

Prepared statement by  
Tamila Tasheva  
Deputy Permanent Representative of the President of Ukraine in the Autonomous Republic  
of Crimea

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

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Honorable Chairman, Representative Hasting, [others], it is a great honor to be invited here today to testify about the realities of life under occupation and the state of human rights in Crimea. Since the start of the conflict in Crimea, I have sought to support the people of Crimea in my capacity as co-founder and Chairwoman of the board of the NGO “CrimeaSOS.” which is an implementing partner of the United Nations High Commissioner for Refugees in Belarus, Moldova and Ukraine (UNHCR) in programs related to the protection of IDPs in and from Crimea.

Almost six years have passed since Russia started its aggression against Ukraine by invading Crimea and initiated hybrid warfare via its proxies in eastern Ukraine. The consolidated position of the civilized world in support of the territorial integrity of Ukraine and the resilience of the Ukrainian people stopped this invasion, though it failed to prevent millions of people from living under Russian occupation.

Everybody residing in the territory of the Autonomous Republic of Crimea and the City of Sevastopol was forced to get Russian passports, an act of enforced citizenship unrecognized by Ukraine and the international community. In Crimea, it is impossible to live without the Russian passports because people who do not have them are deprived of social services and medical aid.

The position of the government and the people of Ukraine is clear and consistent – residents of the Autonomous Republic of Crimea and the City of Sevastopol remain citizens of Ukraine, and are not considered citizens of Russia.

Russia’s next step was the persecution of disloyal groups of the population, including Crimean Tatars who ignored the so-called “referendum” and whose leaders did not recognize Russian jurisdiction over Crimea and ethnic Ukrainians. Russia’s instruments of persecution included harassment, imprisonment on political grounds, kidnapping and murder. At least 20 individuals were killed and 50 kidnapped -- of which 15 remain missing and have yet to be found. More than 100 individuals were imprisoned on political grounds, and the houses of at least 350 individuals were searched and their residents detained.

Russia cynically imposes its ideology specifically on the young generation. The current educational curricula in Crimea include military trainings and use of small arms. Children and youth are brought up in the spirit of militant patriotism and taught to glorify the occupying state. Such an ideology puts pressure on children and negatively influences their consciousness. In this way, the occupying authorities bring up recruits from the territories for enlistment in Russian military forces. According to the occupying authorities, at least 8500 children in Crimea were incorporated into the military movement “Junarmy,” half of whom were inducted as recently as 2019.

Since the Spring of 2015, Russia launched recruitment campaigns in Crimea for its own military. As a result at least 20,000 Crimeans were conscripted to Russian military service. Most of the conscripts are sent to military service in faraway regions of the Russian Federation. Russia exercises criminal prosecution with punishment of two years of imprisonment for those who evade military service. Since the beginning of the occupation, at least 78 criminal proceedings in Crimea have been initiated against individuals who have evaded their mandatory conscription.

During the occupation, the Russian Federation has directly and indirectly displaced the local Crimean population and replaced them with its own citizens. Since the beginning of the occupation, about a thousand Ukrainian citizens have been forcibly deported. About 3,500 of those imprisoned were transferred to serve their sentences within the Russian Federation. About 42,000 people registered in mainland Ukraine as Internally Displaced Persons from Crimea, and more than 150,000 residents of Crimea received new Ukrainian passports to travel abroad.

The replacement of the local “disloyal” Crimean population with the Russian population is ongoing. From 2014 to 2019, estimates suggest between 140,000 and 300,000 Russian citizens changed their place of registration from regions of Russia to the so-called “federal city of Sevastopol” in the Republic of Crimea. The occupying administration plans to increase the number of migrants to more than 450,000 people by 2030.

Following widespread arrests of Crimean Tatars in 2016, a civic movement known as “Crimean Solidarity” emerged to unite relatives of the imprisoned, lawyers and activists. The initiative now consolidates hundreds who provide social and legal aid to political prisoners and their families, conduct rallies in their support and report credible information to the public. Members of “Crimean Solidarity” are vigorously persecuted by the Russian law enforcement bodies. In May 2018, Server Mustafayev, the key coordinator of the movement, was arrested and charged with “participation in a terrorist organization.” On 27 March 2019, mass searches simultaneously took place in the homes of 25 activists in order to harass members of the movement. Twenty-four people were detained after the search and targeted with criminal prosecution.

Thus, the occupying state creates a territory that lacks any rule of law and suppresses any struggle of the local inhabitants for their rights.

Due attention should be drawn to the situation of the Crimean Tatars in occupied Crimea. After the beginning of occupation, Russia attempted to bribe key Crimean Tatar leaders to announce their support of Russia. However, after being rejected, Russia started to struggle with the Crimean Tatars by eliminating their national institutions, particularly the Mejlis of the Crimean Tatar people, which was formally banned for “extremism.” Some leaders of Mejlis

were criminally prosecuted, harassed and tortured. For instance, Ilmi Umerov, a member of Mejlis, was sentenced to two years of imprisonment, and Akhtem Chygoz was imprisoned for three years during the so-called “investigation.” Other members of the Mejlis who continue to live in Crimea are constantly under the threat of criminal persecution or physical harassment.

On April 19, 2017, the International Court of Justice addressed the case *Ukraine vs. the Russian Federation* and obliged Russia to reject their existing limitations and to refrain from further constraining measures against the representative bodies of the Crimean Tatars, including Mejlis. The International Court of Justice’s order has not yet been implemented by the Kremlin.

From its side, Ukraine creates all the conditions for preserving, restoring and supporting communication with its own citizens, residing in the temporarily occupied Autonomous Republic of Crimea and the City of Sevastopol.

We realize the failures of certain actions, including several laws and regulations, adopted right after the beginning of Crimea’s occupation, regarding poor border-crossing conditions within the temporarily occupied territory, recognition of our own citizens living in occupation as “nonresidents” and other discriminatory regulations as identified by Ukrainian and international human rights organizations. The official policy of Ukraine has now undergone significant changes. In particular, the checkpoints at the administrative border with Crimea were completely equipped and improved, including the construction of a service zone. An amendment to the current legislation cancelling discriminatory regulation related to nonresidents’ status was also developed. A new TV channel launch is planned as a source of credible information for the residents of occupied territories to counter Russian propaganda.

Together with the Ministry of Veterans, Temporarily Occupied Territories and Internally Displaced Persons, we developed legislation that will finally determine the status of those persecuted on political grounds, civilian prisoners and prisoners of war. In the near future, the draft will soon be submitted by the President of Ukraine to the Verkhovna Rada as an urgent matter. The Cabinet Ministers of Ukraine adopted the Resolution at the end of December 2019, resolving many problems for those imprisoned due to Russia’s armed aggression against Ukraine.

This inter-ministerial working group was established for discussing urgent issues related to the temporarily occupied territories, including compensation for damages caused by the Russian Federation such as ecology, elimination of discriminatory regulations in national legislation, etc.

Following the 7 September 2019 exchange of prisoners between Ukraine and Russia that included the repatriation of 35 of our fellow citizens, including my compatriot, Oleg Sentsov, on 27 December 2019, the bilateral release of people illegally detained by non-state armed groups in some districts of Donetsk and Luhansk took place. As a result, 76 citizens were released. The next bilateral release of prisoners is currently in preparation, under which more Crimean prisoners will be freed.

Since March 2019, the Prosecutor’s Office of the Autonomous Republic of Crimea has been carrying out an investigation on the displacement of civilians from the Russian Federation to the Autonomous Republic of Crimea and the City of Sevastopol, classifying such actions as a war crime. A special department was created at the Prosecutor General’s Office of Ukraine

to investigate these crimes, and cooperation with the Prosecutor's Office and the International Criminal Court was enhanced.

The Commission on Legal Reform along with the Working Group on Reintegration was established at the state level, and the national concept of transitional justice is being finalized within its framework. This concept consists of four main blocs: compensation for damages to victims; responsibility for crimes committed during the armed conflict; right to truth and restoration of historical truth; and reform of the security sector. The concept will become the framework for the development of a legal regulations system regarding issues connected with the aggression conducted by the Russian Federation.

In addition, legislation determining the status of Indigenous people in Ukraine, including the status of Crimean Tatars and its representative bodies, is currently being developed.

We express our sincere gratitude to the United States of America for its consistent support of the territorial integrity of Ukraine and assistance in countering armed aggression by the Russian Federation. We firmly believe that only through joint efforts is it possible to counteract Russia's violations of international law, infringements on the territories of sovereign states, and the systemic violations of human rights. On this occasion, we would like to assure you that we recognize the consistent support of the United States in voting for the resolutions on Crimea at sessions of the UN General Assembly, during the imposition of and prolongation of sanctions on Russia, and particularly on resolving problems with gas transportation. The restrictive measures imposed by the US on these companies, which constructed the "North Stream," was an extremely effective instrument in countering Russian economic pressure on Ukraine. This was a very important political step for us that opened additional opportunities in our complicated relations with Russia.

We highly appreciate the "Crimean Declaration" by US Secretary of State Mike Pompeo adopted in July 2019. We hope that all European countries will follow suit and adopt their own "Crimean Declarations."

We are convinced that the next step should be the creation of an international platform for negotiations on the return of the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol to sovereign Ukrainian jurisdiction. We call on you to support us in our efforts. We understand that Russia will try to avoid and prevent such negotiations. However, we ought to force Russia to negotiate on Crimea and the return of Ukrainian territories.

In conclusion, on behalf of my government and President Zelensky, we would like to express our gratitude for US support of Ukrainian projects and civil organizations that provide continuing help to the victims of human rights violations and enabling them to monitor the situation in Crimea, which the international monitoring missions cannot access. Another challenge for us is to force Russia to allow access to the international monitoring missions in order to document violations of human rights and international humanitarian law in Crimea. We believe that this issue should be first on the agenda of international negotiations on the return of Crimea to the jurisdiction of Ukraine.

Thank you very much for your attention, and I would welcome any questions or comments you may have.