

Position on illegal actions against Crimean Tatar journalists Osman Arifmetemov, Remzi Bekirov, Rustem Sheikhaliev and Nariman Memedeminov

According to the information provided by the Prosecutor's General Office of Ukraine, under the procedural guidance of the Prosecutor's Office of the Autonomous Republic of Crimea, a pre-trial investigation is conducted in 22 criminal proceedings involving more than 40 cases of pressure on journalists and civil journalists in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol. In the specified criminal proceedings 10 persons have been notified on suspicion.

Besides, the Prosecutor's Office of the Autonomous Republic of Crimea is conducting procedural guidance in 3 criminal proceedings on the facts of illegal detention of civil journalists - participants of the public initiative "Crimean Solidarity", namely:

1. In criminal proceedings on the grounds of committing criminal offenses under Part 2 of Art. 162, part 2 of Art. 146 of the Criminal Code of Ukraine, on the fact of illegal persecution and detention of civic journalists Osman Arifmetemov and Rustem Sheikhaliev in connection with their involvement in the prohibited in the Russian Federation religious organization "Hizb ut-Tahrir" and journalistic activities.

2. In the criminal proceedings on the fact of illegal imprisonment by representatives of the occupation authorities of the Crimean Tatar activist and journalist Remzi Bekirov, on the grounds of a criminal offense under Part 2 of Art. 146 of the Criminal Code of Ukraine.

It was found that on March 30, 2017, the representatives of illegally created bodies in the temporarily occupied territory of the Autonomous Republic of Crimea upon a preliminary collusion of a group of people, illegally imprisoned Remzi Bekirov due to an allegedly distribution of extremist materials in a social network, called "Vkontakte".

3. In criminal proceedings on the fact of illegal prosecution and violation of the right to a fair trial with respect to a Crimean Tatar activist and civil journalist Nariman Memedeminov, on the grounds of a criminal offense under Part 1 of Art. 438 of the Criminal Code of Ukraine.

The pre-trial investigation has found that on October 2, 2019, Nariman Memedeminov was sentenced to 2 years and 6 months in prison by illegally created the Southern Military District Court of the Russian Federation. These actions of "judges of the Southern Military District Court of the Russian Federation" violate the laws and customs of war as a result of depriving Nariman Memedeminov of the right to a fair trial and illegal use of criminal law of the Russian Federation in the temporarily occupied territory of the Crimean Peninsula which is a serious violation of the IV Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

Currently, the pre-trial investigation in criminal proceedings № 4201801000000066 under Part 2 of Art. 146 (Unlawful deprivation of liberty or kidnapping) of the Criminal Code of Ukraine and № 120190100000049 under Part 2 of Art. 146 (Illegal imprisonment or kidnapping) of the Criminal Code of Ukraine is carried out by the Investigative Department of the Main Directorate of the National Police in the Autonomous Republic of Crimea and the city of Sevastopol. Besides, there are investigative (search) actions are underway, aimed at identifying persons

involved in the commission of these criminal offenses and bringing them to justice.

At the same time, we draw the attention of the Council of Europe with respect to protection of journalists on the issue of pre-trial investigation of crimes committed in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol. There is a difficulty in obtaining evidence of criminal offenses, as most witnesses and victims reside in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol.

There is a need to make legislative changes regarding the application of the institute of special investigation. At the same time, the practice of considering our inquiries by Interpol regarding the search of persons suspected of committing crimes related to the temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation is negative. Interpol refuses to declare an international search, citing Art. 3 of its Statute (organizations are strictly prohibited from carrying out any interference or activities of a political, military, religious or racial nature). Therefore, without amending the legislation regarding the grounds that give the right to initiate a special pre-trial investigation, it is impossible to obtain the expected result.

We note that since the temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation, there have been numerous violations of human and civil rights, including the disappearance of journalists, obstruction of their professional activities, infringement of freedom of speech and censorship.

It should be noted that public activists and journalists in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol are an important operational source of information on human rights violations committed by the occupation administration and law enforcement agencies of the Russian Federation.

It should be noted that public activists and journalists in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol are an important operational source of information regarding human rights violations committed by the occupation administration and law enforcement agencies of the Russian Federation. In a broader context, the work of public activists and journalists who work with the Ukrainian media, but are often forced to hide their identities, allows to provide an alternative to the Russian media and full picture of what is really happening on the Crimean Peninsula. At the same time, Crimean Tatar civil activists and journalists are more vulnerable to religious persecution, as the Russian Federation has been actively using "anti-extremist" legislation since the beginning of the occupation to persecute and intimidate Muslims.

It should be noted that since the beginning of the temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol, the information landscape of the peninsula is characterized by total control of the media by the Russian Federation and systemic oppression and displacement of independent media from the peninsula. In early March 2014, the broadcasting of Ukrainian TV channels was blocked. Moreover, since the temporary occupation, the editorial offices of the Crimean TV channels stopped their work. During the first year of the temporary occupation, the number of registered media outlets in Crimea decreased in more than 10 times, from 3,000 media outlets at the beginning of 2014 to 232 media outlets as of April 1, 2015. In addition, in 2015, the Russian Federal Service for Supervision of Communications, Information Technology and Mass Media (Roskomnadzor) began blocking Ukrainian

Internet media outlets. According to NGOs, as of March 2020, access to 23 Ukrainian Internet media outlets was blocked.

Since 2014, the Russian Federation has been systematically persecuting and restricting the rights of journalists in Crimea. During March 2014 - September 2019, there were recorded at least 350 cases of the prosecution of journalists in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol committed by illegally created law enforcement agencies of the Russian Federation. Journalists are subjected to such methods of pressure as beatings, illegal detentions, property damage, a ban on entering the territory of Crimea, threats, intimidation, a ban on journalistic activity, and so on. Also, politically motivated criminal prosecutions continue. Currently there are at least 12 cases of persecution of journalists and activists in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol which were initiated by opening administrative proceedings with signs of political persecution.

In view of the above, we condemn the aggressive actions of the Russian Federation and draw attention to the systemic human rights violations in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol and the need to increase pressure on the Russian Federation with a demand to stop persecuting Ukrainian citizens in the temporarily occupied territory of Ukraine.