

RUSSIA/ UKRAINE-CRIMEA: Five Crimean Tatars sentenced to 68 years for peacefully practising their faith in Russian-occupied Crimea

KHPG.org (19.06.2019) – <https://bit.ly/2Ivajth> – There had never been any terrorist attacks in Crimea before 2014, nor have there been any since, yet Russia began arresting and sentencing Crimean Tatars and other Ukrainians to horrifically long sentences on ‘terrorism’ charges within months of its invasion and annexation of the peninsula. A Russian court has now sentenced five Crimean Tatars to a total of 68 years for alleged ‘involvement’ in a totally peaceful movement which is legal in Ukraine. Not one of the men was accused of anything that could remotely be considered a crime in any democratic country, nor was any real evidence provided to back the charges of involvement in Hizb ut-Tahrir. None was effectively required, since the ‘trial’ was held at the Northern Caucasus District Military Court whose judges first gained notoriety for their politically motivated sentences against Ukrainian filmmaker Oleg Sentsov and civic activist Oleksandr Kolchenko.

The five Crimean Tatars are from Stroganovka, near Simferopol, and were arrested on 12 October 2016. As in all such ‘Hizb ut-Tahrir’ cases, the FSB designates at least one person as ‘organizer’ of a supposed Hizb ut-Tahrir ‘cell’ (under Article 205.5 § 1 of the Russian criminal code), while the others are charged with ‘involvement’ in the ‘cell’ (Article 205.5 § 2). Who is dubbed ‘organizer’, who ‘involved’ always seem very

arbitrary, with the main difference in the severity of the prison sentence. In this case, 44-year-old Teymur Abdullaev was sentenced to 17 years' His brother, Useir Abdullaev to 13 years; Rustem Ismailov – 14 years; and Emil Dzemadenov and Aider Saledinov to 12 years. Three of the lower sentences were actually one year higher than those asked for by the prosecutor. Two of the three judges in this case, Anatoly Kolesnik (presiding judge); Igor Kostin and Edward Korobenko, had already taken part in at least one other 'trial' where men who had committed no crime at all were sentenced to long terms of imprisonment in the harshest of Russian prison colonies.

Russia's Hizb ut-Tahrir prosecutions have been aptly called a conveyor belt of repression, with the Russian FSB using the same format for the charges, very often the same entirely unqualified 'experts', and secret witnesses. Even with obliging 'experts' willing to find 'extremism' in the simplest of statements, and people whose testimony and credentials cannot be verified, the prosecution still came up only with the vaguest of allegations. All were essentially charged with holding conversations on religious subjects, with the dodgy 'experts' alleging that a word here, or there 'proved' that the men belonged to Hizb ut-Tahrir.

As well-known Ukrainian historian Gulnara Bekirova says, it is impossible not to feel intense outrage at the flagrant injustice meted out. "Crimean Tatars, Muslims who lived in their own native land in Crimea, who were raising their children and, most importantly, had not committed any crimes, have received sentences which the most dangerous criminals in Russia do not get. "

Russia's Supreme Court declared Hizb ut-Tahrir to be a

'terrorist' organization in 2003, in an effectively secret session, which Hizb ut-Tahrir representatives and human rights groups were informed about only much later, after it was impossible to appeal the decision. No sensible grounds were given, and there is nothing to suggest that Hizb ut-Tahrir has ever committed any act of terrorism or violence anywhere in the world.

It is especially telling that until 2014, there were prosecutions because of this Supreme Court judgement, but people were not given prison sentences. What changed in 2014 was that Russia invaded and annexed Crimea, began its military aggression against Eastern Ukraine and a major information war, which clearly required an FSB that was supposedly 'fighting terrorism and extremism'. Hizb ut-Tahrir prosecutions are known to bring the FSB 'investigators' promotion or other benefits (details here).

All the trials of Crimean Tatars and other Ukrainians since Russia's invasion in 2014 have borne a terrifying similarity to the 'trials' in Joseph Stalin's Soviet Union. While the victims are no longer simply executed, the charges are generally surreal and totally unrelated to any normal understanding, not just of what terrorism is, but what the law is there to regulate. Most ominously, there is an entire repressive machine in which FSB officers, the prosecutor's office and judges take part in imprisoning men for decades, and shattering whole families.

The five Crimean Tatars sentenced on 18 June 2019 are all well-educated men and devout Muslims, who lived law-abiding lives, bringing up their young families. Many of the 18 children whose fathers have been taken from them were

themselves present and deeply traumatized when armed and masked men burst into their homes three years ago. If Russia has its way, and they must not, these children will be adults before they see their fathers again. Like other Ukrainian political prisoners, they will be sent far from their homes and families, in one of the numerous violations of the European Court of Human Rights seen in these cases.

All five men have long been recognized by the renowned Memorial Human Rights Centre as political prisoners. Memorial has long condemned Russia's use of 'terrorist' charges which have no foundation, and points also to the grave breach of international law since Russia has no right to apply its repressive legislation on illegally occupied territory.

HRWF Comment

According to the European Court, Hizb ut-Tahrir is not a religious organization but a political party. It is not violent and does not incite to violence. However, the European Court dismissed a complaint by Hizb ut-Tahrir against their ban in Germany because it advocates the overthrow of non-Islamic governments and the establishment of an Islamic Caliphate. The Court also held in particular that under Article 17 (prohibition of abuse of rights) of the European Convention on Human Rights, it was impossible to derive from the Convention a right to engage in an activity aimed at destroying any of the rights and freedoms set forth in the Convention.

See: <https://www.strasbourgconsortium.org/portal.case.php?pageId=10#caseId=874>