



Doc. 15305 – Compendium of written amendments
23/06/2021

(Final version)

The situation of Crimean Tatars

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A. Draft Resolution

1. The Parliamentary Assembly reaffirms its attachment to the pursuit of peace based upon respect for human rights, democracy and the rule of law. In this context, it underscores its role as the most important pan-European platform in which political dialogue can take place, on the basis of the Council of Europe's values and principles, as a means of reaching lasting, peaceful solutions.
2. The Assembly recalls that since the adoption of its Resolution 1988 (2014) "Recent developments in Ukraine: threats to the functioning of democratic institutions" and Resolution 1990 (2014) "Reconsideration on substantive grounds of the previously ratified credentials of the Russian delegation" in April 2014, it has repeatedly condemned the violation of Ukraine's sovereignty and territorial integrity by the Russian Federation, and the latter's illegal annexation of Crimea, expressed its deep concern about the situation of the Crimean Tatars and other persons belonging to groups in a numerical minority situation in Crimea, notably Ukrainians, and urged the Russia Federation to ensure that their rights were not violated.
3. The Assembly strongly condemns the ongoing temporary occupation of part of the territory of Ukraine – the Autonomous Republic of Crimea and the city of Sevastopol (hereinafter "Crimea") – by the Russian Federation, and reaffirms the non-recognition of its annexation.
4. The Assembly condemns the grave violations committed against Crimean Tatars immediately prior to and following the illegal annexation of Crimea by the Russian authorities, including killings and enforced disappearances, which moreover have not since been subject to an effective investigation.

Amendment 6

Tabled by Ms Yevheniia KRAVCHUK, Mr Sergiy VLASENKO, Mr Dmytro NATALUKHA, Ms Mariia MEZENTSEVA-FEDORENKO, Ms Maryna BARDINA, Mr Yuriy KAMELCHUK, Ms Yuliia OVCHYNNYKOVA

In the draft resolution, paragraph 3, after the words "(hereinafter "Crimea")", insert the following words:

", that de-facto was under progressive control, as established by the ECHR's decision Ukraine v Russia (re Crimea) 20958/14 and 38334/18"

Amendment 2

Tabled by Mr Boriss CILEVIČS, Mr Stefan SCHENNACH, Mr André GATTOLIN, Mr Antonio GUTIÉRREZ LIMONES, Ms Edite ESTRELA

In the draft resolution, at the end of paragraph 3, insert the following sentence:

"It also condemns all attempts by the Russian Federation to legitimise or normalise its attempted annexation of Crimea."

Amendment 3

Tabled by Mr Boriss CILEVIČS, Mr Stefan SCHENNACH, Mr André GATTOLIN, Mr

Antonio GUTIÉRREZ LIMONES, Ms Edite ESTRELA

In the draft resolution, paragraph 4, after the word "grave", insert the following words:

"human rights".

Amendment 7

Tabled by Ms Yevheniia KRAVCHUK, Mr Sergiy VLASENKO, Mr Dmytro NATALUKHA, Ms Mariia MEZENTSEVA-FEDORENKO, Ms Maryna BARDINA, Mr Yuriy KAMELCHUK, Ms Yuliia OVCHYNNYKOVA

In the draft resolution, after paragraph 5, insert the following paragraph:

"The Assembly strongly condemns the high number of arbitrary arrests and unfounded prosecutions and convictions of Crimean Tatars on false extremism-or terrorism-related charges for political reasons, including alleged affiliation with Muslim groups and opposition to the current regime in Crimea. It is deeply concerned by numerous cases of violations of Crimean Tatars' freedom of religion, including targeting specific religious groups allegedly involved with terrorism and extremism organizations with no connection to any offence against public order."

Amendment 8

Tabled by Ms Yevheniia KRAVCHUK, Mr Sergiy VLASENKO, Mr Dmytro NATALUKHA, Ms Mariia MEZENTSEVA-FEDORENKO, Ms Maryna BARDINA, Mr Yuriy KAMELCHUK

In the draft resolution, paragraph 6, first sentence, after the words "freedom of expression and peaceful assembly", insert the following words:

"and freedom of thought, conscience and religion".

Amendment 9

Tabled by Ms Yevheniia KRAVCHUK, Ms Maryna BARDINA, Ms Mariia MEZENTSEVA-FEDORENKO, Mr Sergiy VLASENKO, Mr Oleksandr MEREZHKO, Mr Yuriy KAMELCHUK

In the draft resolution, after paragraph 7, insert the following paragraph:

"The Assembly is deeply concerned with the unlawful decisions of the Supreme Court of the Russian Federation on banning the Crimean Tatar Mejlis representative and self-governing body in Crimea, as an extremist organisation, which is contrary to international standards and demonstrates the systematic violation of the Crimean Tatars' rights especially freedom of assembly and association, freedom of

5. It deplores the fact that many serious violations of the rights of Crimean Tatars, including torture and inhuman or degrading treatment by security forces and law enforcement officials, continue to be reported. Crimean Tatars continue to be subjected to unjustified legal proceedings and illegal searches, as do lawyers and human rights defenders working to defend the rights of Crimean Tatars. The Assembly deeply regrets the fact that these violations often result from the application in Crimea of Russian legislation, which is contrary to international law.

6. The Assembly also expresses its concern about the restrictions faced by Crimean Tatars with regard to freedom of expression and peaceful assembly, including the prosecution of individuals for having conducted peaceful single pickets. It is deeply concerned by the practice of denying entry to Crimea to journalists and banning them from entering the territory of the Russian Federation for long periods, sometimes decades, which not only violates their rights but contributes to the isolation of Crimea and to a lack of independent reporting outside the peninsula about the situation in Crimea.

7. The Assembly regrets that, despite the granting of official status to the Crimean Tatar language, the number of Crimean Tatar children receiving instruction in their language has reportedly not increased, as parents are not encouraged to request it.

expression and freedom of thought, conscience and religion."

8. The deterioration of the human rights situation and the pattern of abusive application of Russian legislation create a climate of fear and hostility in Crimea that may affect all those who live there. However, the Assembly observes with regret that Crimean Tatars appear to be under constant pressure and disproportionately affected. Crimean Tatars are thus not only victims of violations of their human rights as such, but, due to the disproportionate application of abusive measures against them, are also victims of discrimination.
9. The Assembly is deeply concerned by this situation, which, in its view, gives rise to serious violations of numerous international human rights instruments, including the European Convention on Human Rights (ETS No. 5). It notes in this context that the European Court of Human Rights has declared admissible an interstate case raising many of these issues, *Ukraine v. Russia (re Crimea)* (application no. 20958/14).
10. The Assembly further underlines that the failure of the Russian Federation to implement the resolutions adopted by the United Nations General Assembly and the measures ordered by the International Court of Justice and the European Court of Human Rights is likely to worsen the situation of the Crimean Tatars as well that of other persons belonging to groups that are in a numerical minority situation in Crimea.
11. In view of all the above, and reaffirming the recommendations contained in its Resolution 2292 (2019), in which, *inter alia*, it called on the Russian Federation to implement all the recommendations of the Assembly contained in its Resolutions 1990 (2014), 2034 (2015) and 2063 (2015), the Assembly urges the Russian authorities:
 - 11.1. to implement United Nations General Assembly resolution A/RES/68/262 on the territorial integrity of Ukraine as well as its resolutions A/RES/71/205, A/RES/72/190, A/RES/73/263, A/RES/74/168 and A/RES/75/192 on the situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, and to comply with the measures ordered with respect to the Russian Federation by the International Court of Justice and the European Court of Human Rights;
 - 11.2. with regard to violations of international humanitarian law in Crimea that have a particular impact on Crimean Tatars, to:
 - 11.2.1. cease applying Russian law in Crimea, including in the fields of terrorism and extremism, and to apply, in accordance with international law, the laws in force in Ukraine;
 - 11.2.2. release any person unlawfully detained or imprisoned due to the abusive application of Russian law in Crimea, which is contrary to international law;

Amendment 10
Tabled by Ms Yevheniia KRAVCHUK, Ms
Mariia MEZENTSEVA-FEDORENKO, Ms
Maryna BARDINA, Mr Sergiy VLASENKO, Mr

**Oleksandr MEREZHKO, Mr Yuriy
KAMELCHUK**

In the draft resolution, paragraph 11.2.2., after the words "due to the abusive application of Russian law in Crimea", insert the following words:

"including for political reasons,"

- 11.2.3. put an end to the forced conscription of residents in Crimea, including Crimean Tatars, into Russian Federation armed forces;
- 11.2.4. put an end to the transfer of detainees, including Crimean Tatars, from Crimea to the Russian Federation and to ensure their return to Crimea or mainland Ukraine;
- 11.3. with regard to allegations of human rights violations committed against Crimean Tatars in Crimea or within the territory of the Russian Federation, to:
 - 11.3.1. conduct without delay an effective investigation within the meaning of the European Convention on Human Rights into each alleged case of killing, abduction, forced disappearance, torture or inhuman or degrading treatment of Crimean Tatars and to apply appropriate sanctions to the perpetrators of any violations found;
 - 11.3.2. take all necessary measures to prevent similar violations in future;
 - 11.3.3. ensure dignified conditions of detention and that all detained persons have access to all the medical care they need;
 - 11.3.4. allow lawyers and other human rights defenders working with Crimean Tatars to carry out their work without hindrance;
 - 11.3.5. put an immediate end to any administrative or judicial harassment of Crimean Tatars and to ensure that any search or raid carried out with respect to them is carried out with full respect for human rights;

Amendment 11

**Tabled by Ms Yevheniia KRAVCHUK, Ms
Mariia MEZENTSEVA-FEDORENKO, Ms
Maryna BARDINA, Mr Sergiy VLASENKO, Mr
Oleksandr MEREZHKO, Mr Yuriy
KAMELCHUK**

In the draft resolution, after paragraph 11.3.5, insert the following paragraph:

"ensure full respect for the freedom of religion of Crimean Tatars and cease persecuting them for alleged membership in Muslim groups with no connection to any offence".

- 11.3.6. annul the decision prohibiting the activities of the Mejlis of the Crimean Tatar people, and to allow its leaders Mr Mustafa Dzhemiliev and Mr Refat Chubarov to return to Crimea;
- 11.3.7. guarantee full respect for the freedoms of association and peaceful assembly of Crimean Tatars;

Amendment 4

**Tabled by Mr Boriss CILEVIČS, Mr Stefan
SCHENNACH, Mr André GATTOLIN, Mr**

- 11.3.8. lift the ban on Crimean Tatars' media outlets and to allow these media to operate in compliance with the standards of the European Convention on Human Rights;
- 11.3.9. ensure access to teaching in and of the Crimean Tatar language, and to work actively to create the conditions enabling Crimean Tatars to express, preserve and develop their identity, in accordance with the standards of the Framework Convention for the Protection of National Minorities (ETS No. 157) and the United Nations Declaration on the Rights of Indigenous Peoples;
- 11.4. to ensure full and unfettered access of established international and regional human rights monitoring bodies to Crimea, in accordance with the principles and recommendations set out in its Resolution 2240 (2018) "Unlimited access to member states, including 'grey zones', by Council of Europe and United Nations human rights monitoring bodies", to enable them to carry out their mandate without prejudice to the principles and norms of international law as well as to the status of Crimea as temporarily occupied territory of Ukraine.
12. The Assembly invites all relevant actors to envisage directly involving the representatives of Crimean Tatars, including the Mejlis of the Crimean Tatar people, in international dialogue related to the situation of Crimean Tatars and of Crimea.
13. The Assembly invites its Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) to take into account in its future work the follow-up given to these recommendations by the Russian Federation and also to pay particular attention in this context to the situation of other groups present in Crimea, such as Ukrainians and Jehovah's Witnesses.

Antonio GUTIÉRREZ LIMONES, Ms Edite ESTRELA

In the draft resolution, paragraph 11.3.7, after the words "freedoms of", insert the following word:

"expression,".

Amendment 5

Tabled by Mr Boriss CILEVIČS, Mr Stefan SCHENNACH, Mr André GATTOLIN, Mr Antonio GUTIÉRREZ LIMONES, Ms Edite ESTRELA

In the draft resolution, paragraph 13, replace the words "Jehovah's Witnesses" with the following words:

"religious minorities".

Amendment 1

Tabled by Mr Boriss CILEVIČS, Mr Stefan SCHENNACH, Mr André GATTOLIN, Mr Antonio GUTIÉRREZ LIMONES, Ms Edite ESTRELA

In the title of the draft resolution, replace the words "The situation of Crimean Tatars" with the following words:

"Human rights violations committed against Crimean Tatars in Crimea"