



HUMAN RIGHTS HOUSE
FOUNDATION

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Geneva (Switzerland)
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Item 10 - Interactive dialogue on the regular periodic update on Ukraine
Human Rights House Foundation statement

Check against delivery (delivered by Léa Meindre Chautrand)

Thank you, Mr Chairperson,

The Human Rights House Foundation welcomes the reports of the UN Human Rights Monitoring Mission in Ukraine. The Mission has continuously put human rights at the centre of attention, verified information, and shed light on the situation in its reporting, **which reflect the human rights situation in Ukraine**, including the severe human rights violations in the ongoing conflict in Eastern Ukraine with violence committed by all sides¹.

Three years after the illegal annexation by the Russian Federation, Crimea is increasingly cut off from the international community and has become a no-law zone. The rule of the Kremlin prevails over the rule of law and the *de facto* authorities repeatedly abuse of their dominance, empowered by a strong sense of impunity.

The *de facto* authorities in Crimea significantly curtail fundamental freedoms of expression, assembly, association, conscience and religion. They use anti-extremism and anti-terrorism laws to criminalise non-violent behaviour, suppress dissent, and exploit judicial and law enforcement systems as instruments to clamp down on opposition voices. On the other hand, paramilitary groups that have committed human rights abuses, such as the Crimean self-defence force, have not been held accountable.

The *de facto* authorities continue a crackdown against human rights defenders, lawyers and journalists. As part of their effort to limit the spreading of information about human rights violations, they target those monitoring the situation and reporting about it to the outside world. This applies both to local monitors and to externals coming from mainland Ukraine. **Most recently, Olha Skrypnyk, Coordinator of the Crimean Human Rights Group, together with two colleagues, was held for 7 hours by Russian FSB (Federal Security Service), as they were carrying out regular monitoring of a border-crossing checkpoint.**²

Authorities also use criminal persecution as a tool against journalists and media workers reporting about human rights violations in Crimea or mentioning it as a territory of Ukraine. Criminal cases were launched against three Crimean journalists – Andriy Klymenko (BlackSeaNews), Anna Andrievska (Center for Journalism Investigation) and Mykola Semena (Radio

¹ See also the latest report of the Ukrainian Human Rights Monitoring Mission (UHRMMU), covering the period from 16 November 2016 to 15 February 2017, which is available at:

http://www.ohchr.org/Documents/Countries/UA/UARReport17th_EN.pdf.

² Human rights activists seized by FSB on Crimea border may have been led into a trap, Halya Coynash, 15 March 2017, available at <http://khpg.org/en/index.php?id=1489442483>

Liberty / Radio Free Europe). **Mykola Semena is currently on trial on charges of “separatism” and could face up to five years of prison for publishing an article where he underlines that Crimea is a territory of Ukraine.**

We believe that these accusations are in violation of international human rights law and especially of the right to freedom of expression. These arrests and imprisonments reflect the current atmosphere of politically motivated charges faced by journalists and media workers.

Mr Chairperson,

Increasingly worrying is also the growing pressure and retaliation against lawyers denouncing human rights violations in Crimea.³ “Incidents of harassment of independent lawyers defending the interests of Ukrainian citizens and residents of Crimea, have become more frequent”⁴. Lawyers such as “Mark Feigin, Nikolay Polozov, Emil Kurbedinov and Edem Smedlyayev have been repeatedly subjected to harassment and pressure due to their professional activities.” On 26 January 2017, Crimean Tatar lawyer Emil Kurbedinov was sentenced to 10 days of administrative arrest for disseminating extremist material. The sentence violates the principle of legality by retroactively applying the Russian Federation law to events preceding Crimea’s occupation.⁵ **This increased pressure is emblematic of the continuous interference of the *de facto* authorities in the conduct of the professional activities of lawyers.**

We call upon the international community to further scrutinise the human rights situation in Crimea. All measures should be taken to ensure that the *de facto* authorities, and their supporters, are made aware of the international community’s attention to their actions, in order to hold them and their supporters accountable.

We are in this regard concerned that the Security Council has decreased its attention on the situation in Ukraine, including from the High Commissioner and his representatives. We therefore call upon the Security Council, through this Council, to continue to monitor and brief its members on the human rights situation in Ukraine, including Crimea.

Thank you.

³ About the need for urgent reaction of the European Union to the organised attack against attorneys and people who support political prisoners in occupied Crimea, Open Dialog Foundation, Center for Civil Liberties, 28 February 2017, available at <http://en.odfoundation.eu/a/8116,about-the-need-for-urgent-reaction-of-the-european-union-to-the-organised-attack-against-attorneys-and-people-who-support-political-prisoners-in-occupied-crimea>

⁴ Criminal prosecution of Ukrainian citizens for political reasons in Russia and occupied Crimea, Open Dialog Foundation, Center for Civil Liberties, 28 February 2017, available at <http://en.odfoundation.eu/a/8117,criminal-prosecution-of-ukrainian-citizens-for-political-reasons-in-russia-and-occupied-crimea>

⁵ Report of the Ukrainian Human Rights Monitoring Mission (UHRMMU), covering the period from 16 November 2016 to 15 February 2017, available at: http://www.ohchr.org/Documents/Countries/UA/UARep17th_EN.pdf.