



# OPEN DIALOG

**THE LIST OF UKRAINIAN CITIZENS WHO HAVE BEEN  
SUBJECTED TO POLITICALLY MOTIVATED CRIMINAL  
PROSECUTION BY RUSSIA'S LAW ENFORCEMENT BODIES IN  
THE YEARS 2014-2016**

The Open Dialog Foundation was established in Poland, in 2009, on the initiative of Lyudmyla Kozlovska (who is currently the President of the Management Board). The statutory objectives of the Foundation include protection of human rights, democracy and rule of law in the post-Soviet area. Particular attention of the Foundation is focused on the largest CIS countries: Kazakhstan Russia and Ukraine.

The Foundation pursues its goals through the organisation of observation missions, including election observation and monitoring of the human rights situation in the CIS countries. Based on these activities, the Foundation creates its reports and distributes them among the institutions of the EU, the OSCE and other international organisations, foreign ministries and parliaments of EU countries, analytical centres and media.

In addition to observational and analytical activities, the Foundation is actively engaged in cooperation with members of parliaments involved in foreign affairs, human rights and relationships with the CIS countries, in order to support the process of democratisation and liberalisation of internal policies in the post-Soviet area. Significant areas of the Foundation's activities also include support programmes for political prisoners and refugees.

The Foundation has its permanent representative offices in Warsaw, Kiev and Brussels.

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## 1. INTRODUCTION

Since the beginning of the Russian-Ukrainian conflict, at least **44 Ukrainian citizens** have been illegally prosecuted for political reasons on the part of the Russian law enforcement agencies. Of them:

- **6 have been released:** Nadiya Savchenko, Gennadiy Afanasyev, Yuriy Ilchenko, Yuriy Soloshenko, Bohdan Yarychevskyi, Yuriy Yatsenko
- **31 are still held in detention facilities or prisons:**
  - 15 have been sentenced to imprisonment:** Mykola Karpyuk, Stanislav Klykh, Oleksandr Kolchenko, Oleg Sentsov, Oleksiy Chyrniy, Oleksandr Kostenko, Hayser Dzhemilev, Serhiy Lytvynov, Valentyn Vyhivskyi, Viktor Shur, Andriy Kolomiyets, Ruslan Zeytullayev, Nuri Primov, Rustem Vaitov, Ferat Sayfullayev
  - With regard to 16 of them, criminal proceedings are underway:** Akhtem Chiyhoz, Mustafa Dehermendzhi, Ali Asanov, Emir-Usein Kuku, Inver Bekirov, Muslim Aliyev, Vadim Siruk, Arsen Dzhepparov, Refat Alimov, Zevri Abseitov, Remzi Memetov, Rustem Abiltarov, Enver Mamutov, Artur Panov, Evheniy Panov, Roman Suschenko
- **2 received suspended sentences:** Talyat Yunusov, Eskender Nebiyev
- **With regard to 5, the criminal proceedings are underway, but the selected restraint measure isn't connected with detention:** Ilmi Umerov, Arsen Yunusov, Eskender Kantemirov, Eskender Emirvaliyev, Mykola Semena

Especially difficult is the situation in Crimea, where, under the guise of fighting extremism, Russia pursues the most socially active Crimean Tatars. Thus, Russian propaganda creates the image of the Crimean Tatar people as an ethnic minority, prone to extremism.

Many of the persecuted Ukrainian citizens have already been sentenced to long-term imprisonment (more than 5 years; incarceration). In Russia, they faced torture and psychological abuse, fabrication of criminal cases on trumped-up charges, as well as unfair trials.

## 2. LIST OF PERSONS

### THE CASE OF NADIYA SAVCHENKO



**Nadiya Savchenko** - Ukrainian politician and former pilot of the Armed Forces of Ukraine. Now she is a member of the Ukrainian Parliament and the Parliamentary Assembly of the Council of Europe. Nadiya Savchenko was captured by pro-Russian militants in the east of Ukraine in June 2014. In Russia, a criminal case was initiated against Savchenko, who faced charges of assassinating Russian journalists Anton Voloshyn and Igor Kornelyuk. The court trial commenced in September 2015 and was marred by overt bias. The international society labelled the trial 'politically motivated'.

Age: 35

Criminal charges: Article 33, section 5, subsections 'a', 'e', 'zh', 'l'; Article 105, section 2 of the CC of the RF ('Complicity in the murder of two or more persons'), Article 33, section 3, subsections 'a', 'e', 'zh' and 'l'; Article 105, section 2 of the CC of the RF ('Attempted murder of two or more persons, committed in a dangerous way due to political hatred of a group of persons'), Article 322, section 1 of the CC of the RF

(‘Illegal crossing of the Russian border’); she didn’t confess to the crime

Sentenced to: 22 years’ imprisonment, released in May 2016 in exchange for Russian soldiers Evgeniy Erofeyev and Aleksandr Aleksandrov.

## THE CHECHEN CASE

Mykola Karpyuk and Stanislav Klykh are Ukrainian citizens whom Russia accused of committing crimes 20 years ago during the first Chechen war (between 1994-1996). According to Russian investigators, the Ukrainians allegedly took part in the war on the side of Chechen separatists. According to the criminal case file, former Prime Minister of Ukraine Arseniy Yatsenyuk, also fought in Chechnya. The evidence base in the criminal case centered around the testimony of witness Aleksandr Malofeyev, who allegedly fought alongside Karpyuk and Klykh in Chechnya, as well as the testimonies of the defendants, obtained from them using torture.



**Mykola Karpyuk** - deputy head of the Ukrainian nationalist organisation UNA-UNSO, deputy head of the political party ‘Pravyi sektor’ [‘The Right Sector’], a participant of Euromaidan

Age: 52

Criminal charges: Art. 209, section 1 of the CC of the RF (‘Leadership and participation in the criminal group’), Article 102, letters ‘v’, ‘z’ and ‘n’ of the CC of the RSFSR (‘Murder of two or more persons in connection with the performance of their official duties’), Article 15, section 2; Article 102, letters ‘v’, ‘z’ and ‘n’ of the CC of the RSFSR (‘Attempted murder’), he didn’t confess to the crime

Sentenced to: 22,5 years’ imprisonment

Place of detention: Grozny (Russia)

Special note: he reported the exertion of torture against him during the investigation of the criminal case.

**Stanislav Klykh** - a teacher of history

Age: 42

Criminal charges: Art. 209, section 1 of the CC of the RF (‘Leadership and participation in the criminal group’), Article 102, letters ‘v’, ‘z’ and ‘n’ of the CC of the RSFSR (‘Murder of two or more persons in connection with the performance of their official duties’), Article 15, section 2; Article 102, letters ‘v’, ‘z’ and ‘n’ of the CC of the RSFSR (‘Attempted murder’), Art. 319 of the CC of the RF (‘Insulting the public prosecutor, as a representative of the authorities, during the performance of his duties’), he didn’t confess to the crime

Sentenced to: 20 years’ imprisonment

Place of detention: Grozny (Russia)

Special note: he reported the exertion of torture against him



during the investigation of the criminal case. During the court trial, Stanislav Klykh began to show signs of mental illness, which is manifested by unstable emotional behaviour. At one of the hearings, he shouted out accusations and curse words against prosecutors and the judge; consequently, another criminal case was initiated against him (the case is currently examined in court). Forensic psychiatric examination did not recognise him as mentally ill.

### THE CASE OF THE 'CRIMEAN TERRORISTS'

In May of 2014, four citizens of Ukraine: Gennadiy Afanasyev, Oleksandr Kolchenko, Oleg Sentsov and Oleksiy Chyrniy were detained in Crimea. Before their detention, each of them had borne an active pro-Ukrainian stance and openly opposed Russia's occupation of the peninsula. The detainees were accused of offences related to 'terrorism', namely: the arson attack on the office door of the Russian Community of Crimea and the window of the office of the 'United Russia' party, as well as conspiracy to carry out an explosion at the Lenin monument and the Eternal Flame Memorial in Simferopol. All detainees were subjected to torture in order to force them to proclaim their guilt, and slander other defendants indicted in the case. Under torture, Gennadiy Afanasyev and Oleksiy Chyrniy agreed to cooperate with the investigators: they pleaded guilty and gave false testimonies against Oleg Sentsov and Oleksandr Kolchenko. As a result, Afanasyev and Chyrniy were sentenced to 'short' terms of imprisonment, 7 years in prison. As for Oleg Sentsov and Oleksandr Kolchenko, who did not admit their guilt, a show trial was held, in which they were eventually sentenced to 20 and 10 years' imprisonment, respectively.



**Oleg Sentsov** - Ukrainian film director, civil society activist.

Age: 40

Criminal charges: Art. 205.4, section 1 of the CC of the RF ('Establishing a terrorist association'), Art. 205, section 2, subsection 'a' of the CC of the RF ('Committing two acts of terrorism'), Art. 30, section 1 and Art. 205, section 2, subsection 'a' of the CC of the RF ('Conspiracy to commit the two terrorist attacks'), Art. 222, section 3 of the CC of the RF ('Illicit trafficking in arms and explosives'), he didn't confess to the crime

Sentenced to: 20 years' imprisonment

Place of detention: Yakutsk (Russia)

Special note: he has two minor children; he reported the exertion of torture against him during the investigation of the criminal case.





**Oleksandr Kolchenko** – civil society activist

Age: 26

Criminal charges: Art. 205.4, section 2 of the CC of the RF ('Involvement in a terrorist association'), Art. 205, section 2, subsection 'a' of the CC of the RF ('Committing a terrorist act'), he didn't confess to the crime

Sentenced to: 10 years' imprisonment

Place of detention: Kopeysk (Russia)

Special note: he reported the exertion of torture against him during the investigation of the criminal case.



**Gennadiy Afanasyev** – civil society activist

Age: 25

Criminal charges: Art. 205.4, section 2 of the CC of the RF ('Involvement in a terrorist association'), Art. 205, section 2, subsection 'a' of the CC of the RF ('Committing a terrorist act'), Art. 30, section 1 and Art. 205, section 2, subsection 'a' of the CC of the RF ('Conspiracy to commit two terrorist attacks'), Art. 222, section 3 of the CC of the RF ('Illicit trafficking in arms and explosives')

Sentenced to: 7 years' imprisonment, released in June 2016 within the framework of the exchange of prisoners between Russia and Ukraine

Special note: During the criminal proceedings, he initially pleaded guilty, but, subsequently, he retracted his testimony and reported the exertion of torture against him.



**Oleksiy Chyrniy** – teacher of military history, civil society activist

Age: 44

Criminal charges: Art. 205.4, section 2 of the CC of the RF ('Involvement in a terrorist association'), Art. 205, section 2, subsection 'a' of the CC of the RF ('Committing a terrorist act'), Art. 30, section 1 and Art. 205, section 2, subsection 'a' of the CC of the RF ('Conspiracy to commit two terrorist attacks'), Art. 222, section 3 of the CC of the RF ('Illicit trafficking in arms and explosives'), he pleaded guilty to the charges

Sentenced to: 7 years' imprisonment

Place of detention: Magadan (Russia)

## THE CASE OF OLEKSANDR KOSTENKO



**Oleksandr Kostenko** – a former employee of the Ukrainian police, participant in Euromaidan. Kostenko was subjected to prosecution for allegedly causing physical harm to a police officer during the Euromaidan protests in Kiev.

Age: 30

Criminal charges: Art. 115, section 2, subsection 'b' of the CC of the RF ('Intentionally causing minor bodily harm, resulting in a short-term health disorder, for reasons of ideological hatred or hostility'), Art. 222, section 1 of the CC of the RF ('Illegal possession and carrying of firearms and ammunition'), he didn't confess to the crime

Sentenced to: 4 years and 2 months' imprisonment, the appellate instance reduced the sentence to 3.5 years' imprisonment

Place of detention: Kirovo-Chepetsk (Russia)

Special Note: during investigation, he was subjected to torture, in particular, his arm was broken. Oleksandr Kostenko's arm was operated on while he was still in the detention facility, but the treatment should not have been limited to the surgery also; he is in need of post-surgical medical treatment. According to counsel Dmitriy Sotnikov, Oleksandr hasn't been undergone any post-operative procedures in CF No.5, and, as a result, his arm has begun to wither.

## THE CASE OF HAYSER DZHEMILEV



**Hayser Dzhemilev** – the youngest son of the leader of the Crimean Tatar people, Mustafa Dzhemilev. Hayser Dzhemilev did commit a criminal offence, but his pursuit by the law enforcement bodies of Russia is politically motivated and linked to his father's status as a figurehead.

Age: 35

Criminal charges: Art. 109 of the CC of the RF ('Negligent homicide'), Art. 226 and Art. 222 of the CC of the RF ('Illegal possession of weapons'), he pleaded guilty

Sentenced to: 5 years' imprisonment, the appellate instance reduced the sentence to 3.5 years' imprisonment

Place of detention: Astrakhan (Russia)

## THE CASE OF YURIY ILCHENKO



**Yuriy Ilchenko** - owner of a private school for foreign languages, blogger. Yuriy Ilchenko was detained on suspicion of extremism in July 2015. He was accused of using inflammatory words to condemn the Russian occupation of Crimea and the war that the Kremlin is waging in the Donbas in an article on his blog

Age: 38

Criminal charges: Art. 280 of the CC of the RF ('Public incitement to extremism'), he didn't confess to the crime

Special note: Yuriy Ilchenko was kept under house arrest and fled from Crimea in August 2016. Currently, he resides in the mainland Ukraine.

### THE CASE OF SERHIY LYTVYNOV



**Serhiy Lytvynov** – a resident of Lugansk Province. First, as a result of torture and unlawful methods of inquiry, Serhiy Lytvynov incriminated himself by 'confessing' to committing a number of grave crimes on the territory of Luhansk Province: the murder of 39 men, the rape and murder of eight women and the murder of a 12-year-old girl. Lytvynov was accused of the murder of two or more people (Art. 105, section 2 of the CC of the RF) and the use of prohibited means and methods of warfare (Art. 356, section 1 of the CC of the RF), punishable by a life sentence. Later, it became clear that the charges were invented by investigators and had no basis in reality. In addition, a forensic examination revealed that Lytvynov had been subjected to torture aimed at forcing him to incriminate himself. The criminal case fell apart and the investigating authorities of the Russian Federation have not submitted the indictment act in the court. However, instead of releasing Serhiy Lytvynov, another criminal case was initiated against him.

Age: 33

Criminal charges: Article 162, section 3 of the CC of the RF ('Robbery'), he didn't confess to the crime

Sentenced to: 8,5 years' imprisonment

Place of detention: Rostov-on-Don (Russia)

Special note: he reported the exertion of torture against him during the investigation of the criminal case.

### THE CASES OF SPIES



Since the beginning of the Russian-Ukrainian conflict, several Ukrainians in Russia at once have become victims of criminal prosecution on questionable charges of espionage. They were secretly detained while travelling outside continental Ukraine and taken to the Lefortovo detention centre in Moscow. Their case is characterised by the same charges of 'spying for Ukraine'. In the initial stages of the prosecution, they were deprived of the right to an independent counsel and consular protection. According to the results of the investigation, they "pleaded guilty" to all counts.



**Yuriy Soloshenko** – former director of the 'Znamya' military plant in Poltava (Ukraine)

Age: 74

Criminal charges: Article 276 CC of the RF ('Espionage'), he pleaded guilty as the investigators promised him a suspended sentence for doing so

Sentenced to: 6 years' imprisonment, released in June 2016 within the framework of the exchange of prisoners between Russia and Ukraine

Special note: during his stay in prison, Yuriy Soloshenko was diagnosed with a cancer.



**Valentyn Vyhivskiy** - Ukrainian entrepreneur

Age: 33

Criminal charges: Article 276 CC of the RF ('Espionage')

Sentenced to: 11 years' imprisonment

Place of detention: Kirov region (Russia)

Special note: he reported the exertion of torture against him during the investigation of the criminal case.



**Viktor Shur** – Russian citizen with Ukrainian origin, entrepreneur

Age: 58

Criminal charges: Art. 275 of the CC of the RF ('Treason and collaboration with the secret services of a foreign state')

Sentenced to: 12 years' imprisonment

Place of detention: Tatarstan (Russia)

Special note: Viktor's son claims that the FSB administered psychotropic substances to his father.

## THE CASE OF ANDRIY KOLOMIYETS



**Andriy Kolomiyets** – member of the ‘Euromaidan’ protest rallies in Kiev. In December 2014, he moved to Russia, where a few months later, he was arrested on suspicion of drug possession. Shortly after, he faced accusations of the attempted murder of two police officers during the events in Kiev.

Age: 23

Criminal charges: Art. 30, Art. 105, section 2 of the CC of the RF (‘Attempted murder of law enforcement officers’)

Sentenced to: 10 years' imprisonment

Place of detention: Simferopol (Crimea)

Special note: he reported the exertion of torture against him during the investigation of the criminal case.

## THE CASE OF YURIY YATSENKO AND BOHDAN YARYCHEVSKYI

In May 2014, Yuriy Yatsenko and Bohdan Yarychevskiy were detained by police officers in Kursk Province (Russia). Despite the court order to expel the young people from the country, Bohdan and Yuriy were held in custody for 4 and 12 months, respectively, in the absence of any grounds.



**Bohdan Yarychevskiy** – a graduate of the National University of Lviv, participant in Euromaidan

Age: 27

Criminal charges: Article 18.8 of the Code of Administrative Offences of the RF (‘Violation by a foreign citizen or a stateless person of rules of entry into the Russian Federation or of the stay (residence) in the Russian Federation’)

Court sentence: a fine in the amount of 2,000 rubles and expulsion from the territory of Russia

Special note: for 4 months, he was held in a detention facility where he was subjected to battery and torture by law enforcement officers.



**Yuriy Yatsenko** - a graduate of the National University of Lviv, participant in Euromaidan.

Age: 26

Criminal charges: Article 18.8 of the Code of Administrative Offences of the RF ('Violation by a foreign citizen or a stateless person of rules of entry into the Russian Federation or of the stay (residence) in the Russian Federation'), Art. 222, section 1 of the CC of the RF ('Illicit trafficking in arms and explosives'), he didn't confess to the crime

Court sentence: 2 years' imprisonment, the appellate court reduced the sentence to 9 months' imprisonment. Yuriy Yatsenko was released after serving his time

Special note: he was subjected to battery and torture by law enforcement officers.

### THE CASE OF HIZB UT-TAHRIR

Following the annexation of Crimea, the self-proclaimed authorities of the peninsula begun to persecute people on religious grounds. Members of the religious organisation 'Hizb ut-Tahrir', recognised by Russia as terrorist, were subjected to criminal prosecution. In Ukraine and other democratic countries, the organisation is not considered a terrorist group. Human rights activists insist that there is no evidence to suggest that 'Hizb ut-Tahrir' members engage in any terrorist activities. At least 14 Crimean residents faced criminal prosecution in the case. Four of them have already been sentenced to prison terms.



**Ruslan Zeytullayev** – Crimean Tatar

Age: 31

Criminal charges: Article 205.5, section 1 of the CC of the RF ('*Organising the activity of a terrorist organisation*'), he didn't confess to the crime

Sentenced to: 7 years' imprisonment

Place of detention: Rostov-on-Don

Special note: he has three minor dependents.



**Ferat Sayfullayev** – Crimean Tatar

Age: 33

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Sentenced to: 5 years' imprisonment

Place of detention: Rostov-on-Don

Special note: he has two minor dependents.



**Rustem Vaitov** – Crimean Tatar

Age: 30

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Sentenced to: 5 years' imprisonment

Place of detention: Rostov-on-Don

Special note: he has one minor dependent.



**Nuri (Yuriy) Primov** – Crimean Tatar

Age: 40

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Sentenced to: 5 years' imprisonment

Place of detention: Rostov-on-Don





**Enver Bekirov** – Crimean Tatar, the head of the Muslim community in the village of Krasnokamyanka (Crimea)

Age: 53

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Facing: 5 to 10 years' imprisonment

Place of detention: Simferopol (Crimea)



**Emir-Usein Kuku** – Crimean Tatar, human rights defender, a member of the Contact Group on Human Rights in Crimea

Age: 40

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Facing: 5 to 10 years' imprisonment

Place of detention: Simferopol (Crimea)

Special note: he has two minor dependents.



**Muslim Aliyev** – Crimean Tatar, the head of the Muslim community in the village of Izobilnoye (Crimea)

Age: 45

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Facing: 5 to 10 years' imprisonment

Place of detention: Simferopol (Crimea)

Special note: he has four minor dependents, of which one is disabled since childhood.





**Vadim Siruk** – Ukrainian, Muslim

Age: 27

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Facing: 5 to 10 years' imprisonment

Place of detention: Simferopol (Crimea)

Special note: he has two minor dependents.



**Arsen Dzhepparov** – Crimean Tatar

Age: 23

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Facing: 5 to 10 years' imprisonment

Place of detention: Simferopol (Crimea)

Special note: he has one minor dependent.



**Refat Alimov** – Crimean Tatar

Age: 24

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Facing: 5 to 10 years' imprisonment

Place of detention: Simferopol (Crimea)



**Zevri Abseitov** – Crimean Tatar, a dentist

Age: 41

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime.

Facing: 5 to 10 years' imprisonment

Place of detention: Simferopol (Crimea)

Special note: he has four minor dependents.



**Enver Mamutov** – Crimean Tatar, entrepreneur

Age: 41

Criminal charges: Article 205.5, section 1 of the CC of the RF (*'Organising the activity of a terrorist organisation'*), he didn't confess to the crime

Facing: up to 20 years' imprisonment

Place of detention: Simferopol (Crimea)

Special note: he has seven minor dependents.



**Remzi Memetov** – Crimean Tatar, cook

Age: 50

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Facing: 10 years' imprisonment

Place of detention: Simferopol (Crimea)



**Rustem Abiltarov** – Crimean Tatar, construction finishing worker

Criminal charges: Article 205.5, section 2 of the CC of the RF (*'Participation in a terrorist organisation'*), he didn't confess to the crime

Facing: 10 years' imprisonment

Place of detention: Simferopol (Crimea)

Special note: he has four minor dependents.

### THE CASE OF '26 FEBRUARY'

On 26 February, 2014, a mass rally of pro-Ukrainian activists in support of Ukrainian unity was held in the building of the Supreme Council of the Autonomous Republic (AR) of Crimea. At the same time, near the building of the Supreme Council of Crimea, counter-rallies took place, one of which was attended by representatives of pro-Russian organisations who demanded Crimea's accession to Russia. Due to the ineffective actions of the police, with respect to ensuring the safety of peaceful assembly, a skirmish broke out between the participants of the rally, resulting in injuries to dozens of people, two of whom subsequently died (both were participants of the pro-Russian rally).

A one year later, In connection with these events, the law enforcement agencies of the authorities occupying the peninsula initiated a criminal case against members of the pro-Ukrainian meeting. Participants of the pro-Russian rally have not been subjected to prosecution and are merely involved in the case as victims, which evidences the selective nature of justice.



**Akhtem Chiygoz** – Crimean Tatar, civil and political activist, Deputy Chairman of the Mejlis of the Crimean Tatar people.

Age: 51

Criminal charges: Article 212, section 1 of the CC of the RF (*'Organisation of mass riots, accompanied with violence, pogroms, arson, destruction of property, the use of weapons, explosive substances or explosive assembly, toxic substances or any other objects and substances that pose a threat to others, or armed resistance to a public officer'*)

Facing: 4 to 10 years' imprisonment

Place of detention: Simferopol (Crimea)

Special Note: at the trial on the case of Chiygoz, for the first time in the history of Russian justice, a discriminatory practice was applied; the suspect wasn't present in the courtroom, and the connection with him was carried out from the detention facility by video conference.



**Mustafa Degermendzhi** – Crimean Tatar, before his arrest, he worked as a sales representative.

Age: 27

Criminal charges: Article 212, section 2 of the CC of the RF ('Participation in mass riots')

Facing: 3 to 8 years' imprisonment

Place of detention: Simferopol (Crimea)



**Ali Asanov** – Crimean Tatar, before his arrest, he was a farmer.

Age: 34

Criminal charges: Article 212, section 2 of the CC of the RF ('Participation in mass riots')

Facing: 3 to 8 years' imprisonment

Place of detention: Simferopol (Crimea)

Special note: he has four minor dependents.



**Eskander Emirvaliyev** – Crimean Tatar

Age: 31

Criminal charges: Article 212, section 2 of the CC of the RF ('Participation in mass riots')

Facing: 3 to 8 years' imprisonment

Place of detention: released from custody and placed under house arrest

Special note: he has two minor dependents.





**Eskander Kantemirov** – Crimean Tatar

Age: 28

Criminal charges: Article 212, section 2 of the CC of the RF ('Participation in mass riots')

Facing: 3 to 8 years' imprisonment

Place of detention: released from custody and placed under house arrest

Special note: he has one minor dependent.



**Arsen Yunusov** – Crimean Tatar

Age: 26

Criminal charges: Article 212, section 2 of the CC of the RF ('Participation in mass riots')

Facing: 3 to 8 years' imprisonment

Place of detention: released from custody and placed under house arrest.



**Eskender Nebiyev** – Crimean Tatar, before his arrest, he worked as a cameraman on the 'ATR' TV channel

Age: 30

Criminal charges: Article 212, section 2 of the CC of the RF ('Participation in mass riots'), he pleaded guilty

Sentenced to: 2,5 years' imprisonment (suspended sentence)





**Talyat Yunusov – Crimean Tatar**

Age: 32

Criminal charges: Article 212, section 2 of the CC of the RF ('Participation in mass riots'), he pleaded guilty

Sentenced to: 3,5 years' imprisonment (suspended sentence)

**THE CASE OF ILMI UMEROV**



**Ilmi Umerov** - Crimean Tatar, public and political figure; subjected to criminal prosecution for a public statement about the need to 'make Russia return Crimea' Crimean Tatar public and political figure, subjected to criminal prosecution for a public statement about the need to 'force Russia to return the Crimea'

Age: 59

Criminal charges: Article 280.1, section 2 of the CC of the RF ('Public calling for the implementation of actions, aimed at violating the territorial integrity of the Russian Federation, committed with the use of the Internet')

Facing: up to 5 years' imprisonment

Place of detention: a house arrest was selected as a restraint measure

Special Note: Ilmi Umerov suffers from a number of diseases - Parkinson's disease III degree, diabetes and hypertension. In 2011, he underwent heart surgery. Despite this, in the period between 18 August, 2016 and 7 September, 2016, Umerov was subjected to illegal forensic psychiatric examination in a clinic with no conditions for cardiac treatment, and the food which is inappropriate for persons with diabetes.

## THE CASE OF MYKOLA SEMENA



**Mykola Semena** – Crimean journalist, subjected to criminal prosecution for publication in the media of the article 'The Blockade is a Necessary First Step Towards the Liberation of Crimea'

Age: 66

Criminal charges: Art. 280.1, section 2 of the CC of the RF ('*Public calling for the implementation of actions, aimed at violating the territorial integrity of the Russian Federation*'), he didn't confess to the crime

Facing: up to 4 years' imprisonment

Place of detention: placed under house arrest

## THE CASE OF ARTUR PANOV



**Artur Panov** - a resident of Lugansk Province, accused of preparing a terrorist attack in one of the theaters in Rostov-on-Don (Russia), most episodes of the alleged 'preparation of a terrorist attack' are pieces of his correspondence in social networks; at the time of arrest, Panov was 17 years old.

Age: 18

Criminal charges: Article 30, section 1; Article 205.5, section 1 of the CC of the RF ('*An attempt to commit a terrorist act*'), Article 205.1, section 1 ('*Soliciting of a person to terrorist activity*'), Article 205.2, section 1 ('*Public calling to commit terrorist activity*'), Article 222.1, section 1 ('*Illegal possession and manufacture of explosive substances*'), Article 223.1, section 1 ('*Illegal possession and manufacture of explosive assembly*'), he pleaded guilty

Facing: life imprisonment

Place of Detention: Rostov-on-Don (Russia)

Special note: according to the Ukrainian diplomats, formerly, Artur Panov was examined by a psychiatrist who identified some problems with the mental state of the suspect.

### THE CASE OF EVHENIY PANOV



**Evheniy Panov** – volunteer, civil activist, driver, Russia labels Evheniy Panov ‘a saboteur’, who allegedly planned to carry out a number of terrorist acts on the territory of the Crimean peninsula.

Age: 39

Criminal charges: Article 20, section 1, Article 281, section 2, letter ‘a’ of the CC of the RF (‘Orchestrating an act of sabotage’)

Facing: 12 to 20 years’ imprisonment

Place of detention: Simferopol (Crimea)

### THE CASE OF ROMAN SUSCHENKO



**Roman Suschenko** - journalist, correspondent of the Ukrinform news agency in Paris. Russian security services and the media consider him a “hired officer of the Main Directorate of Intelligence at the Ukrainian Ministry of Defence”.

Age: 47

Criminal charges: Article 276 of the CC of the RF (‘Espionage’)

Facing: up to 20 years’ imprisonment

Place of detention: Moscow

Special note: for several days after his arrest, Suschenko wasn’t permitted to be visited by his Russian counsel Mark Feigin. In addition, Ukrainian diplomats were banned from visiting him. Suschenko didn’t confess to the crime.

### 3. CONCLUSIONS AND RECOMMENDATIONS

In the course of the illegal criminal prosecution of citizens of Ukraine, the Russian Federation violated a number of international treaties and international legal instruments, to which it is a signatory.

The forced transfer of citizens of Ukraine to the Russian Federation is considered kidnapping, and according to the principles of international law (draft ‘Code of Crimes against the Peace and Security of Mankind’ of 1996, ‘Rome Statute of the International Criminal Court’ of 1998, and the ‘International Convention for the Protection of All Persons from Enforced Disappearance’ of 2006), it is a crime against humanity.

Politically motivated trials against citizens of Ukraine violate the principles, stipulated in the Universal Declaration of Human Rights of 1948, and The Convention for the Protection of Human Rights and Fundamental Freedoms of 1950.

The use of torture violates the principles of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of 1987.

In the case of Nadia Savchenko, the provisions of international humanitarian law (the Hague Convention (IV) of 1907, the Geneva Convention III of 1929) were violated, as participants in military operations (combatants) cannot become the object of criminal prosecution (unless they have committed international crimes).

Unfair criminal prosecution, as well as non-admission of Ukrainian diplomats to the prosecuted Ukrainian citizens violate bilateral agreements between Ukraine and Russia, namely, the Treaty on Friendship, Cooperation and Partnership, concluded between Ukraine and the Russian Federation in 1999, and the Consular Convention of 1993, concluded between the Russian Federation and Ukraine.

It should also be noted that the process of exchange of Ukrainian citizens for Russian citizens hasn't been carried out, which contravenes the agreements reached in the framework of the Minsk process on the settlement of the conflict in the East of Ukraine.

**Within the framework of the advocacy campaign 'LetMyPeopleGo', the Open Dialog Foundation and hereby calls on the international community (international organisations and institutions, governments of the EU Member States, the governments of Australia, Canada, the USA and Japan) to increase pressure on the Russian authorities in order to bring about the release of Ukrainian citizens, incarcerated for political reasons. In order to achieve this, we consider it necessary to:**

1. Render political, financial and informational support to the LetMyPeopleGo international campaign for the protection of Ukrainian citizens, subjected to politically motivated, unlawful criminal prosecution in Russia and occupied Crimea.
2. The governments of Great Britain, the United States, as guarantors of the Budapest Memorandum, as well as France, which joined the guarantees, should take under special control, the human rights situation on the Crimean Peninsula and render support to every Ukrainian citizen, subjected to politically motivated criminal prosecution in Russia and occupied Crimea.
3. Demand that the Russian side permit international missions of the UN, the OSCE and the Human Rights Commissioner of the Council of Europe to enter the country for the purpose of monitoring the observance of the fundamental rights of Ukrainian citizens subjected to politically motivated criminal prosecution in Russia and occupied Crimea, such as the right to life, freedom from torture and the right to a fair trial. The missions should take place with broad participation of and monitoring by international human rights organisations.
4. Demand that the Russian side provide information about the details of the criminal prosecution, the state of health and conditions of detention in prisons of Ukrainian citizens, subjected to politically motivated prosecutions in Russia and occupied Crimea.
5. Promote the provision of qualified legal assistance for Ukrainian citizens, persecuted for political reasons in Russia and the occupied Crimea.
6. Organise international observation of the trials of the citizens of Ukraine, imprisoned in Russia and the occupied Crimea for political reasons.
7. Introduce personal sanctions against those involved in the illegal, politically motivated criminal prosecution of Ukrainian citizens in Russia and the occupied Crimea.
8. Demand from the Russian side that Ukrainian citizens, imprisoned in Russia and the occupied Crimea for political reasons, be unconditionally released. Without meeting this requirement, the Minsk Agreements cannot be considered to have been fulfilled, and the regime of sanctions,

imposed on Russia by democratic countries of the world should remain in force until all Ukrainians, incarcerated for political reasons in Russia and the occupied Crimea, are released.

9. Introduce personal sanctions against those involved in the illegal organization of the parliamentary elections to the State Duma of the Russian Federation on the territory of the Crimean Peninsula on 18 September, 2016. The elections should not be recognized as valid in the case of participation of Crimean voters in them.

**All those wishing to support our demands are welcome to send their statements to the following persons and institutions:**

- PACE President Pedro Agramunt — e-mail: [pedro.agramunt@senado.es](mailto:pedro.agramunt@senado.es), tel: +33 88 41 23 41;
- OSCE PA Presidente Christine Muttonen — e-mail: [christine.muttonen@parlament.gv.at](mailto:christine.muttonen@parlament.gv.at), tel: +43 (1) 401 10 3660, +43 (1) 401 10 3444;
- OSCE PA Chair of the Committee on Democracy, Human Rights and Humanitarian Questions Ignacio Sanchez Amor — e-mail: [cristina.casado@gps.congreso.es](mailto:cristina.casado@gps.congreso.es), tel: +34 91 390 6919;
- European Parliament President Martin Schulz - 1047 Brussels, Belgium, Bât. Paul-Henri Spaak 09B011, Rue Wiertz / Wiertzstraat 60, e-mail: [martin.schulz@europarl.europa.eu](mailto:martin.schulz@europarl.europa.eu), tel: +32(0)2 28 45503 (Brussels), +33(0)3 88 1 75503 (Strasbourg);
- EU High Representative for Foreign Affairs and Security Policy Federica Mogherini — 1049 Brussels, Rue de la Loi / Wetstraat 200, e-mail: [federica.mogherini@ec.europa.eu](mailto:federica.mogherini@ec.europa.eu), tel: +32 2 584 11 11; +32 (0) 2 295 71 69;
- The Head of the European Parliament Committee on Foreign Affairs Elmar Brok — 1047 Brussels, Belgium, Bât. Altiero Spinelli 05E240, Rue Wiertz / Wiertzstraat 60, e-mail: [elmar.brok@europarl.europa.eu](mailto:elmar.brok@europarl.europa.eu), tel: +32(0)2 28 45323 (Brussels), +33(0)3 88 1 75323 (Strasbourg);
- The Head of the European Parliament Subcommittee on Human Rights Elena Valenciano - 1047 Brussels, Belgium, Bât. Altiero Spinelli 11G354, Rue Wiertz / Wiertzstraat 60, e-mail: [elena.valenciano@europarl.europa.eu](mailto:elena.valenciano@europarl.europa.eu), tel: +32(0)2 28 45846 (Brussels), +33(0)3 88 1 75846 (Strasbourg);
- The Head of Delegation to the EU-Ukraine Parliamentary Association Committee Andrej Plenković - 1047 Brussels, Belgium, Bât. Altiero Spinelli 14E165, Rue Wiertz / Wiertzstraat 60, e-mail: [andrej.plenkovic@europarl.europa.eu](mailto:andrej.plenkovic@europarl.europa.eu), 1047 Brussels, tel: +32(0)2 28 45955 (Brussels), +33(0)3 88 1 75955 (Strasbourg);
- EU Special Representative (EUSR) for Human Rights Stavros Lambrinidis - e-mail: [stavros.lambrinidis@ext.eeas.europa.eu](mailto:stavros.lambrinidis@ext.eeas.europa.eu), tel: +32(0)2 584 230;
- The President of the European Council Donald Tusk — 1048 Brussels, Rue de la Loi / Wetstraat 175, e-mail: [donald.tusk@european-council.europa.eu](mailto:donald.tusk@european-council.europa.eu), tel: +32 2 28 15650;
- The President of the European Commission Jean-Claude Juncker — 1049 Brussels, Belgium Rue de la Loi / Wetstraat 200, e-mail: [president.juncker@ec.europa.eu](mailto:president.juncker@ec.europa.eu);
- The Secretary General of the Council of Europe Thorbjørn Jagland - e-mail: [thorbjorn.jagland@coe.int](mailto:thorbjorn.jagland@coe.int), tel: + 33 (0)3 88 41 20 00;
- United Nations High Commissioner for Human Rights Ra'ad Zeid Al-Husseini — Palais des Nations CH-1211 Geneva 10, Switzerland, tel: +41 22 917 9220;
- NATO PA President Michael Turner — 1000 Brussels, Belgium, 3 Place du Petit Sablon, a form for online requests: <http://www.nato-pa.int/Default.asp?SHORTCUT=2098>, tel: +32(0)2 513 28 65;
- US Secretary of State John Kerry — a form for online requests: <https://register.state.gov/contactus/contactusform>;
- United States House of Representatives - Washington, DC 20515, tel: (202) 224-3121, <http://www.house.gov/contact/>;
- Chairman of the US Helsinki Commission Senator Chris Smith — 20515, Washington, D.C., USA, 2373 Rayburn House Office Building, tel: +1 (202) 225 37 65;
- Office of the Prime Minister of Canada Justin Trudeau — ON K1A 0A2, Ottawa, 80 Wellington Street.
- Prime Minister of UK Theresa May - SW1A 2AA, London, 10 Downing Street;



- Prime Minister of France Manuel Valls – 75007, Paris, Hôtel de Matignon 57, rue de Varenne, e-mail: [manuel.valls@pm.gouv.fr](mailto:manuel.valls@pm.gouv.fr), [sec.manuel.valls@pm.gouv.fr](mailto:sec.manuel.valls@pm.gouv.fr).
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