

## **About human rights in Crimea**

The Russian Federation takes significant steps to support the Crimean Tatar and Ukrainian communities in Crimea and to promote their culture.

According to the 2014 census, the population of the Republic of Crimea and the city of Sevastopol amounted to 2.3 million. In total, the peninsula is home to more than 100 nationalities and ethnic groups, including 6 large nationalities (over 10,000 people). The number of people of three nationalities exceeds 200,000. These are Russians (over 60 percent; the traditional majority of the population during the time when Crimea was part of the USSR and independent Ukraine), Ukrainians (344,515) and Crimean Tatars (232,340).<sup>1</sup> In addition, there are currently 2.5 million Ukrainian nationals in the territory of the Russian Federation; most of them coming from the south-east of the country.<sup>2</sup>

Since the reunification with Russia, the people of Crimea have enjoyed the guarantees of their human rights and fundamental freedoms according to the Constitution of the Russian Federation, which grants equal human and civil rights and freedoms regardless of gender, race, ethnic background, language, origin, wealth, official status, place of residence, attitude to religion, beliefs, affiliation with public associations or other circumstances.

The human rights situation is monitored by prosecution authorities, the Russian Federation Human Rights Ombudsman and the Human Rights Ombudsman of the Republic of Crimea<sup>3</sup>, the Council of the President of the Russian Federation for Civil Society Development and Human Rights, as well

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<sup>1</sup> [http://gks.ru/free\\_doc/new\\_site/population/demo/perepis\\_krim/tab\\_krim.htm](http://gks.ru/free_doc/new_site/population/demo/perepis_krim/tab_krim.htm)

<sup>2</sup> An extract from an interview of Olga Kirillova, Chief of the General Administration for Migration Issues of the Ministry of Internal Affairs of the Russian Federation

<sup>3</sup> July 2014 saw the establishment of the Human Rights Ombudsman's post in Crimea.

as numerous public and human rights organizations. Respect for cultural, religious and other interests of national minorities residing in the territory of the Republic of Crimea and Sevastopol is among the priorities of the Russian authorities.

Prominent leaders of the Crimean Tatar and Ukrainian communities who work on the ground in Crimea claim that there is no oppression on ethnic grounds or inter-ethnic conflicts in the Republic and "the reunification of Crimea with the Russian Federation has restored historical justice, which the Crimean Tatars were waiting for 70 years".

During the consideration of the combined 23<sup>rd</sup> and 24<sup>th</sup> periodic reports by the Russian Federation in the Committee on the Elimination of Racial Discrimination (CERD) (Geneva, 31 July – 25 August 2017), a number of Crimean Tatar, Ukrainian and other organizations of Crimea (*the Qirim Birligi, the Civic Chamber of the Republic of Crimea, the regional public organization "the Ukrainian Community of Crimea", the Crimean Republican Society of Bulgarians Named after Paisius of Hilendar and the Regional German National and Cultural Autonomy of the Republic of Crimea*) presented their alternative reports on the situation of national minorities' rights in this Russian constituent entity confirming there was no discrimination whatsoever.<sup>4</sup>

The absence of ethnic discrimination is also confirmed by the statements made by foreign public and political figures who have visited this region of Russia in recent years (in 2015–2016, Crimea was visited by Bulgarian, Serbian, Greek, French, German, Israeli and Czech parliamentarians, former Prime Minister of Japan, journalists and bloggers from Poland, representatives of the American NGO *Center for Civic Initiative*, etc.)

Therefore, accusations that Russia "denied entry" into its constituent entity to foreign representatives are groundless. Unfortunately, several European monitoring institutions, for instance, the Council of Europe Advisory Committee on the Framework Convention for the Protection of National

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<sup>4</sup> These reports have been published on the web-site of the Office of the UN High Commissioner for Human Rights [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1110&Lang=ru](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1110&Lang=ru)

Minorities that was in Russia last October, refused to visit the Republic of Crimea and the city of Sevastopol despite the official invitation sent by the Russian side.

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In accordance with the Constitution of the Republic of Crimea adopted on April 11, 2014, the State languages are Russian, Ukrainian and Crimean Tatar<sup>5</sup>.

On April 21, 2014, Decree of the President of the Russian Federation No. 268 was signed providing for the elaboration of measures to redress the historical justice, ensure political, social and spiritual revival of the peoples who were subjected to unlawful deportation and political repressions on grounds of nationality (including Crimean Tatars) or for other reasons in the 1940s, support their national, cultural and spiritual rebirth, establish and develop ethnic cultural autonomies, other public associations and organizations of rehabilitated peoples.<sup>6</sup>

Under federal target program "Social and Economic Development of the Republic of Crimea and the City of Sevastopol till 2020" adopted by Decision of the Government of the Russian Federation No. 790 of August 11, 2014, measures are implemented to ensure social development and build infrastructure in the territories of compact settlements of repressed peoples. The Program provides for 708 billion roubles (more than 10 billion Euros) to be allocated for the development of the Republic of Crimea during the period with 10 billion roubles (more than 150 million Euros) expected to be spent on the development of the Crimean Tatar culture and language, including organization of cultural events and publication of literature in Crimean Tatar.<sup>7</sup>

Funds are allocated for housing construction, development of gas and electricity supply networks, as well as other infrastructure intended for national

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<sup>5</sup> <http://rk.gov.ru/rus/info.php?id=623228> [In Russian]

<sup>6</sup> <https://rg.ru/2014/04/21/reabilitaciya-site-dok.html> [in Russian]

<sup>7</sup> <http://pravo.gov.ru/proxy/ips/?docbody=&nd=102357218> [In Russian]

minorities. Books in their native languages are published, mass media are supported, including the Ukrainian and Crimean Tatar ones. The list of the radio stations, TV channels and newspapers in the Crimean Tatar and Ukrainian languages registered in Crimea at the moment includes more than 80 media outlets. At the same time, the absence of a broadcasting license does not prohibit broadcasts in Crimea: for instance, the ATR channel openly airs its programs, and the Avdet newspaper is not only published daily in Simferopol, but is also available in the Crimean Tatar, Russian and English languages on the Internet. Cathedral mosque in Simferopol is under construction. As of March 2017, the Ministry of Justice of the Russian Federation registered four ethnic cultural autonomies of Ukrainians operating in the territory of Crimea.<sup>8</sup>

In the 2016/2017 academic year, 556 general education organizations of all forms of ownership with 192,300 students functioned in the Republic of Crimea. 186,500 of those children were receiving education in Russian (96.9 percent of the total number), 5,400 – in Crimean Tatar (3 percent) and 371 – in Ukrainian (0.1 percent).

In the current academic year, there are 15 general education institutions with Crimean Tatar as the language of instruction (201 school classes, 3,651 students) functioning in the Republic of Crimea, as well as one general education organization with Ukrainian as the language of instruction (9 classes, 132 students) – municipal budgetary general educational facility *School No.20* in Feodosia. Besides, general education institutions with Russian as the language of instruction have opened classes with Crimean Tatar (137 classes and 1730 students in 37 schools) and Ukrainian as the language of instruction (19 classes and 239 students in 12 schools).

Crimean schools have organized various forms of learning of mother tongues (as a compulsory or optional subject, or as an extracurricular activity):

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<sup>8</sup> <http://unro.minjust.ru/NKOs.aspx> [In Russian]

19,254 students learn Crimean Tatar, 12,892 – Ukrainian, 54 – Armenian, 62 Bulgarian, 136 – Modern Greek and 56 – German.

In 2015, the Ministry of Education of the Republic of Crimea prepared the following sample programmes: *The Crimean Tatar Language (native)*, *The Crimean Tatar Language (foreign)*, *The Crimean Tatar Literature*, *The Ukrainian Language (native)*, *The Ukrainian Language (foreign)* and *the Ukrainian Literature* for pre-school education and general education organizations. By the decision of the Federal General Education Academic Methodological Association of the Ministry of Education and Science of the Russian Federation (Protocol No.2/15 of 20 May 2015) these programmes were approved and included in the register of the sample main general education programmes of the Ministry of Education and Science of the Russian Federation.

In 2015–2016, the Ministry of Education of the Republic of Crimea organized and carried out translation, editing, publishing and supply of 66 educational editions (textbooks, programmes and glossaries) in Crimean Tatar totaling 61,000 copies (45 books in 2015, 21 books in 2016). 46.7 million rubles were allocated for the abovementioned services from the budget of the Republic of Crimea.

According to the results of the elections held in September 2014, 150 Crimean Tatars were elected to the government agencies of Crimea. In the Ministry of the Interior of the Republic of Crimea Russians account for 56 percent of the officers, Ukrainians – for 29 percent and Crimean Tatars – for 11 percent. The staff members of the Prosecutor's Office of the Republic of Crimea include 71 percent of Russians, 16 percent of Ukrainians and 10 percent of Crimean Tatars. Among the heads of general education institutions there are 548 Russians, 180 Ukrainians and 48 Crimean Tatars. The teachers include 27,755 Russians, 4,996 Ukrainians and 5,552 Crimean Tatars.

After the reunification of Crimea and Russia members of the Mejlis of the Crimean Tatar people were among those appointed to various senior positions in the government and local self-government (including posts of Deputy Chairman of the State Council of the Republic of Crimea, Chair of the State Committee on Interethnic Relations, etc.). A Mejlis member became Deputy Chairman of the State Council of the Republic of Crimea (parliament).

Russian law enforcement agencies investigate into all incidents of missing people regardless of their national or ethnic origin. In 2015 and 2016, law enforcement agencies located 63 missing Crimean Tatars (out of 78 cases registered) and 131 missing Ukrainians (out of 152 cases). During the same period local authorities located 761 missing Russians (out of 869 cases).

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At the time when Crimea was part of Ukraine, international human rights mechanisms repeatedly recorded violations of the rights of the Crimean Tatars. Concerns addressed to Ukraine were raised by human rights treaty bodies (the Committee on the Elimination of Racial Discrimination, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights), the OSCE High Commissioner on National Minorities, the Council of Europe Commissioner for Human Rights, the Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities, the European Commission against Racism and Intolerance, the Committee of Experts on the European Charter for Regional or Minority Languages – that is, the whole range of international control mechanisms in the field of human rights<sup>9</sup>. In particular, they noted the lack of legal and political measures aimed at restoring the rights of those Crimean Tatars who returned to Ukraine, difficulties they faced in obtaining Ukrainian citizenship, disregard of social and economic problems of the Crimean Tatar population, limitations on the use of the Crimean Tatar language in local government bodies, low representation of

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<sup>9</sup> See, for example, CCPR/C/UKR/CO/7, CCPR/C/UKR/CO/6, CERD/C/UKR/CO/22-23, CERD/C/UKR/CO/19-21, CERD/C/UKR/CO/18, E/C.12/UKR/CO/6, E/C.12/UKR/CO/5, E/C.12/1/Add.65

Crimean Tatars in local government agencies, increased numbers of interconfessional and interethnic conflicts in Crimea, etc.

In 2009, Mustafa Dzhemilev, the then Chairman of the Mejlis, complained that the Crimean Tatars had "still many unresolved problems left, including legal, social, cultural, educational and others".<sup>10</sup> Only after the Crimean referendum in March 2014 did the Verkhovna Rada of Ukraine urgently adopt the statement "On Guarantees of the Rights of the Crimean Tatar People within the Ukrainian State". Only then did the Ukrainian authorities recognize the Mejlis as a "competent authority of the Crimean Tatar people", instruct to draft necessary documents on the recognition of the Crimean Tatars as the "indigenous people of Ukraine" and declare support for the UN Declaration on the Rights of Indigenous Peoples.<sup>11</sup> "The decision comes too late", Mustafa Dzhemilev admitted then.<sup>12</sup>

After the reunification of Crimea with Russia the World Congress of the Crimean Tatars led by Mejlis leaders Mustafa Dzhemilev and Refat Chubarov started to put forward the idea of local Tatars possessing an "exclusive right" to determine the fate of the Crimean lands by virtue of their status as "indigenous people" <sup>13</sup>. Such approach is wrong, first of all, from the historical point of view: for instance, following it the Greeks who inhabited the peninsula from the 6<sup>th</sup>–5<sup>th</sup> centuries BC or the Jews who lived there from the 3<sup>rd</sup>–4<sup>th</sup> centuries AD can also claim similar rights. It is clear that such statements also ignore the present ethnic composition of the peninsula population.

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<sup>10</sup> <http://qtmn.org/всемирный-конгресс-крымских-татар>

<sup>11</sup> <http://www.unian.net/politics/898608-vr-prinyala-zayavlenie-o-garantiyah-prav-kryimskotatarskogo-naroda-v-ukraine.html>

<sup>12</sup> <http://www.unn.com.ua/ru/news/1319386-postanovu-schodo-prav-krimskotatarskogo-narodu-treba-bulo-priyati-ranishe-m-dzhemilyev>

<sup>13</sup> See, for example, <http://www.interfax.ru/world/365309>, <http://islam.in.ua/ru/analiz/reshat-sudbu-kryma-dolzhny-krymskie-tatary>, <http://qha.com.ua/ru/politika/vsemirnii-kongress-krimskih-tatar-opredelil-budushee-krima/158099/>

On 1 August 2015, Mustafa Dzhemilev announced the decision to establish a Muslim battalion subordinated to the Defense Ministry of Ukraine and mainly deployed in the Kherson oblast (Kherson region) bordering on Crimea. According to Mr. Dzhemilev, the battalion could be used to control the movement of people and goods at the border with Crimea.<sup>14</sup>

In Kiev, on 8 September 2015, Mustafa Dzhemilev, Refat Chubarov and ATR Crimean Tatar TV channel owner Lenur Islamov announced the unlimited "Civil blockade of Crimea" to cut the cargo traffic across the Russia–Ukraine border near Crimea and to stop food supplies to the peninsula. Its initiators also added that their actions would be coordinated with the Ukrainian authorities "to the maximum extent possible"<sup>15</sup>.

At the press conference held in Kiev on 3 November 2015, Refat Chubarov called on the Ukrainian authorities to cut Crimea off from power supplies.<sup>16</sup> On 20 November 2015, the electricity pylons that supplied the Crimean critical public infrastructure with energy were blown up. The Civil blockade of Crimea participants hampered the attempts of Ukrainian electrical technicians to repair the damaged pylons.<sup>17</sup>

On 24 November 2015, leader of the *Qirim* Crimean Tatar movement Remzi Ilyasov said that the energy blockade carried out by the Mejlis and the extremist group "Right Sector" is given a nationalistic tinge; although they seek to present it as an action supported by Crimean Tatars, 99 percent of the Crimean Tatars categorically oppose such methods.<sup>18</sup>

On 22 September 2015, President of Ukraine Pyotr Poroshenko called the food blockade of Crimea an "action of public activists of the Crimean Tatar

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<sup>14</sup> [qha.com.ua/ru/politika/djemilev-vistupaet-pered-uchastnikami-kongressa-krimskih-tatar/146616/](http://qha.com.ua/ru/politika/djemilev-vistupaet-pered-uchastnikami-kongressa-krimskih-tatar/146616/)

<sup>15</sup> <http://jankoy.org.ua/dzhemilev-chubarov-i-islyamov-obyavili-o-polnoj-blokade-kryma/>

<sup>16</sup> <http://interfax.com.ua/news/political/301252.html>

<sup>17</sup> <http://interfax.com.ua/news/general/305769.html>

<sup>18</sup> <http://ria56.ru/posts/64979679567056704670467.htm>



people", whose purpose is to return the peninsula to Ukraine. According to Mr. Poroshenko, the action is carried out to restore the sovereignty over the peninsula as soon as possible.<sup>19</sup>

The Prosecutor's Office of the Republic of Crimea made 17 warnings to Mejlis' members about inadmissibility of extremist activity. On 26 April 2016, the court outlawed the Mejlis of the Crimean Tatar People as an extremist organization and banned its activities in the whole territory of Russia.

The ban on the Mejlis activities were not detrimental to the exercise of the Crimean Tatar people rights to political, economic, social and cultural development in the Republic of Crimea. In Crimea, there are currently over 30 public associations with more than 20,000 members defending the rights and interests of the Crimean Tatar people.

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<sup>19</sup> <https://regnum.ru/news/polit/1975787.html>