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Working session 4: Freedom of assembly and association

Systemic violations of the freedom of peaceful assembly in Crimea

1. Unjustified bans and dispersals of peaceful assembly in Crimea

One of the consequences of the occupation of Crimea became systemic violations of the freedom of peaceful assembly. Before the occupation of Crimea many different public actions carried out quite freely. Ukrainian standards require a notifying character during the peaceful assembly. But Russian law requires secured permits to hold a peaceful assembly from the local authorities.

After the setting of illegal control of Russia in Crimea bans on peaceful assemblies became systemic. One of the first of such bans became the decree of the de facto head of Crimea Aksenov on 16 May 2014. He banned the peaceful assembly on the territory of Crimea until 6 June. The annual ceremonies on 18 May due to the Day of memory of the deportation of Crimean Tatars were also banned.

The de facto authorities mostly prohibit peaceful assemblies of Ukrainian and Crimean Tatar activists. Prohibited peaceful assembly were connected with cultural events or social issues, and were not connected with political issues. For example, city administration has banned the event in Yalta on the occasion of the celebration of the Crimean Tatar event Hydyrlez on 3 May 2016.

On 1 March 2016 the city administration of Simferopol prohibited to conduct a public event on the occasion of the birth of Ukrainian poet and writer Taras Shevchenko for the activists of Ukrainian cultural centre.

This year, we fix bans and violent dispersal not only of Ukrainian and Crimean Tatar assembly. Now the de facto authorities violate the freedom of assembly also in relation to the supporters of the Russian authorities. On 6 May 2016, members of Simferopol Crimean Cossacks came out to protest against the closure of the Crimean Cossack Cadet Corps. But police officers violently dispersed the protesters. On 4 June a peaceful demonstration organized by the local deputy against the building of the Central waterfront started at Central waterfront city of Alushta at 10.00 a.m. However, the police began to hinder holding the rally, three people were detained. On 8 July members of the social movement "Defend Sevastopol" were forbidden to hold a meeting on social problems in the Nakhimov square. On 20 August the police dispersed the rally "Deceived Crimea" in Simferopol. Earlier, the organizers received permission to hold the meeting, but in spite of that the police violently stopped a rally.

In 2014, the de facto government agreed 717 special places for holding peaceful assemblies. But on 4 July 2016 they adopted a new resolution, and twice reduced the number of places for peaceful assemblies. Now you can hold meetings only in 366 locations around Crimea. This restriction violates the freedom of peaceful assembly. This deprived the rights of the residents of Crimea to conduct peaceful assembly within sight and earshot of the audience to which they want to apply.

Russia is an occupying country, but it must respect the right of the residents of Crimea to freedom of assembly and follow the guiding principles of the OSCE on freedom of assembly;

It should stop the practice of unreasonable restrictions assembly;

It should abolish unreasonable restrictions of freedom of assembly in the Republic of Crimea and Sevastopol.

2. Persecution of the organizers and participants of peaceful assembly

The de facto authorities in Crimea use norms of the Russian legislation to prosecute the organizers and participants of peaceful assembly. Only meetings, which were organized to support the Russian authorities, can be hold freely and without any consequences for the organizers.

The organizers and participants of other peaceful assembly regularly become victims of administrative prosecution.

Thus, in December 2015 in Belogorsk 4 activists were detained at the rally near the city court. They came to support Oleg Zubkov - the director of the Yalta zoo, who was accused of committing a crime. The court found the activists guilty of organizing of an unsanctioned meeting and each of them was fined on the 20 000 Rubles.

For comparison, in Ukraine a violation of the established order of organization or holding assemblies, meetings, street processions and demonstrations shall entail a warning or a fine ranging from 170 to 425 hryvnias. But the sanction according to the Russian Federation legislation for the same offense is almost 38 times more than the punishment according to the Ukrainian legislation.

On 18 May 2016, on the Day of memory of victims of deportation of the Crimean Tatars in Sudak, four Crimean Tatars were arrested: Ablyakimov, Seytumerov, Chavush and Muslyadinov. They drove through Sudak city on cars with Crimean Tatar symbols. They were charged with violation of Russian procedure of public events. Litigation in their case is still going on.

On 4 June 2016 a peaceful demonstration against the building of the Central waterfront was held in Alushta. But police began to hinder holding the rally. Three participants were

arrested – Marinkov and Lytvynchuk and local MP Stepanchenko. Two activists were detained at the police station for three days.

The Crimean Human Rights Group fixes violations of freedom of assembly every month.

Russia de facto controls Crimea and is responsible for the observance of human rights.

Russia must stop the unwarranted persecution of peaceful assembly, should reconsider the decision on the application of sanctions against the assembly members in compliance with fundamental human rights;

It must bring to justice those who used violence against participants of peaceful assembly.

The Crimean Human Rights Group