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Freedom in the World 2015 - Crimea

Overview:

In late February 2014, after Ukrainian president Viktor Yanukovich fled Kyiv in the face of a victorious opposition protest movement, Russian military forces invaded and occupied the Crimean Peninsula. Russian president Vladimir Putin initially claimed that local “self-defense” forces were responsible, but in April he admitted that Russian troops had played a role. On March 1, Russia’s Federation Council had formally granted him permission to deploy Russian forces to Ukraine as needed.

At the start of the invasion in late February, a group of armed men imposed Sergey Aksyonov as the acting leader of Crimea by forcing the Crimean parliament to elect him at gunpoint. Before coming to power, he had been a marginal political figure in the region, and his pro-Moscow Russian Unity party won only 4 percent of the vote in the 2010 legislative election. Aksyonov had reputedly been involved in organized crime during the 1990s.

Once its troops were firmly in control, Moscow and its local proxies hastily organized a March 16 referendum on whether Crimea should join the Russian Federation. Russian authorities claimed that turnout was 83 percent, with 97 percent of participants voting in favor of annexation. However, a report by Russian human rights experts that was posted on the website of the Russian Presidential Council for Civil Society and Human Rights found that turnout was only 30 to 50 percent, with just 50 to 60 percent of participants voting in favor of annexation. Opinion polls taken in February showed that a majority of Crimean residents did not want to become part of Russia. Most of the international community denounced the vote as a charade, and only six member states of the United Nations recognized the secession as valid. The referendum notably violated the Ukrainian constitution, which requires a nationwide vote to change the country’s borders.

In violation of international law, Russia formally incorporated Crimea into the federation on March 18. In response, the United States, the European Union, and a number of allied countries placed economic sanctions on key Russian individuals and companies. On April 15, Ukraine’s parliament declared Crimea to be a territory temporarily occupied by Russia, and the government restricted trade with the peninsula, but Ukrainian leaders offered no short-term strategy on how to restore Kyiv’s control.

A commission drafted a new constitution for Crimea based on Russia’s own charter, and it went into effect on April 12. The Russian military presence continued to expand during the year, and the peninsula switched to the Russian ruble on June 1.

Political Rights and Civil Liberties:

A. Electoral Process: 0 / 12

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 in their structure and observance of democratic norms.

The head of the Republic of Crimea is elected by its legislature, the Crimea State Council, for a term of five years and is limited to two consecutive terms. Lawmakers choose the leader based on a list of nominees prepared by the Russian president. On October 9, they unanimously elected Aksyonov, the acting leader, as the head of the republic, and he simultaneously served as prime minister.

The Crimea 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 constitution took place on September 14, the same day as Russia's regional elections. All of the parties allowed to contest the elections supported Putin, no pro-Ukraine parties were allowed to participate, and the ethnic Tatar minority boycotted the voting. The ruling party in Russia, United Russia, took 70 seats, while the ultranationalist Liberal Democratic Party of Russia secured the remaining 5 seats. No other parties crossed the 5 percent vote threshold to enter the parliament. The elections were not widely recognized internationally.

Residents of Crimea were not permitted to take part in Ukrainian presidential and parliamentary elections held in May and October 2014.

B. Political Pluralism and Participation: 0 / 16

The Russian occupation authorities use intimidation and harassment to eliminate any public opposition to the annexation of Crimea and to the current government. The Russian Federal Security Service (FSB), the local police, and "self-defense" units made up of pro-Russian residents enforce this political order. Approximately 20,000 people who opposed Russian rule fled the territory by the end of the year. Ukrainian political parties are not able to operate, and the Crimean Tatars—the only group that has continued to openly oppose the Russian occupation—has faced considerable political persecution. The headquarters of the Mejlis, the official but nongovernmental representative body of the Crimean Tatar people—was seized and closed by the authorities in September. The incumbent chairman of the body, Refat Chubarov, had been banned from the territory in July.

C. Functioning of Government: 0 / 12

All major policy decisions are made in Moscow and executed by Putin's representatives in Crimea or the local authorities, who are beholden to Moscow. Given the territory's relative poverty under Ukrainian rule and the collapse of its key tourism and agricultural sectors following the occupation, it now relies heavily on Russian subsidies. International sanctions, dependence on mainland

Ukraine for water and electricity supplies, and the lack of a land connection to Russia all put the region under severe logistical stress. Conditions contributing to corruption include Crimea's history of pervasive graft during the Yanukovych era, the newly dominant role of Russia's corrupt political establishment, and the need to evade economic sanctions.

Discretionary Political Rights Question B: -1 / 0

Russian and local pro-Russian officials' policies and actions in Crimea have led to an influx of 30,000 to 35,000 Russian troops and additional civilian personnel, an outflow of many ethnic Ukrainians, and the persecution of ethnic Tatars. The Russian occupation also represents a major setback to Tatars' long-term campaign to reestablish property and other rights that were lost in a Soviet-era mass deportation of the group. In late March 2014, Crimea's deputy prime minister warned that Tatars would be asked to vacate illegally occupied land.

Civil Liberties: 11 / 60

D. Freedom of Expression and Belief: 3 / 16

Free speech is severely limited in Crimea. In addition to other restrictive Russian laws, a December 2013 amendment to the Russian criminal code that took effect in May 2014 banned public calls for action aimed at violating Russia's territorial integrity, meaning statements against the annexation, including in the media, could be punished with up to five years in prison.

Under Ukrainian rule, Crimea hosted a flawed but relatively pluralistic media environment. The occupation authorities have essentially cut the territory off from access to Ukrainian television, with armed men seizing the transmission centers and imposing Russian broadcasters. Only a few Ukrainian entertainment channels are left on some cable systems. Independent and pro-Ukrainian media no longer function in Crimea. A television station affiliated with the anti-Yanukovych Ukrainian political opposition, TV Chornomorska, was taken off the air in March, and bailiffs sealed its premises on August 1 under court order.

Media owned by the Crimean Tatars have come under particular scrutiny. The FSB has accused Shevket Kaybullayev, the chief editor of the Mejlis's *Avdet* newspaper, of publishing extremist articles, issuing him a series of warnings. Similarly in September, the authorities accused ATR, the region's only Tatar broadcaster, of inciting extremism.

Russia has also replaced Crimean internet service providers with Russian equivalents. The state-controlled Rostelecom laid an internet cable across the Kerch Strait and began providing service to the peninsula in late July. Crimea's internet service providers now must operate under Russia's increasingly draconian media laws, and independent websites have come under digital attack. Blogger Yelizaveta Bohutskaya, popular on Facebook for her criticism of the Crimean authorities, fled the territory for mainland Ukraine after the police searched her house, confiscated her computer, and questioned her for three hours in September. The occupation authorities have targeted opposition journalists for violent attacks, and at least two suffered beatings in June.

In their efforts to suppress opposition to the annexation, the occupation authorities often target Ukrainian religious institutions and schools that promote Ukrainian language, history, and culture. Nearly one-third of Ukrainian Orthodox churches had been forced to close by November, and at least one Roman Catholic parish leader was forced to leave Crimea. Schools must use Russia's curriculum, and regular instruction in the Ukrainian language was rapidly phased out during 2014. The authorities also reduced the amount of class time devoted to teaching the Ukrainian and Tatar languages.

The FSB reportedly encouraged residents to inform on neighbors who expressed opposition to the annexation, and a climate of fear and intimidation seriously inhibited private discussion of political matters.

E. Associational and Organizational Rights: 1 / 12

Freedoms of assembly and association are restricted. The authorities blocked plans by the Crimean Tatars to hold a street rally in central Simferopol on May 18 to mark the anniversary of their 1944 deportation. Thousands of Tatars gathered near a mosque on the city's outskirts instead, but police closed surrounding roads to prevent others from joining, and military helicopters flew low over the assembly. The de facto authorities, including the FSB, repress all independent political and civic organizations. Nongovernmental organizations are subject to harsh Russian laws that enable state interference and obstruct foreign funding.

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

Under Moscow's rule, Crimea is subject to the Russian judicial system, which lacks independence and is effectively dominated by the executive branch. In keeping with Russian laws that bar dual citizenship for public officials, the occupation authorities in 2014 required all judicial and law enforcement officers to exchange their Ukrainian passports for Russian documents as a condition for retaining their positions. Irregular, paramilitary "self-defense" groups operate with impunity, and a permanent auxiliary police force was created out of such units in November.

Crimea's approximately 300,000 Tatars often suffered discrimination under Ukrainian rule at the hands of local authorities and communities, affecting their access to land ownership, employment, social services, and educational opportunities in their native language. Nevertheless, the Tatars staunchly opposed the Russian annexation and have suffered much harsher discrimination as a result. The authorities searched the houses of many Crimean Tatars during 2014, and Aksyonov threatened in September to expel or prosecute those who incite divisions on ethnic grounds.

Tatar leaders and activists faced exile, arrest, or abduction and murder during the year. In addition to the closure of the Mejlis and the barring of reentry by its current chairman, the Crimean authorities banned Mustafa Dzhemilev—a prominent Soviet dissident, Ukrainian parliament member, and longtime leader of the Mejlis—from entering Crimea for five years. Russian officials moved his son, who had been held in Crimea since 2013 on a murder charge, to a prison in Russia despite a July 10 European Court of Human Rights order calling for his release. By year's end, at least 19 activists who supported the Crimean Tatar cause had disappeared, and two were later found dead.

Other opponents of the annexation were also targeted. Film director Oleh Sentsov and three other Ukrainian citizens were arrested in Crimea and charged with plotting terrorist acts; one defendant, Hennadiy Afanasyev, received a seven-year prison sentence in late December, while the others remained in pretrial detention in Moscow. Sentsov's activism had reportedly included delivering food to Ukrainian troops who were trapped on their bases after the Russian invasion. Three pro-Ukrainian activists were abducted and disappeared in May.

After the annexation, Crimea became subject to Russia's 2013 law banning dissemination of information that promotes "nontraditional sexual relationships," which tightly restricts the activities of LGBT (lesbian, gay, bisexual, and transgender) people. In April the authorities rejected requests to hold pride parades in Sevastopol and Simferopol, citing the Russian law.

G. Personal Autonomy and Individual Rights: 7 / 16

The Russian occupation authorities sought to compel Crimea residents to accept Russian citizenship and turn in 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.

Property rights in general are poorly protected, and the Russian invasion has resulted in a redistribution of assets. The occupation authorities effectively seized Ukrainian state property, and a law passed by the Crimean legislature in August allows the government to condemn and purchase "strategic" assets. The government has also taken over property that it deemed to have been privatized illegally, such as the Yalta film studio and assets owned by Ukrainian business magnate and Dnipropetrovsk governor Ihor Kolomoyskyy. The Ukrainian Justice Ministry estimated in December that about 4,000 entities had been expropriated, often on dubious grounds, with seizures frequently implemented by paramilitary forces. Confiscated property has been distributed among Russian and local pro-Russian agencies and companies.

Government officials demonstrate little interest in or understanding of gender issues. Discrimination on the basis of gender, physical appearance, and age are not uncommon.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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