

**Statement of the Delegation of Ukraine  
at the Working Session 10 “Fundamental Freedoms, including freedom  
of expression, freedom of peaceful assembly and association, national human  
rights institutions and role of civil society in the protection of human rights  
and freedom of movement” of  
2018 OSCE Human Dimension Implementation Meeting**

**Distinguished colleagues,**

I would like to draw the attention of the participants to the considerable deterioration of the fundamental situation in the illegally occupied Autonomous Republic of Crimea and the city of Sevastopol, in particular the oppression of the freedoms of expression, freedom of peaceful assembly, freedom of movement.

Since February 2014 the track record of violations by Russian occupation authorities in Crimea included numerous cases of physical violence, property damage, illegal and disproportional punitive “criminal and administrative” persecution, including interrogations, searches, arrests, fines, restrictions on TV and radio broadcasting, internet media blocking, refusals of access to information, prohibitions of filming, dismissals, intimidation, censorship and other cases of suppression of journalists, bloggers, and other citizens who express their opinions publicly or spread information.

Those violations are reflected already in various international documents but I point Your special attention on the current Report on the situation of Human Rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine 13 September 2017 to 30 June 2018 presented by Office of the UN High Commissioner for Human Rights that raises allegations of violations of fundamental freedoms, including freedoms of peaceful assembly, expression, association, religion and movement.

From 2014 independent media and human rights civil society structures were eliminated in Crimea through mandatory re-registration introduced by the Russian occupation authorities. Crimean Tatar People`s representative bodies, such as the Qurultay and the Mejlis, regional and local Mejlises continue to be banned by the Russian occupation authorities as “extremist organizations”, despite the relevant Order of the International Court of Justice and despite the international standards of Human and Indigenous Rights.

These illegal actions by the Russian occupation authorities violate brutally the provisions of international law contained in the International Covenant on Civil and Political Rights, the European Convention on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, UN Declaration of the Rights of Indigenous Peoples as well as a number of OSCE commitments. Russia did not execute and did not derogate the abovementioned conventional human right standards.

Regarding the freedom of expression, we are deeply concerned with the construction by the Russian occupation authorities of a new powerful TV tower in the Dzhankoy district of occupied Crimea near the administrative border with mainland Ukraine – so called “Solenoye Ozero” project. Enactment of this project

from May 2018 partially blocks the Ukrainian TV and radio broadcasting to Crimea and extends illegally Russian propaganda, hate speech, disinformation and false news deeper into the territory of Ukraine. Russia continues to brutally violate the principles of the Helsinki Final Act, including those relating to the promotion by States of climate of confidence and respect among peoples consonant with their duty to refrain from propaganda for wars of aggression.

Persons in Crimea advocating for the return of Ukrainian control over Crimea or pointing that Crimea remains a territory of Ukraine were sentenced by illegal “courts” in Crimea on the basis of Russian Federation legislation criminalizing “public calls encouraging separatism”. In March 2018, so called “Supreme Court of Crimea” upheld the conviction of a Crimean woman found guilty of inciting hatred for a Facebook post criticizing the Russian Federation, its army and historical characters. Such “decisions” strongly violate the international humanitarian law and coherent demands of the UN Human Rights Committee.

Interviews of UN officers with current and former Crimean journalists proved the interference in journalistic activity by Russian punitive and politic state bodies and a lack of independent reporting. Absence on independent media in Crimea strongly violated the right on information of Crimean residents after the chemical pollution from the “Titan” plant in Northern Crimea during August, 2018, as Russian illegal authorities did not give the current and real information on these incidents and their consequences to the Ukrainian citizens, being under the occupation. Criminal charges also were pressed against public advocates of substitution methadone therapy in Crimea, which was brutally banned by Russia in 2014, that caused hundreds of deaths of dependent persons already.

On 14 March 2018, a Crimean farmer with pro-Ukrainian views was fined and sentenced to three years and five months in prison for “unlawful possession of firearms and explosives” as they were reportedly found in his home as it was searched shortly after the accused displayed a Ukrainian flag and a sign in his yard paying tribute to victims of the 2014 Maidan protests in Kyiv.

Regarding the freedom of association we point again on illegal ban by Russia the Mejlis of the Crimean Tatar People, the refusal of Russian occupation authorities to execute the Order of the International Court of Justice demanding to cancel this ban, on the current attempts of Russian punitive bodies in Crimea to organize in the near future the fake election of Qurultay – not as the National Congress of the indigenous Crimean Tatar People, but as the collective structure of Crimean Muslims (who of course are not only the Crimean Tatars). Such mystification will be in the best tradition of the Russian and Soviet imperialism, it will be the next regular brutal step of violation the rights of the Indigenous People in its Motherland.

As the independent UN reports proved, in occupied Crimea peaceful assemblies, including single-person pickets, were prohibited or sanctioned. “Unauthorized” assemblies are repressed and their participants are prosecuted. Russian illegal authorities arrest persons in Crimea for alleged membership in “unauthorized” Muslim groups such as Hizb ut-Tahrir and Tablighi Jamaat,

proclaiming them “extremist” and “terrorist” structures. As of 30 June 2018, only 750 religious organizations were “registered” in Crimea and 103 in Sevastopol; Those figures remain 45 per cent below the number of religious organizations operating prior to Crimea’s occupation, in 2017 situation was the same. In 2018 9 Ukrainian Orthodox Church (Kyiv Patriarchate) parishes allegedly continued to operate in Crimea, down from 20 parishes before the beginning of occupation. The “Church of the Voice of Hope”, an evangelic protestant denomination in Bakhchysarai, following threats and intrusive inspections conducted by Russian punitive bodies, stopped delivering worship services in December 2017.

Civic group “Crimean Solidarity” operating as a platform to exchange information, mobilize support, and reach out to lawyers and human rights defenders in response to arbitrary arrests and prosecutions of Crimean Tatar activists, is under strong pressure of Russian illegal powers. On 27 January 2018, a Crimean Solidarity meeting in Sudak attended by 150 people was disrupted by Russian punitive structures allegedly “searching for drugs and weapons”.

Between December 2017 and March 2018, so called “courts” in Crimea fined 80 Crimean Tatars, who, on 14 October 2017, had conducted single-person pickets to protest the arrests of other Muslim men, mostly Crimean Tatars, for alleged membership in terrorist or extremist organizations. Formally Russian legislation does not foresee the duty of authorization the single-person pickets - but of course de-facto not for Crimean Tatars and other residents of occupied territory.

In area of national human rights institutions we want to stress the importance the appointment this summer the Special Representative to the Ukrainian Ombudsman in the AR Crimea and Sevastopol City, residing in Kherson. Alas Russian authorities do not let him visit occupied Crimea but he meets with Crimean residents visiting Ukrainian mainland (as minimum 50 thousands of them visit the controlled territory per month). But his Russian colleagues now chose the way of threats and demands, as for example in case of two groups of Ukrainian citizens that are the crews of two Ukrainian fishery vessels.

First crew is from Crimea, of the Ukrainian vessel “Nord” basing in Kerch; they are kept in the Russian Embassy in Kyiv by force of Russian punitive bodies from April, 2018. As their relatives are Russian hostages in the occupied Crimea they had to declare themselves as “Russian citizens”. Second crew is from Ochakiv on the Ukrainian mainland captured by Russian military ship in sea with their Ukrainian vessel “ЯМК-0041” in the worst pirate traditions of the Russian navy to Sevastopol and kept by force from May 2018 by the Russian punitive bodies in the place of non-freedom without any judicial accusing or indictment, just as hostages. And in August, 2018 the Russian Ombudsman demanded in the official letter from Ukrainian Ombudsman to organize the “change” of the crew members of “Nord” on the crew members “ЯМК-0041”, both kept by Russian authorities illegally as hostages.

Such cynic actions of Russian Ombudsman and coherent Russian punitive structures in Crimean cases violate brutally the UN Convention on the Law of the Sea, IV Geneva Convention, UN International Convention against the Taking of

Hostages, Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. We demand Russian authorities to release the “Nord” and “ЯМК-0041” crew members, so as crew members of other Ukrainian fishery vessels captured by Russian military ships in 2018 in Azov and Black Seas.

Coming to the role of civil society in the protection of human rights I want to emphasize the importance of the OSCE expert meeting held on the current human rights situation in Crimea and the challenges faced by human rights defenders working on and in Crimea on 14 June 2018 in Kherson by the OSCE ODIHR in co-operation with our Mission. We are ready to execute and implement the further recommendations of this expert meeting also as the 2015 Report of the Human Rights Assessment Mission on Crimea, prepared by ODIHR and the OSCE HCNM.

Also the role of civil society is extremely important in counteraction of the consequences of the ecologic tragedy, happened in the Northern Crimea where the chain of accidents occurred on the “Titan” chemical plant located just on the administrative line, full of Russian troops. Pollution of the environment in the Crimea, Southern part of Kherson Region, Black Sea Perekop bay and Azov Sea Sivash bay, caused by the unprofessional activities of Russian management of this factory and by Russian soldiers` actions there, need to be evaluated with a strong participation of the independent ecologic structures.

Regarding the freedom of movement, we are deeply concerned with the mass illegal and discriminative refusals for Ukrainian citizens to cross the checkpoints on the administrative line with Crimea done by Russian illegal occupational punitive authorities. We need to point the UN position that fear of arrest also created apprehension to cross the administrative line, effectively impeding freedom of movement. For example, on 8 November 2017, seven Crimean Tatar women, all spouses of men under politic “criminal prosecution” in Crimea, were stopped by Russian punitive bodies` officers as they were returning from mainland Ukraine to Crimea. Often examples of detaining, threats, total corruption, mental and physical violence from Russian punitive bodies` representatives in their checkpoints on the administrative line are the current permanent practice of occupation. Accidents of illegal and voluntarily detention and capturing of Ukrainian fishery and trade vessels with their crews in Black and Azov Seas by Russian military vessels also violate the freedom of the movement. More, Russia deports en masse Ukrainian citizens from Crimea, including more than 500 “deportation orders” issued in Crimea and Sevastopol by illegal “courts” in 2017.

**Distinguished colleagues,**

The OSCE’s concept of security is rooted in principles and commitments, which have been blatantly violated.

We recommend for the OSCE Representative on Freedom of the Media to enforce monitoring and reaction on the media situation in the occupied Crimea and for OSCE High Commissioner on National Minorities to evaluate the situation with the Indigenous Peoples, National Minorities and ethnic Ukrainians in Crimea.

We recommend for the OSCE Special Monitoring Mission in Ukraine, whose mandate covers the whole territory of Ukraine, including Crimea; make closer attention to the above problems of the oppression of the freedoms of expression, freedom of peaceful assembly, freedom of movement by Russian occupation powers in territories adjacent to the occupied Crimea.

We do strongly expect from ODIHR OSCE finalized recommendations elaborated on grounds the OSCE expert meeting held on the current human rights situation in Crimea and the challenges faced by human rights defenders working on and in Crimea on 14 June 2018 in Kherson by the OSCE ODIHR in cooperation with our Mission.

We recommend for the OSCE participating States to fix and evaluate the violation by Russia the OSCE standards in Crimea in particular the oppression of the freedoms of expression, freedom of peaceful assembly, freedom of movement, with special attention to the coherent recommendation of the 2015 Report of the Human Rights Assessment Mission on Crimea, prepared by ODIHR and the OSCE HCNM, that were still not executed by the aggressor-State.

We recommend for the OSCE participating States to pay special attention on the situation with current politic activities of Russian Ombudsman related to the events in Crimea and to the Crimean prisoners and hostages being under Russian control that are totally not in compliance with OSCE standards.

We demand from the Russia to execute its humanitarian and human rights obligation in Crimea, refraining from punishing Crimean residents for acts committed or opinions expressed before the occupation also as for social media comments or posts that do not constitute calls for discrimination or violence and to release all Crimean residents detained for such acts.

We also demand from the Russia to execute its humanitarian and human rights obligation in Crimea and in waters of Black and Azov Seas guaranteeing the safety of Ukrainians engaged in shipping and fishery and to release all Ukrainian fishermen detained by Russia as hostages in 2018.

We demand from the Russia to stop the ban and discrimination the independent and pluralistic media outlets and civil society organizations, to ensure the unimpeded access of Ukrainian and foreign journalists, human rights defenders and other civil society actors to Crimea, to ensure freedoms of expression, peaceful assembly, association, thought, conscience and religion can be exercised by all in Crimea, without discrimination on any grounds.

We demand from the Russia to stop the policy of arbitrary illegal violation of the freedom of movement between Crimea and mainland Ukraine, including detaining, threats, total corruption, mental and physical violence from Russian punitive bodies` representatives; to stop the policy of the arbitrary illegal deportations of Ukrainian citizens from Crimea.

I thank you.