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Freedom in the World 2016 - Crimea

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Freedom Status: Not Free

Aggregate Score: 9

Freedom Rating: 6.5

Political Rights: 7

Civil Liberties: 6

OVERVIEW

Russian forces continued to occupy the Crimean Peninsula in 2015, following an invasion of the Ukrainian territory in 2014 that led to its incorporation into the Russian Federation through an internationally criticized referendum. The United States, the European Union, and several allied countries renewed sanctions on key Russian and Crimean individuals and companies in 2015, and the international community widely maintained the view that the annexation constituted a violation of Ukraine's territorial integrity. The occupation government continued to limit the full range of political and civil rights for Crimea's residents, according to an assessment published by the Organization for Security and Co-operation in Europe (OSCE) in July. Since the Russian occupation, tens of thousands of people have left Crimea, with estimates ranging from 40,000 to 60,000. The results of a poll by the German firm GfK, published in February, showed that 82 percent of Crimean respondents supported the annexation, although strong pressures and restrictions on freedom of expression affect the reliability of such polls.

The occupation government showed signs of dysfunction and discord in 2015. Considerable delays marred the distribution of passports and the registration of businesses, and corruption remained a major problem. Russia's Federal Security Service (FSB) launched corruption investigations into several prominent Crimean officials, and the region's local leadership claimed that the probes were motivated by Moscow's commercial and political interests. The Russian Ministry for Crimean Affairs, established in 2014 to facilitate the territory's integration, was abolished in July 2015, and its responsibilities were transferred to the Ministry of Economic Development.

The occupation authorities continued to harass members of Crimea's ethnic Tatar minority, who have faced political persecution and discrimination since the invasion. Tatar media outlets have been shuttered, and several private businesses owned by Crimean Tatars have been arbitrarily closed by officials or torched by unidentified assailants.

The international community has little access to Crimea, as the authorities have denied or limited travel for representatives of the OSCE, the United Nations, and the Council of Europe. Ukraine's President Petro Poroshenko has vowed to return the peninsula to Ukrainian control, although he has not presented a clear plan to achieve this.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: -1 / 40

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 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. He had reputedly been involved in organized crime during the 1990s.

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 constitution took place in September 2014, on the same day as Russia's regional elections. All of the parties allowed to participate supported the annexation, pro-Ukraine parties were excluded, and the ethnic Tatar minority boycotted the voting. The ruling party in Russia, United Russia, took 70 seats, while the ultranationalist LDPR (formerly known as the Liberal Democratic Party of Russia) secured the remaining 5 seats. No other parties crossed the 5 percent vote threshold to enter the legislature. The elections received little international recognition.

Residents of Crimea were not permitted to take part in Ukrainian presidential and parliamentary elections held in May and October 2014, or the Ukrainian local elections in October 2015.

B. Political Pluralism and Participation: 0 / 16

The occupation authorities use intimidation and harassment to eliminate any public opposition to Russia's annexation of Crimea and to the current government. The FSB, the local police, and "self-defense" units made up of pro-Russian residents enforce this political order. Ukrainian political parties are not able to operate, and the Crimean Tatars – the only group that has continued to openly oppose the Russian occupation – have 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 2014. The incumbent chairman of the body, Refat Chubarov, and Tatar leader have been banned from the territory since 2014. Ahtem Ciygoz, a deputy chairman of the Mejlis, was arrested in January 2015 on suspicion of "organizing mass disorder" in relation to clashes that occurred between pro-Russian and Crimean Tatar demonstrators in Simferopol in 2014. Several other Tatar leaders were arrested on the same grounds in 2015.

C. Functioning of Government: 0 / 12

All major policy decisions are made in Moscow and executed by Russian president Vladimir 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. In November 2015, unidentified individuals cut lines for the supply of electricity from Ukraine to Crimea, causing extensive power outages. A combination of Crimean Tatar and Ukrainian activists initially blocked repair attempts.

Bureaucratic infighting, corruption scandals, and tensions between federal and local authorities interfered with governance in 2015, particularly as various Russian companies sought access to Crimea's assets. The FSB and Russia's Investigative Committee arrested several local authorities during the year in an ostensible campaign against corruption. The head of the local branch of Russia's Federal Tax Service, Nikolay Kochanov, was arrested in June for bribery. During a visit to the region in August, Putin noted that more than 60 officials had recently been dismissed for corruption. Aksyonov and other local leaders disputed the investigations, claiming that the FSB was using allegations of corruption to discredit Crimean authorities.

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.

Civil Liberties: 10 / 60 (-1)

D. Freedom of Expression and Belief: 3 / 16

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

The Russian telecommunications agency Roskomnadzor required all media outlets to seek registration under Russian regulations by April 2015. Before the annexation, there were approximately 3,000 outlets in Crimea. After the April deadline, Roskomnadzor reported that 232 outlets were registered and authorized to operate. The occupation authorities have essentially cut the territory off from access to Ukrainian television, with armed men seizing the transmission centers in 2014 and imposing Russian broadcasts. Independent and pro-Ukraine media no longer function in Crimea.

Media owned by the Crimean Tatars have come under particular scrutiny. Security forces raided the offices of the Tatar broadcaster ATR in January 2015, confiscating equipment, questioning staff, and temporarily shutting off transmissions. In March, Aksyonov proclaimed that outlets like ATR could not be allowed to operate "during wartime," and ATR ended its broadcasts on March 31 after failing to obtain a license from Roskomnadzor. With assistance from the Ukrainian government and the Tatar community, the station moved its operations to Kyiv and resumed broadcasting in June.

Russia has also replaced Crimean internet service providers with Russian equivalents. The state-controlled Rostelecom began providing service to the peninsula in July 2014. Crimea's internet

service providers must operate under Russia's draconian media laws, and independent websites have come under increasing pressure. In October 2015, three online outlets providing independent reporting on Crimea – the news portals Sobytiya Kryma (Events of Crimea) and Black Sea News and the website of the Center for Journalistic Investigations – received notice from Roskomnadzor that they were blocked in Crimea and Russia. The agency accused the outlets of publishing information that called for "mass disturbances, extremist activities, and participation in mass demonstrations." After his report on human rights abuses in Crimea was published in March, Andriy Klymenko, cofounder of Black Sea News, was charged in absentia with "challenging the legitimacy of the annexation and threatening Russian sovereignty."

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 August 2015, there were only 53 locally registered religious organizations, in addition to a few groups registered through an alternative procedure in Moscow.

Schools must use the Russian state curriculum. By the beginning of the academic year in September 2015, instruction in the Ukrainian language had been almost completely eliminated. In December, a Ukrainian-language theater school for children closed amid pressure and harassment from local officials. Since the annexation, the authorities have also drastically reduced the availability of education in the Tatar language.

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.

E. Associational and Organizational Rights: 1 / 12

Freedoms of assembly and association are restricted. 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.

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. 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. In 2015, approximately 500 judges were serving in Crimea. In July, the Russian Constitutional Court ruled that Russia could refuse to comply with European Court of Human Rights (ECHR) decisions to avoid violating the federal constitution, and in December, Putin signed legislation allowing the Constitutional Court to review rulings issued by international bodies. Irregular, paramilitary "self-defense" groups operate in Crimea with impunity, and a permanent auxiliary police force was created out of such units in 2014.

In August 2015, a Russian military court sentenced Ukrainian film director Oleh Sentsov, who actively opposed Russia's annexation of Crimea, to 20 years in prison on terrorism charges. A codefendant, activist Oleksandr Kolchenko, was sentenced to 10 years in prison. Sentsov claimed that he was abused while in custody, and many international leaders and human rights organizations decried the trial as politically motivated, designating Sentsov and Kolchenko as

political prisoners. Several other individuals are behind bars in Russia and Crimea on similar charges, and a number of cases were ongoing at year's end.

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 and organizations.

G. Personal Autonomy and Individual Rights: 6 / 16 (-1)

The occupation authorities have sought to compel Crimea 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.

Property rights are poorly protected, and the Russian invasion has resulted in a redistribution of assets in favor of Russian and pro-Russian entities. The occupation authorities have seized Ukrainian state property, and a law passed by the Crimean legislature in 2014 allows the government to condemn and purchase "strategic" assets. Several companies owned by Ukrainian individuals – including Krymenergo, Crimea's main electricity supplier, and Ukrtelecom, the region's largest landline telephone operator – were expropriated in January and February 2015. In February, Aksyonov announced that the nationalization process would conclude on March 1.

Same-sex marriage is not legal under Russian law. Government officials demonstrate little interest in or understanding of gender-equality issues. Domestic violence against women remains a serious problem in Crimea, and Russian laws do not offer strong protections. Discrimination on the basis of gender, physical appearance, and age are not uncommon. Women hold 14 of the 75 seats in the State Council of Crimea.

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

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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