

Working session 6: Fundamental freedoms (continued), including Freedom of peaceful assembly and association

Violation of Freedom of peaceful assembly in Crimea

The Russian Federation authorities keep on using an approving procedure in Crimea to ban peaceful assemblies and persecute the people holding the peaceful assemblies without an approval obtained.

A key tool for persecuting is administrative code articles that impose a punishment as penalty or arrest on holding a peaceful assembly without a prior approval granted by the authorities.

The persons who are most often subject to the persecution are participants and organizers of the events criticizing the RF authorities or local administrations, actions against political and religious persecution in Crimea as well as activists that record the actions of the RF law enforcement bodies during the mass-scaled searches. Holding Ukrainian and Crimean Tatar national holidays or events dedicated to the anniversary of the Crimean Tatar people deportation is also restricted.

For the occupation period the Crimean Human Rights Group has recorded 374 facts of the criminal or administrative persecution for attending the peaceful assemblies. The total penalty amount is about RUR4mln. A judgement of an administrative arrest was awarded in at least 24 cases.

One of illustrations for this year's persecution has been persecuting the activists for the protest against building in the nature reserve close to Sudak Town in August 2019. The Russian police that arrived at the protest place forbade it. The same day Sudak Town 'administration' published an appeal to refrain from holding unauthorized events. The organizer was fined RUR20,000.

On August 9th the administration of Zarechenskoye Village rejected the Muslims to celebrate KURBAN BAYRAM religious holiday. The rejection was explained by absence of an additional written approval issued by the Spiritual Administration for Muslims of Crimea.

Apart from bans, the authorities practice intimidation. The policemen hand the activists in advance warning notes threatening with administrative or criminal persecution for holding unauthorized events. At least seven such warning notes were handed to the Crimean Tatar activists before the deportation anniversary in May, 2019, and 3 more in June, at eve of Crimean Tatar Flag Day.

One more violation of freedom of peaceful assemblies is restriction on places for holding peaceful assemblies in Crimea. In December 2018 three, left in Sevastopol, locations authorized for holding the peaceful assemblies were moved from the city center to the suburbs. Holding the events at the locations where they would not be noticed either by the authorities or by the public, makes them senseless and deprives of the target audience.

A need to be approved by the authorities for holding peaceful assemblies and a restriction on the list of locations for holding them violate the OSCE guidelines on freedom of the peaceful assemblies, namely, a positive state's commitment to support peaceful assemblies and a presumption in favor of holding the assemblies.

We recommend that OSCE participating countries pay attention that the Russian Federation violates its OSCE commitments for Human Dimension by its actions in Crimea, while enforcing the Russian legal norms on the occupied territory of Ukraine constitutes a breach of the International Humanitarian Law.

Crimean Human Rights Group