

Prepared Statement for the Record

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“Life Under Occupation -- The State of Human Rights in Crimea”

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Chairperson Hastings, [Chairman Wicker,] distinguished Members of this Commission, thank you for holding this hearing and inviting me to testify before you on an issue I believe is fundamental to stability and freedom, not only in my country of Ukraine, but to the stability and security of the wider European area that is the focus of your work.

Crimea, being the most beautiful and strategic peninsula in the south of Ukraine, has long found itself in the crosshairs of political conflict in Eastern Europe. Dozens of ethnic groups have called Crimea home, and the peninsula's fertile land, mild climate and access to two seas have persuaded countless leaders of the region's geo-political importance.

In 1991, the Autonomous Republic of Crimea, a constituent part of the Ukrainian Soviet Socialist Republic, ceased its membership in the USSR when the sovereign and independent state of Ukraine was declared on August 24, 1991. Because of the intertwined histories of the republics of the Soviet Union, it took several years for agreements to be reached about how the two countries could live side by side. Only in 1997 did the two governments conclude the so-called “Partition Treaty,” a set of agreements whereby the two countries established two independent national fleets, divided armaments and bases between them, and set out conditions for basing of the Russian Black Sea Fleet in Crimea. This treaty was to last for twenty years, although in 2010, in the Kharkiv Treaty and under very controversial circumstances -- and over the objections of many, many Ukrainians -- the arrangement was extended to 2042 under severe pressure in which Moscow leveraged Ukraine's dependence on Russian energy supplies.

Meanwhile, attempts to annex the peninsula by the Russian Federation continued, escalating local conflict by creating pro-Russian organizations, espousing such notions as “Sevastopol - the city of Russian sailors” and “Crimea and Russia together,” creating fictitious governmental posts like the “president of Crimea,” and trying to raise the Russian flag in Crimean cities. These attempts at interference were usually stopped by the Security Service of Ukraine. But in 2013, everything changed.

During Ukraine's 2013-2014 protests against Viktor Yanukovich's abrupt decision to abandon Ukraine's integration with Europe and the West, known as the “Revolution of Dignity,” separatist sentiment driven by Russia escalated in Crimea. By then, Russia had created a powerful intelligence network on the peninsula, ready to and focused on fomenting conflicts in the region. On February 4, 2014, the Presidium of Crimea's Verkhovna Rada (parliament) announced it would consider amending the Crimean Constitution to ask Russia for guarantees of rights for residents of the peninsula. On the night of February 27, armed people wearing no identification blocked the Verkhovna Rada building in Simferopol. Later called the “green men,” this group remained in Crimea while the public voted on new leaders of the Verkhovna Rada and the dissolution of the local Council of Ministers. On March 1, 2014, Russian President Vladimir Putin submitted an appeal to the Federation Council on the use of Russian troops in Ukraine, and

on the same day the Federation Council approved it. Russian citizens resident in Ukraine raised their flags above regional state administration buildings in Kharkiv, Lugansk and Donetsk. In Odessa, this attempt was quickly thwarted by Ukrainian military services.

On March 16, 2014, Crimea held a hasty and illegal referendum on the Republic's secession from Ukraine. The vote took place in the presence of Russian military special equipment and a significant number of armed "green men," failing to meet international voting requirements. The "referendum" officially refused to count the opinion of Crimean Tatars and targeted many others who voiced pro-Ukraine positions. On March 18, Vladimir Putin, the Prime Minister of the Republic of Crimea Sergey Aksenov, the speaker of the newly created State Council of Crimea Vladimir Konstantinov, and the "People's Mayor of Sevastopol" Alexei Chaly signed an agreement on the acceptance of Crimea into Russia.

During and following this referendum, searches, beatings and destruction of property by police, especially targeted at journalists, ran rampant. On the "border" of Crimea, pro-Ukrainian activists were taken hostage, while many of those inside "disappeared" after openly declaring their opposition. On March 27, the UN General Assembly adopted a resolution recognizing the "referendum" in Crimea as non-compliant with international law. The accession of Crimea to Russia is now recognized by only a small handful of UN member states, including Afghanistan, Cuba, Nicaragua, North Korea, and Syria. The Republic of Abkhazia, Nagorno-Karabakh, South Ossetia and Transnistria (also internationally unrecognized territories with Russian military forces on their territory) could become victims of similar Russian aggression.

Today, countless activists remain missing, including humanitarian aid provider Timur Shaimardanov who disappeared six years ago. Witnesses and relatives reported that members of the "Crimean self-defense" were involved in his abduction, a fact that indicates the direct involvement of the Russian Federation's special services. None of the resonant abductions of people in Crimea were investigated--likely because people disappeared "with permission" of the Russian-controlled government and its paramilitary groups. Every year after the annexation of Crimea, disappearances, mainly of Crimean Tatars who openly oppose the occupation, became more frequent on the peninsula.

According to the human rights organization Crimea.SOS, more than 44 people have been kidnapped over the last six years. Most of them were later found dead, and there is still no information about 16 of them. Relatives of the missing want to transfer their case files to the European Court of Human Rights; however, the Investigative Committee, operating on the territory of the annexed Crimea, will not provide families with the criminal case material necessary to investigating the abductions. None of these cases--even those wherein the crime is captured on video--have been investigated. Reshat Ametov, for instance, was kidnapped, tortured and killed. A video clearly showed Ametov's abduction and the identities of his kidnapers--but those pictured escaped punishment.

A month before Timur Shaimardanov's disappearance in Simferopol, the case of imaginary "Crimean terrorists" and their initial arrests began. This is how I came to be accused of false charges and was soon spirited away to Russia and convicted and imprisoned. In April 2014, Alexei Chirniy was detained and remains in the Russian Federation today. In May, Gennady Afanasyev, Alexander Kolchenko and I were imprisoned as well. Much is known about the high-profile cases fabricated by the Russian Federation: they took testimony under torture, used psychological violence and made numerous threats. Furthermore, there was a total absence of evidence in their case and trial, convened to show the whole world and each resident of Crimea and Ukraine of the Russian government's absolute impunity. The trial, in essence, was dictated by the Russian Federation's desire to teach a lesson to anyone who dares to dissent.

We were handed prison sentences ranging from 7 to 20 years in Russia's most secure penal colonies. Ukrainian legal counsel was not allowed to visit us, as the Russian Federation forcibly considered Crimean residents suddenly to be Russian citizens. However, as I said repeatedly during my sentencing, "I am not a serf; I cannot be transferred with the land."

How can a country fabricate legal cases and sentence people to long-term imprisonment simply for thinking differently? For saying "No; I object to this occupation by foreign military forces." How can a country annex territories, violate international laws and kidnap and kill people with so few repercussions? The dungeons of Crimean prisons contain at least 110 political prisoners. Detention centers within Russian borders hold even more, with over 90 Ukrainians and Crimean Tatar political prisoners. In the territory of the so-called DPR and LPR in eastern Ukraine, hundreds of people are also being detained and remain in prison without trial or investigation, without the assistance of legal counsel, and without hope or help even after the second large prisoner exchange between Russia and Ukraine.

There is evidence of hundreds of arrests being carried out by Russia's special services in the occupied territories: Crimea, Donetsk, and Lugansk. Those detained are usually subjected to torture and threats, are often crippled, receive psychological injuries and, not uncommonly, loss of life. Not only are Ukrainian activists and military members imprisoned, but also foreign citizens, journalists, human rights activists and civilians who have no relation to politics or activism.

In the course of two recent prisoner exchanges, just over a hundred people, including myself, were released. However, hundreds more remain imprisoned, exposed to inhuman conditions and in danger every minute. We demand Russia's compliance with international law. We demand that the international community pay attention to the unlawful arrests, killings and abductions carried out by the Russian Federation against Ukrainian citizens. Russia's aggression affects more than the inhabitants of Ukraine and the indigenous people of Crimea; it poses a direct threat to the global community. The world needs a thorough investigation of Russian aggression against the state of Ukraine and its inhabitants, which continues to directly violate Ukrainian sovereignty, international treaties and democratic principles.

I have been fortunate in that good men and women in other countries campaigned for my release -- fellow film-makers and writers, in Europe and North America, said my name out loud, and made signs and sent letters and held banners saying "#FreeSentsov." Included in these campaigns was the good work of PEN America and their allies, and dedicated people -- people who I had never met -- campaigned constantly for my release. As a recipient of the PEN/Barbey Freedom-to-Write Award, which this distinguished writers organization grants each year to someone unjustly imprisoned for their writing or for exercising their free expression rights, I now feel as if I must extend the campaign and call for the release of the many other Ukrainians political prisoners in Russian jails today. That is why I am here today; I am asking for your continued attention to the situation in Crimea, and to the noble efforts of so many Ukrainians to defend our country and to free our people. I appreciate your support and we need your help.

Thank you for your attention today.