

Working session 12: Fundamental freedoms I (continued), including freedom of thought, conscience, religion or belief

The freedom of thought and belief violations in Crimea

The de facto authorities of the Russian Federation in Crimea systematically violate the freedom of thought and belief, especially in respect of those who disagree with Russia's "accession" of Crimea. With the purpose of prosecuting people for such views Russia even made special changes in their legislation. On 9 May 2014, a new article has been introduced in the Russian Federation Criminal Code - article 280.1 "Public calls for the implementation of actions aimed at violation of the territorial integrity of the Russian Federation". The article contemplates up to 5 years of imprisonment.

The use of this article in Crimea clearly has a selective character. This is a confirmation of the repressive orientation and implementation of the article. It should be noted that this article is used by the RF authorities even for the opinions that were stated outside the Russian Federation and outside the territories occupied by RF.

The first known victim of this law was the journalist Anna Andrievskaya. The reason for her charges was an article in the Ukrainian media about the battalion "Crimea". The journalist claims that there are no calls for the separation of the peninsula. She was forced to leave Crimea, but on 13 March, 2015 the search took place at her parents' home in Crimea.

Ukrainian journalist Nikolai Semena, who was working on a peninsula, was accused of "separatist" publications on the basis of Part 2 of Article 280.1 of the Criminal Code of the Russian Federation. According to the "prosecutor" of Crimea Natalia Poklonskaya, his articles contain a "justification of sabotage, extremism and the infinite discredit of the authorities in Crimea." After a search in his home and questioning by the Russian Federal Security Service, the journalist is under house arrest in Crimea, in anticipation of his trial.

Federal Security Service of Russia (FSB) has opened a criminal case according to Part 2 Article 280.1 of the Criminal Code of the Russian Federation against the deputy chairman of the Mejlis of the Crimean Tatar people Ilmi Umerov for his statements in the media. Now he is in Crimea under house arrest. In addition, the Russian authorities forcibly sent him in a psychiatric hospital for examination. These facts show that in order to fight the freedom of opinion, the occupation authorities have returned to the Soviet practice of punitive medicine.

In addition to Article 280.1 of the Criminal Code of the Russian Federation, the occupying authorities also widely used Part 1 of Article 282 of the Criminal Code of the Russian Federation "inciting of hatred, and humiliation of human dignity, with the use of the media including the "Internet " network". Legal uncertainty disposition of the article allows

prosecuting people for almost all the posts on the Internet that positively characterize Ukraine or Ukrainian activists and express support of the Mejlis of Crimean Tatar people or the criticism of the Russian authorities and the de facto authorities of Crimea. Considering the new amendments to the Russian legislation (the so-called Yarovaya Package) for this "offense" imprisonment from 2 to 5 years is provided.

Crimean human rights group has already documented several cases of prosecution of people for pro-Ukrainian publications in the "Internet". The so-called "Crimean prosecutor's office" stated that only in the summer of 2016 5 cases were initiated on charges of "extremism". According to the newly adopted amendments, people with the criminal liability can be charged not only for their public statements but also for failure to report such statements to law enforcement agencies.

Crimean human rights group notes that the main reason for restricting freedom of thought and belief in Crimea is the use of repressive criminal legislation of the Russian Federation on the occupied territories, which violates Article 64 of the Geneva Convention.

The Crimean Human Rights Group