://rk.gov.ru/rus/file/pub/pub_240639.pdf

¹⁵ http://rk.gov.ru/rus/file/pub/pub_240543.pdf

On April 1, conscription to the Russian army begins in the Crimea, and before that, military registration takes place. According to the draft law "On certain specifics of legal regulation of relations connected with the conscription of certain groups of Russian citizens residing in the territory of the Republic of Crimea and the city of Sevastopol of federal significance", which is to become effective on April 1, 2015, citizens registered in Sevastopol and on the territory of the Republic of Crimea until 2016 will serve exclusively on the territory of the Peninsula.

CFM carried out monitoring of the military commissariats and conscription centers in order to establish the actual situation in the area of conscription and military registration.

In the course of the monitoring, the following problems were revealed.

1). A part of the Crimean residents are citizens of Ukraine who do not recognize the jurisdiction of the Russian Federation on the territory of the Peninsula, refused to accept the RF citizenship or were forced to accept it under the threat of deportation. Many of such persons are Crimean Tatars. In connection with that, service in the Russian army is unacceptable for them. However, since they are regarded as citizens of the Russian Federation (unless they filed an application for preservation of the Ukrainian citizenship), they fall under the responsibility for evasion of the military registration or evasion of conscription, under the laws of the Russian Federation. They are unable to be granted a postponement or exemption from the service, because their reasons for refusal from service in the Russian army are not covered by the list of grounds for service exemption. Some employees in the military commissariats advise in such situations either to leave the Crimea or accept the RF citizenship and do the service. Otherwise it may entail deportation or criminal responsibility for evasion of military service.

Unclear remains the situation with the citizens of Ukraine who, as of March 18, 2014, permanently resided in the Crimea, but later left for the mainland Ukraine, changed their place of registration and got registered in the Ukrainian military commissariats. Those persons, in spite of this, continue to receive call notices from the Crimean military commissariats (to the addresses of their previous residence in the Crimea) with the demand to register with a military commissariat under the laws of the Russian Federation. If they fail to comply, and those persons do refuse to appear in the Crimean military commissariats because they are registered in Ukraine, they may be threatened with administrative, and subsequently — criminal liability.

3). The situation with doctors who carry out medical examination of conscripts remains vague. According to the laws of the Russian Federation, such doctors should have a Russian license to be engaged in activities of medical nature, which entitles them to issue medical reports on recruits' health status. However, it is not possible to establish the availability of such a license.

4). Military commissariats do not have accurate information on alternative civilian service (ACS), which also is envisaged in the legislation of the Russian Federation. This is a possibility not to serve in the Russian army for those who do not want it. Military commissariats, however, cannot determine the exact term of the alternative service and its place. Besides, military commissariats prevent those wishing to take up the ACS from filing such application during interviews. Such individuals are discouraged from taking up the ACS and are not provided with accurate information about such possibility.

2.2. SOCIAL AND ECONOMIC RIGHTS

PROPERTY RIGHTS

In the Crimea, the so-called "nationalization" continues, not only of the state property of Ukraine, but also privately owned commercial assets. Thus, the Council of Ministers of the Crimea issued an order establishing a "provisional administration for the management" of the "**Kamysh-Burun" Kerch Seaport**" limited liability company¹⁶. Therefore, the "Kamysh-Burun" Kerch Seaport" LLC is unable to manage its property.

On March 11, the Council of Ministers of the Crimea¹⁷ issued an order transferring the real estate and movable property of several Ukrainian private companies as part of non-current (including intangible) and current assets on their balance and off-balance sheet accounting as of March 17, 2014, to the "Krymtelekom" State Unitary Enterprise". Namely, the property of the following private companies:

- - Crimean branch of the "**Ukrtelecom**" Public Joint Stock Company
- «**Vega**» Telecommunications Group: "**Farlep-Invest**" Private Joint Stock Company, "**SVIT**" Private Joint Stock Company and "**AO-Svyaz**" Private Joint Stock Company
- "**Kyivstar**" Private Joint Stock Company.

Earlier, the property of those companies was nationalized by the State Council of the Crimea.

On March 9 at 3 am, unidentified persons wearing black uniforms and armed with clubs, introduced themselves as the "Crimean self-defense" and willfully began to dismantle the shopping center building that belonged to the "**Aquarelle and K**" since 2002, on the right of ownership. In the morning, the work was suspended and the owners were allowed to remove their personal belongings. After that, two floors of the building were completely destroyed. The unauthorized demolition of the building occurred on March 9, but the court hearing to consider the building demolition case was appointed for March 11.

That case is not a unique one. Entrepreneurs from the cities of Saky and Alushta, as well as from other regions of the Crimea, have repeatedly complained about the unauthorized demolition of trade facilities that had been established legally. That information was confirmed by the Commissioner for the Rights of the Crimean Entrepreneurs Svetlana Luzhetskaya

Previously, "the Crimean self-defense" seized the property of the Ukrainian "**Transbud**" enterprise; the company appealed to the court. In March, the Crimean arbitration court sustained a claim of the injured party regarding misappropriation of the enterprise property. According to the lawyer, the property was seized last year by the "Crimean self-defense" in the interests of the Simferopol Deputy Sergey Lapenko. The return of the property is under execution.

The Council of Ministers of the Crimea continues liquidation of state enterprises in the Crimea. Thus, on March 2, S. Aksenov issued an order¹⁸ dissolving the State Concern "National production and agricultural association "**Massandra**" (Yalta), state-owned enterprises "**Tavrida**" (Alushta), "**Privetnoye**" (village of Privetnoye), "**Gurzuf**" (Yalta), "**Alushta**" and "**Malorechenskoe**" (Alushta), "**Livadia**" (Yalta), "**Sudak**" and "**Morskoye**" (Sudak). There was real estate and movable property on the balance of those enterprises, but at the moment the further fate of the property is unclear.

¹⁶ http://rk.gov.ru/rus/file/pub/pub_240522.pdf

¹⁷ http://rk.gov.ru/rus/file/pub/pub_241202.pdf

¹⁸ http://rk.gov.ru/rus/file/pub/pub_240332.pdf

Local authorities try to deprive the **“Crimea” Charitable Foundation** of its property. The State Committee of the Crimea for the Protection of Cultural Heritage filed a lawsuit with the Arbitration Court of the Crimea, demanding withdrawal of premises at 2, Schmidt St.,/ 27-A, Naberezhnaya St. in Simferopol, which belongs to the “Crimea” Foundation on the right of ownership, for subsequent sale at public auction. This building was used as premises for the “Crimea” Foundation, the **“Avdet”** newspaper, established by that Foundation, and the **Medzhlis of the Crimean Tatar People**. The main argument presented by the Committee is the violation on part of the Foundation of terms and conditions of the protection agreement, which in its turn was concluded between Ukraine (a Ukrainian state body, of which the plaintiff is not a legal successor), and a Ukrainian legal entity (the “Crimea” Foundation). The said Committee is not a legal successor of the Ukrainian state body, with which the agreement had previously been concluded. It means that no agreement between the Russian Federation and the Foundation exists, therefore, there are no obligations before the Russian Federation by the effective protection agreement. The Fund is a bona fide owner of the building. Moreover, the plaintiff (the Committee) cites the repairs carried out in the building by the Foundation in 2004 and 2005, before the protection security agreement was entered into on 29.12.2010, as a breach of the agreement. The claim itself is fully grounded on the Russian legislation, which was not applicable for the area at the time of the building repairs (in 2004-2005). Any effective law may not be applied retroactively. Besides, the plaintiff's claim for withdrawal of the building from the ownership of the Foundation is an incommensurate measure for that kinds of violations. The Committee believes that the violations revealed could be eliminated by the owner, but the authorities in the Peninsula impose such strong measures on the Foundation as the withdrawal of the building. The necessity for such strict sanctions against the owner is not substantiated in any way. The Arbitration Court of the Crimea adjourned the preliminary hearing on the case and appointed it for April 23, 2015 (**Appendix 13**).

Earlier, all bank accounts and assets of the “Crimea” Foundation were arrested, and the Foundation itself was even deprived of the right to use its property in the Crimea. Therefore, the Crimean authorities carry out regular attempts to deprive the “Crimea” Foundation of its property. The owner is confident that the reason for this systematic pressure on the Foundation is its close relationship with the Medzhlis of the Crimean Tatar People.

LABOR RIGHTS

From March 5 to 10, employees of the cultural institutions network of the **Perovsky Village Council** found out that they, without being informed, had been dismissed at the end of 2014, upon their voluntary resignation. After that, a new division was created, but they were hired in the newly created division only after a month and a half. Thus, the employees have not been paid redundancy compensations and wages for January 2015. Besides, it resulted in an interruption of their work record. Head of a trade union Arkady Haivoron reported that employees had been fraudulently persuaded to sign a numbered list, which later became an annex to the collective agreement on the voluntary resignation..

On March 11, 2015, the principal of a **school in Simferopol** dismissed history teacher Leonid Kuzmin for “inconsistency with the position requirements”. The reason for the dismissal was the fact that L. Kuzmin was the organizer of the peaceful assembly on occasion of the anniversary of the Ukrainian writer Taras Shevchenko on March 9. The event itself was authorized by the city administration.

On March 31, at the plenary session of the Legislative Assembly of Sevastopol it became known that employees of the **Sevastopol Sea Port** had not received their salaries for as long as one year. Director of the City Department of Industry and Agriculture Galina Korogodina reported that the size of salary arrears was 39.3 million rubles. Payment of the debt was prescribed to the Ukrainian enterprise where the port employees worked. However, enterprises were nationalized, the Ukrainian company is unable to continue its business activity, and hence — pay wages. G. Korogodina confirmed that all the property of the five

Ukrainian enterprises — the **Sevastopol Sea Port, Sevastopol Sea Fishing Port, Sea Port Administration of Ukraine, the Maritime Administration of the Sevastopol Sea Fishing Port, the Sevastopol branch of the Mitin "Gosgidrografiya" institution** — after nationalization was transferred to the Sevastopol Sea Port company¹⁹. That company, however, does not pay wages either.

The **Saky district hospital** staff reported that payroll calculations and incentive payments are carried out with violations of the legislation of the Russian Federation, and benefits for dual jobholding and harmful work conditions had not yet been paid. The majority of employees received no compensation in connection with the transfer to a new division and a number of bonuses to be distributed at the discretion of the administration.

¹⁹ <http://www.e-crimea.info/news/morskoy-port-sevastopolya-nakopil-godovoy-dolg-po-zarplate>

III. PROBLEMS OF THE CRIMEAN RESIDENTS WHO WERE FORCED TO LEAVE THE PENINSULA AND MOVE TO THE MAINLAND UKRAINE (INTERNAL DISPLACED PERSONS)

GENERAL SITUATION

The main problems faced by persons who were forced to leave Crimea are the ones listed below.

- 1) Matters regarding various documents: identity documents and acts of civil status. According to the Ukrainian legislation, documents issued in the Crimea are not recognized by the Ukrainian registration authorities. However, the birth of a child or death of a person in the Crimea can be confirmed only by a document issued in the Crimea.
- 2) Difficulties in access to social security, for example, in issuance of pensions, pensioners are required to provide their pension files, which are located in the Crimea. The Crimean authorities, however, refuse to release pension files.
- 3) Difficulties in access to banking services due to assignment of the "non-resident" status to individuals who are registered in the Crimea.
- 4) Absence of government programs to provide housing for internally displaced persons.
- 5) Reduction of the labor market, which caused decreased employment opportunities for internally displaced persons.
- 6) The issue of labor and special experience records for persons residing in the Crimea or those who left the territory of Crimea has not yet been resolved.
- 7) Lack of bus and railway transportation with the Crimea, which greatly limits the possibilities of entry to and exit from the Crimea, results in restricted relations and social and cultural ties between the residents of the Crimea and residents of the mainland Ukraine.

It is necessary to make a special note of the situation of internally displaced persons (IDPs) from the Crimea who, according to the Ukrainian legislation, are currently subject to mobilization. National defense is a constitutional duty of citizens of Ukraine. However, fulfillment of this obligation is difficult for IDPs because people leave the Crimea and their property, jobs and housing. Most often, men in the category of citizens who are currently subject to mobilization leave with their families. In that connection, immediately after relocation they need to provide their family with dwelling, find a regular income and solve a number of issues related to the settlement in the new location. For that reason, those citizens insist on a temporary postponement of their mobilization.

At the moment, the Ministry of Defense of Ukraine does not envisage such postponements for resettling Crimeans (**Appendix 14**).

The review was prepared by:

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

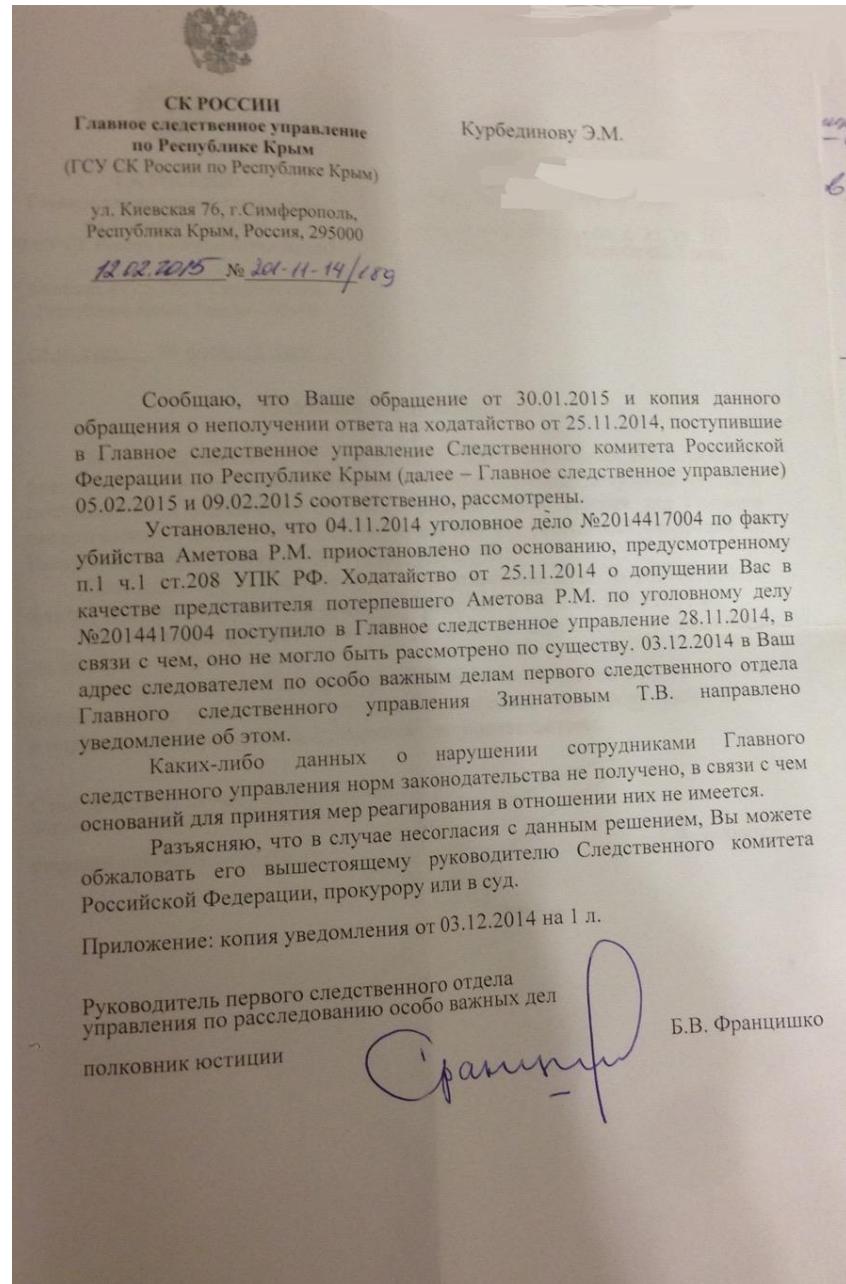
Vissarion Aseev, analyst of the Almenda Center of Civic Education;

Alexandra Krylenkova, field coordinator of the Crimean Field Mission on Human Rights;

Dmitry Makarov, Deputy Head of the Crimean Field Mission on Human Rights, Youth Human Rights Movement;

Dariia Sviridova, lawyer, Ukrainian Helsinki Human Rights Union;

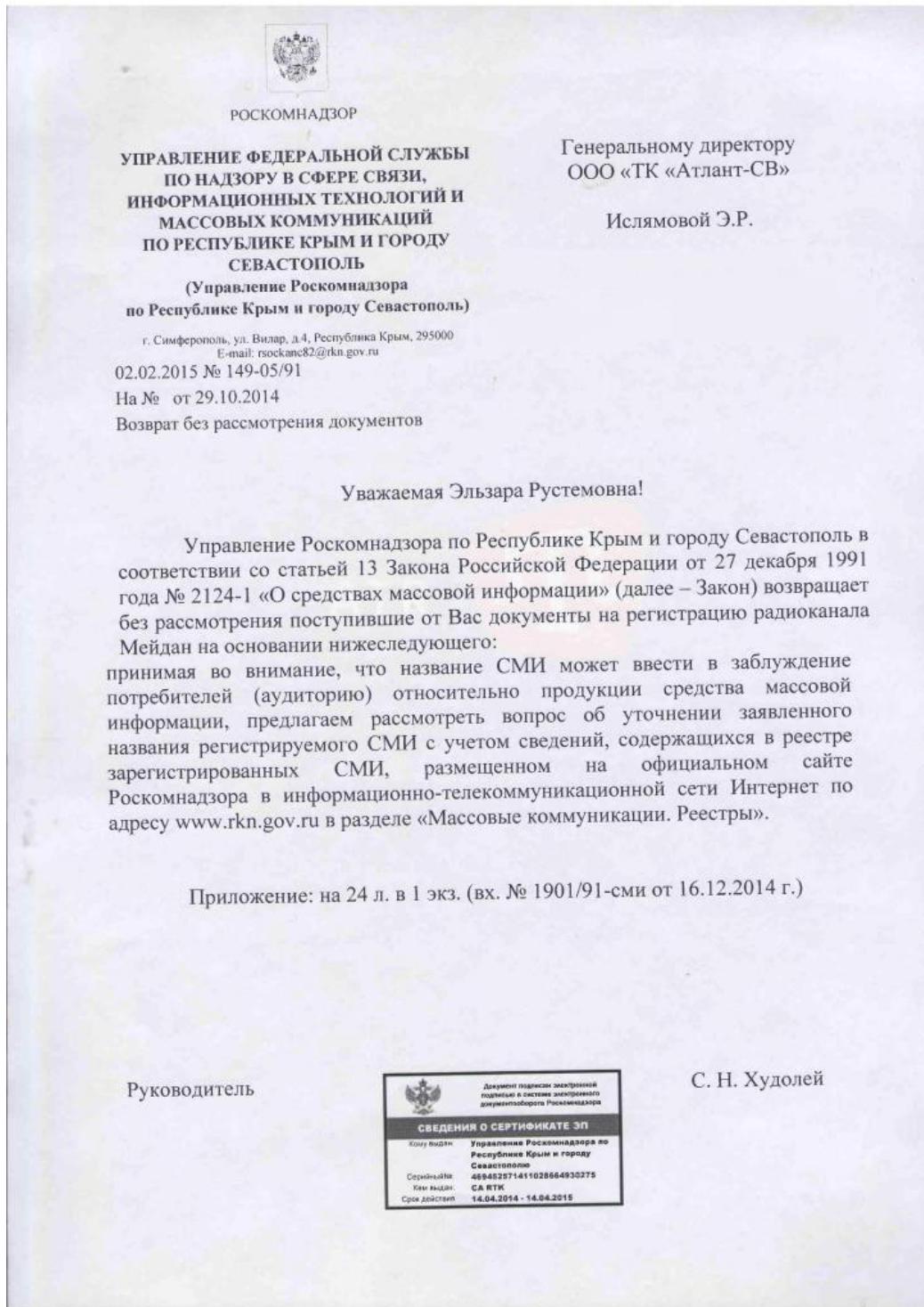
Tetiana Pechonchyk, Chairman of the Board of the Human Rights Information Centre.



Notice of suspension of Reshat Ametov's criminal case, dated 12.02.15

<p>Форма заявления о регистрации средства массовой информации (перерегистрации средства массовой информации, внесении изменений в свидетельство о регистрации средства массовой информации)</p> <p>ФЕДЕРАЛЬНАЯ СЛУЖБА ПО НАДЗОРУ В СФЕРЕ СВЯЗИ, ИНФОРМАЦИОННЫХ ТЕХНОЛОГИЙ И МАССОВЫХ КОММУНИКАЦИЙ</p> <p>(на территории Крымского Федерального округа)</p> <p>ЗАЯВЛЕНИЕ</p> <p>о регистрации средства массовой информации (перерегистрации средства массовой информации, внесении изменений в свидетельство о регистрации средства массовой информации)</p> <p>Рег. № <i>1336/91-рнн-</i> “<i>05</i>” <i>октября</i> <i>2014</i> г. (заполняется регистрационным органом)</p> <p>1. Уредитель (соучредители) средства массовой информации (СМИ) для юридических лиц указать организационно-правовую форму, полное наименование, адрес местонахождения с почтовым индексом, ОГРН, ИНН, телефон, факс; для физических лиц указать Ф.И.О., паспортные данные, адрес места жительства с почтовым индексом, телефон. Общество с ограниченной ответственностью «Телевизионная компания «Атлант-СВ», 295049, Республика Крым, г. Симферополь, ул. Мамеди Эмир-Усенина, д. 14, ОГРН - 1149102062317, ИНН - 9102034975, тел./факс (0652) 551301.</p> <p>2. Наименование (название) средства массовой информации – АТР Т</p> <p>3. Форма периодического распространения – телеканал</p> <p>4. Адрес редакции, телефон (заполняется для юридических лиц с указанием почтового индекса) 295049, Республика Крым, г. Симферополь, ул. Мамеди Эмир-Усенина, д. 14, тел (0652)551301, главный редактор Меметов Шевкет Сейдаметович</p> <p>5. Язык (языки) русский, крымскотатарский и украинский</p> <p>6. Примерная тематика и (или) специализация Информационно-развлекательная, музыкальная; реклама в соответствии с законодательством РФ о рекламе</p> <p>7. Предполагаемая периодичность выпуска, максимальный объем максимальный объем периодических печатных изданий включает в себя количество страниц, формат и тираж, максимальный объем видеопрограмм, радиопрограмм, аудиопрограмм, кинокомпьютерной программы, видеопрограммы, телеканала, радиоканала указывается в единицах измерения времени; максимальный объем сетевых изданий указывается в соответствующих единицах измерения информации (например, в байтах). 24 часа в сутки, ежедневно</p> <p>8. Предполагаемая территория распространения Российской Федерации и зарубежные страны</p> <p>9. Источники финансирования за счет собственных и привлеченных средств</p> <p>10. Сведения о том, в отношении каких других СМИ заявитель является учредителем, собственником, главным редактором (редакцией), издателем или распространителем Не является</p> <p>11. Только для перерегистрации:</p> <p>(указать, каким органом зарегистрировано СМИ, номер и дату выдачи свидетельства о регистрации СМИ, причину перерегистрации)</p> <p>Только для внесения изменений в свидетельство о регистрации СМИ</p>	<p>(указать, каким органом зарегистрировано СМИ, номер и дату выдачи свидетельства о регистрации СМИ, причину изменения)</p> <p>Контактная информация (для уведомления о готовности свидетельства о регистрации СМИ и почтовой отправки) Адрес: 295049, Республика Крым, г. Симферополь, ул. Мамеди Эмир-Усенина, д. 14. Телефон (0652) 551301</p> <p>Согласен с отправкой свидетельства о регистрации СМИ по почте</p> <p>Приемка, расшифровка Исламова Э.Р. (подпись, расшифровка)</p> <p>* При отсутствии сведений о намерении заявителя получить свидетельство о регистрации СМИ лично либо почтовым отправлением свидетельство о регистрации СМИ высыпается учредителю почтой по его адресу.</p> <p>К предоставляемому заявлению прилагаются документы, указанные в Административном регламенте предоставления Федеральной службой по надзору в сфере связи, информационных технологий и массовых коммуникаций государственной услуги по регистрации средств массовой информации.</p> <p>С требованиями Закона Российской Федерации «О средствах массовой информации» ознакомлен.</p> <p>Учредитель (соучредители) СМИ Генеральный директор ООО «ТК «Атлант-СВ» Исламова Эльзара Рустемовна Для юридического лица - Ф.И.О. и должность руководителя организации Для физического лица - Ф.И.О.</p> <p>Дата “<i>28</i>” <i>октября</i> <i>2014</i> г.</p> <p>Приемка, расшифровка Исламова Э.Р. (подпись, расшифровка)</p> <p>Печать ООО «ТК «Атлант-СВ» Для юридического лица Для физического лица Адрес: 295049, Республика Крым, г. Симферополь, ул. Мамеди Эмир-Усенина, д. 14 ОГРН: 1149102062317 ОГРН: 9102034975 Телефон: (0652) 551301 Факс: (0652) 551301</p>
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Application of the ATR TV channel for registration of a mass medium



Leaving the documents submitted for registration of Radio Meydan without consideration

<div style="text-align: center;">  <p>РОСКОМНАДЗОР</p> <p>УПРАВЛЕНИЕ ФЕДЕРАЛЬНОЙ СЛУЖБЫ ПО НАДЗОРУ В СФЕРЕ СВЯЗИ, ИНФОРМАЦИОННЫХ ТЕХНОЛОГИЙ И МАССОВЫХ КОММУНИКАЦИЙ ПО РЕСПУБЛИКЕ КРЫМ И ГОРОДУ СЕВАСТОПОЛЬ</p> <p>(Управление Роскомнадзора по Республике Крым и городу Севастополю)</p> <p>г. Севастополь, ул. Весеняя, д.4, Республика Крым, 295000 E-mail: norkom@rkn.gov.ru</p> <p>14.11.2014 № 720-05/91</p> <p>На № от 28.11.2014</p> <p>Возврат без рассмотрения документов</p> <p>Уважаемая Эльзара Рустемовна!</p> <p>Управление Роскомнадзора по Республике Крым и городу Севастополю, в соответствии со статьей 13 Закона Российской Федерации от 27 декабря 1991 года № 2124-1 «О средствах массовой информации» (далее – Закон) возвращает без рассмотрения поступившие от Вас документы на регистрацию телеканала АТР Т на основании нижеследующего.</p> <p>Согласно Государственному стандарту Российской Федерации ГОСТ Р 51141-98 «Ледопроизводство и архивное дело. Термины и определения», утвержденному Постановлением Госстандарта Российской Федерации от 27 февраля 1998 года № 28, копия документа признается документом, полностью воспроизводящим информацию подлинного документа и все его внешние признаки или часть их, не имеющий юридической силы, в то время как заверенная копия документа – это копия документа, на которой в соответствии с установленным порядком проставляются необходимые реквизиты, придающие ей юридическую силу (пункты 2.1.29, 2.1.30).</p> <p>Указом Президиума Верховного Совета СССР от 04 августа 1983 года № 9779-Х «О порядке выдачи и свидетельствования предприятиями, учреждениями и организациями копий документов, касающихся прав граждан» (далее - Указ Президиума Верховного Совета СССР) установлен Порядок выдачи и свидетельствования предприятиями, учреждениями и организациями копий документов, касающихся прав граждан.</p> <p>Поскольку в соответствии со статьей 49 Гражданского кодекса Российской Федерации юридическое лицо может иметь гражданские права, соответствующие целям деятельности, предусмотренным в его учредительных документах, и нести связанные с этой деятельностью обязанности, нормы приведенного Указа распространяются и на юридических лиц.</p> <p>Из смысла положений Указа Президиума Верховного Совета СССР следует, что, если законодательством не предусмотрено представление копий документов, засвидетельствованных в нотариальном порядке, то государственные и общественные предприятия, учреждения и организации выдают по заявлению граждан копии документов, исходящих от этих предприятий, учреждений и организаций. Копии документов выдаются на бланках предприятий, учреждений и организаций.</p> <p>В таком же порядке предприятия, учреждения и организации могут выдавать копии имеющихся у них документов, исходящих от других предприятий, учреждений и организаций, от которых получить непосредственно копии этих документов затруднительно</p> </div>	<p style="text-align: center;">2</p> <p>или невозможно.</p> <p>Верность копий документа свидетельствуется подписью руководителя или уполномоченного на то должностного лица и печатью. На копии указывается дата ее выдачи и делается отметка о том, что подлинный документ находится в данном предприятии, учреждении, организации.</p> <p>При этом, согласно п. 3.22 Государственного стандарта Российской Федерации ГОСТ Р 6.30-2003 «Унифицированные системы документации. Унифицированная система организационно-распорядительной документации. Требования к оформлению документов» в состав реквизита «Подпись» входят наименование, должности лица, подписавшего документ, личная подпись ее расшифровка (нинициалы, фамилия).</p> <p>Ознакомиться с методическими рекомендациями по заверению копий документов можно на официальном сайте Роскомнадзора в информационно-телекоммуникационной сети Интернет по адресу www.rkn.gov.ru в разделе «Массовые коммуникации. Регистрация СМИ».</p> <p>Приложение: на 23 л. в 1 экз. (вх. № 1337/91-сми от 05.11.2014 г.)</p> <div style="text-align: center;">  <p>Заместитель руководителя</p> <p>В. Г. Гаркавенко</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Сведения о сертификате кп</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Номер</td> <td>УПРАВЛЕНИЕ РОСКОМНАДЗОРА ПО РЕСПУБЛИКЕ КРЫМ И ГОРОДУ СЕВАСТОПОЛЬ</td> </tr> <tr> <td>Сертификат</td> <td>Сертификат № 1337/91-сми</td> </tr> <tr> <td>Срок действия</td> <td>С 11.11.2014 по 11.11.2015</td> </tr> <tr> <td>Срок выдачи</td> <td>11.11.2014</td> </tr> <tr> <td>Срок действия</td> <td>11.11.2014</td> </tr> </table> <p>Новаковец Михаил А. Н. Тел. (052) 534082</p> </div> </div>	Номер	УПРАВЛЕНИЕ РОСКОМНАДЗОРА ПО РЕСПУБЛИКЕ КРЫМ И ГОРОДУ СЕВАСТОПОЛЬ	Сертификат	Сертификат № 1337/91-сми	Срок действия	С 11.11.2014 по 11.11.2015	Срок выдачи	11.11.2014	Срок действия	11.11.2014
Номер	УПРАВЛЕНИЕ РОСКОМНАДЗОРА ПО РЕСПУБЛИКЕ КРЫМ И ГОРОДУ СЕВАСТОПОЛЬ										
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Срок действия	С 11.11.2014 по 11.11.2015										
Срок выдачи	11.11.2014										
Срок действия	11.11.2014										

Leaving the documents submitted for registration of ATR TV channel without consideration



MINISTRY OF COMMUNICATIONS

AND MASS MEDIA

OF THE RUSSIAN FEDERATION

FEDERAL SERVICE

**FOR SUPERVISION IN THE SPHERE OF
COMMUNICATIONS,**

INFORMATION TECHNOLOGIES

AND MASS MEDIA

(ROSKOMNADZOR)

7, bldg. 2, Kitaygorodsky Proyezd St., Moscow, 109074

tel./fax: (495) 987-67-00; <http://rkn.gov.ru/>

G.Z. Yuksel

27.03.2015 № 04-28006

In response to № of

Response to inquiry by G.Z. Yuksel

Dear Gayana Zairovna!

Having considered your inquiry (ref. № 02-11-2547 of 10.03.2015), the Administration for Licensing in Mass Communications of the Roskomnadzor reports as follows.

In accordance with the Administrative Regulations for the provision by the Federal Service for Supervision in the Sphere of Communications, Information Technology and Mass Media of the public service of media registration (paragraphs 122, 126), as approved by the Ministry of Communications and Mass Communications of the Russian Federation on December 29, 2011, № 362, the grounds for verification of the statements and documents attached to it is the fact of receipt of the application. The application shall be regarded as having been filed beginning on the moment of registration with the information system of the registering (territorial) body (assignment of an incoming reference number to the application).

According to paragraph 6 in Article 2 of the Federal Law, dated 27.07.2010, № 210-fz "On the organization of provision of state and municipal services", the provision of state and municipal services in an electronic form is the provision of the state and municipal services with the use of information and communication technologies, including the use of a single portal of the state and municipal services and (or) regional portals for the state and municipal services, as well as the use of a universal electronic card, including, within the framework of such provision, electronic interaction between state agencies, bodies of local self-government, organizations and applicants. For the purposes of provision of the state and municipal services in an electronic form, other means of information and telecommunication technologies can be used in cases and in the manner envisaged by the Government of the Russian Federation.

In accordance with Article 19 of the said Law, the provision of the state and municipal services in an electronic form, including interaction of bodies providing state services, entities providing municipal services, organizations involved in the provision of the state and municipal services, or organizing the provision of the state and municipal services, and applicants, shall be carried out based on information systems, including

state and municipal information systems that compose the information technology and communication infrastructure.

The rules and procedures for information and technological interaction of information systems used for the provision of the state and municipal services in an electronic form, as well as requirements for the infrastructure supporting their interaction shall be established by the Government of the Russian Federation.

Requirements for the infrastructure supporting information and technological interaction of the active and emerging information systems used for the provision of the state and municipal services in an electronic form (hereinafter — information systems) shall be defined by the Provisions on infrastructure supporting information and technological interaction of information systems used for the provision of the state and municipal services in an electronic form, approved by the Resolution of the Government of the Russian Federation № 451, dated 08.06.2011 .

Taking into account the fact that electronic mail is not included in the infrastructure of interaction, its use for receiving a public service in electronic form is not possible.

Your application accompanied by a set of documents prepared in a specified manner, may be submitted by courier, by mailing or electronically through the single portal of public services.

For your information, paragraph 1 in the application of 01.12.2014 (ref. № 118217-smi) erroneously cites information about the founder of the mass medium in terms of the applicant's passport data, namely, no data is provided about the issue date and authority.

Head of Administration

for Licensing in Mass Communications

M.V. Vinogradov

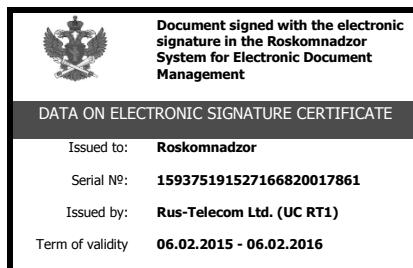
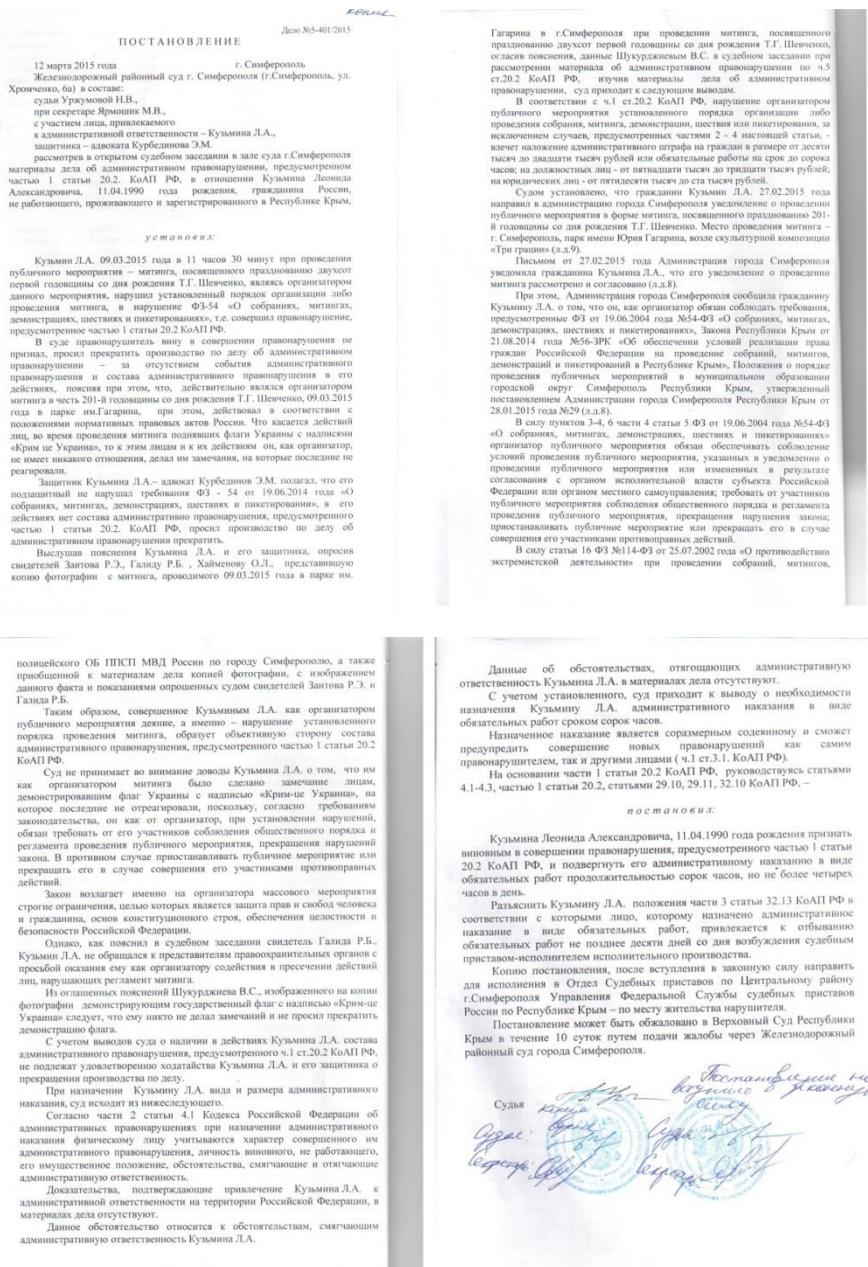




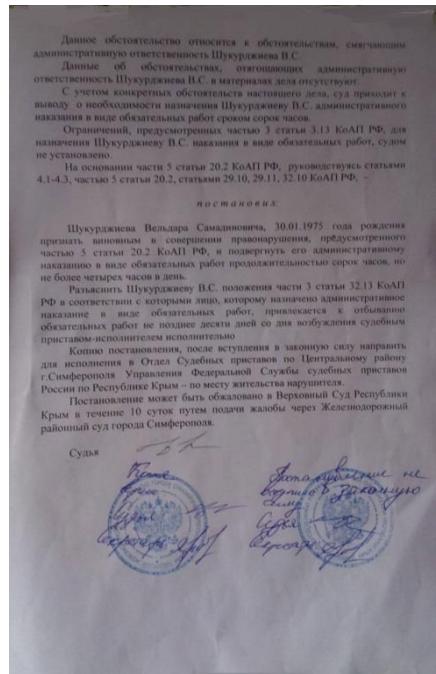
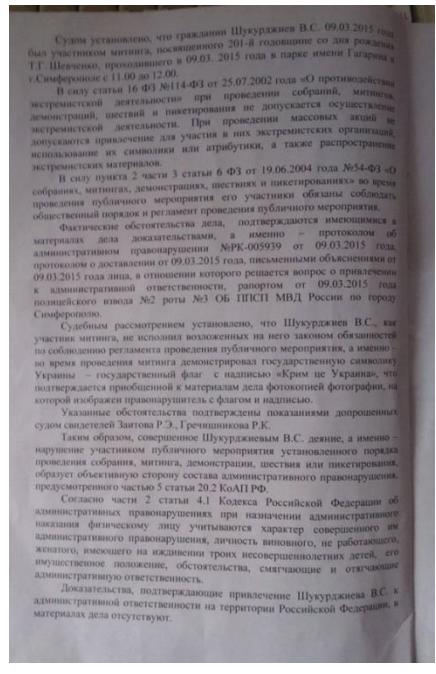
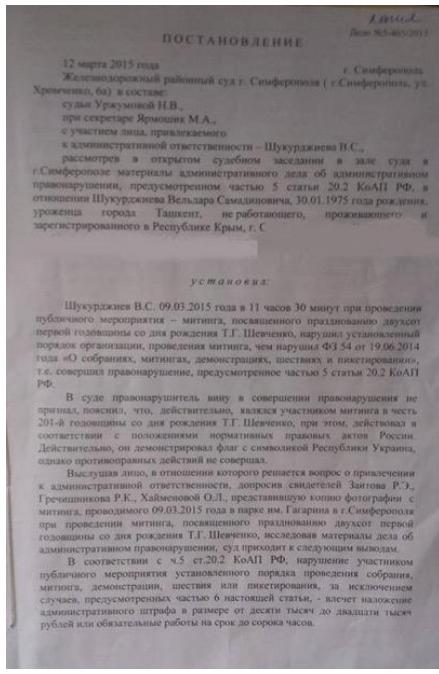
Photo from the venue of mass event on occasion of T. Shevchenko's anniversary, May 9, 2015.

КОПИЯ ПРОТОКОЛА № РК - 005937 административного правонарушения от 19.03.2014 г. в 14 часов 25 минут в г. Челябинске по адресу: улица Чапаева, 100/101 на территории Челябинской области в соответствии с законом Российской Федерации о защите прав потребителей и в соответствии с законом Российской Федерации о защите прав граждан, имеющих право на получение государственных услуг	
Фамилия Число, месяц, год рождения Место работы (учебы) и должность Семейное положение Представитель (представители) Подтверждая административным наказанием, имеется ли судимость	
Документ, удостоверяющий личность Фамилия, имя, отчество, место рождения, число, месяц, год рождения Свидетели, понятые, потерпевшие и иные лица 1) Фамилия, имя, отчество, место рождения, число, месяц, год рождения, место жительства, телефон 2) Мие разъяснены права и обязанности свидетеля, потерпевшего, которые указаны на обороте протокола. Кроме этого, я, как свидетель, предупрежден (а) об административной ответственности за заведомо ложные показания по ч. 19 КоАП РФ Задолжник Свидетели, понятые, потерпевшие и иные лица 1) Фамилия, имя, отчество, место рождения, число, месяц, год рождения, место жительства, телефон права и обязанности, предусмотренные ст. 25-5 КоАП РФ, разъяснены и понятны права и обязанности, предусмотренные ст. 5) Конституции Российской Федерации и ст. 24.2, 24.4, 25.1-25.7, 28 КоАП РФ, разъяснены и понятны Место и время рассмотрения дела об административном правонарушении г. Челябинск 2) Мие объяснены объяснение (физического лица или законного представителя юридического лица) Помимо Замечания и дополнения К протоколу прилагается С протоколом ознакомлен Подпись лица, составившего протокол Копия протокола получена В случае отказа писать протокол делается об этом запись Подпись понятых, свидетелей	
09 - 03 45 Г. 14 час 25 мин Фамилия Число, месяц, год рождения Место работы (учебы) и должность Семейное положение Представитель (представители) Подтверждая административным наказанием, имеется ли судимость	
Документ, удостоверяющий личность Фамилия, имя, отчество, место рождения, число, месяц, год рождения Свидетели, понятые, потерпевшие и иные лица 1) Фамилия, имя, отчество, место рождения, число, месяц, год рождения, место жительства, телефон 2) Мие разъяснены права и обязанности свидетеля, потерпевшего, которые указаны на обороте протокола. Кроме этого, я, как свидетель, предупрежден (а) об административной ответственности за заведомо ложные показания по ч. 19 КоАП РФ Задолжник Свидетели, понятые, потерпевшие и иные лица 1) Фамилия, имя, отчество, место рождения, число, месяц, год рождения, место жительства, телефон права и обязанности, предусмотренные ст. 25.5 КоАП РФ, разъяснены и понятны права и обязанности, предусмотренные ст. 5) Конституции Российской Федерации и ст. 24.2, 24.4, 25.1-25.7, 28 КоАП РФ, разъяснены и понятны Место и время рассмотрения дела об административном правонарушении г. Челябинск 2) Мие объяснены объяснение (физического лица или законного представителя юридического лица) Помимо Замечания и дополнения К протоколу прилагается С протоколом ознакомлен Подпись лица, составившего протокол Копия протокола получена В случае отказа писать протокол делается об этом запись Подпись понятых, свидетелей	

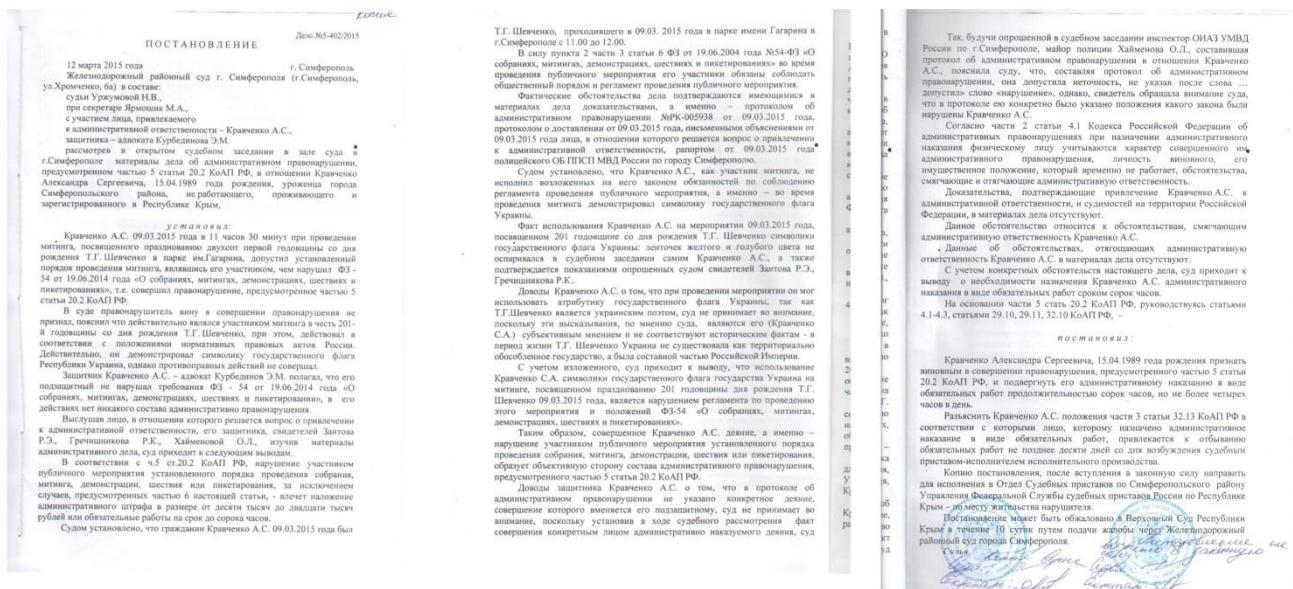
Reports on administrative offenses in relation of participants in the event on March 9, 2015



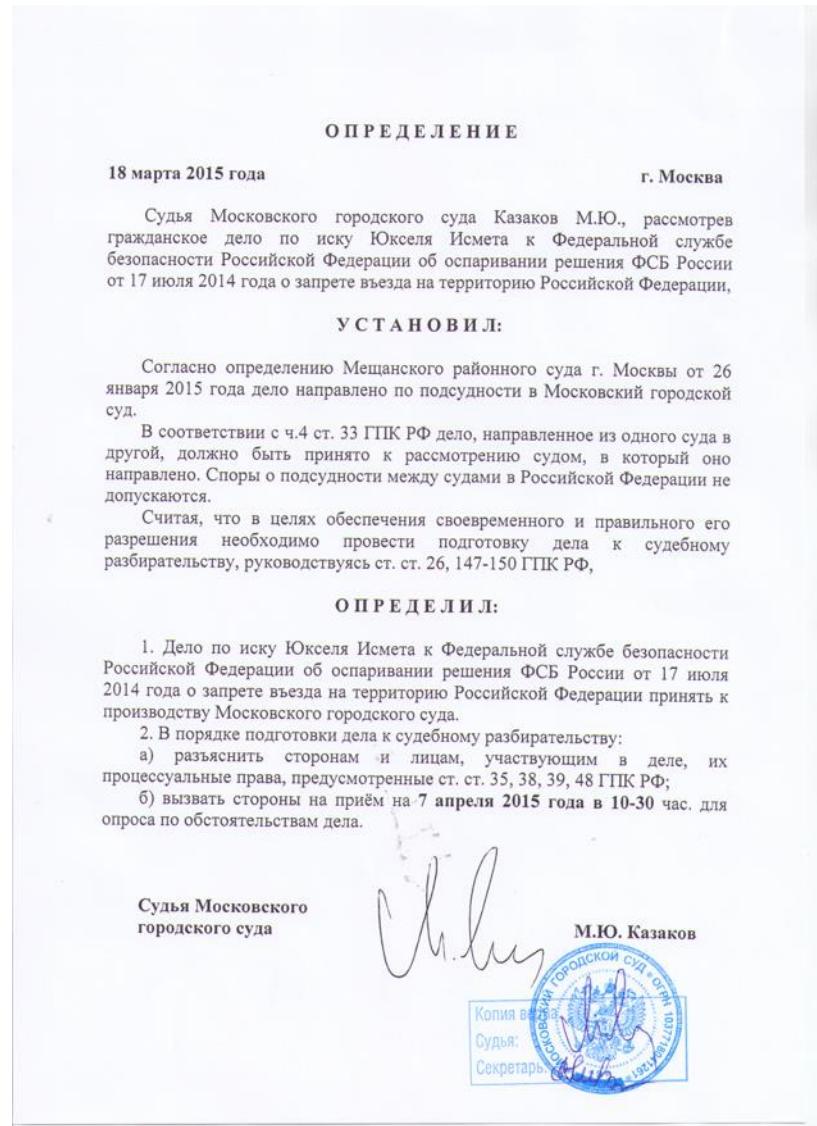
Resolution of the Zheleznodorozhny District Court of Simferopol in relation to Leonid Kuzmin



Resolution of the Zheleznodorozhny District Court of Simferopol in relation to Veldar Shukurdzhiev



Resolution of the Zheleznodorozhny District Court of Simferopol in relation to Oleksandr Kravchenko



Resolution of the Moscow City Court in the lawsuit of Ismet Yuksel against FSB of the Russian Federation regarding challenging the decision of FSB of the Russian Federation on denial of entry to the territory of the Russian Federation

Appendix 12



ПРОКУРАТУРА УКРАЇНИ

ПРОКУРАТУРА ПЕЧЕРСЬКОГО РАЙОНУ МІСТА КІЄВА

б-р Л. Українки, 27/2, м. Київ, 01601

тел. 286-60-37

30.03.2015 № 3451 від 15

Прокуратурою Печерського району м. Києва Ваша заява про вчинення кримінального правопорушення відносно Кольченка О.О. розглянута.

Повідомляю, що 27.03.2015 за Вашою заявою прокуратурою району внесено відомості до Єдиного реєстру досудових розслідувань за № 42015100060000077 за ознаками кримінального правопорушення, передбаченого ч. 1 ст. 146 КК України.

Разом з тим, 03.02.2015 в порядку ст. 36 КПК України процесуальним керівником надано вказівки слідчому СВ Печерського РУ ГУМВС України в м. Києві з метою забезпечення всебічного, повного та неупередженого дослідження всіх обставин кримінального правопорушення.

Матеріали кримінального провадження направлено до СВ Печерського РУ ГУМВС України в м. Києві для проведення досудового розслідування.

Додаток: витяг з Єдиного реєстру досудових розслідувань на 1арк.

Заступник прокурора району

В. Гіренко

Response of the Kyiv Office of Public Prosecution regarding pre-trial investigation into abduction of Oleksandr Kolchenko

КОПИЯ
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АРБИТРАЖНЫЙ СУД РЕСПУБЛИКИ КРЫМ
295003, г. Симферополь, ул. Александра Невского, 29/11
E-mail: info@crimea.arbitr.ru
http://www.crimea.arbitr.ru

ОПРЕДЕЛЕНИЕ
об отложении предварительного судебного заседания

г. Симферополь 19 марта 2015 года Дело № АКЗ-789/2015
Судья Арбитражный суд Республики Крым Соколова И.А., при ведении протокола судебного заседания и его аудиозаписи секретарем судебного заседания Трушаковой Е.А., рассмотрев в открытом судебном заседании материалы дела: по иску Государственного комитета по охране культурного наследия Республики Крым, г. Симферополь к ответчику – Благотворительной организации «Фонд «Крым», г. Симферополь. С участником третьих лиц, не заявляющих самостоятельных требований относительно предмета спора на стороне истца: Министерство имущественных и земельных отношений Республики Крым, г. Симферополь. Государственный комитет по государственной регистрации и кадастру Республики Крым, г. Симферополь. об изъятии объекта культурного наследия.

с участием представителей сторон:

от истца – Чхардади Д.Э. по доверенности №1228/01-05 от 17.11.2014, Степанашвили Ю.И по доверенности №1230/01-05 от 17.11.14.

от ответчика – Тимофеев Д.М по доверенности №121 от 17.11.14, Исмаилов А.Р. по доверенности №95 от 26.09.14.

от Министерства имущественных и земельных отношений Республики Крым, г. Симферополь – не явился, извещен.

от Государственного комитета по государственной регистрации и кадастру Республики Крым, г. Симферополь – не явился, извещен.

УСТАНОВИЛ:

Государственный комитет по охране культурного наследия Республики Крым, г. Симферополь обратился в Арбитражный суд Республики Крым с исковым заявлением к

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Согласно статье 41 АПК РФ лица, участвующие в деле, имеют правознакомиться с материалами дела, делать выписки из них, снимать копии; заявлять отводы; представлять доказательства и знакомиться с доказательствами, представленными другими лицами, участвующими в деле, до начала судебного разбирательства; участвовать в исследовании доказательств; задавать вопросы другим участникам арбитражного процесса, заявлять ходатайства, делать заявления, давать объяснения арбитражному суду, приводить свои доводы¹ по всем возникающим в ходе рассмотрения дела вопросам; знакомиться с ходатайствами, заявленными другими лицами, возражать против ходатайств, доводов других лиц, участвующих в деле; знать о жалобах, поданных другими лицами, участвующими в деле, знать о принятых на данном этапе судебных актах и получать копии судебных актов, принимаемых в виде отдельного документа, обжаловать судебные акты, пользоваться иными процессуальными правами, предоставленными им АПК-РФ и другим федеральным законами.

Согласно части 3, 4,5 статьи 65 АПК РФ каждое лицо, участвующее в деле, должно раскрыть доказательства, на которых оно ссылается как на основание своих требований и возражений, перед другими лицами, участвующими в деле, до начала судебного заседания или в пределах срока, установленного судом, если иное не установлено настоящим Кодексом.

Лица, участвующие в деле, вправе ссылаться только на те доказательства, с которыми другие лица, участвующие в деле, были ознакомлены заблаговременно.

В случае, если доказательства представлены с нарушением порядка представления доказательств, установленного настоящим Кодексом, в том числе с нарушением срока представления доказательств, установленного судом, арбитражный суд вправе отнести на лицо, участвующее в деле и допустившее такое нарушение, судебные расходы независимо от результатов рассмотрения дела в соответствии с частью 2 статьи 111 настоящего Кодекса.

Согласно статье 70 АПК РФ обстоятельства, на которые ссылается сторона в обоснование своих требований или возражений, считаются признанными другой стороной, если они ею прямо не оспорены или несогласие с такими обстоятельствами не вытекает из иных доказательств, обосновывающих представления возражения относительно существа заявленных требований.

Согласно пункту 6 статьи 121 АПК РФ лица, участвующие в деле, после получения определения о принятии искового заявления или заявления к производству и возбуждении производства по делу, а лица, вступившие в дело или привлеченные к участию в деле позднее, и иные участники арбитражного процесса после получения первого судебного акта по рассматриваемому делу самостоятельно предпринимают меры по получению информации

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1. Отложить предварительное судебное заседание и назначить его с извещением лиц участвующих в деле, на 23 апреля 2015 года на 11 часов 40 минут в помещении суда по адресу: Республика Крым, г. Симферополь, ул. А. Некского, дом 29/11, зал №106.

2. В порядке подготовки дела к судебному разбирательству представить в суд направить лицам, участвующим в деле, до 22.04.2015 года следующие документы:

Истцу : правоустанавливающие документы, уточнить просимательную часть иска в суд.

Ответчику представить в суд: письменный отзыв с правом обоснованием всеми доказательствами, подтверждающими возражение по иску или его признание направить его истцу в порядке статьи 131 АПК РФ, доказательства направления представить в суд; документы, подтверждающие правовой статус БО «Фонд Крым», вика в суд.

Третьим лицам представить в суд: письменные пояснения по существу спора правом обоснованием и всеми доказательствами, правоустанавливающие документы вика суд.

Стороны вправе до даты предварительного судебного заседания заявить возражение (в случае их наличия) в отношении рассмотрения спора по существу в их отсутствие, суть непредставления на дату проведения предварительного судебного заседания возражений сторон против рассмотрения дела в судебном заседании суда первой инстанции по существу, судебное разбирательство в судебном заседании суда первой инстанции может быть назначено на 23 апреля 2015 года на 11 час. 50 мин., сразу после окончания предварительного судебного заседания и спор рассмотрен по существу с вынесением судебного акта.

Согласно части 4 статьи 131 АПК РФ в случае, если в установленном судом срочке ответчик не представит отзыв на исковое заявление, арбитражный суд вправе рассмотреть дело по имеющимся в деле доказательствам или при невозможности рассмотреть дело без отзыва вправе установить новый срок для его представления. При этом арбитражный суд может отнести на ответчика судебные расходы независимо от результатов рассмотрения дела в соответствии с частью 2 статьи 111 АПК РФ.

Согласно части 9 статьи 66 АПК РФ в случае неисполнения обязанности представляемого судом доказательство по причинам, признанным арбитражным судом неуважительными, либо неизвещения суда о невозможности представления доказательств вообще или в установленный срок на лицо, от которого требуется доказательство, суд налагает судебный штраф в порядке и в размерах, которые установлены в главе 11 АПК РФ.

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о движении дела с использованием любых источников такой информации и любых средств связи.

Лица, участвующие в деле, несут риск наступления неблагоприятных последствий в результате неприматия мер по получению информации о движении дела, если суд располагает информацией о том, что указанные лица надлежащим образом извещены о начавшемся процессе.

Арбитражный суд вправе отнести все судебные расходы, что делу злоупотребляющее своими процессуальными правами или не выплачивающее процессуальные обязанности, если это привело к срыву судебного заседания, за судебного процесса, воспрепятствование рассмотрения дела и принятию за обоснованного судебного акта (статья 111 АПК РФ).

Согласно статье 124 Арбитражного процессуального кодекса РФ лица, участвующие в деле, обязаны сообщить арбитражному суду об изменении своего наименования и адреса во время производства по делу. При отсутствии такого сообщения лицо, участвующее в судебном акте исходя из последнего известного арбитражному суду наименования этого лица, а также копии судебных актов направляются по последнему известному арбитражному суду адресу и считаются доставленными, хотя бы адресат по этому адресу более не находится или не проживает.

Лицам, участвующим в деле, обеспечить явку своих представителей с документами, удостоверяющими их личность и полномочия, оформленными в соответствии со статьями 61, 62 АПК РФ.

Согласно пункту 4 статьи 137 АПК РФ если в предварительном судебном заседании присутствуют лица, участвующие в деле, либо лица, участвующие в деле, отсутствуют в предварительном судебном заседании, но они извещены о времени и месте судебного заседания или совершили отдельного процессуального действия и ими не были заявлены возражения относительно рассмотрения дела в их отсутствие, суд вправе завершить предварительное судебное заседание и открыть судебное заседание в первой инстанции.

Лицам, участвующим в деле, сообщить Арбитражному суду Республики Крым об имеющихся спорах в судах, связанных с предметом спора по предъявленному иску, а также вынесенных ранее судебных актах.

Информацию о движении дела, включая сведения об объявленных перерывах, в времени и месте рассмотрения дела можно получить по телефону (0652) 561-333, а также на официальном сайте.

И.А.Соколова
Симферополь, 24.04.2015
Соколова Ирина Александровна

Судья

Resolution of the Court of Arbitration of Crimea in the case of the Crimea Charitable Organization



МІНІСТЕРСТВО УКРАЇНИ
ГЕНЕРАЛЬНИЙ ШТАБ
ГОЛОВНЕ УПРАВЛІННЯ ОБОРОННОГО ТА
МОБІЛІЗАЦІЙНОГО ПЛАНУВАННЯ
ГЕНЕРАЛЬНОГО ШТАБУ ЗБРОЙНИХ СІЛ
УКРАЇНИ

Повітрянотехнічний проспект, 6
Київ, 03168
Тел.: (044) 454-42-08 Факс: (044) 454-42-08
Код СДРПОУ 24980865
02.03.2015 № 322/2/1591

На № 300/6-1079 від 14.02.2015

У Головному управлінні оборонного та мобілізаційного планування Генерального штабу Збройних Сил України розглянуто Ваше звернення щодо роз'яснень стосовно виконання військового обов'язку громадянами України, які прибули з тимчасово окупованих територій або із району проведення антитерористичної операції.

Повідомляю, що згідно зі статтями 17, 65 Конституції України захист суверенітету і територіальної цілісності України є справою всього Українського народу, а захист Вітчизни, незалежності та територіальної цілісності України – обов'язком громадян України. При цьому, громадяни відбувають військову службу відповідно до Закону України.

У відповідності до вимог Закону України "Про військовий обов'язок і військову службу" виконання військового обов'язку в запасі полягає в дотриманні військовозобов'язаними порядку і правил військового обліку, проходження зборів для збереження та вдосконалення знань, навичок та умінь, необхідних для виконання обов'язків військової служби в особливий період.

Згідно із встановленими правилами військового обліку призовники, які приписані до призовних дільниць та військовозобов'язани, які перебувають у запасі Збройних Сил України, зобов'язані:

прибувати за викликом районного (міського) військового комісаріату для оформлення військово-облікових документів, приписки, проходження медичного огляду, направлення на підготовку з метою здобуття або вдосконалення військово-облікової спеціальності, призову на військову службу або на збори військовозобов'язаних;

проходити медичний огляд та лікування в лікувально-профілактичних закладах згідно з рішеннями комісії з питань приписки, призовної комісії або військово-лікарської комісії районного (міського) військового комісаріату;

проходити підготовку до військової служби, військову службу і виконувати військовий обов'язок у запасі;

виконувати правила військового обліку, встановлені законодавством.

Крім того, призовники та військовозобов'язані в разі зміни їх сімейного стану, стану здоров'я, адреси місця проживання (перебування), освіти, місця

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а/с 100, м. Київ, 04071

Б/к № 3855
Відповідь № 03-2015

роботи і посади зобов'язані особисто в семиденний строк повідомити про це орган, де вони перебувають на військовому обліку.

Згідно із Законом України від 15 січня 2015 року № 113-ВІІІ "Про затвердження Указу Президента України "Про часткову мобілізацію" в країні оголошено мобілізацію та триває особливий період, під час якого військовозобов'язані виконують свій конституційний обов'язок щодо захисту Вітчизни.

У відповідності до статті 23 Закону України "Про мобілізаційну підготовку та мобілізацію" особи, які прибули з тимчасово окупованих територій або із району проведення антитерористичної операції від призову на військову службу під час мобілізації не звільняються.

Водночас відповідно до статті 22 зазначеного закону громадянам зобов'язані з'являтися до військових комісаріатів для постановки на військовий облік, а також з'являтися на збірні пункти у строки, зазначені в отриманих ними документах (мобілізаційних посвідченнях, повістках або розпорядженнях військових комісаріатів).

У свою чергу, посадові (службові) особи військових комісаріатів діють на підставі, в межах повноважень та у способі, що передбачені Конституцією та законами України.

На виканання зазначених правових норм військові комісаріати здійснюють оповіщення військовозобов'язаних, які змінили місце свого тимчасового перебування про їх виклик до військового комісаріату для проходження медичної комісії, уточнення облікових даних та прийняття рішення про їх призов на військову службу під час мобілізації в особливий період.

Ураховуючи вищевикладене, оповіщення військовозобов'язаних про їх виклик до військових комісаріатів здійснюється в межах повноважень та у способі, що передбачені Конституцією та законами України.

Призов зазначеній категорії громадян на військову службу під час мобілізації в особливий період здійснюється за умови їх придатності до військової служби за станом здоров'я на загальних підставах.

За порушення правил військового обліку військовозобов'язані притягаються до адміністративної відповідальності відповідно до статті 210 Кодексу України про адміністративні правопорушення.

У разі ухилення від військового обліку після попередження зробленого військовим комісаром, військовозобов'язані притягаються до кримінальної відповідальності відповідно до статті 337 Кримінального Кодексу України.

Тимчасово виконуючий обов'язки начальника Головного управління оборонного та мобілізаційного планування
Генерального штабу Збройних Сил України
генерал-майор

В.Д.ТАЛАЛАЙ

Response of the Ministry of Defense of Ukraine on the issue of mobilization of the Ukrainian citizens who were forced to leave the territory of Crimea