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## Crimea \*

**Country:**

Crimea \*

**Year:**

2018

**Freedom Status:**

Not Free

**Political Rights:**

7

**Civil Liberties:**

6

**Aggregate Score:**

9

**Freedom Rating:**

6.5

**Overview:**

In early 2014, Russian forces invaded the autonomous Ukrainian region of Crimea and quickly annexed it to the Russian Federation through a referendum that was widely condemned for violating international law. The occupation government severely limits political and civil rights, has silenced independent media, and employs antiterrorism and other laws against political dissidents. Members of the indigenous Crimean Tatar minority, many of whom vocally oppose the Russian occupation, have faced particularly acute repression by the authorities.

**Political Rights and Civil Liberties:**

## POLITICAL RIGHTS: -1 / 40

### A. ELECTORAL PROCESS: 0 / 12

**A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

Under the administrative system established by Russia, the Crimean Peninsula is divided into the Republic of Crimea and the federal city of Sevastopol, a port of roughly 380,000 residents that had also been governed separately under Ukrainian control. Sevastopol's political institutions largely mirror those of Crimea proper.

The head of the Republic of Crimea is elected by its legislature, the State Council of Crimea, for up to two consecutive five-year terms. Lawmakers choose the leader based on a list of nominees prepared by the Russian president. In October 2014, they unanimously elected Sergey Aksyonov as the head of the republic, and he simultaneously served as prime minister. Aksyonov had been the acting leader of Crimea since February 2014, when a group of armed men forced legislators to elect him prime minister at gunpoint.

**A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4**

The State Council consists of 75 members elected for a term of five years. Two-thirds of the members are elected by party list and one-third in single-member districts. Legislative elections under the Russian-organized Crimean constitution took place in September 2014. All of the parties allowed to participate supported the annexation, pro-Ukraine parties were excluded, and the Crimean Tatar minority boycotted the voting. The ruling party in Russia, United Russia, took 70 seats, and the ultranationalist LDPR (formerly known as the Liberal Democratic Party of Russia) secured the remainder. The elections received little international recognition.

**A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4**

The Russian occupation authorities have tailored the electoral system to ensure maximum control by Moscow. Legislators electing the chief executive are limited to candidates chosen by the Russian president. In the legislative elections, legitimate opposition forces are denied registration before the voting begins, leaving voters with the choice of either abstaining or endorsing pro-Russian candidates.

**B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16**

**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4**

Ukrainian political parties are not able to operate legally, allowing Russia's ruling party and other Kremlin-approved factions to dominate the political system. Russia's Federal Security Service (FSB), the local police, and "self-defense" units made up of pro-Russian residents use intimidation and harassment to eliminate any public criticism of the current government or Russia's annexation of Crimea.

**B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4**

As in Russia, the authorities consistently crack down on opposition political activity, though the Crimean Tatars are the only organized group that has continued to voice dissent and openly oppose the Russian occupation. Many opposition figures have been jailed or forced into exile. Ilmi Umerov, a Mejlis official who has vocally rejected the annexation, was convicted on separatism charges by Russian-appointed judges in Simferopol and sentenced to two years in prison in September 2017. He was unexpectedly released and left for Kyiv a month later, but activists reported that Russian

authorities were holding 57 Crimean political prisoners—including Crimean Tatars and ethnic Ukrainians—on the peninsula or in Russia as of November.

**B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4**

The current chief executive in Crimea was originally installed by Russian security forces, and subsequent elections have been carefully controlled by the Russian government. Among other abuses, during 2016 elections for the Russian parliament in Crimea, local activists reported that public- and private-sector workers were threatened with dismissal from their jobs if they failed to vote, and some municipal officials were pressured to attend a preelection rally for United Russia.

**B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4**

Russia's occupation authorities deny full political rights to all Crimea residents, but ethnic Ukrainians and Crimean Tatars are regarded with particular suspicion and face greater persecution than their ethnic Russian counterparts. The headquarters of the 33-member Mejlis, the Crimean Tatars' representative body, was seized and closed by the authorities in 2014. The Mejlis's incumbent chairman, Refat Chubarov, and Crimean Tatar leader Mustafa Dzhemilev have been banned from the territory since then. In 2016, Crimea's Supreme Court formally banned the Mejlis, and the Russian Supreme Court confirmed the decision later the same year. In April 2017, the International Court of Justice ordered Russia to "refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis." However, the Mejlis remained banned at year's end.

Women formally have equal political rights, but they remain underrepresented in leadership positions in practice, and government officials demonstrate little interest in or understanding of gender-equality issues. Women hold about a fifth of the seats in the State Council.

**C. FUNCTIONING OF GOVERNMENT: 0 / 12**

**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

All major policy decisions are made in Moscow and executed by Russian president Vladimir Putin's representatives in Crimea or the local authorities, who were not freely elected and are beholden to the Kremlin.

**C2. Are safeguards against official corruption strong and effective? 0 / 4**

Corruption is widespread in the territory, and some elements of the Russian-backed leadership, including Aksyonov, reputedly have ties to organized crime. In recent years, the FSB has arrested a number of Crimean officials as part of an ostensible campaign against graft; many of the arrests were related to allegations that local authorities embezzled Russian funds meant to support the occupation. However, infighting between Crimean and Russian officials has also been linked to competition for control of the peninsula's assets.

**C3. Does the government operate with openness and transparency? 0 / 4**

With strict controls on the media and few other means of holding officials accountable, residents have little ability to gain information about the functioning of their government. Budget and financial processes are rarely made public in ways that would allow for significant input by civil society, which is itself subject to tight restrictions.

**ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION**

**Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -1 / 0**

Russian and local pro-Russian officials' policies and actions in Crimea have led to an influx of tens of thousands of Russian troops, additional civilian personnel, and their families. People displaced by fighting and deprivation in eastern Ukraine—home to many ethnic Russians—have also come to Crimea. At the same time, political persecution has led to an outflow of ethnic Ukrainians and Crimean Tatars.

**CIVIL LIBERTIES: 10 / 60****D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16****D1. Are there free and independent media? 0 / 4**

Free speech is severely limited in Crimea. In addition to other restrictive Russian laws, a provision of the penal code prescribes up to five years in prison for public calls for action against Russia's territorial integrity, which has been interpreted to ban statements against the annexation, including in the media.

A 2015 reregistration process overseen by the Russian media and telecommunications regulator Roskomnadzor effectively reduced the number of media outlets in Crimea by more than 90 percent. The occupation authorities have cut the territory off from access to Ukrainian television, and Crimea's internet service providers must operate under Russia's draconian media laws. Independent and pro-Ukraine media no longer function openly on the peninsula, nor do outlets serving the Crimean Tatar community.

Radio Free Europe/Radio Liberty journalist Mykola Semena was sentenced in September 2017 to a suspended two-and-a-half-year jail term and a three-year ban on journalistic activity for criticizing Russia's occupation and annexation of Crimea and supporting a blockade of the peninsula. Crimea's Russian-controlled Supreme Court confirmed the sentence in December, but cut the ban on journalistic activity to two years.

**D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4**

The occupation authorities have forced religious organizations to reregister. At the time of annexation, there were approximately 1,400 registered religious groups in Crimea and 674 additional communities operating without registration. As of September 2017, there were 818 locally registered religious organizations. In June, all 22 Jehovah's Witnesses congregations were deregistered after the Russian Supreme Court ruled that the group had violated laws against extremism. Mosques associated with the

Crimean Tatars have been denied permission to register. The Ukrainian Orthodox Church did not reregister under Russian law; members face pressure from occupation authorities, who have confiscated some of the church's property.

**D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4**

Schools must use the Russian state curriculum. Instruction in the Ukrainian language has been almost completely eliminated. In its April 2017 ruling, the International Court of Justice ordered Russia to ensure the availability of education in Ukrainian, but there was no sign during the year that this order would be implemented. Access to education in the Crimean Tatar language has been more stable, declining only slightly since 2014.

**D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4**

The FSB reportedly encourages residents to inform on individuals who express opposition to the annexation, and a climate of fear and intimidation seriously inhibits private discussion of political matters. Social media comments are reportedly monitored by authorities. In July 2017, a Crimean Tatar man was sentenced to a year and three months in prison for a series of Facebook posts criticizing the occupation and the oppression of Crimean Tatars.

**E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12**

**E1. Is there freedom of assembly? 0 / 4**

Freedom of assembly is severely restricted. Public events cannot proceed without permission from the authorities, and the Crimean government lists only 366 locations where they can be held. Akhtem Chiygoz, one of the Mejlis deputy chairmen, was sentenced to eight years in prison in September 2017 for "inciting a mass riot" by organizing protests in 2014; like Umerov, he was released in October and left for Kyiv. Also during the year, numerous Crimean Tatars were detained and punished for holding one-person protests. About 70 were tried in December for mounting such demonstrations in October to protest searches and arrests targeting their community, and at least 45 were ordered to pay fines.

**E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4**

The de facto authorities, including the FSB, repress all independent political and civic organizations. Nongovernmental organizations (NGOs) are subject to harsh Russian laws that enable state interference and obstruct foreign funding. In April 2017, a Russian military court sentenced Ruslan Zeytullayev to 12 years in prison based on claims that he had established a branch of the Islamist group Hizb ut-Tahrir in Crimea. The group is banned in Russia, but not in Ukraine. Zeytullayev and three other Crimean Tatars had previously been sentenced to prison terms of five to seven years for allegedly being members of the organization. The Russian Supreme Court further extended Zeytullayev's sentence to 15 years in July.

**E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4**

Trade union rights are formally protected under Russian law, but limited in practice. As in both Ukraine and Russia, employers are often able to engage in antiunion discrimination and violate collective-bargaining rights. Pro-Russian authorities have threatened to nationalize property owned by labor unions in Crimea.

## **F. RULE OF LAW: 0 / 16**

### **F1. Is there an independent judiciary? 0 / 4**

Under Moscow's rule, Crimea is subject to the Russian judicial system, which lacks independence and is effectively dominated by the executive branch. Russian laws bar dual citizenship for public officials, and Crimean judges were required to receive Russian citizenship in order to return to their positions after the annexation.

### **F2. Does due process prevail in civil and criminal matters? 0 / 4**

Russia has replaced Ukrainian law with the laws of the Russian Federation, often using measures that were ostensibly adopted to fight terrorism, extremism, and separatism to restrict the liberty of regime opponents. Arbitrary arrests and detentions remain common, according to a September 2017 report from the Office of the UN High Commissioner for Human Rights, and many detainees and prisoners have been transferred from occupied Crimea to Russia in violation of international law. In one prominent case, Ukrainian film director Oleh Sentsov, who actively opposed Russia's annexation of Crimea, and his codefendant, activist Oleksandr Kolchenko, both received lengthy prison sentences in 2015 and remained behind bars in Russia in 2017.

Lawyers who are willing to represent defendants in politically sensitive cases risk harassment by the authorities. In January 2017, attorneys representing Chygoz and Umerov were separately detained; while one was released after several hours, the other was sentenced to 10 days of administrative detention for a supposedly extremist social media post.

### **F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4**

The Russian occupation authorities have engaged in torture and other ill-treatment of detainees, according to the 2017 UN report. Enforced disappearances have also been documented; while most of the incidents occurred shortly after the occupation in 2014, between 10 and 20 people remained missing as of late 2017.

### **F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4**

In addition to official discrimination and harassment against ethnic Ukrainians and Crimean Tatars, women face de facto discrimination in the workplace, and the legal situation for LGBT (lesbian, gay, bisexual, and transgender) people has grown worse under the Russian occupation. After 2014, Crimea became subject to Russia's 2013 law banning dissemination of information that promotes "nontraditional sexual relationships," which tightly restricts the activities of LGBT people and organizations.

## **G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16**

**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4**

The occupation authorities have sought to compel Crimea's residents to accept Russian citizenship and surrender their Ukrainian passports. Those who fail to do so face the threat of dismissal from employment, loss of property rights, inability to travel to mainland Ukraine and elsewhere, and eventual deportation as foreigners.

**G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4**

Property rights are poorly protected, and the Russian annexation has resulted in a redistribution of assets in favor of Russian and pro-Russian entities. The property rights of deported Crimean Tatars who returned in the 1990s and built houses without permits are particularly vulnerable. During 2017, the Sevastopol authorities asked courts to approve the confiscation of 3,800 plots of land, mostly along the coast; judgements had been rendered in about 900 cases by October. The city claimed that the land was illegally transferred to private ownership in 2006–10.

**G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4**

Domestic violence remains a serious problem in Crimea, and Russian laws do not offer strong protections. In February 2017, Putin signed legislation that partly decriminalized domestic abuse, prescribing only small fines and short administrative detention for acts that do not cause serious injuries. Russian law does not recognize same-sex marriage or civil unions.

**G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4**

Economic opportunity has been impaired by various repercussions of the occupation, including international sanctions, restrictions on trade via mainland Ukraine, and reliance on trade with Russia despite the lack of a land connection. Residents' access to goods and services remains constrained, and vital industries like tourism and agriculture have stagnated.

As in both Ukraine and Russia, migrant workers, women, and children are vulnerable to trafficking for the purposes of forced labor or sexual exploitation.

**Source URL:** <https://freedomhouse.org/report/freedom-world/2018/crimea>