

FREEDOM OF SPEECH

Persecution
of journalists
in Crimea continues

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CULTURE

Part of exhibits from
the Aivazovsky National Art Gallery
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Territory CRIMIEA



ON THE MAIN

**President Poroshenko:
"THE INVADER MUST
FEEL THE SUPREMACY
OF INTERNATIONAL LAW"**

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CRIMES AGAINST THE PERSON

AT LEAST 22 PEOPLE HAVE DISAPPEARED DURING THE OCCUPATION OF CRIMEA



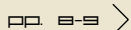
GUEST OF THE ISSUE

MUSTAFA DZHEMILEV:



"If today we do not take adequate measures against the aggressor and gross violator of the international law principles, tomorrow any state may find itself under threat. This is especially well understood by the

Baltic states, Poland and some other countries, which learned the 'habits' of the Russian Federation from their own experience".



FAKES

HOW RUSSIAN PROPAGANDA BRAZENLY USES MASS MEDIA TO SPREAD LIES



The Hague Tribunal considers events in Crimea as war

The International Criminal Court in Hague considers the situation in the annexed Crimea be the equivalent of an international armed conflict between Ukraine and Russia. This was stated in the annual report of the preliminary investigation by Fatou Bensouda, the Prosecutor of the International Criminal Court, published on November 14, 2016. This definition applies to the situation in Ukraine since March 18, 2014, when the events in Crimea and Sevastopol led to a full-scale occupation. For reference: According to the Geneva Conventions of 1949, the definition of "war" is used along with the term "international armed conflict" and is part of the same concept (is a part of it). The definition of "armed conflict" is used based on political and ideological grounds, since the use of war as a legitimate means of settling international disputes is prohibited.

The State Duma deputies elected in the annexed Crimea have been added to sanction lists

The US Treasury and the European Union imposed sanctions against six deputies of the Russian State Duma elected in the annexed Crimea, since they do not consider the elections organized and conducted on the peninsula by the Russian Federation to be legitimate. Back on November 9, the European Union was the first to publish in its Official Journal the decision to expand the list of the State Duma deputies, to whom the sanctions are to be applied. And on November 15, the US Treasury also recognized the Crimean State Duma deputies to be involved in the acts aimed at undermining the democratic processes and institutions in Ukraine and dangerous to the sovereignty and territorial integrity of the country, and imposed sanctions against them.

Putin tries to legitimize the annexation of Crimea by visiting the peninsula

The October visit of the Russian President to the occupied Crimea was not left unnoticed by the Kyiv authorities. The Ministry of Foreign Affairs of Ukraine sent a note to the Russian colleagues harshly condemning Putin's visit to Autonomous Republic of Crimea, and called it an attempt to legitimize the annexation of the peninsula. It should be reminded that unauthorized entry of the internationally recognized borders of Ukraine by senior officials is unacceptable.

Conscription of the Crimeans to the Russian Army is a violation of the Geneva Convention

It is the fourth time after the annexation, when Crimeans living in occupied Crimea have been called up for a military service to the Armed Forces of the Russian Federation. This autumn, the military registration and enlistment offices of the Russian Federation planned to recruit 1,600 conscripts from the peninsula, once again violating the adopted international agreements. In particular, this action violates Article 51 of the Geneva Conventions of August 12, 1949 "On Protection of Civilian Persons in Time of War".



The Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. No pressure or propaganda which aims at securing voluntary enlistment is permitted.



Art. 51 of the Geneva Convention

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The UN decided on the terms: CRIMEA IS UKRAINE, RUSSIA IS AN OCCUPIER

On November 16, at the meeting of the Third Committee of the UN General Assembly in New York, the Resolution 'Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)' was adopted. The document was initiated by Ukraine, however 41 states became the co-authors of the Resolution. 73 states voted in favour of the adoption of the document.

Author: Andriy SANTAROVYCH

“World’s been clear to occupant: no gray zone of lawlessness & HR abuses in Ukrainian Crimea!” tweeted Pavlo Klimkin, the Minister of Foreign Affairs of Ukraine, almost immediately after the adoption of the historic Resolution, describing its significance for our country. This Resolution is expected to be adopted at the plenary meeting of the UN General Assembly in December. Usually the resolutions adopted in the main committees of the General Assembly are approved unchanged.

Why this is important

This is the first time the wording “Temporary occupation of part of the territory of Ukraine — the Autonomous Republic of Crimea and the city of Sevastopol — by the Russian Federation» was used in the UN document.

Now the “Ukrainian Crimea temporarily occupied by Russia» is an internationally recognized definition of the status of the peninsula. Russia is a state-occupier. This is an unprecedented case, given that the state is a permanent member of the UN Security Council.

The wordings used in the Resolution are of great importance not only to the extension of existing, but also to the introduction of new sanctions against Russia — due to the serious human rights violations in Crimea.

According to the Geneva Conventions (as of August 12, 1949 relative to the Protection of Civilian Persons in Time of War), Russia is bound by the commitments of “occupying power”. In particular, the obligations to stop human rights violations and torture, to release the Ukrainian citizens from prisons, including in the territory of Russia, and to revoke the prohibition of Mejlis of the Crimean Tatar people.

The Resolution established an important mechanism to prevent the recurrence of similar situations in the future — a permanent UN Human Rights Monitoring Mission.

‘Consideration of the Resolution within the framework of the Third Committee of the UN General Assembly, and in December within the framework of the General Assembly itself, is a sign of a closer attitude of the world to Crimea, to repressions and violations that occur there after the occupation of the peninsula. The adoption of such resolutions signifies even further foreign policy degradation and isolation of the Russian Federation, also

reinforces negative and criminal image of the country. The world increasingly considers present Russia to be an aggressor, occupier, manipulator and unpredictable partner”, — believes Emine Dzhaparova, the first Deputy Minister of Information Policy of Ukraine.

How it was adopted

The content of the draft Resolution was not a secret. The Russian Ministry of Foreign Affairs even called the document an “empty propaganda leaflet”. But they did not confine to words. However, they preferred to act by proxy.

Thus, at the beginning of the meeting the representatives of Belarus to the UN tried to block the consideration of the agenda. Apart from the Resolution on Crimea, the Resolutions on North Korea, Iran and Syria were prepared for consideration. The demarche failed: 101 states voted against the initiative of Belarus, 32 voted in favour and 37 abstained.

The very Resolution was supported by 73 states, 23 states voted against and 76 abstained.

In particular, against the Resolution on Crimea voted: Angola, Armenia, Belarus, Bolivia, Burundi, Venezuela, Zimbabwe, India, Iran, Kazakhstan, Cambodia, China, North Korea, the Comoros, Cuba, Nicaragua, Russia, Serbia, Syria, Sudan, Uzbekistan, Eritrea and South Africa. These are the states that are economically dependent on Russia or have close economic ties with it.

i The Yalta European Strategy participants are discussing the key issues. Kyiv, 2016 In July 2004, Victor Pinchuk brought together about thirty European leaders for the first Yalta European Seminar to discuss the prospects of Ukraine's accession to the European Union.

On the second day following this meeting, some of the participants proposed to transform the private initiative into an international civil society organization, which would contribute to the process of Ukraine's accession to the EU. Therefore, the Yalta European Seminar turned into Yalta European Strategy, and an independent charitable foundation was created in Ukraine. Its purpose was to form a network of international support for our country and to strengthen influence of public diplomacy in favor of Ukraine.

Annual YES (Yalta European Strategy) forums became an open platform to discuss new ideas and views on ways of developing Europe, Ukraine and the entire world. Among the participants of these conferences there are more than three hundred and fifty politicians, diplomats, government leaders, journalists, analysts and businessmen from fifty countries of the world. The dialog on global challenges provides a broader view of the internal situation in Ukraine, its development and prospects in the modern world. It is also a stimulus to find common points, interests and values between countries. Although since 2014 annual meetings of YES have been held in Kyiv, the Yalta European Strategy remains a symbol of the power of diplomacy and dialogue.

Victor PINCHUK:

“Without solving the Ukrainian problem, the European problems also cannot be solved.”



President Poroshenko: “THE INVADER MUST FEEL THE SUPREMACY OF INTERNATIONAL LAW”.

“The 13th Yalta European Strategy Annual Meeting” brought together leading politicians, diplomats, businessmen, social activists and experts from twenty countries of the world. Similar meetings have been held in Yalta since 2004. They were initiated by Victor Pinchuk Foundation. However, as a result of the Russian aggression and subsequent occupation of the peninsula, the Yalta Summit was repeatedly held in Kyiv during the past three years.

“The world, Europe and Ukraine — storms of change”, this was the theme of this year. Comments of Victor Pinchuk, the Founder and a member of the Supervisory Board of the Yalta European Strategy Annual Meeting: “Annexation and war in the heart of Europe have violated basic international rules. Ukraine is in the center of the “global storm”. Unless its roots are eliminated, it will sooner or later affect everyone. I hope that our western partners understand why our country should remain their priority: without solving the Ukrainian problem, the Europe has to stand on its own”. Aleksander Kwasniewski, the President of Poland (1995-2005) and the Chairman of the Supervisory Board of the YES, said: “At present, the future of Ukraine can only be discussed globally. And the future of the world depends solely on the outcome that Ukraine would face. The

world is changing. And we are revising the rules and goals that will determine the fate of the world in the twenty-first century. Ukraine represents a test for us to fulfill our commitment to the fundamental values such as the freedom of nations, the right of states to sovereignty and the peaceful co-existence. This philosophy has been originally the cornerstone of the Yalta European Strategy. YES has been adhering to this approach for 12 years of its work. It allows us to achieve fruitful results. This is what we are striving to achieve”.

Among the key topics of the 13th meeting — the possible consequences of the US presidential election; the problem of the united Europe after the alleged withdrawal of Britain from the EU; the refugee crisis and the growth of populism in politics; global threats of terrorism and radicalism; the problem of social inequality and the ways to overcome it worldwide.

Ukraine was a top priority subject during the discussions: the participants talked over the state of reforms and changes in the country, the relevant barriers, the problem of supporting the democratic development of Ukraine by the West, as well as the prospects for further development. A separate discussion was devoted to the relations between Russia and the West with regard to unstable geopolitical conditions.

Petro Poroshenko, the President of Ukraine spoke bluntly: “We should call a spade a spade”. He outlined the current situation in Ukraine and noted that there is no internal conflict, but a real foreign aggression against our country.

In his speech Petro Poroshenko declared: “We have no right to surrender Crimea... They say that the Crimean issue is closed once for all. In terms of international law, this issue has never been discussed. Crimea is truly Ukrainian.” According to Mr. Putin, there is no doubt: to force the West and the world recognize Russia’s sovereignty over Crimea. By annexing Crimea, the Kremlin has committed a gross violation of international law, thus brutally violating human rights on a permanent basis. According to the President, Crimea turns into a concentration camp on “the best standards” of repression and punitive Soviet-style medical care. The case of Ilmi Umerov, who was forcibly placed in a psychiatric hospital, clearly demonstrated Kremlin’s criminal and cynical intentions of getting the pro-Ukrainian activists away from the occupied Crimea. The world should not forget the names of political prisoners of Putin’s regime, so one of the Ukrainian requirements is to release of the Ukrainian captives and political prisoners — Sentsov, Kolchenko, Karpyuk, Klyha, Zhemchuhov and dozens of others.

But the Kremlin’s hostages are all the inhabitants of the Crimean Peninsula, who are now deprived of the right to protest against the occupation regime.

Having destroyed the sustainable integration of Crimea into the economic system of Ukraine, the Russian occupants did not bring the promised “prosperity in unity”. Petro Poroshenko said: “It is absolutely clear that the occupation authorities are incapable to provide proper social and economic living conditions in Crimea.”

The result of the aggressor’s actions was the stagnation and decline in the key economic sectors of Crimea — resort and agriculture. There are few people willing to spend a vacation in a region that has a controversial political status, closed airspace, is full of troops and where people went missing, not to mention all the other human rights violations. The Northern part of Crimea, dependent on water supply from the mainland through the North Crimean channel, is on the verge of both an economic and environmental disaster.

According to the President, Ukraine has no intention to stop fighting for its integrity: “We have

initiated a series of lawsuits against Russia for violations of the UN Convention on the Law of the Sea. The invader must feel the supremacy of international law, which he neglects permanently. I am convinced that we have very good prospects. We must learn from the experience of compliance with the Budapest Memorandum. I believe it is necessary to ensure the guarantees provided through the conclusion of bilateral security agreements with the allied countries to protect Ukraine.” Petro Poroshenko also said that it is necessary to renew the Jackson–Vanik amendment with respect to Russia. Introduced in 1974 in relation to the Soviet Union and other countries that violated human rights, this legislative act prohibited to grant the most favored nation status when trading with these countries. The effect of Jackson–Vanik amendment was withdrawn in relation to Russia in 2012. As a result, neither it facilitated the human rights situation in this country, nor did it restrain aggressive ambitions of the Kremlin.

The head of our country stressed: “Sufferings of the Ukrainian citizens have long time ago ceased to be the responsibility of individuals. This is a systemic problem of the regime created by the Kremlin in Russia. Therefore, the responsibility should be borne not only by individuals, but by the entire regime. Moscow must understand — the price of such violations will soar. The relevant expert consultations with our partners are already in progress.”

Poroshenko thanked the United States for the leadership in sanctions’ applying against the Russian Federation and welcomed the decision of the European Union to continue effect of individual sanctions against persons involved in the violation of the territorial integrity of Ukraine. He also stressed that Crimea cannot be the bargaining chip in Donbass conflict settlement, because Crimea is the Ukrainian territory.

Petro POROSHENKO:

“The invader must feel the supremacy of international law, which he neglects permanently.”

Participants of the summit Yalta European Strategy while discussing the key issues. Kyiv, 2016



Crimea: chronicle of occupation



For more than a year, Russia has flatly denied its involvement into the events that preceded the pseudo-referendum On the Accession of Crimea to the Russian Federation. The true sequence of events — in a short chronicle.

February 21, 2014. Supporters of the parties the “Russian Unity”, “Russian Bloc” and representatives of the so-called Cossacks gather nearby the Verkhovna Rada of the Autonomous Republic of Crimea. Their main demand — the exit of Crimea from Ukraine.

February 23, 2014.

Those who gathered for a rally in Sevastopol show distrust for the administration of the city and, contrary to the laws of Ukraine, elect a new mayor — a Russian citizen Aleksey Chalyi.

February 26, 2014. The rally outside the Verkhovna Rada of the Autonomous Republic of Crimea gathers the supporters of Crimea preservation within Ukraine. They were the participants of this first protest who prevented the plans of the occupier, so the next day it was decided to involve military forces.

February 27, 2014. At 4:20 a.m., the unknown people in camouflage seize the building of the Verkhovna Rada in Simferopol. Later, they turned to be the Russian spetsnaz (SWAT) units. Russian flags appeared over the building, and around — the barricades.

February 27, 2014. Extraordinary meeting of the Crimean Parliament; Agenda — the resignation of the peninsula’s government. In fact, the decision to dismiss the Government and Anatoliy Mohylyov, the Crimean Prime Minister, and to appoint instead of him Sergey Aksyonov, the leader of Russian Unity, has been taken at gunpoint.

February 27, 2014. The Russian troops block exits from Crimea, connecting it with the mainland Ukraine. The Kerch strait ferry line is blocked.

March 1, 2014. The Russian Federation Council, at the request of the President Putin, approved the Resolution on the use of the armed forces of Russia on the territory of Ukraine, “until the socio-political situation in this country would stabilize”.

March 2, 2014. The Russian Federation’s soldiers blocked all Ukrainian units in Crimea.

March 3, 2014. The Russian troops take control over the Kerch strait ferry line.

March 6, 2014. The Verkhovna Rada of Crimea, being controlled by Russia, adopted the Resolution On Holding of the All-Crimean Referendum on March 16. The “referendum” featured two “alternative” questions: “Do you support the reunification of Crimea with Russia with all the rights of the federal subject of the Russian Federation?” and “Do you support the restoration of the Constitution of the Republic of Crimea as of 1992 and the status of Crimea as part of Ukraine?”

March 16, 2014. The “New government” of Crimea reported the results of the “referendum”, announcing the voter turnout of 96.77%. Although according to the data released by Mustafa Dzhemilev, the leader of the Crimean Tatar people, the turnout was 32.4%.

March 17, 2014. The illegitimate “New government” sent a letter to Putin asking for the admission of the peninsula to the Russian Federation.

March 18, 2014. Vladimir Putin, Sergey Aksyonov (the Crimean Prime Minister appointed by Russia after the start of the occupation), Vladimir Konstantinov (the so-called Head of the State Council of the Republic of Crimea, re-elected in the same position after the occupation) and Aleksey Chalyi (the “Mayor” of Sevastopol, allegedly elected by popular voting) sign in Moscow an Agreement on Accession of Crimea to the Russian Federation, which was an attempt to legalize the actual annexation of Crimea by Russia.



Occupation (from Lat. occupatio — “capture”) — seizure by the state armed forces of the territory, which does not belong to it. In terms of international law, the actions of the Russian Federation in Crimea should exactly be called an occupation.

CRIMEAN TATAR ACTIVIST ERVIN IBRAGIMOV DISAPPEARED IN CRIMEA. THE SEARCH FOR HIM IS GOING ON

According to the data provided by human rights organizations in Ukraine, since the beginning of the Russian occupation of Crimea 22 people have been listed as missing. Among them are the Crimean Ervin Ibragimov, who openly declared his disagreement with the occupation. He was kidnapped in the evening of May 24 this year close to his house in Bakhchysarai. Although the kidnapping was fixed by the surveillance camera, neither Ibragimov, nor the attackers have been found.

Before the occupation, Ervin Ibragimov had worked in Bakhchysarai City State Administration. The “new government” offered him to head the Department of International Relations, but Ervin refused to cooperate with the occupiers. At the time of the abduction, he was a member of the Executive Board of the Crimean Tatar World Congress and a representative of the regional Mejlis.

The fact proving the kidnapping was managed to establish by the record of the surveillance camera. It was seen from the footage that people in the uniform of the Road Patrol Service of the Russian Federation stopped Ervin's car and tried to forcibly put him in a van. He tried to escape, but was detained and taken towards the Bakhchysarai storage reservoir.

The representatives of the “Crimean Prosecutor's office” deny the abduction of Ervin by police. Currently, there is no information about his whereabouts. Other abductions on the peninsula are also not investigated by the “Crimean Police”.

Six months after the abduction of Ervin, the caring activists tried to remind the Russian Government of the missing person. They put up posters “Find Ervin” and his photo near the Kremlin in Moscow. The posters remained there for just a few hours and were then removed by municipal services.

The same event has been held in Kyiv right outside the Russian Embassy. The human rights activists launched a flash mob to draw attention to abductions in the occupied Crimea. To that end, they offered all the caring people to post on social networks their photo with the poster in hands, saying: #where_is_ervin.

It has been reported that the issue of kidnapping of Ervin Ibragimov, a member of the World Congress



of Crimean Tatars, in the occupied Crimea will be on the table of the Working Group on Enforced or Involuntary Disappearances of the UN Council on Human Rights in February 2017 during the 111th session in Seoul. This was stated in a letter from the Working Group of the UN Council in response to the appeal of the Ukrainian Civil Society Organization “KrymSOS”.

The action devoted to the search for Ervin Ibragimov, nearby Kremlin (Moscow).

The Working Group on Enforced or Involuntary Disappearances is a mechanism within the UN Program on Human Rights established to address serious cases of human rights violations all over the world. The Group receives and examines reports of missing persons submitted by relatives or human rights organizations. Furthermore, the Working Group submits information about individual cases to the relative governments, followed by the request to carry out investigations. The Working Group has results.

Mustafa Dzhemilev:

"THE CRIMEAN TATARS NEED THE PROTECTION OF THE INTERNATIONAL COMMUNITY"

Mustafa Dzhemilev, Commissioner of the President of Ukraine for the Affairs of Crimean Tatars — about the meeting with the representatives of the international community, about the possible scenarios of returning Crimea, about the repression of the Crimean Tatars...

— **D**uring one of your visits to Canada, you urged to support the creation of an international platform for the discussion of Crimea de-occupation. What benefits might this platform bring?

— This issue had been raised long before my visit to Canada. Unless Crimea is returned militarily but using other methods, then, of course, there is a need in a particular international negotiation area involving the conflicting parties — like Normandy Four or Minsk Format.

In December last year during the session of OSCE Ministerial Council in Belgrade, I mentioned the format based on the countries-signatories of the Budapest Memorandum dated 1994. Those are the United States, the United Kingdom and the Russian Federation, which were the guarantors of security and territorial integrity of Ukraine in exchange for nuclear disarmament.

As one of the signatories has turned out to be not a guarantor, but a criminal, then we first talked about the US and the United Kingdom, especially since Russia has categorically rejected any negotiations on the status of Crimea so far, considering the peninsula its "legitimate territory".

In Canada, and during my other trips abroad, as well as during various international forums, in which I participated, I mainly conducted exploratory talks concerning such a format of negotiations. And I must say, I always received support for this idea.

— **This year Turkey hosted the first World Humanitarian Summit that addressed the issue of Crimea...**

— The Summit was devoted to the global humanitarian issues, and its participants did not focus on specific countries. But the state leaders that participated in the Summit, of course, underlined the issues of primary importance to themselves.

For example, Recep Tayyip Erdogan devoted much of his speech to the issue of refugees from war-torn Syria. Petro Poroshenko talked about internally displaced persons coming from the territories occupied by Russia, and the situation in which the Crimean Tatars found themselves as a result of the peninsula occupation.

We had a separate meeting with the Turkish leader — first within the entire delegation, and then the presidents negotiated behind closed doors for about two hours. Petro Poroshenko expressed great satisfaction with the results of the meeting, since in all matters, including as to Crimea, the common interests dwarf the divide.

— **Considering the recent meetings with the representatives of the international communi-**



Mustafa Dzhemilev,
a true son of his people —
dancing Haytarma.
Bakhchysarai (Crimea).

ty, can we talk about strengthening sanctions against Russia? What real support of the international community do you count on in the issue of Crimea?

— There are countries that strongly advocate the continuation and further strengthening of sanctions — until Russia liberates all the occupied territories. But there are those, whose deputies and officials, referring to social issues of voters say that sanctions result in the loss of markets, job cuts and so on, and advocate for their removal. However, most politicians and government leaders of the West are well aware of their role, i.e. to force Russia respect international law by economic sanctions. Unless we take adequate measures against the aggressor and gross violator of international law principles today, any state may be under threat tomorrow. It is especially understood by the Baltic countries, Poland, and other countries, which learned the “habits” of Russia from their experience. So, I do not think that in the nearest future we can talk about reducing the level of sanctions.

— Apart from abductions, searches and arrests of the Crimean Tatars in Crimea are underway. What are the purposes of the Russian authorities in Crimea?

— The Crimean Tatars are the most consolidated, organized and politically active part of the population of the peninsula. They have their own democratically elected representative body — the Mejlis of the Crimean Tatar people, which openly declared to the world the non-recognition of Crimea annexation. Therefore, the vast majority of repression is carried out specifically against the Crimean Tatars. The occupiers try to suppress any dissidence, and want everyone praise Putin’s regime. And since they realize that this will not happen, they at least try to intimidate people and as far as possible to make them leave Crimea.

— What kind of support from the Ukrainian Government does the Mejlis count on in this issue?

— The Ukrainian Government definitely supports the Mejlis, but has only few options to

intervene. We definitely can say that the attitude of the Ukrainian State to the Crimean Tatars and their representative body has changed radically. Previously, especially during the reign of Yanukovich, the high-ranking persons tried to find a valid excuse to neutralize the activity of the Mejlis, and searched for puppets that could oppose the latter. Now the police bring criminal cases against the Crimean prosecutors and judges who apply repression against the Mejlis and the Crimean Tatars. The Verkhovna Rada of Ukraine addresses the international organizations and kindly asks to provide support to the Crimean Tatars, to recognize the genocide of the Crimean Tatar people. The Ukrainian diplomats initiate convocation of the UN Security Council to discuss Russia’s actions against the Crimean Tatars. The President of the country initiates amendments to the Constitution to restore the rights of the Crimean Tatar people to self-determination in their homeland.

— Do you consider possible negotiations with the Russian President Vladimir Putin?

— Now, the main goal of the negotiations can only be the withdrawal of the occupying forces from our territory and the compensation for damage. But with Putin being the President, such negotiations are hardly possible.

— How can the Crimean Tatars protect themselves under occupation?

— Unfortunately, they are defenseless. As long as the occupation continues, they cannot count on a peaceful and decent life. Under such circumstances people can maintain dignity only by resisting the occupiers to the extent of their capabilities. And the nonviolent resistance is much more efficient and more effective than the violent one. And the more conscious people in Crimea are, the faster the occupiers will be forced out. Powerful international pressure on Russia may only slightly weaken, but not stop the repression, as Russia itself is not a democratic, but a repressive state. Of course, Russia won’t create islands of freedom and democracy in the occupied territories. Otherwise, its whole state management system might collapse.

“The West is well aware: inducing Russia to respect international law by economic sanctions is the only way to help Ukraine and themselves.”



THE FREEDOM OF SPEECH IN CRIMEA IS BEING DESTROYED

i Mykola Semena, a freelance columnist of *Radio Svoboda* (before the occupation of the peninsula he also worked as a co-correspondent of the Ukrainian newspaper *The Day*, weekly *Dzerkalo Tyzhnia* and the Russian newspaper *Izvestia*), has been under investigation in the annexed Crimea since April 19, 2016. The FSB opened a criminal case against the journalist, accusing him of calling for infringement on the territorial integrity of the Russian Federation. On April 28, after the commencement of prosecution, Semena was interrogated for several hours and then released under a written undertaking not to leave his place of residence.

Through his lawyer Aleksandr Popkov, Mykola Semena appealed to the OSCE Human Dimension Implementation Meeting calling for creating an international commission to respond to human rights violations in the occupied Crimea, said Yuriy Lukanov, a specialist in international advocacy of the NGO Information Center for Human Rights, to the *Territory of Crimea*.

"My criminal case, like the cases of my colleagues, is only part of a larger process of attack on the rights of civil society and human rights in the territories occupied by Russia. The arbitrariness of the repressive system in Crimea should be stopped. Unfortunately, this will not happen without international legal monitoring of the progress of our affairs and general legal framework of the peninsula", wrote Mykola Semena in his appeal.



Could you comment on the freedom of speech in the occupied Crimea now? What are journalists persecuted for, what does Russia seek for by suppressing the people's joy to vote and argue as they wish? Does Ukraine make enough in the information field concerning the Crimean issue? We would like to give the floor to Volodymyr Prytula, the Head and the Editor in Chief of the Crimean project *Krym. Realnyi* of the Ukrainian service Radio Svoboda.

— Volodymyr, once you were the Chairman of the Committee on Monitoring Press Freedom in Crimea, and you observed the development of the Crimean mass media. Now your opinion about the freedom of speech on the annexed peninsula is very important...

— After the occupation of Crimea, the first strike of the Russian authorities was aimed at socially active groups: ethnic — mostly Ukrainians and Crimean Tatars, social — Euromaidan activists and civilians. But first of all, journalists and mass media, mainly independent, were under attack. In February-March 2014, journalists felt rather hard pressure. The Crimean and Ukrainian mass media covered the events of that time in Crimea were intimidated, beaten, abducted, persecuted and forced to leave the peninsula. Subsequently, the pressure from the pro-Russian activists and Russian paramilitary structures was added by the pressure put on by special services of the Russian Federation, especially from the FSB. Journalists were intimidated, bribed, etc., in order to force them to either stop talking or leave the peninsula.

— You are a colleague of Mykola Semena, the Crimean journalist, who is now in Crimea, where he is accused of calling for the violation of the territorial integrity of Russia. You have been acquainted with him for many years, so you probably know something about it...

— Mykola Semena is a master of the Crimean journalism, one of the most experienced local professionals. He has worked in this field for almost 50 years. He has gone from a novice to an editor of a newspaper. He worked as a staff writer of the leading Ukrainian and liberal Russian editions. After the annexation, Mr. Semena ceased formal cooperation with all the mass media, actually retired, but continued to write for some editions including *Radio Svoboda* and *Krym. Realnyi* websites. His publications under pseudonyms were rather sharp, objective and very popular. Actually, that was the thing that drew attention of the Russian security services who illegally entered his computer and got access to the data. The journalist was lodged a claim that one of his articles, published on the website *Krym. Realnyi* in September 2015, contained calls for the violation of the territorial integrity of the

Russian Federation; and six months after the release of the material, in April 2016, a dozen of FSB operatives conducted a search in his house. They forfeited all the equipment of Mykola Semena — phones, computers, laptops, and initiated a criminal case against him. At the same time, houses of six other Crimean journalists, suspected in cooperation with *Radio Svoboda* and *Krym. Realiyi*, were also searched. Currently, the investigative procedures are coming to a close, the remaining examinations are conducted, and soon the case will be considered by court, but we can only guess how impartiality will prove itself. After all, if we speak about the course of the investigation, the lawyers stress that it proceeds with many violations. In this case we have another serious problem. Mykola Semena is already 66 — a man of a respectable age, who has severe health problems: he suffers from the spine and heart diseases. He addressed the investigative authorities (being under the house arrest without permission to leave the peninsula) to release him for treatment in one of the best Ukrainian hospital. FSB said ‘no way’. The Ukrainian doctors predicted his disability unless urgent medical intervention is provided.

Recently, the lawyers of the journalist have filed another request — to allow Mykola Semena to travel to Belgium. He was awarded the CSF International Prize named after Pavlo Sheremet for defending freedom of speech, and the presentation is scheduled for the end of December. The lawyers strongly doubt that the Russian authorities will let him go to the award ceremony and wherever, because the FSB operatives need a certain result — a sentenced journalist. Therefore, it is very important that the international community pays attention to the fact that Mykola Semena is judged neither for his actions, nor intentions whatsoever, but for his words. For the words that do not violate any law. Mykola Semena and his fellow journalists look forward to hearing the response of the international community.

— But Mykola Semena is not only under investigation, he was included into the Russian nationwide list of persons suspected of extremism and terrorism. And, in fact, the list also contains other Crimean journalists...

— Yes, Mykola Semena, at the suggestion of the FSB, finds himself in a special

list of the Russian financial monitoring bodies — a list of the suspected radicals. People included in this list are deprived of financial assets since their bank accounts are frozen. In this way Mykola Semena is not only under investigation, but also actually deprived of a livelihood. In fact, the same list is made today with regard to the Crimean journalist Anna Andriyevska and the public activist and editor of the website *Blackseanews* Andriy Klymenko, who had to leave his home under the pressure of security services. Today, they cannot return to their families in Crimea because they could face criminal prosecution.

“ **Activists, politicians and journalists are totally wiretapped. The FSB penetrates into computers, hacks private emails and monitors social networks.** ”

— It clearly testifies to the fact that freedom of speech is a taboo not only for journalists and social activists, but, in general, for ordinary people who in some way try to express their views...

— Today, both the Ukrainian and international law, as well as the Russian law are not applicable in Crimea. This is a kind of a gray area ruled by lawlessness, run by security services that eliminate any expression of free speech and free thought on the peninsula. People are intimidated. Hundreds, thousands of the FSB officers were transferred to Crimea from other regions of Russia; activists, politicians and journalists are totally wiretapped. FSB penetrates into computers, hacks private emails and monitors social networks. We have a lot of facts of criminal cases initiated in Crimea for posts in social networks.

— News sites are also blocked...

— Of course, certain sites or texts are completely blocked. For example, *Krym. Realiyi* website has been suspended in Crimea from August of this year, although *Radio Svoboda* has not received any official notifications, even according to the Russian law. Today, the site has been unblocked only in Russia — due to the pressure of international

diplomats. Unfortunately, in Crimea the situation is simply appalling. The Crimeans have to use certain technical means to circumvent blocking, all of which significantly restrict access to information, but at least does not stop it completely. Currently, more than a dozen sites of the Ukrainian mass media and online media outlets are blocked on the Crimean peninsula.

At the beginning of the occupation, all Ukrainian channels, analogue and digital broadcasting were completely disconnected in Crimea; independent Crimean broadcasters (e.g., *Chornomorka*) were seized or pushed out of the peninsula (ATR). Now, the residents of Crimea are limited to watch Ukrainian TV only via satellite. Of course, the Russian authorities do not have technical capabilities to block satellite TV or to completely disable Internet in Crimea, but the special services do their best to limit obtaining independent unbiased information.

— Why do they block? What are they afraid of?

— Now, the Crimeans are overwhelmed by the Russian official propaganda — it certainly confuses. In fact, the flow of misinformation started at the beginning of the occupation, and it led many people astray. Now people (aggressor's POV — Ed.) must be kept in parallel reality to reduce social tension and growing discontent. Because social standards of the Crimeans have fallen, we have soaring prices, abuse of power by the state officials and violations of social, political and civil rights...

— Does Ukraine make enough in the information field on the Crimean issue?

— You know, in a perfect world there are things you would still do. We must consider the current condition of Ukraine. Therefore, to be more exact, the state does everything possible. The Ukrainian government and society try to break through the information blockade of Crimea. I highly appreciate the work of the Ministry of Information Policy of Ukraine. Given small budget and capabilities, it tries to do its best. The Ukrainian society does not forget Crimea. It also faces a task to convey these problems to as more people in the world as possible, to our neighbors and partners in Europe and beyond, so that they can properly respond. Freedom of speech is the human right, without which all other rights cannot be realized.

Tearing off from the mainland: DURING THE YEARS OF OCCUPATION, TRADE IN CRIMEA HAS COLLAPSED



External turnover of Crimea

	Export, in mln US dollars	Import, in mln US dollars
2013	904.9	1143.9
2014	179	84,2
2015	89.7	127
1st half of 2016	33	33.8

On December 16, it will be exactly a year since the government of Ukraine adopted Decree No.1035 that actually supported civil commercial blockade of the occupied Crimea, which until then had lasted almost three months (three checkpoints on the administrative boundaries of the peninsula and the mainland Ukraine were blocked by activists back on September 20, 2015).

Author: Andriy SANTAROVYCH

Tearing Crimea off from the mainland may result in economic death of the entire peninsula, the infrastructure of which was built in close cooperation with Ukraine for decades.

However, supplies of goods to the occupied Crimea and back has not fallen to zero — certain schemes to transport products or raw materials from the Ukrainian territory are still used. But even taking it into account, the Crimean external trade turnover has decreased significantly during the years of occupation. We can just compare the figures.

The Russian Federal State Statistics Service gives the following data for the 1st half of the current year: exports of goods from Crimea in January-June of 2016 amounted to USD 33 million, at the same time import to the peninsula amounted to USD 33.8 million. Data of the State Statistics Service of Ukraine for the 1st half of 2013 (last year before the occupation) allows us to understand whether it is a lot or a little: export to the Autonomous Republic of Crimea reached USD 512.3 million (this amount is 15 times higher than in 2016), whereas import reached USD 779.8 million (which is 23 times more than the current performance).

However, it is not expedient to attribute such a marked difference in performance solely to the suspension of economic relations with Ukraine. Western sanctions imposed on Russia have also played a big role. For example, on June 23, 2014, the Council of

Europe adopted decision 2014/386/CFSP, which banned import of Crimean goods to the EU countries. On December 19 of the same year, the USA imposed similar sanctions.

In other words, trade with the West was blocked only at the end of 2014. At the same time we should bear in mind that during 2014 and most of 2015 the movement of goods between the mainland Ukraine and the peninsula did not stop. One should look at the performance in this relatively favorable period for the occupied Crimea.

So, import of goods to the Autonomous Republic in 2014 amounted to USD 84.2 million. However, 75% of this amount, or USD 62.9 million, was the cost of goods supplied to the peninsula in the first quarter of 2014. That is prior to the occupation as such.

Comparing the import of goods in 2015, nearly nine months of which the trade was not limited by the blockade, having similar figures for 2013, we can see truly impressive figures: USD 127 million against USD 1.1 billion, respectively.

The civil blockade only confirmed what many have said since the early days of the “Russian spring” on the peninsula: tearing it off from the mainland equals to the economic death for entire Crimea, whose infrastructure was built in close cooperation with Ukraine for decades.

OF THE RUSSIAN PROPAGANDA

The hybrid war unleashed by the Russian Federation includes a strong propagandistic component. Most of these messages in the mass media are designed for Russian-speaking readers. Here are some "news" from the Russian resources somehow related to Crimea.

"The Mejlis of the Crimean Tatar People is sponsored by the US State Department"

The lawsuit to ban in Russia the Mejlis of the Crimean Tatar People because of its "extremist nature" was triggered by the statements of various Crimean "officials" that the Tatar representative body has been allegedly created and funded by the United States of America. This fake, like many other fakes of the Russian propaganda, is demolished by the facts of common knowledge. The Mejlis of the Crimean Tatar People had been established in the Soviet Union, before Ukraine proclaimed its independence in July 1991. According to the statute of the organization, the Mejlis members are elected at the general meeting of the Crimean Tatars (Kurultai).

<http://kommersant.ru/doc/3105530>

"Catalonia recognizes Crimea a Russian territory"

This title was published in a number of the Russian propagandistic mass media quoting the statement of Jose Enrique Folch, the representative of the Catalan Solidarity for Independence coalition. However, even this fake article says that, according to Jose, the recognition will only happen if Catalonia becomes independent. But the Kremlin's mass media forgot to add that the said party is not even represented in the parliament of Catalonia and therefore is unlikely authorized to speak about the 'plans' of Catalonia. However, this article with the loud headline was reprinted by dozens of the Russian mass media, including those replicated in the EU.



<http://izvestia.ru/news/634567>



"Radical Islamists are gathering at the border with the occupied Crimea"

This statement of the Russian parliament deputy Ruslan Balbeka elected during the unrecognized elections in Crimea was published by a number of the Russian mass media. "Due to the indulgence of Kyiv regime, many of supporters of radical religious Islam are concentrated at the border with Crimea in Kherson region", said Balbek, stressing their potential threat to Crimea and Europe. Of course, any Islamists in Kherson region are out of the question. Residents of the areas adjacent to the administrative border with Crimea refute this pseudo-event.

<https://ria.ru/world/20161025/1479992019.html>
<http://www.stopfake.org/fejk-na-yug-ukrainy-stekayutsya-islamskie-radikaly/>

"Power bridge will cover the needs of the Crimeans in electricity"

The occupation authorities promised to cover the shortage of electricity in Crimea with the supplies from Russia. On May 11, 2016, at the ceremony to mark the introduction of the power bridge, Putin said: "Taking into account its own generation, it's enough for normal operation, and even a bit more than necessary in the regular mode." But five months later he changed his rhetoric: "The problems are not completely resolved. By the end of the year, a new gas main pipe is going to be lined to Crimea. And right from this point, the true power supply of its own generation will begin. There will be a primary source — gas. We are planning and already building power plants (that will work — **Ed.**) including on the basis of this gas", said Vladimir Putin. After this statement, the "Crimean government" started preparations for the blackouts.

<https://ria.ru/economy/20160511/1431401369.html>



INDIGENOUS PEOPLES: important steps to secure rights

Ukraine faced the issue of indigenous peoples as a separate category of ethnic groups, other than national minorities, with the start of mass repatriation of the Crimean Tatars in the late 80s of the 20th century. The presence of indigenous peoples is recognized in the Constitution of Ukraine of 1996, but no specification is provided; the rights of indigenous peoples were supposed to be governed by separate laws.

Author: Natalia Belitser,
expert of the Pylyp Orlyk Institute for Democracy.

“The legislative consolidation of rights of indigenous peoples means acquiring a new quality by the Ukrainian ethnic policy; it certifies the successful implementation of a truly democratic way of development, and is particularly important in the context of de-occupation and reintegration of Crimea.”

Since then approximately twenty years have passed, but these laws are still not adopted. Because the international law endows the indigenous peoples with collective rights, in particular to their historical territories, the fallacy of this policy became apparent only after the occupation and annexation of Crimea by Russia. Immediately thereafter, on March 20, 2014, the Verkhovna Rada adopted a resolution, which recognizes the Ukrainian Crimean Tatars an indigenous people, and Kurultai and Mejlis — their national self-government bodies. It also guaranteed exercise of their right to self-determination within the Ukrainian State. The Verkhovna Rada of Ukraine also expressed support for the UN Declaration on the Rights of Indigenous Peoples, 2007 (at that time Ukraine abstained from voting) and instructed the Cabinet of Ministers to urgently submit draft laws and normative acts that define and affirm the status of the Crimean Tatars as an indigenous people of Ukraine. Although the resolution applies only to the Crimean Tatars (about 250 thousand people, i.e. 13-14% of the population), experts believe that the Karaites and the Krymchaks are also numerically small indigenous peoples of Crimea. In addition, the Action Plan to implement the National Strategy on Human Rights for the period until 2020

refers to the draft law on the status of “indigenous peoples” (plural). Apart from the number, the level of self-organization of the institutions of these three nations is quite different. It led to the elaboration of two draft laws: “framework”, and on the status of the Crimean Tatar people.

It should be noted that there is no single universal definition of the term “indigenous people”, but the UN experts developed a number of criteria, upon which one can base to develop national legislation. Accordingly, the following definition is given in the ‘status’ draft law: “The indigenous Crimean Tatar people are an autochthonous ethnic community, formed as an integral ethnic group in the territory of the Crimean peninsula, which has retained and seeks to transmit to future generations its collective ethnocultural identity, is a carrier of distinctive language and culture, has traditional social, cultural and political institutions, formed a well-developed system of own government, realizes itself as an indigenous people of Ukraine and does not have its own or ethnically akin states outside Ukraine”.

There are approximately 2 thousand Karaites in the world, among which about 800 persons live in Crimea, and 400 — in other regions of Ukraine. They also have settlements in the Trakai area of Lithuania. In spite of the common concept of the Karaites as the Crimean Jews, their own group identity is considered to be more important. Therefore, we give the definitions adopted in 2003 by the Nationwide Congress of the Crimean Karaites: “The Crimean Karaites (Kara-Turks) are an indigenous people of Crimea that are united by common blood, language and customs. They are aware of their own ethnic identity, kinship with other Turkic peoples, cultural identity and religious independence, also consider Crimea to be their historical homeland, express friendship to other nations and faiths, and respect their self-identity”.

An even smaller and quickly disappearing group is Krymchaks. They profess Judaism, their language is close to the Crimean Tatar language, and they are believed to be descendants of the ancient Jewish population of Crimea. During the World War II, the Nazi occupiers, recognizing them (unlike the Karaites) to be Jews, destroyed nearly 75% of all the Krymchaks. According to the census conducted in 2001, only 204 Krimchaks remained.

WORKS OF ART ARE TAKEN OUT FROM CRIMEA TO RUSSIA

Crimea is a land that is very rich for cultural heritage, because the peninsula has been the cradle of different cultures and home for several civilizations over millennia. The Russian occupation has made tough adjustments to this area. All the cultural heritage of the peninsula, which belonged to the Ukrainian people and the state, in a short time became the "property" of the Russian Federation, which, in violation of the Ukrainian and international legislation, began to manage it without having rights to this property.

Author: Lyudmila BOZHENKO

In March 2014, Volodymyr Arieu, the People's Deputy of Ukraine, stated from the rostrum of the Verkhovna Rada that Aivazovsky pictures and other values are taken out from the Feodosia National Art Gallery and other Crimean museums to the Hermitage and other Russian museums. The then Director of the gallery Tetiana Hayduk refuted this information. Moreover, she said that "not only the transfer, but also the movement of the museum exhibits of the gallery is not anticipated. The collection gifted by Aivazovsky to Feodosia will not be taken out anywhere". In 2016, the Tretyakov Gallery published information on its website that from July 29 to November 20, residents and guests of Moscow can visit the exhibition *Ivan Aivazovsky. The 200th Anniversary of the Artist's Birth*. Paintings, drawings, personal items and rewards of the artist from the Feodosia Museum will be presented at the event. And from November 20, this exhibition can be visited at the Hermitage. And then, in her comments, the Director of the gallery was not so categorical, moreover, she stated that "...the canvases will be transported to the Tretyakov Gallery in special containers and vehicles". What was impossible two years ago has now become a reality. The fact that Russia shamelessly manages museum values of the occupied peninsula

was stated by Lyudmyla Denisova, Head of the permanent delegation of the Verkhovna Rada of Ukraine in BSEC, during the session of the Parliamentary Assembly of Black Sea Economic Cooperation on October 21, 2015: "The Russian Federation takes out collections from Crimea to St. Petersburg museum Hermitage, including unique objects from the National Preserve of Tauric Chersonesos, from Sudak and from the Central Museum of Tauris in Simferopol".

The Hermitage administration was quick to respond: "We do not take out anything from Crimea". But a few days later, the Russian museum opened an exhibition *In the Land of the Gryphon. The Hermitage Antique Archaeology in Crimea*, which presented objects from the collection of the Eastern Crimean Historical and Cultural Museum-Preserve in Kerch.

Vasyl Rozhko, the Head of Museum Affairs and Cultural Values of the Ministry of Culture of Ukraine, said in an interview: "Russia has changed the legislation, declaring the occupied territories and values on them to be the Russian property, and under the guise of exhibitions and restorations takes out valuable objects". The problem is complicated by the fact that Ukraine has never conducted a proper inventory of museum collections, so an accurate list of the lost property and monuments is unknown. The Ministry of Culture of Ukraine started to work on the register of the Crimean values only a year after the occupation of the peninsula. Unfortunately, the national experts have to say that it will be difficult for Ukraine to return the exported values. "There will always be a doubt whether an exhibit of the museum was correctly attributed or duly marked and registered. The conscience of the thief can never be relied upon. In this case we are dealing with an international theft," stressed Mykola Yakovyna, the former president of the International Council on Monuments and Sites ICOMOS Ukraine.



Aivazovsky National Art Gallery — a marine art museum, located in Feodosia in the Autonomous Republic of Crimea. The first exhibition was organized by Ivan Aivazovsky in his house in 1845. The collection included 49 paintings of the artist. In 1880, Aivazovsky attached an additional exhibition hall to his house. The official opening of the gallery took place on July 29 and was dedicated to the birthday of the artist. The collection of paintings constantly changed as the works were sent to exhibitions and remained at the place. Instead of them the new works were exhibited. After the artist's death in 1900, the ownership of the gallery was transferred to the city according to his testament. In 1922, the gallery became a state museum. The collection consists of about 12 thousand nautical theme works, including the world's largest collection of works by Ivan Aivazovsky — 417 paintings. The most famous of them — *Brig Mercury Attacked by Two Turkish Ships, Raid on Sevastopol, The Sea. Koktebel, Ship Empress Maria in Storm, The Monastery of George*, and the most picturesque canvas of Aivazovsky *Among the Waves*, measuring 282 cm by 425 cm.





Chersonesus was included into the UNESCO's list of world heritage sites in 2013. Founded in 422 BC, it became an important trading center of Crimea. The city entered the history of ancient Greece, Rome and Byzantium. The total area of Tauric Chersonesus is 500 hectares.



Photo: Ukrinform

UNESCO SHOULD
BE IN CHARGE
OF PROTECTING THE
CULTURAL HERITAGE
OF THE OCCUPIED
CRIMEA.

The decision on "Monitoring the situation in the Autonomous Republic of Crimea (Ukraine)" was adopted at the final meeting of the 200th session of the Executive Board of UNESCO on October 18, 2016. It was reported by the Permanent Mission of Ukraine to UNESCO.

"According to the decision, the Director General of UNESCO will present a progress report on this issue at the next session of the Executive Board in April 2017. A monitoring mission is expected to be sent to Crimea to develop recommendations to address pressing challenges in the temporarily occupied territory within the competence of UNESCO", the report said.

The above decision was preceded by consideration of the relevant report by the Director General of UNESCO at the meeting of the Commission on the Program and External Relations. In particular, the report covers the activities of the UNESCO Secretariat and information about events in the Autonomous Republic of Crimea and Sevastopol, provided by Ukraine, as well as international UNESCO partner organizations. The document also stresses that the situation on the peninsula within the competence of UNESCO continues to deteriorate after the illegal occupation.