

INTERNATIONAL COURT OF JUSTICE

**CASE CONCERNING
APPLICATION OF THE INTERNATIONAL CONVENTION FOR THE SUPPRESSION
OF THE FINANCING OF TERRORISM AND OF THE INTERNATIONAL
CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL
DISCRIMINATION**

(UKRAINE V. RUSSIAN FEDERATION)

**COUNTER-MEMORIAL ON THE CASE CONCERNING APPLICATION OF
THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS
OF RACIAL DISCRIMINATION**

SUBMITTED BY THE RUSSIAN FEDERATION

VOLUME VI

(ANNEXES 342 - 428)

9 AUGUST 2021

The Annexes contained in this Volume are either true copies of the original documents referred to in the Counter-Memorial, or translations (marked accordingly) from their original language into English, an official language of the Court, pursuant to Article 51 of the Rules of Court.

Pursuant to Article 51(3) of the Rules of Court, some translations are confined to parts of the annexes, as indicated at the beginning of the respective annexes. In further compliance with this Rule, the Russian Federation has provided two certified copies of the full documents in their original language with its submission. The Russian Federation stands ready to provide more extensive partial translations or a complete translation of submitted documents should the Court so require.

TABLE OF CONTENTS

VOLUME VI

Annex 342	Supreme Court of the Republic of Crimea, Criminal Case No. 1-1/2017, Decision, 11 September 2017
Annex 343	Kievskiy District Court of Simferopol, Republic of Crimea, Case No. 444/2017, Ruling authorizing the inspection of R.R. Paralamov's house, September 2017
Annex 344	Record of inspection of premises, buildings, structures, terrain and vehicles, 13 September 2017
Annex 345	Record of R.R. Paralamov's questioning, 13 September 2017
Annex 346	Record of R.R. Paralamov's questioning (continuation of the questioning of 13 September 2017), 14 September 2017
Annex 347	Military Enlistment Office of the Republic of Crimea of the Ministry of Defence of the Russian Federation, Letter No. 2304, 14 September 2017
Annex 348	Record of inspection of premises, buildings, structures, terrain and vehicles, 14 September 2017
Annex 349	Police Station No. 1 "Zheleznodorozhny" of the Directorate of the Ministry of Internal Affairs for Simferopol, Letter No. 49/3-24575, 21 September 2017
Annex 350	Simferopol District Court of the Republic of Crimea, Criminal Case No. 1-171/17, Decision, 27 September 2017
Annex 351	Inquiry Organization Department of the Ministry of Internal Affairs for the Republic of Crimea, Resolution on the initiation of a criminal case, 28 September 2017
Annex 352	Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and the City of Sevastopol, Case No. 11707350001427055, Record of a suspect's detention, 11 October 2017
Annex 353	Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and the City of Sevastopol, Case No. 11707350001427055, Record of a suspect's detention, 11 October 2017
Annex 354	Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and the City of Sevastopol, Case No. 11707350001427055, Record of a suspect's detention, 11 October 2017
Annex 355	Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and the City of Sevastopol, Case No. 11707350001427055, Record of a suspect's detention, 11 October 2017

- Annex 356 Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and the City of Sevastopol, Case No. 11707350001427055, Record of a suspect's detention, 11 October 2017
- Annex 357 Bakhchisaray District Court of the Republic of Crimea, Case No. 5-354/2017, Decision, 11 October 2017
- Annex 358 Bakhchisaray District Court of the Republic of Crimea, Case No. 5-356/2017, Decision, 11 October 2017
- Annex 359 Bakhchisaray District Court of the Republic of Crimea, Case No. 5-362/2017, Decision, 11 October 2017
- Annex 360 Bakhchisaray District Court of the Republic of Crimea, Case No. 5-361/2017, Decision, 11 October 2017
- Annex 361 Bakhchisaray District Court of the Republic of Crimea, Case No. 5-359/2017, Decision, 11 October 2017
- Annex 362 Bakhchisaray District Court of the Republic of Crimea, Case No. 5-355/2017, Decision, 11 October 2017
- Annex 363 Bakhchisaray District Court of the Republic of Crimea, Case No. 5-358/2017, Decision, 11 October 2017
- Annex 364 Bakhchisaray District Court of the Republic of Crimea, Case No. 5-360/2017, Decision, 11 October 2017
- Annex 365 Kievskiy District Court of Simferopol, Case No. 3/1-274/2017, Ruling, 12 October 2017
- Annex 366 Kievskiy District Court of Simferopol, Case No. 3/1-271/2017, Ruling, 12 October 2017
- Annex 367 Kievskiy District Court of Simferopol, Case No. 3/1-273/2017, Ruling, 12 October 2017
- Annex 368 Kievskiy District Court of Simferopol, Case No. 3/1-275/2017, Ruling, 12 October 2017
- Annex 369 Kievskiy District Court of Simferopol, Case No. 3/1-272/2017, Ruling, 12 October 2017
- Annex 370 Bakhchisaray District Court of the Republic of Crimea, Case No. 5-357/2017, Decision, 12 October 2017
- Annex 371 534th Military Investigative Department of the Investigative Committee of the Russian Federation, Resolution on the refusal to initiate a criminal case, 27 October 2017
- Annex 372 Supreme Court of the Republic of Crimea, Case No. 12-1243/2017, Decision, 27 October 2017

- Annex 373 Supreme Court of the Republic of Crimea, Case No. 12-1241/2017, Decision, 27 October 2017
- Annex 374 Supreme Court of the Republic of Crimea, Case No. 12-1246/2017, Decision, 27 October 2017
- Annex 375 Supreme Court of the Republic of Crimea, Case No. 12-1242/2017, Decision, 1 November 2017
- Annex 376 Supreme Court of the Republic of Crimea, Case No. 12-1245/2017, Decision, 1 November 2017
- Annex 377 Supreme Court of the Republic of Crimea, Case No. 12-1239/2017, Decision, 1 November 2017
- Annex 378 Supreme Court of the Republic of Crimea, Case No. 12-1240/2017, Decision, 7 November 2017
- Annex 379 Supreme Court of the Republic of Crimea, Case No. 12-1247/2017, Decision, 7 November 2017
- Annex 380 Supreme Court of the Republic of Crimea, Case No. 12-1244/2017, Decision, 7 November 2017
- Annex 381 Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea, Record of a suspect's detention, 23 November 2017
- Annex 382 Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea, Record of a suspect's detention, 23 November 2017
- Annex 383 Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea, Record of a suspect's detention, 23 November 2017
- Annex 384 Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea, Record of a suspect's detention, 23 November 2017
- Annex 385 Kievskiy District Court of Simferopol, Resolution No. 735, 16 January 2018
- Annex 386 Kievskiy District Court of Simferopol, Resolution No. 738, 16 January 2018
- Annex 387 Kievskiy District Court of Simferopol, Resolution No. 736, 16 January 2018
- Annex 388 Kievskiy District Court of Simferopol, Resolution No. 739, 16 January 2018
- Annex 389 Kirovskoe District Court of the Republic of Crimea, Case No. 5-11/18, Decision, 18 January 2018
- Annex 390 Belogorsk District Court of the Republic of Crimea, Case No. 5-32/2018, Decision, 18 January 2018
- Annex 391 Directorate for written appeals of Citizens and Organisations of the Administration of the President of the Russian Federation, Letter No. A26-16-7216411, 24 January 2018

- Annex 392 Nizhnegorskiy District Court of the Republic of Crimea, Case No. 5-12/2018, Decision, 25 January 2018
- Annex 393 Dzhankoy District Court of the Republic of Crimea, Case No. 5-49/2018, Decision, 25 January 2018
- Annex 394 Supreme Court of the Republic of Crimea, Case No. 12-202/2018, Decision, 31 January 2018
- Annex 395 Military Prosecutor of the 309th Military Prosecutor's Office of the Garrison, Report on the examination of the legality of the decision to refuse to initiate criminal proceedings, 20 February 2018
- Annex 396 Zheleznodorozhny District Court of Barnaul of the Altai Krai, Case No. 1-112/2018, Decision, 21 February 2018
- Annex 397 Supreme Court of the Republic of Crimea, Case No. 12-217/2018, Decision, 20 March 2018 (excerpts)
- Annex 398 Investigative Department for the Kievskiy District of Simferopol of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Resolution on the refusal to initiate a criminal case, 20 April 2018
- Annex 399 Directorate for Investigation of crimes related to the use of prohibited means and methods of war, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Resolution on initiation of a criminal case No. 11802007703000117 and commencement of proceedings, 25 April 2018
- Annex 400 Directorate for investigation of crimes related to the use of prohibited means and methods of warfare, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Record of detention of Mr. Velilyaev as a suspect, 26 April 2018
- Annex 401 Directorate for investigation of crimes related to the use of prohibited means and methods of warfare, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Record of detention of Mr. Bariev as a suspect, 26 April 2018
- Annex 402 Supreme Court of the Republic of Crimea, Case No. 33-4423/2018, Appellate Decision, 26 April 2018
- Annex 403 Plenum of the Supreme Court of the Russian Federation, Resolution No. 28 "On certain issues encountered by the courts in consideration of administrative cases and of cases on administrative offences pertaining to application of legislation on public events", 26 June 2018 (excerpts)
- Annex 404 First Investigative Department for Investigation of High-priority cases of the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Criminal Case No. 2014417004, Letter No. 201-11-2014/15223, 6 August 2018

- Annex 405 Kievskiy District Court of Simferopol, Decision, 4 October 2018
- Annex 406 Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Response to the Third Department for Supervising the Investigative Bodies of the Main Investigative Directorate No. 224-4-18, 23 November 2018
- Annex 407 Supreme Court of the Republic of Crimea, Case No. 1-1/2019, Decision, 22 January 2019 (excerpts)
- Annex 408 Directorate for investigation of crimes related to the use of prohibited means and methods of warfare, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Record of interrogation of Mr Bariev as an accused, 21 March 2019 (excerpts)
- Annex 409 Directorate for investigation of crimes related to the use of prohibited means and methods of warfare, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Record of interrogation of Mr Velilyaev as an accused, 21 March 2019 (excerpts)
- Annex 410 Kievskiy District Court of Simferopol, Decision (operative part), 17 April 2019 (excerpts)
- Annex 411 Simferopol District Court of the Republic of Crimea, Case No. 2-1123/2019, Ruling, 23 May 2019
- Annex 412 North Caucasus District Military Court, Decision, 18 June 2019
- Annex 413 Yu. Aitan, Case No. 2-1123/2019, Counter-claim, 18 June 2019
- Annex 414 Judicial Chamber for Administrative Cases of the Supreme Court of the Russian Federation, Appellate Decision No. 127-APA19-23, 26 August 2019
- Annex 415 Simferopol District Court of the Republic of Crimea, Case No. 2-1941/2019, Ruling, 24 September 2019
- Annex 416 Supreme Court of the Russian Federation, Case No. 224-APU19-13s, Appellate Decision, 24 December 2019 (excerpts)
- Annex 417 First Investigative Department of the High-priority cases Directorate of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Note regarding criminal case No. 2014417004 on murder of R.M. Ametov, December 2020
- Annex 418 Third Investigative Department (for the investigation of past years crimes) of the High-priority cases Directorate of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Note regarding criminal case No. 2014487098 on disappearance of T.D. Shaimardanov and S.S. Zinedinov, December 2020

- Annex 419 Third Investigative Department (for the investigation of past years crimes) of the High-Priority Cases Directorate of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Note regarding criminal case No. 2016627042 on disappearance of E.U. Ibragimov, December 2020
- Annex 420 Intentionally omitted
- Annex 421 Belogorsk District Court of the Republic of Crimea, Case No. 1-53/2020, Decision, 26 March 2020 (excerpts)
- Annex 422 Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea and Sevastopol, Letter No. Ishsk. 201-08-2020/9779, 20 April 2020
- Annex 423 Eighth General Jurisdiction Court of Cassation, Case No. 77-874/2020, Decision, 19 May 2020 (excerpts)
- Annex 424 Migration Division of the Directorate of the Ministry of Internal Affairs of the Russian Federation for Sevastopol, Address certificate No. 2968.8 concerning Leonid Korzh, born in 1990, 12 August 2020
- Annex 425 Duty Unit of the Directorate of the Ministry of Internal Affairs of Russia for Sevastopol, Note regarding citizen Leonid Korzh, born in 1989 and/or 1990, 12 August 2020
- Annex 426 Duty Unit of the Directorate of the Ministry of Internal Affairs of Russia for Sevastopol, Note regarding citizens Ivan Bondariets, born in 1990, Ivan Bondarets, born in 1990, Vladislav Vaschuk, born in 1985, and Valery Vaschuk, born in 1985, 12 August 2020
- Annex 427 Duty Unit of the Directorate of the Ministry of Internal Affairs of Russia for Sevastopol, Note regarding citizens Vasilij Chernysh, born in 1978, Vasil Chernysh, born in 1978, 12 August 2020
- Annex 428 Investigative Department of Zheleznodorozhny District of Simferopol of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Resolution on the refusal to initiate a criminal case, 17 September 2020

Annex 342

Supreme Court of the Republic of Crimea, Criminal Case No. 1-
1/2017, Decision, 11 September 2017

Translation

[Stamp: COPY]
 Judge: V.I. Zinkov

Criminal case No. 1-1/2017

**DECISION
 IN THE NAME OF THE RUSSIAN FEDERATION**

11 September 2017

The City of Simferopol

The Supreme Court of the Republic of Crimea comprised of:

presiding judge – V.I. Zinkov

judges – A.V. Kozyrev, I.I. Kryuchkov

with the participation of

prosecutor – A.I. Supryag,

the accused – A.Z. Chiygoz (by teleconferencing),

defenders – attorney N.N. Polozov who presented his attorney ID card No. [...] of [...] and warrant No. 16-989 of 29.07.2016, attorney A.V. Lesovoi who presented his attorney ID card No. [...] of [...] and warrant No. 17 of 20.07.2016, and E.N. Ablyalimova (by teleconferencing);

victims: V.V. Koshelev, V.N. Kosarev, A.V. Tokhtomysh, V.O.Yushkov, S.G.Sinetsky, A.V.Pedos, P.P. Petrov, V.V. Savchenko, V.F. Lantsedov, M.K. Traknov, M.M. Matveev, Ye.S. Anokhin, V.K. Byzov, I.V. Shparyov, K.N. Dovganchuk, D.A. Cherevko, P.I. Polotsky, V.V. Kobelev, A.O. Kobozev, K.S. Volchkov, O.V. Dudkin, V.N. Dubinin, A.A. Glotov, A.N. Rashchupkin, S.N. Kolomoichenko, V.V. Berezin, I.I. Yerokhin, D.N. Nesterov, Yu.L. Petrovsky, A.V. Yukalo, S.D. Kulikov, V.V. Gerve, S.Yu. Vakhlin, V.G. Bocharov, I.S. Tsokalo, D.E. Moiseev, A.N. Kosintsev, V.D. Fatuev, V.I. Leontyev, A.N. Baranov, A.V. Lushchan, A.N. Semirog, S.A. Berbenets, O.I. Mokshin, N.F. Baranov, V.N. Azardovich, V.N. Zaichinsky, A.A. Kolesnikov, V.V. Shlomovich, S.P. Prozor, Ye.P. Mikolyuk, M.A. Koleiko, S.A. Nedosekin, A.P. Yashchenko, V.S. Butyaga, V.N. Kotenko, G.A. Drozdov, I.M. Rybalko, A.A. Belan, G.A. Kuznetsov, A.Ye. Kiriyyenko, V.A. Dorofeyev, A.V. Arnautov, A.Ye. Osin, M.A. Gusarov, S.V. Kolesnikov, A.V. Dubikovsky, O.I. Grek, S.V. Yernev, V.V. Pogorelov, A.V. Ivkin, V.M. Khudonosov, M.A. Postnaya, Ye.S. Solodovnikova, R.R.. Bazhanov, S.A. Turchanenko, O.I. Korniyenko, I.A. Lobyntseva, N.V. Kolesnik, V.V. Lobyntsev,
 secretaries: T.L. Pankova, A.S. Golenishcheva,

having considered in an open court session the files of the criminal proceedings against

AKHTEM ZEITULLAYEVICH CHIYGOZ, born on 14 December 1964 in the village of Krasnogvardeisk, Bulungur district, Samarkand region, Uzbekistan, a citizen of Ukraine, having an incomplete high education, married, having no previous convictions, registered and residing at: 46 Dostluk Street, Bakhchisaray, Republic of Crimea,

accused of committing a crime envisaged by Part 1 of Article 212 of the Criminal Code of the Russian Federation,

ESTABLISHED:

A.Z.Chiygoz has organised mass disorders which were accompanied by violence and destruction of property and which caused the deaths of people under the following circumstances.

Having in mind that on 26 February 2014 the deputies of the Supreme Council of the Autonomous Republic of Crimea would consider the report of the Government of the Autonomous Republic of Crimea at an extraordinary meeting, on 25 February 2014 members of the Simferopol municipal branch of the political

party “Russian Unity”, opposing destabilisation of the situation in the region, preservation and increase of the powers of the republic, prepared and submitted a notice to the Simferopol City Council on holding a public rally near the building of the Supreme Council located at 18 Karla Marksa Street, Simferopol.

In the evening of 25 February 2014, A.Z. Chiygoz who stayed together with unidentified persons in the central building of the Mejlis of the Crimean Tatar people located at 2 Shmidta Street, Simferopol, acting intentionally with a view to disrupting the above-mentioned extraordinary meeting of the deputies of the Supreme Council of the Autonomous Republic of Crimea, developed a criminal plan for the organisation of mass riots near the Supreme Council building.

The task of A.Z.Chiygoz was to gather supporters of the Mejlis on 26 February 2014 near the Supreme Council building and to instruct them personally and through unidentified persons in the course of the organisation of the riots and during the riots.

While fulfilling this task, A.Z.Chiygoz together with other unidentified persons using telephony and information and communications networks, notified heads of local branches of the Mejlis of the need for participation of Crimean Tatars in the rally in the morning of 26 February 2014 near the building of the Supreme Council of the Autonomous Republic of Crimea, and, thus, ensured the participation of at least 3,000 representatives of the Crimean Tatar people in the rally.

At about 9:15 am on 26 February 2014, with a view to concealing their criminal plan for organising the mass riots the members of the Mejlis prepared and submitted to the Simferopol City Council a notice on holding a rally by supporters of the Mejlis from 10:00 am on 26 February 2014 near the building of the Supreme Council of Crimea.

At about 10:00 am on 26 February 2014, with a view to organising mass riots and obstructing normal functioning of the bodies of representative and executive power of the Autonomous Republic of Crimea A.Z.Chiygoz arrived at the building of the Supreme Council.

After that, at the above-mentioned time and place, A.Z.Chiygoz, acting intentionally, continuing to implement the previously developed criminal plan, with the purpose of organising mass riots and disrupting the extraordinary session of the deputies of the Supreme Council, using his authority among the Crimean Tatar people as a public figure and deputy chair of the Mejlis, realising that his instructions would be implemented, moved among the protesters – Crimean Tatars – and repeatedly demanded the latter in the Russian and Crimean Tatar languages to drive their opponents – the rallying citizens, members and supporters of the political party “Russian Unity” – from the territory in front of the above mentioned building by using force against them, beating them, and by pushing and shoving.

From 10:00 am to 5:00 pm on 26 February 2014, with a view to disrupting the session of the Supreme Council by using violence against representatives of the “Russian Unity” supporters of the Mejlis, including the persons Nos. 1, 2, 3, 4, 5, 6, the criminal cases in respect of whom were separated in distinct proceedings, as well as E.B.Nebiyev and T.A.Yunusov, convicted by decisions of the Central District Court of the city of Simferopol of the Republic of Crimea of 12.10.2015 and of 28.12.2015, respectively, acting deliberately under the instructions of A.Z.Chiygoz on using violence systematically given by the latter, having a criminal intent to participate in the mass disorders accompanied by use of violence and destruction of property, grossly violating the public order and ignoring the legal demands of the authorities’ representatives – officers of the Main Directorate of the Ministry of Internal Affairs of Ukraine in the Autonomous Republic of Crimea – to stop unlawful activities, committed violence against the rallying citizens, members and supporters of the political party “Russian Unity”, in particular hit the latter with hands, legs, wooden flagpoles, and other objects on different parts of the bodies, threw bottles with liquid and other hard objects towards them, dispensed pepper spray at them, and acting jointly and concertedly began to push them in an instantaneous and coherent manner which resulted in occurrence of mass disorders in front of the building of the Supreme Council of the Republic of Crimea.

Another person No. 3, the case in respect of whom was separated in distinct proceedings, used violence against victim A.V.Shlyagin, in particular hit the latter at least once with his leg in the victim’s stomach causing him physical pain.

Another person No. 2, the case in respect of whom was separated in distinct proceedings, also used violence against victim A.V.Shlyagin, in particular hit the latter at least once with his hand in the victim's head causing him physical pain.

Another person No. 1, the case in respect of whom was separated in distinct proceedings, used violence against an unidentified person, in particular hit the latter at least once with his hand in the victim's head. After a while, person No.1 acting with a view to implementing the criminal plan used violence against victim S.A.Berbenets by hitting the latter in his head causing physical pain to the victim.

Another person No. 4, the case in respect of whom was separated in distinct proceedings, used violence against victim A.V.Ivkin, in particular hit the latter at least once with his hand in the victim's body causing him physical pain.

Another person No. 6, the case in respect of whom was separated in distinct proceedings, also used violence against an unidentified person by hitting the latter at least once in his face and against A.V.Ivkin by hitting the latter at least once in the face causing him physical pain.

Then, from 1:00 pm until 5:00 pm on 26.02.2014, near the building of the Supreme Council A.Z.Chiygoz staying in the crowd among the participants of mass disorders mainly consisting of Crimean Tatars, acting deliberately in order to organise mass disorders, exercising his authority among Crimean Tatars as a public figure and deputy chair of the Mejlis, being aware that his instructions would be performed, requested the supporters of the Mejlis in the Russian and Crimean Tatar languages to use violence against rallying citizens, members and supporters of the political party "Russian Unity" and then break into the building of the Supreme Council.

Pursuant to the instructions of A.Z.Chiygoz on using force given by the latter, person No.5, the case in respect of whom was separated in distinct proceedings, convicts E.B.Nebiyev and T.A.Yunusov and other unidentified persons – participants of mass disorders – acting jointly and concertedly began to hit the rallying citizens, members and supporters of the political party "Russian Unity" with hands, legs, wooden flagpoles, and other objects on different parts of the bodies, throw bottles with liquid and other hard objects towards them, dispense pepper spray at them.

In doing so, convict E.B.Nebiyev hit an unidentified man in the head with his hand several times, and then hit another unidentified man with his hand and leg in the head at least twice.

Convict T.A.Yunusov hit at least once in the head of victim N.V.Kolesnik with his hand, and then hit at least once with his leg in the body of victim S.A.Turchanenko causing physical pain to the victims.

Person No. 5, the case in respect of whom was separated in distinct proceedings, lifted a plastic bottle with liquid from the asphalt in the yard of the Supreme Council and threw it towards the rallying citizens.

After that, convict T.A.Yunusov and person No.5, the case in respect of whom was separated in distinct proceedings, and other unidentified participants of mass disorders, upon the instructions of A.Z.Chiygoz, pushed the rallying citizens, members and supporters of the political party "Russian Unity" away from the right side entrance to the Supreme Council building, and broke into the Council building where the unidentified participants of mass disorders destroyed the property.

Thus, as a result of mass disorders, an extraordinary meeting of the deputies of the Supreme Council of the Autonomous Republic of Crimea was disrupted and at least 80 persons incurred the following:

- Moiseyev Dmitry Eduardovich, born [...], received minor injuries;
- Pogorelov Vladimir Vasilyevich, born [...], received injuries in form of a bruise to the right side of the anterior chest and the abdomen inflicted by a blunt object, which did not entail a short-term health disorder or a minor permanent total disablement and are regarded as not causing harm to health;
- Dudkin Oleg Vladimirovich, born [...], received minor injuries;
- Fatuyev Vyacheslav Dmitriyevich, born [...], received minor injuries;
- Yerokhin Ivan Ivanovich, born [...], received injuries in form of a bruise on a left leg, which did not entail a short-term health disorder or a minor permanent total disablement and are regarded as not causing harm to health;
- Bazhanov Roman Robertovich, born [...], was inflicted physical pain in the right arm;

- Butyaga Viktor Stanislavovich, born [...], received injuries in form of a bruise to the soft tissues of the chest, which did not entail a short-term health disorder or a minor permanent total disablement and are regarded as not causing harm to health;
- Kolomoichenko Sergei Nikolayevich, born [...], received minor injuries;
- Koshelev Vladislav Valeryevich, born [...], was inflicted physical pain in the thorax and right knee joint as a result of compression;
- Gerva Vladimir Vitautasovich, born [...], was inflicted physical pain in the head and body as a result of the use of violence;
- Rashchupkin Aleksandr Nikolayevich, born [...], was inflicted physical pain in the head and body as a result of the use of violence;
- Glotov Aleksandr Aleksandrovich, born [...], suffered physical pain in the chest as a result of compression, and physical pain in the area of the eyes and nasal cavity as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Dubinin Vladimir Nikolayevich, born [...], suffered physical pain in the legs as a result of a fall;
- Yukalo Aleksandr Valeryevich, born [...], suffered the beatings in the face as a result of the use of violence;
- Kobelev Vitaly Viktorovich, born [...], suffered physical pain in the left knee caused as a result of the use of violence;
- Shlomovich Vasily Vladimirovich, born [...], suffered physical pain as a result of the use of violence and a fall;
- Pedos Anna Vladimirovna, born [...], suffered physical pain in the right forearm caused as a result of the use of violence;
- Korniyenko Oleg Ivanovich, born [...], suffered physical pain in the head and body as a result of the use of violence, and intoxication as a result of the exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Baranov Nikolai Fomich, born [...], suffered physical pain as a result of a fall;
- Semirog Anton Nikolayevich, born [...], suffered intoxication as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Yernev Sergei Valentinovich, born [...], was beaten in the head as a result of the use of violence;
- Polotsky Pavel Ivanovich, born [...], suffered physical pain in the eyes and intoxication as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Kobozev Artem Olegovich, born [...], suffered physical pain in the head and body as a result of the use of violence, and intoxication as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Matveyev Matvei Matveyevich, born [...], suffered physical pain in the body, as well as physical pain in the eyes and mouth area as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Yushkov Vladimir Olegovich, born [...], suffered physical pain in the head, as well as physical pain in the eyes area as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Anokhin Yevgeny Stanislavovich, born [...], was inflicted physical pain in the chest area as a result of compression;
- Berbenets Sergei Anatolyevich, born [...], suffered physical pain in the face and head area as a result of the use of violence, physical pain in the right ribs as a result of compression, physical pain in the eyes and mouth area as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Solodovnikova Yelizaveta Stepanovna, born [...], suffered beatings as a result of the use of violence;
- Turchanenko Sergei Anatolyevich, born [...], was inflicted physical pain in the body as a result of the use of violence;

- Kosintsev Aleksei Nikolayevich, born [...], suffered intoxication as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Baranov Aleksandr Nikolayevich, born [...], suffered physical pain in the ribs as a result of compression;
- Traknov Maksim Konstantinovich, born [...], suffered intoxication as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Shparyov Igor Vladimirovich, born [...], as a result of the use of violence was inflicted physical pain and traumatic communicated fracture of crowns and roots of 31st and 32nd teeth, combined with complete dislocation;
- Shlyagin Aleksandr Vladimirovich, born [...], suffered beatings as a result of the use of violence;
- Yashchenko Aleksei Pavlovich, born [...], suffered physical pain in the face as a result of the use of violence, and intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Lushchan Aleksandr Valeryevich, born [...], was inflicted physical pain as a result of compression, and intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Grek Oleg Ivanovich, born [...], was inflicted physical pain in the left ribs as a result of compression;
- Kiriyenko Aleksandr Yevgenyevich, born [...], suffered beatings in the head and face as a result of the use of violence;
- Dorofeyev Vladimir Aleksandrovich, born [...], suffered intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Cherevko Dmitry Aleksandrovich, born [...], suffered intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Sinetsky Sergei Gennadievich, born [...], was inflicted physical pain in the left ribs as a result of compression;
- Koleiko Mikhail Aleksandrovich, born [...], suffered intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Osin Aleksandr Yevgenyevich, born [...], suffered physical pain in the chest area as a result of compression;
- Byzov Viktor Kirillovich, born [...], suffered physical pain in the right shoulder as a result of the use of violence, physical pain in the ribs as a result of compression, as well as intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Lantsedov Vladimir Fyodorovich, born [...], suffered physical pain as a result of compression, as well as intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Nedosekin Sergei Aleksandrovich, born [...], suffered physical pain as a result of compression, as well as intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Volchkov Konstantin Sergeyevich, born [...], suffered physical pain as a result of compression;
- Kulikov Sergei Dmitriyevich, born [...], suffered physical pain as a result of compression, as well as intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Kolesnik Nikolai Vladimirovich, born [...], suffered physical pain in the head and body as a result of repeated use of violence;
- Prozor Sergei Petrovich, born [...], suffered physical pain in the left shoulder as a result of compression;
- Azardovich Anatoly Anatolyevich, born [...], suffered physical pain in the face and body as a result of the use of violence, as well as physical pain in the eyes as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);

- Bocharov Vadim Gennadyevich, born [...], suffered physical pain in the chest area as a result of compression;
- Dovganchuk Konstantin Nikolayevich, born [...], suffered physical pain in the chest area as a result of compression;
- Kolesnikov Andrei Anatolyevich, born [...], suffered physical pain in the lower lecture of the left leg;
- Tokhtomysh Aleksei Vladimirovich, born [...], suffered physical pain as a result of the use of violence;
- Tsokalo Ivan Sergeyeovich, born [...], suffered physical pain in the chest area as a result of compression;
- Vakhlin Sergei Yurievich, born [...], suffered physical pain as a result of compression, and intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Petrovsky Yury Leonidovich, born [...], suffered physical pain in the knee joints as a result of compression;
- Rybalko Igor Mikhailovich, born on [...], suffered physical pain in the head;
- Nesterov Denis Nikolayevich, born on [...], suffered physical pain in the eye area as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Dubikovskiy Anton Valeryevich, born [...], suffered physical pain in the arm;
- Arnautov Aleksandr Vladimirovich, born [...], suffered physical pain in the eye area as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded), as well as physical pain in the leg as a result falling;
- Kolesnikov Sergei Viktorovich, born [...], suffered physical pain as a result of compression;
- Ivkin Aleksei Valeryevich, born [...], suffered physical pain as a result of the use of violence;
- Khudonosov Viktor Mikhailovich, born [...], suffered physical pain as a result of compression;
- Lobyntseva Irina Aleksandrovna, born [...], suffered intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Drozdov Garold Alekseyevich, born [...], suffered physical pain in the ribs as a result of compression;
- Kotenko Vladimir Nikolayevich, born [...], suffered physical pain in the left shoulder;
- Gusarov Mikhail Andreyevich, born [...], suffered physical pain in the ribs as a result of compression, physical pain in the eye area as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded), as well as physical pain in the right ribs as a result of the fall;
- Kuznetsov Georgy Aleksandrovich, born [...], suffered physical pain in the eye area as a result of exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded),
- Kosarev Vladimir Nikolayevich, born [...], suffered physical pain in the ribs as a result of compression;
- Savchenko Vladimir Vladimirovich, born [...], suffered physical pain in the head as a result of the use of violence;
- Petrov Pavel Petrovich, born [...], suffered physical pain in the chest area as a result of compression;
- Belan Aleksandr Alekseyevich, born [...], suffered physical pain in the ribs as a result of compression;
- Berezin Vladimir Valeryevich, born [...], suffered physical pain in the chest area as a result of compression;
- Zaichinsky Vladimir Nikolayevich, born [...], suffered intoxication caused by exposure to an unidentified chemical agent of aerosol origin (pepper spray is not excluded);
- Mokshin Oleg Ivanovich, born [...], suffered physical pain in the chest and ribs as a result of compression;
- Lobyntsev Vyacheslav Valeryevich, born [...], suffered physical pain in the head, as well as physical pain in the ribs as a result of compression.

Two persons were killed, namely:

- Korneva Valentina Danilovna, born [...], who died due to a blunt trauma of the body with multiple skeletal fractures and damage to the internal organs complicated by the development of fat embolism of the vessels of the small circle of blood circulation and traumatic shock.

- Postny Igor Andreyevich, born [...], who died due to a blunt trauma of the chest and abdomen complicated by traumatic shock.

In addition, after the breaking into the Supreme Council building, the supporters of the Mejlis destroyed property belonging to the Office of the Supreme Council of the Autonomous Republic of Crimea, namely:

- 3-seat armchair with a value of 1,360.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- 2 wall cabinets with a value of 912.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- a writing desk with a value of 330.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- a dark polished writing desk with a value of 92.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- wardrobe section No. 1, with a value of 1,020.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- a rostrum, with a value of 251.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- a telephone table, with a value of 300.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- telephone set "VEF", with a value of 500.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- 3-section armchair, with a value of 1,360.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- five dermatin chairs with wooden back, with a value of 350.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- six semi-soft chairs, with a value of 1,530.00 rubles, taking into account normal wear and tear as on 26.02.2014;

- a bookcase, with a value of 1,400.00 rubles, taking into account normal wear and tear as on 26.02.2014, causing the material damage to the Office of the Supreme Council in the total amount of 9,405 rubles.

Thus, by his actions A.Z.Chygoz committed a crime envisaged by Part 1 of Article 212 of the Criminal Code of the Russian Federation (as amended by Federal Law No. 63-F3 of June 13, 1996).

The accused A.Z.Chygoz interrogated in the court session did not admit his guilt in committing the crime envisaged by Part 1 Article 212 of the Criminal Code of the Russian Federation. On the merits of the charges against him, he explained that he had not had any plans to organise mass riots and did not participate in their implementation.

He also explained that, in February 2014, the situation in Crimea against the backdrop of events in Ukraine was tense, and as deputy chair of the Mejlis of the Crimean Tatar people he often participated in meetings of the Mejlis on various issues.

On 24 February 2014, together with N.Dzhelyal, Z.Smirnov and R.Chubarov, at the suggestion of the latter, he came to see the chairman of the Supreme Council of the Autonomous Republic of Crimea V.A.Konstantinov who requested a meeting with them and knowing about their stable position in Kiev wanted to consult with them on expansion of powers of Crimea.

During the meeting, R.A.Chubarov listened to the suggestions of V.A. Konstantinov and asked about the possibility of a 30% quota to Crimean Tatars for their representation in the Supreme Council, the executive

power of the Crimea, but Konstantinov did not answer to that question. Through M.Dzhemilev Chubarov agreed to organise a meeting with the new authorities in Kiev. Everyone understood that re-elections would follow and Konstantinov was aware that Dzhemilev's authority in Kiev was very high. They did not discuss an extraordinary session, as there was no information yet about it.

After that, Chubarov and him agreed upon another meeting.

On the next day, 25 February 2014, at 5:00 pm, A.Z. Chiygoz arrived at the meeting of the Mejlis, where Chubarov informed about an extraordinary session scheduled for 26 February 2014 where Konstantinov would raise the question of turning for help to the Russian Federation. In addition, Chubarov said that the resignation of the Government of Crimea was to take place at the session, for which cause Mogilev exerted pressure on the deputies of the "Party of Regions" to prevent them from coming to the session, so that it would be impossible to consider the question of his resignation. Chubarov also said that the deputies from his faction would not attend the session, and the session would most likely not take place due to the lack of a quorum. All members of the Mejlis considered it necessary to express the opinion of the Crimean Tatar people regarding those criminal actions of the leadership of the Supreme Council that aimed at deteriorating the situation in Crimea. When R.A.Chubarov suggested holding a rally in front of the building of the Supreme Council of Crimea, everyone agreed unanimously.

They used to hold rallies related to the problems of Crimean Tatars very often, but never discussed the issues of an illegal nature. The purpose of the rallies was to demonstrate their position to the Government representatives. During the rallies, they drew attention to the existence of problems.

By holding a rally on 26.02.2014, Crimean Tatars and other Crimean residents spoke out against those actions that would violate the territorial integrity of Ukraine. They decided that the rally should be held near the building of the Supreme Council, because they opposed the actions of their representatives. There was no question of any blocking of the Supreme Council building.

When he arrived at the rally at about 11:00 am on 26.02.2014, among around 1,000 protesters he saw members of the Mejlis, including N.Dzhelyalov, Z.Smirnov, Z. Smedlyaev. Participants of the rally stood beyond the columns on the left, while the courtyard area was empty. Near the central columns, inside the courtyard, were police officers standing in two rows along the perimeter of the courtyard. On the territory of the right flank, the inner courtyard of the Supreme Council, stood the Cossacks, some of them wore papakhs. The bulk of the protesters on the right was behind the columns. Along the fountain, which is located outside the courtyard, he saw protesters with the flags of Crimea.

The layout of the people at the rally has already been determined. Participants of the rally, at that time, were free to enter the courtyard.

At that moment, the rally was noisy, as there were many people, but no one was chanting slogans. Chubarov came out of the Supreme Council building and approached them, and they all went to the fountain. There were many journalists. Chubarov tried to address the protesters, however, it was very noisy, people were talking emotionally about attempts to detach Crimea from Ukraine. They tried to calm the protesters with gestures and give Chubarov a chance to speak. The gestures they demonstrated were understandable to everyone and were supposed to calm people down. They wanted people to stop being noisy. There was no sound reinforcement equipment at that moment.

Since it was noisy, Chubarov was not able to give a speech. At that moment, he saw a large group of protesters of the opposite rally come to the line of contact with them.

Those people shouted something, their calls were of an offensive nature.

Chubarov and his entourage did not pay much attention to that. Chubarov continued his speech before the protesters. It was very noisy and hard to hear, Chubarov was saying something about the forthcoming session of the Supreme Council.

After that, Chiygoz and other members of the Mejlis retired together with Chubarov who told the protesters to keep the line. After that, they determined for themselves the line, which the protesters should not cross, and held it, stood before the columns, and did not go further, while the left side of the courtyard was empty. Then people began to join the rally, and the right flank of the opposite rally was getting crowded.

Closer to 12:00 pm he stood on the porch and did not see what was happening on the right flank, but judging by the flags he could realise that it was getting more crowded. He saw the flags of the “Russian Unity” shifting the police officers and narrowing the “corridor”.

Meanwhile, Chubarov went out of the Supreme Council building, and someone told him that the number of protesters from the “Russian Unity” on the territory of the courtyard was growing and that the participants of their rally were outraged. However, Chubarov told them to stay where they were. They went to the protesters and asked the latter to stay up. At some point they heard the protesters chanting aggressively “Sevastopol, Sevastopol” and saw them approaching the column. The participants of the Mejlis’s meeting of perked up, broke through the line of the police officers, so that he and other members of the Mejlis could hardly keep the protesters to make them staying place. They made a “corridor” between police officers and protesters, where they were walking. He asked the protesters to calm down and not to enter the courtyard. When he came down from the porch, he saw some of their protesters come at the courtyard territory, where they made a similar “corridor”, afterwards everyone calmed down for a while, keeping the corridor.

As it was crowded, he saw only flags moving, thus learning about the progress of the protesters in moving from the right to the central part of the courtyard. Later he noticed that the central part was completely occupied by protesters shouting “Sevastopol, Sevastopol” and carrying the flags of the Russian Federation. At that moment, someone came up to Chubarov asking him about what the protesters of the opposite rally were doing. On the porch with them stood Aksyonov, and Chubarov asked him to calm down his protesters, to which Aksyonov replied that it was not his protesters and they did not obey him. Aksyonov added that he did not control the protesters from the city of Sevastopol. After that, from the left flank, he saw by the moving flags that the protesters were occupying the territory of the courtyard.

Closer to 1:00 pm, the centre of the courtyard was occupied by protesters carrying the flags of the Russian Federation, who expressed discontent with black and red flags at the rally. In response, his protesters responded with discontent with Russian flags at the rally.

There was a strong roar, participants of both rallies expressed dissatisfaction with each other. When the protesters from the “pro-Russian” rally moved close the central columns the participants began to push. The right row of the police officers was broken, and the policemen moved towards the central entrance.

In the place where he was, a “corridor” was made where people moved freely. It was impossible to pass through the right flank, since the Cossacks and members of the People's Militia stood there in rows, and no one was allowed to pass. At the beginning of the rally, there was an empty space between the two rows of the police officers. He did not see people spraying gas. He heard a loud clap, as if of an explosion of a bag, and saw a little smoke from the side of the ”Russian Unity” at around 3:00 pm. During all that time, there was a crush at the rally. He was at a distance of about 30-40 meters from the line between the protesters. The line was not strictly defined, it was broken. At the rally, everything was chaotic and his actions were not aimed at riots, pushing, and fights.

Aksyonov, Chubarov, and Senchenko spoke at the rally. They made attempts to group and unite people, as each had his own supporters.

At least twice it was reported that the session of the Supreme Council was postponed, this was also reported by Aksyonov, since they did not register themselves intentionally so that the session of the Supreme Council would not take place in this form. Konstantinov did not want to cancel the session. At 2:00 pm, Senchenko said that they would try to convince Konstantinov to cancel the session. No one was going to force Konstantinov, since their rally was peaceful, and the protesters expressed their opinion by slogans. To do this, they often came inside the Supreme Council building, together with Gafarov and Smirnov, but he – Chiyyoz - did not participate in these negotiations. Later, Chubarov, Aksyonov, Senchenko, Kovitidi left the building of the Supreme Council and reported that the session would not take place, in view of the absence of a quorum. After that, they spoke at the rally and called on people to be calm, asked to show respect and tolerance. They were happy that they prevented actions aimed at changing the territorial integrity of Ukraine and he went home.

In addition, he said that the actions he was charged with took place on 26 February 2014 in the territory of Ukraine, where the laws of Ukraine were in force. He is a citizen of Ukraine, and all victims were also

citizens of Ukraine at that time. He believes that, in accordance with the Criminal Code of Ukraine, he did not violate any laws, but on the contrary persecuted the goal of preserving the territorial integrity of Ukraine and of the inadmissibility of separating Crimea from Ukraine. He believes that he is being prosecuted for political reasons in order to intimidate the Crimean Tatar people.

Despite the fact that the accused A.Z.Chygoz did not admit his guilt, his guilt in committing the above mentioned crime is confirmed by the following evidence.

Victim P.P.Petrov testified in the court hearing that on 26 February 2014 as an officer of the Dzhankoi District Police Department he was sent to Simferopol together with other officers to ensure the protection of public order during the rallies near the building of the Supreme Council of the Autonomous Republic of Crimea (ARC).

At around 11:00 am, they received an order to advance to the central entrance of the Supreme Council building. They did not have special means with them. When they entered the courtyard in front of the Supreme Council, they saw two rallies under way. On the left side from the entrance were the demonstrators of the Crimean Tatar people, and on the opposite side – representatives of the Russian-speaking population. He and his colleagues lined up between the rallies. One row was in front of the Crimean Tatar people and another one was in front of the protesters of the Russian-speaking population. Thus, a corridor was made between the two rallies. He saw A.Z.Chygoz walking in front of the protesters from the Crimean Tatar people and giving them orders. A Muslim officer who knew the Crimean Tatar language warned that A.Z.Chygoz was giving them orders and that he was saying: “Why are you standing over there? Push them”, and then he would say “Enough, enough” and the crowd would obey, and stop pushing. Then he heard A.Z.Chygoz shout “Come on, come on”. He saw sticks and armature in the hands of Crimean Tatars and informed the superior officers about that.

In course of the rally the number of protesters from the Crimean Tatar people increased significantly, and they began to push the police officers and then the protesters from the Russian-speaking population, therefore he and his colleagues were given the order to move towards the central entrance. However, he was squeezed between the protesters, and in that crush his chest was compressed, he thought his ribs were broken. His colleagues helped him out of the crush and took him to the bus. Subsequently, he was diagnosed with a chest contusion.

Victim V.V.Savchenko confirmed the testimony of victim P.P.Petrov in the court session, and testified that on 26.02.2014 he himself as an officer of the Dzhankoi District Police Department also took part in the protection of public order in front of the building of the Supreme Council of the ARC in Simferopol. Initially, there were two rallies, the one of the Crimean Tatar people, and the other of the Russian-speaking population. Subsequently, protesters of the Crimean Tatar rally staged a crush against their opponents, and began to use violence. He also saw the accused A.Z.Chygoz among the protesters of the Crimean Tatar people, who walked between the protesters and said something to them. Subsequently, the protesters of the Russian-speaking population were pushed out of the inner yard. In that crush he got a head injury, when he was hit by a plastic bottle filled with water and was taken to the bus.

Victim V.O.Yushkov testified in the court hearing that on 26 February 2014 he came to the meeting with his wife, child and his parents. There he saw that the rally consisted of two groups. From one side were the protesters of the Mejlis carrying Crimean Tatar flags, Ukrainian flags, and the flag of the “Right Sector”, and on the other side – pro-Russian protesters with the flags of Crimea and Russia. At the rally, he saw R.Chubarov and next to him A.Z.Chygoz, he did not observe him further. At some point, when the number of protesters from the Mejlis increased and there was already no division between the demonstrators, protesters from the Mejlis started to push their opponents using shafts 30-40 cm in length. He got hit in the head by a one third full plastic bottle. The pro-Russian rally tried to restrain them. Then, protesters from the Mejlis started to spray gas and force them out of the yard. There was a stampede, some fell on the ground, including the victim. He could not move until he was dragged out of the crowd and was outside the yard. Then he helped carry a woman who suffered in the stampede. After that, he went home.

Victim S.Yu.Vakhlin testified in the courtroom that at around 10:00 am on 26.02.2014 he came to the building of the Supreme Council of the ARC to participate in the rally of the "“Russian Unity” party in order to support the holding of the session. When he came to the building, he saw a large meeting of the Crimean Tatar people there, who expressed themselves against the detachment of Crimea from Ukraine. At the beginning, the police officers created a corridor between the two rallies. R.Chubarov and S.V.Aksyonov spoke at the rally urging demonstrators to hold the rallies in a peaceful manner. At that moment, next to R.Chubarov he saw the accused A.Z.Chygoz. At one point, protesters from the Mejlis began to force their opponents out of the yard, and doing that they beat them with flagpoles, threw plastic bottles filled with water at them, and sprayed gas. Then the Crimean Tatar protesters broke into the building of the Supreme Council. Among those protesters he saw A.Z.Chygoz. Then, after a while, R.Chubarov and S.V.Aksyonov came out of the building and announced that the rally was over, so that everyone would disperse. Then both rallies broke up.

Victim D.E.Moiseyev testified in the courtroom that on 26.02.2014 together with other employees of the Belogorsk District Police Department he came to the building of the Supreme Council of the ARC to ensure the protection of public order. At 11:00 am, they moved to the central entrance of the ARC Supreme Council building. There he saw about 2 thousand protesters, police officers lined up between the two rallies. First, he stood in a chain in front of the Crimean Tatar protesters. Later, between the two rallies small skirmishes occurred, but the police separated them. Before the protesting Crimean Tatars he saw A.Z.Chygoz, whom he had observed for 1 hour – the latter stood facing the rally, performed supervisory functions, and unobstructedly passed through the ranks. Moving around the yard he told the Crimean Tatars and the protesters with Ukrainian flags to stand up to the right or to the left. His instructions were immediately followed.

The number of protesters from both sides was increasing gradually, and as part of his unit he moved to the right flank towards the protesters of the pro-Russian rally, and stood up with his back to the Crimean Tatars. The task of the police officers was not to allow contact between the two rallies. After a while, when the number of protesters increased further, it became impossible to separate them and there occurred a crash. During the stampede, the protesters began to push him into the back, and at some point he was pushed out of the courtyard together with the pro-Russian protesters. At that moment, he turned to face the Crimean Tatars, who were pushing them out, and at the same moment a metal rod about 30 cm long flew toward him, but he managed to cover himself with his hand and as a result received a hand injury. After the pro-Russian rally was forced out, the protesters began to calm down. He went to the hospital where his arm was plastered.

According to the expert’s opinion No. 1008 of 18.06.2015, D.E.Moiseyev received injury in form of a bruise on the right hand. The specified injury was caused by a blunt object, in this case, probably by a metal truncheon, and is regarded as slight damage to health. The infliction of the damage is not excluded on 26.02.2014 (volume 15, file sheets 223-225);

Victim A.N.Baranov testified in the court that on 25.02.2014 as a people's militiaman he was notified about the session of the Supreme Council scheduled for 26.02.2014 which he should attend to ensure the protection of public order.

At around 8:15 am on 26.02.2014 he arrived at the building of the Supreme Council of the ARC and saw several Cossacks and police officers there. Protesters from among Crimean Tatars began to approach the building with their national flags. By 10:00 am about 600 Crimean Tatars had already joined the rally standing to the left of the entrance, on the right side there were the protesters of the pro-Russia rally. At one point, the protesters from both sides occupied the whole yard, they were separated by police officers. At this moment, in front of the protesters of the Crimean Tatar people he saw the accused A.Z.Chygoz who was walking in front of his rally and crying something to them, but he did not hear what it was exactly. After 10:00 am there occurred a crush, the rallies closed up and began to push each other. Later, the actions of the Crimean Tatar protesters got more aggressive. In the crowd of opponents he saw persons who gave orders to the protesters of the Crimean Tatar people, as he heard orders in Russian - “the left flank, the right flank, pull up the middle”, and those orders were followed. There were no such leaders from the side of the pro-Russia rally. When the pushing on the part of the Crimean Tatars increased significantly, he felt a strong pain in the chest and lost consciousness. He came round in the lobby of the building of the Supreme Council. There he was given a

medicine, after which he went back and continued to observe the rally from a distance. After the pro-Russia rally was forced out of the courtyard of the building, he went home.

Victim S.A.Berbenets testified in the court session that on 26.02.2014 as a Cossack of the Cossack public organisation “Sobol” he came to the building of the Supreme Council of the ARC to ensure the public order during the rally and assist police officers. Two rallies gathered in front of the building: on the one hand, the protesters from the Crimean Tatar people, on the other – representatives of the pro-Russia rally. He also saw the accused A.Z.Chygoz at the rally who stood next to R.Chubarov. The victim stood between the two rallies, he and other Cossacks tried not to allow contact between them. At one point, the Crimean Tatar protesters started to storm the building pushing back the members of the other rally and striking with flagpoles. During that crush he got a cracked rib.

After the Crimean Tatars sprayed gas at the participants of the pro-Russia rally, they pushed the latter out of the courtyard and entered the building. After the demonstrators dispersed, the victim came into the lobby of the Supreme Council, where he saw broken furniture and broken glass of the side entrance door.

Victim S.P.Prozor testified in the court session that on 25.02.14 he was informed that as an officer of the Kiev District Police Department of the city of Simferopol he should participate in the protection of public order during the rallies on 26.02.2014 together with other police officers. They only had bulletproof vests out of special means. At 8:00 am they arrived at the building of the Supreme Council of the Autonomous Republic of Crimea where Crimean Tatar protesters were gathering. By 10:00 am representatives of two rallies had gathered, to the left of the entrance were Crimean Tatar protesters with their national and Ukrainian flags, and to the right – representatives of the pro-Russia rally with Crimean flags. He saw the accused A.Z.Chygoz, R.Chubarov and S.V.Aksyonov at the entrance to the building.

When the number of protesters increased, there occurred a crush. Then the protesters of the Crimean Tatar people broke into the building. At that moment, he saw spraying gas at protesters. He was pressed down to the participants of the pro-Russia rally, he felt a strong pain in the left shoulder. When he was forced out of the yard together with pro-Russia protesters, rallies’ participants began to disperse, and police officers gathered and returned to their department. He did not apply for medical care.

Victim A.A.Azardovich testified in the court session that upon a call from his friend at 11:00 am on 26.02.2014 he came to the building of the Supreme Council of the ARC to participate in the rally. There he saw two groups of protesters separated by a corridor of the police officers. On the left side the protesters held Crimean Tatar and Ukrainian flags, and chanted slogans in favour of the unity of Crimea and Ukraine, on the right the protesters held the flags of Crimea and the Russian Federation. At that moment, he saw the accused A.Z.Chygoz who stood next to R.Chubarov who was giving a speech before the protesters.

He saw a black-red Bandera flag belonging to radical nationalists on the side of Crimean Tatars which he knew by events in Kiev. Among the Crimean Tatars he also saw people in red jackets who coordinated the protesters with gestures. At some point, rallies came in contact, as representatives of the Crimean Tatar rally began to push their opponents, and circumvented them from both sides, while using violence. They beat them with flagpoles, and then used a green military balloon spraying gas at them. At that moment, he was hit in the face, and then in his leg by a flagpole. He lost his bearings, he did not see anything and went close to the wall. At that moment, all the protesters from the pro-Russia side were forced out of the yard. When the rally began to disperse, he went home.

Victim A.P.Yashchenko testified in the court that at 11:00 am on 26 February 2014 he arrived at the building of the Supreme Council of the ARC where he saw a crowd of people. He was not aware of the forthcoming rally. To the left of the entrance to the building he saw protesters of the Crimean Tatar people with their national flags and flags of Ukraine, who scanned slogans for the unity of Crimea with Ukraine. At the same moment he saw the accused A.Z.Chygoz who stood in front of the protesters on the left side and shouted something to them. On the right side, there were protesters carrying the flags of Crimea and Russia. In front of the entrance to the building stood Chubarov and Aksyonov, trying to calm the demonstrators down. First, the rallies were separated by police officers, and it was calm. However, at around 2:00 pm there occurred a crush. He saw a pistol or a similar object drop out of the pocket of one of the attackers from the side of the

Crimean Tatars. That man quickly picked it up and disappeared into the crowd. The Crimean Tatars were attacking with flagpoles and he, too, was hit by a stone. Later, the protesters from the opposite side hit him in the face, and then sprayed gas at him. Later, the pressure from the Crimean Tatar protesters increased, and finally they forced all the pro-Russia protesters out of the yard, after which he went home.

Victim A.Ye.Kiriyenko testified in the court that on 25.02.14 he saw an announcement attached to the street posts about the rally on 12:00 pm on the next day in support of the current authorities at the Supreme Council building.

At about 9:00 am on 26.02.2014 he and his friends Dorofeyev and O.I.Grek came to the rally as Cossacks to ensure the protection of public order on their own initiative. They passed to the entrance of the Supreme Council and stood up close to it. The protesters were joining the meetings. On the left side there were Crimean Tatar protesters, and on the right there were representatives of the Russian-speaking population. He and his friends lined up together with the protesters of the pro-Russia rally to prevent the participants of the Crimean Tatar rally from entering the building of the Supreme Council. At about 1:00 pm, there occurred a crush, and one of the Crimean Tatars tore off his hat, and then another strong-built guy hit him several times in the nose. At the same moment, someone from the crowd of Crimean Tatars began to hit him in the head with a flagpole causing a dissection of the head, and the blood came from his head. He left the crowd and went to the doctors, who provided him medical assistance. He did not return. At about 6:00 pm he and his friends left the rally. He applied for medical help at the place of residence due to brain concussion and the fracture of the nasal bridge.

Victim V.A.Dorofeyev confirmed the testimony of victim A.Ye.Kiriyenko in the court and testified that he and Kiriyenko and their friend O.I.Grek were indeed at the rally on 26.02.2014 near the building of the Supreme Council of Crimea. When they came there, they saw several thousand Crimean Tatar protesters and several dozen Russian-speaking protesters. At first, it was calm. Among the Crimean Tatars, he saw the accused A.Z.Chiygoz who was moving around the yard in front of his protesters. Then he noticed him several times in the crowd. Later, the Crimean Tatar protesters began to push the participants of the pro-Russia rally, they began using violence, insulting their opponents, and later used gas. A.Ye.Kiriyenko was hit in his nose during the stampede, and then someone hit him in the head with a fishing rod causing a dissection. At the rally he also became sick, he was taken to a car and taken to a hospital, where he was put on a drip.

Victim I.A.Lobyntseva (Strukova) testified in the court that at around 9:00 am on 26.02.2014 she arrived with her ex-husband V.V.Lobyntsev and their friends to the building of the Supreme Council to join the rally in support of the parliament. Her husband and other men stood up in a line around the perimeter of the yard with their backs to the police officers, and she began to help distribute St. George ribbons to the protesters. At that moment A.Z.Chiygoz came up to her and began to scold her for distributing ribbons and told them to take their men away. She assumed that he was trying to provoke her and did not react to his words. The number of protesters from both sides was increasing. At around 11:00 am the whole yard in front of the building was filled with protesters. To the left of the entrance were the Crimean Tatar protesters, to the right – the protesters of the pro-Russia rally. The protesters began to push each other, she was told to leave the rally, as the situation was aggravating. And when she tried to get out, she felt tear gas sprayed at her, she felt sick and the gas made her eyes tear. She walked away from the rally to the fountain, standing on the parapet watching what was happening in the yard. She saw a black-red Bandera flag at the rally on the side of the Crimean Tatars, which provoked a negative reaction. During the crush, her husband received ribs injuries. Police officers who stood in a chain between the rallies shifted to the central entrance, as a result of which the pressure on the pro-Russia demonstrators increased. Actions of the Crimean Tatars became more aggressive, they began to use violence. Then the pro-Russia protesters were forced out, and later the demonstrators began to disperse.

Victim A.V.Pedos testified in the court session that as secretary of the political party “Russian Unity” she filed a request to the Simferopol City Council for holding a rally of the specified party at the building of the Supreme Council of the Autonomous Republic of Crimea on 26 February 2014, a few days before the above specified date.

At around 1:00 pm on 26 February 2014 she arrived at the building of the Supreme Council of the Autonomous Republic of Crimea, where she saw a large crowd of people. Most of the protesters belonged to the Crimean Tatar rally and carried Crimean Tatar and Ukrainian flags. She tried to go inside the building to find out whether they could hold their own rally. However, she could not come inside the building, because there was already a crush in the yard. The participants of the Crimean Tatar rally acted aggressively, and beat their opponents with flagpoles. Then one of the Crimean Tatar protesters sprayed gas at her face, but she managed to turn her face away, and then he hit her in the forearm. At that moment, she saw A.Z.Chygoz standing by the entrance.

Later at around 4:00 pm about 20 protesters of the Crimean-Tartar rally broke into the Supreme Council building. She did not see what happened next.

Victim S.G.Sinetsky testified in the court session that at the request of his friend on 26 February 2014 he participated in ensuring security of S.V.Aksyonov during the mass events near the building of the Supreme Council of the Autonomous Republic of Crimea.

At 10:00 am, S.V.Aksyonov arrived at the rally, and he was ensuring his security standing next to him. There S.V.Aksyonov immediately met with R.Chubarov and they agreed that the rallies would be held peacefully.

At around 11:00 am, the Crimean Tatar protesters began scanning their slogans. He was next to S.Aksyonov, as the latter moved among the protesters, from both sides. When they went into the ranks of the Crimean Tatar protesters, he felt leg blows. At some point, when pressure from the Crimean Tatar protesters increased, he remained at the entrance among protesters of the Russian-speaking population.

At the rally, he saw the accused A.Z.Chygoz who acted as a leader, since after the latter cried something in the Crimean Tatar language, the protesters began to act more aggressively – they threw bottles, sticks, stones, and pushed the opposite rally.

He also saw people in coloured jackets in the crowd of opponents, who gave orders to the protesters with gestures. Then the Crimean Tatar protesters began throwing plastic bottles with water, there was fighting, and at some point he felt the smell of gas. At around 3-4 pm, the Crimean Tatar protesters began to force their opponents out of the yard.

He and a small group of pro-Russian protesters got surrounded and squeezed from all around at the right back entrance to the Supreme Council. Since the pressure on them grew by the second, and it was getting more difficult to breathe, they had to break into the building where they were met by police officers and were escorted to the backyard of the Supreme Council. He and his allies did not destroy the property in the premises of the building they passed through. When they left the building, they saw that the rallies in front of the building were dispersing.

Victim V.V.Berezin testified in the court hearing that on 26 February 2014, he, as the head of the department for protection of public order of the Kiev District Police Department of the city of Simferopol, together with his fellow officers participated in the protection of public order during the mass events near the building of the Supreme Council of the ARC where two rallies took place. To the left of the entrance were the Crimean Tatar protesters, and to the right were participants of the pro-Russia rally. At some point, the two rallies began pushing each other. The Crimean Tatar protesters shouted “Push them!” At that moment, the Crimean Tatar protesters broke through the chain of police officers and tried to force their opponents out of the courtyard, beating the supporters of the “Russian Unity” with sticks. During the crush, he found himself sandwiched between the protesters and received a bruise on the chest, his cap and epaulettes were torn off. Then the protesters broke into the right wing of the building, where later inside the building he saw broken chairs. From there he was taken to see the doctors who provided him medical assistance.

Victim S.N.Kolomoichenko testified in the court hearing that on 26 February 2014 as an officer of the Yevpatoria Department of Internal Affairs he arrived in Simferopol to protect public order during mass events near the building of the Supreme Council of the Autonomous Republic of Crimea. The officers were informed about the intention of the Mejlis supporters to disrupt the work of the session of the Supreme Council of the Autonomous Republic of Crimea.

Upon arrival, they separated the two rallies on the square in front of the entrance – on the one side there were Crimean Tatar protesters, on the other side – supporters of the “Russian Unity”. At some point, there occurred a crush in the crowd and there were also conflicts. The crush was intensifying, and the Crimean Tatar protesters while pushing their opponents began to beat them with flagpoles. Besides, among the Mejlis supporters were football fans, who tried to break through the chain of police officers several times. I heard them shouting “Push them”. One of the Crimean Tatar protesters attacked the victim with a shaft in the right knee joint and on the back. The police officers had to withdraw to the central entrance of the building, while the Crimean Tatar protesters forced their opponents out of the inner courtyard and broke through the right side entrance into the building of the Supreme Council of the Autonomous Republic of Crimea.

According to the expert's opinion No. 1756 of 17.08.2015, S.N.Kolomoichenko received injuries in form of a bruise on the right knee joint and right foot caused by a blunt object (objects), regarded as slight damage to health. Inflicting the damage on 26.02.2014 is not excluded (volume 17, file sheets 36-38).

Victim A.N.Rashchupkin testified in the court that on 26 February 2014, he participated in a rally in front of the building of the Supreme Council of the Autonomous Republic of Crimea, where at about 3:00 pm a crush occurred between the Crimean Tatar protesters and the supporters of the “Russian Unity”, after which the Crimean Tatar protesters applied violence: they beat with flagpoles, threw bottles of water at protesters, and kept on forcing their opponents out of the courtyard. Also, tear gas was used. The victim also was hit with a wooden stick in his clavicle by someone from the Crimean Tatar rally. Then he left the rally.

Victim A.A.Glotov testified in the court hearing that on 26 February 2014 as a member of the People's Militia he arrived at the building of the Supreme Council of the Autonomous Republic of Crimea to assist police officers in protecting the public order. During the rally, aggressive young people from the Crimean Tatar rally began to push the protesters of the “Russian Unity” standing before them, and across the police officers they started beating their opponents and those police officers with sticks. Subsequently, they forced the supporters of the “Russian Unity” out of the yard.

Victim V.N.Dubinin testified in the court session that on 26.02.2014 he found out about a rally in front of the building of the Supreme Council of the Autonomous Republic of Crimea from TV. He decided to express his civil position and came to the rally, too. On the spot, he saw that besides pro-Russia demonstrators there was a pro-Ukrainian rally that consisted of protesting Crimean Tatar people. All the protesters were in the inner courtyard in front of the entrance to the Supreme Council building. The number of protesters was increasing. Representatives of the pro-Ukrainian rally were getting more aggressive. At some point, they began to push and force out the supporters of the pro-Russia rally, while beating them with flagpoles, throwing plastic bottles of water, and spraying tear gas. As a result of the crush he fell, hit his foot and could not get up. Then he got out of the crowd and sought emergency treatment.

Victim V.V.Kobelev testified in the court session that at 2:00 pm on 26.02.2014, as a representative of the People's Militia of Crimea, he arrived at the building of the Supreme Council of the Autonomous Republic of Crimea, where two rallies were held at the specified time. On the one side were supporters of the pro-Russia rally, on the other side – protesters of the Crimean Tatar rally. Both rallies were in the inner courtyard of the Supreme Council, and every now and then there occurred a crush between the protesters, as the Crimean Tatar demonstrators tried to force their opponents out of the yard and the second rally resisted. At some point, the Crimean Tatar protesters began to use violence, beating the demonstrators with flagpoles. The victim was hit twice in his left knee. He could not stand and left the crowd to go straight to the hospital.

Victim P.I.Polotsky testified in the court session that at 8.30 am on 26.02.2014, as a representative of the People's Militia of Crimea, he arrived at the building of the Supreme Council of the ARC. Two rallies were held in front of the building, on the one hand – protesters of the Crimean Tatar rally carrying their flags, and on the other – pro-Russia demonstrators. At some point, between the demonstrators occurred a crush, as the Crimean Tatar protesters began to force their opponents out while applying violence, namely beating them with sticks, throwing plastic bottles of water at them, and then spraying gas at pro-Russia protesters. He was poisoned by the gas, and got out of the crowd. Then he went home.

Victim O.V.Dudkin testified in the court session that on 26.02.2014 he came to a rally in front of the building of the Supreme Council of the Autonomous Republic of Crimea, where two rallies were held. To the left of the entrance to the building stood Crimean Tatar protesters, and on the other side – Russian-speaking demonstrators. The victim joined the latter. When the number of protesters increased significantly, the Crimean Tatar protesters began to push their opponents, while beating them with sticks and spraying tear gas. Someone in the crowd hit him in the head with a stone. When he and the rest of the protesters were forced out of the yard, he sought medical assistance and then left.

The expert's opinion No. 1327 of 15.06.2015 established that O.V.Dudkin suffered an injury in the form of a contused head wound which is regarded as slight damage to health caused by a blunt object with a limited effective surface, in this case, possibly, a stone. The infliction of the damage is not excluded on 26.02.2014 (volume 16, file sheets 65-67);

Victim D.N.Nesterov testified in the court session that at around 1.30 pm on 26 February 2014 he came to the Supreme Council of the Autonomous Republic of Crimea to take part in the rally of the "Russian Unity" party. He came to prevent violations of public order and the capture of the building by aggressive protesters. There he saw a large meeting of the Crimean Tatar people, which basically consisted of young men. They were pushing the Russian-speaking demonstrators standing in front of them. He saw them beating and kicking the latter, throwing plastic bottles of water and spraying gas at them. He saw one of the Crimean Tatar protesters spraying gas into their direction. Subsequently, the Crimean Tatar protesters forced them out of the territory of the courtyard of the Supreme Council.

Victim Yu.L.Petrovsky testified in the court hearing that on 25.02.2014 he learned about the plans of holding a rally of the political party "Russian Unity" in front of the building of the Supreme Council of the Autonomous Republic of Crimea on 26.02.2014.

On the next day, at about 3:00 pm, he came to the Supreme Council building and saw several thousand protesters in the courtyard in front of the entrance. On the one side, there were protesters with Crimean flags and flags of Ukraine, and on the other side – demonstrators with flags of Crimea, the cities of Crimea and the flag of the Russian Federation. He saw that there was already a crush among the protesters. The Crimean Tatar protesters began to push their opponents and the latter tried to resist. He saw injured demonstrators being pulled out of the front rows of the pro-Russia rally. He tried to get into the front rows, but he could not. At that point, the Crimean Tatar protesters surrounded their opponents from almost all around and began massively push them towards the right passage between the columns. A massive crush began when the tear gas was used and people trying to escape from gas in a stampede, stumbling and falling on each other, created a bigger crush. Yu.L. Petrovsky felt a strong pain in the knees, after which he left the crowd and went home.

Victim A.O.Kobozev testified in the court session that on 26.02.2014 he learned from the mass media that Crimean Tatars gathered by the Crimean Supreme Council building and were trying to break into the building. He arrived at the meeting and saw that Crimean Tatars protesters were behaving aggressively against the protesters of the Russian-speaking population. Crimean Tatars began to push their opponents, while beating them with flagpoles and throwing plastic bottles of water at them. He also received several blows to the chest and abdomen, and then he saw one of Crimean Tatars spray gas in his direction. He got sick and he was helped out of the crowd, after which he went home.

Victim I.I.Yerokhin testified in the court that he had learned from the Internet about holding a rally in support of the legitimate authority of Crimea on 26.02.2014 in front of the building of the Supreme Council. At about 3:00 pm he came to the Supreme Council building to support the rally. There he saw a large number of Crimean Tatar protesters. Besides, he saw the red-black flags of the "Right Sector". He also saw young guys wearing red jackets among the Crimean Tatar protesters who were giving orders to protesters with gestures. When those guys had their arms forward, the protesting Crimean Tatars began to push their opponents. When they crossed their arms, the protesters stopped. He saw one of those guys take off his jacket, turn it out, and put on a black jacket. When the victim came out of the rally and tried to go back to the yard, he felt the smell of tear gas. He felt sick, stumbled over a flower bed and fell, he was attacked by the protesters, and felt a strong pain. After that, he got up and went to the hospital.

The expert's opinion No. 1618 of 22.06.2015 established that I.I.Yerokhin suffered an injury in the form of a bruise on the left lower leg caused by a blunt object which is regarded as an injury not causing a temporary health disorder. The infliction of the damage is not excluded on 26.02.2014 (volume 16, file sheets 157-159);

Victim D.A.Cherevko testified in the court hearing that on 26 February 2014 he came to a rally in front of the building of the Supreme Council of the AR of Crimea to express his position on self-determination of Crimea in light of the events taking place in Ukraine. In the rally he saw two confronting groups of protesters. On the one side he saw Crimean Tatar protesters together with representatives of the "Right Sector" who advocated a united Ukraine, and on the other side were protesters of the Russian-speaking population of Crimea who advocated self-determination of Crimea.

The victim also saw R. Chubarov speaking, who said that they would not allow the adoption of the decision by the session. The protesters advocating the united Ukraine acted aggressively. At around noon they began to inflict injuries on their opponents, throw stones, bottles, and spray gas at them. By that moment, the police officers had already moved towards the central entrance and no one was separating the protesters. The pro-Russia rally was surrounded and forced out of the inner yard, while the Crimean Tatar protesters broke into the building of the Supreme Council.

Victim K.N.Dovchanchuk testified in the court that at around 12:00 pm on 26 February 2014 he arrived at the rally near the building of the Supreme Council of the Autonomous Republic of Crimea to ensure the public order. The protesters were gathering in the inner courtyard in front of the entrance to the Supreme Council and were divided by the chain of police officers. The rally was divided into two sides, on the one side there were representatives of the Mejlis of the Crimean Tatar people with Crimean Tatar and Ukrainian flags, on the other side – pro-Russian citizens of Crimea with Crimean and Russian flags. In the aftermath, the Crimean Tatar protesters began to force their opponents out, while beating them with flags and throwing plastic bottles with water at the protesters. At some point in the crush, he fell and could not get up. When he got up, he could not breathe. He left the crowd and went home. When he sought medical help in the hospital, he was diagnosed with a rib fissure.

Victim I.V.Shparyov testified in the court hearing that at around 12:00 pm on 26 February 2014, as a representative of the People's Militia he went out to ensure the public order in the area of the Supreme Council of the Autonomous Republic of Crimea. He was not aware of a rally. By the building he saw a rally taking place and two groups of protesters. On the one side there were Crimean Tatar protesters who advocated the unity of Ukraine, and on the other side – pro-Russia demonstrators. The Crimean Tatar protesters were aggressive. He stood in the chain behind the police officers, who separated the protesters, to help protect the public order. At some point, Crimean Tatar protesters began to push the pro-Russia demonstrators while throwing bottles of water in their direction. One of the bottles hit the victim on the brow. He stood in the first chain, clasping hands with other protesters trying to hold off the onslaught. At that moment, one of the Crimean Tatar protesters hit him with a flagpole in the mouth area several times causing the knock-out of his two bottom teeth and the fracture of the upper dental bridge. After that, someone sprayed gas at his face, it became hard for him to breathe, which forced him to leave the rally and go home.

Victim V.K.Byzov testified in the court that at around 11:00 am on 26 February 2014 he came to the rally, as he wanted to express his position on self-determination of Crimea and ensure protection from the encroachments of the radically minded elements of society. First, he stood in the front ranks of protesters advocating for self-determination of Crimea, in front of them stood the aggressive Crimean Tatar protesters. At around 1-2 pm, the Crimean Tatar protesters began to push them, while hitting them with flagpoles. He, too, was hit in the clavicle. Then gas was sprayed at them, after which they were massively forced out of the inner yard, and at that moment their opponents broke into the building of the Supreme Council.

Victim Ye.S.Anokhin testified in the court that at about 11:00 am on 26 February 2014 he came to the building of the Supreme Council of the Autonomous Republic of Crimea, where a large number of protesters had already gathered. Two groups of protesters stood by the entrance to the Supreme Council building. To the right of the entrance were representatives of the militia and the pro-Russia protesters whom he joined, and on

the other side were the Crimean Tatars. During the rally there occurred conflicts among the protesters and then a crush began. He felt tear gas, and then he was very strongly pressed to the wall, after which together with the crowd he was carried into one of the passages between the columns located to the right of the entrance to the Supreme Council. As the result of the crush, he suffered a bruise on the chest.

Victim M.M.Matveyev testified in the court that at 12:00 pm on 26 February 2014 he arrived at the Supreme Council building knowing about a rally of the “Russian Unity” party that would take place there. Upon his arrival, he saw a large group of protesters in front of the building of the Supreme Council. There was a large number of protesters gathered by the Mejlis of the Crimean Tatar people carrying Crimean Tatar flags and advocating the unity of Ukraine with Crimea, and the other group consisted of pro-Russia protesters.

All the protesters were coming to the courtyard in front of the building of the Supreme Council. There, R.Chubarov and S.V.Aksyonov spoke before the protesters asking them to hold the rallies in a peaceful manner. Then there occurred a crush between the protesters, as the Crimean Tatar demonstrators began to push their opponents, spray pungent gas at them and beat them with flagpoles and bars, and throw bottles of water at them. He got poisoned by gas, felt sick, and after he got out of the crowd he did not observe what was happening.

Victim M.K.Traknov testified in the court session that at 11:00 am on 26 February 2014 he arrived at the building of the Supreme Council of the Autonomous Republic of Crimea where he saw a large crowd of people in front of the entrance. In the courtyard, there were two main groups of demonstrators facing each other. On the one side there were representatives of the Crimean Tatar people, mostly young guys chanting that Crimea was Ukrainian, and on the other side – representatives of the pro-Russia rally who supported Crimea's annexation to Russia. Subsequently, there occurred a crush among the protesters, as their opponents were trying to force them out of the courtyard, while beating them and spraying gas at them. The actions of the Crimean Tatar protesters were organised well. They pushed their opponents and then stopped in an organised manner. They were trying to break into the building of the Supreme Council. At some point they broke through, but he (Traknov) did not see that, but only heard about it from others.

Victim V.F.Lantsedov testified in the court session that on 26 February 2014 he came to a rally in front of the Supreme Council of the Autonomous Republic of Crimea to express his civil position on self-determination of Crimea, and – as a representative of the People’s Militia – to protect the public order during the rally. The rally consisted of two opposing groups. On the one side there were Crimean Tatars and representatives of the “Right Sector” who tried to break into the building, and on the other side – representatives of the militia and other public organisations that protected the building from penetration. During the rally, Crimean Tatars began to push. Radically minded Crimean Tatars began spraying tear gas at, inflicting bodily injuries on their opponents, and subsequently broke through into the Supreme Council building.

Victim S.D.Kulikov testified in the court session that at around 8.15 am on 26.02.2014 together with several Afghanistan veterans he arrived at the building of the Supreme Council of the Autonomous Republic of Crimea in order to support the work of the session. In light of the events in Kiev, namely the events in the Maidan, he considered it his duty to express his civic position. No certain form of the meeting was established. When he came to the building of the Supreme Council of the Autonomous Republic of Crimea, he saw a large number of Crimean Tatars with their flags, and black-and-red flags of Ukrainian nationalists among them. They were aggressive. In the courtyard the Crimean Tatars stood up in a chain. In this chain among them the victim saw people who were giving orders. On the part of the Russian-speaking population there was no such organisation, people just came to express their opinion, their position.

Subsequently, the number of protesters from both sides in the yard in front of the entrance to the building increased significantly. The police officers made a corridor between the two rallies. Later, the Crimean Tatar protesters occupied that corridor and began to force the pro-Russia rally out of the yard, while using force and spraying gas in their direction. When the Crimean Tatars pressed through the opposing rally, they pressed it against the column, and the Crimean Tatars themselves entered the right side entrance of the building of the Supreme Council of Crimea.

Victim V.V.Gerve testified in the court session that at around 10:30 am on 26.02.2014 as a representative of the militia together with other militiamen he arrived at Pushkina Street to go towards the building of the Supreme Council of the ARC to protect the public order. At around 11:00 am together with around 70 militiamen he proceeded to the building of the Supreme Council of the Autonomous Republic of Crimea, where, to the left of the entrance to the building, they saw a large meeting of representatives of the Crimean Tatar people, mostly men. Commander of the militia A.A.Shuvalov spoke with the eldest on their side, and they made a small corridor in the direction of the central entrance for them. The militiamen walked along the corridor one by one. He (V.V.Gerve) was a bit hesitant, and as he walked the last, the corridor closed, and as a result he remained in the centre of the Crimean Tatars' rally. At that moment, the density of the rally was so great that he could not leave the crowd on his own, but only move with the crowd. This lasted several hours. At some point, he saw the flags of Sevastopol ahead and shouted that Sevastopol was Russian. At the same moment, a man standing nearby hit him with a wooden flagpole in the head – he received a strong blow to the groin, causing him a strong physical pain and gradually got out of the crowd close to the wall where he saw the injured militiamen receiving medical assistance. His wound on the head was washed, and he went home.

Victim V.G.Bocharov testified in the court hearing that on 26.02.2014 he learned from a friend about a rally to be held in front of the building of the Supreme Council of the Autonomous Republic of Crimea. Moving along Pushkina Street he saw people gathering for the rally. He joined them and moved towards the building of the Supreme Council of the ARC. There in front of the building he saw another rally of the Crimean Tatar people who were opposed to the session of the deputies of the Supreme Council. Together with others he entered the courtyard from the right side and lined up in a chain to prevent provocations in order to disrupt the session. They were approached by O.F.Kovitidi who said that the deputies would try to hold a session and asked not to succumb to provocations.

First, there was a corridor of police officers between the protesters. However, when the number of protesters increased dramatically, the police officers moved to the central entrance, and a crush occurred among the protesters. The Crimean Tatar protesters began to force their opponents out of the inner yard, while beating the pro-Russia demonstrators with flagpoles, and throwing plastic bottles with water at them. At that moment, he was pressed to the parapet, which passed along the columns, and then he managed to climb the parapet and leave the rally.

Victim A.N.Kosintsev testified in the court session that on 26.02.2014 he came to his office in Dolgorukovskaya Street, Simferopol, where he saw people gathering near the Supreme Council of the Autonomous Republic of Crimea. He also approached the Supreme Council, where he saw two groups of people with different flags. To the left of the entrance were the Crimean Tatar protesters with their national flags and flags of Ukraine, to the right were pro-Russia demonstrators carrying the flags of Crimea and the Russian Federation. He stayed in the courtyard and watched the two rallies pushing each other, as the Crimean Tatar protesters began to force their opponents away from the central entrance to the right into the passage between the columns. While staying in the first rank of the pro-Russia rally he was hit by the Crimean Tatar protesters pressing against them, and then someone sprayed gas into his face making it hard for him to breathe after which he left the crowd and the rally.

Victim V.D.Fatuyev testified in the court that on 26.02.2014 he watched TV and saw that there was a rally in front of the building of the Supreme Council of the Autonomous Republic of Crimea, and he also decided to go to the rally and express his civil position.

When he came to the Supreme Council building, he saw that to the left of the entrance there were Crimean Tatar protesters with their national and Ukrainian flags and flags of the “Right Sector”, on the opposite side were pro-Russia protesters with Crimean and Russian flags. Those rallies were separated by a chain of police officers. He joined the pro-Russian rally, and found himself in the middle of the courtyard, in front of the entrance to the building. At some point, when the police officers separating the rallies retired, a crush occurred among the protesters. The Crimean Tatar protesters, mostly young guys., began to press the pro-Russian rally in an organised and coordinated manner and tried to force them out of the yard. At first, they

tried to resist them, but then he felt a sharp pain in his chest and he could hardly breathe, so he started to get out of the crowd, but he stumbled over a flower bed and fell, other people began to fall on him. At that moment he was dragged out and taken to the ambulance and then to the hospital, where he was diagnosed with a bruise on the chest and legs.

The expert's opinion No. 1328 of 18.06.2015 established that V.D.Fatuyev received injuries in the form of a bruise on and compression of the left side of the chest, contusion of the soft tissues of the right thigh, regarded as injuries that caused a slight damage to health, which could have been caused as the result of compression of the chest and right thigh of the victim between the blunt objects. Inflicting the damage is not excluded on 26.02.2014 (volume 16, file sheets 89-91);

Victim I.S.Tsokalo testified in the court hearing that on 26.02.2014, he was at home and saw on TV that some rally was taking place in front of the building of the Supreme Council of the Autonomous Republic of Crimea.

At about 2:00 pm, he arrived at the rally and went to the courtyard where he saw two confronting rallies, which had already closed up and were pressing against each other along the contact line. On the one side there were Crimean Tatar protesters, and on the other side – pro-Russia demonstrators. While he was in the front ranks of the pro-Russian rally, the pressure from the Crimean Tatars increased significantly, they became more aggressive. Because of the crush, he felt a strong pain in the chest area, and as a result he left the crowd and stood aside. About 30 minutes later, the pro-Russia protesters began to run out of the yard as Crimean Tatars broke into the building. After a while, the protesters began to disperse.

Victim A.V.Lushchan testified in the court session that in the afternoon of 26.02.14 he was passing by the Supreme Council of the AR of Crimea, and saw two confronting rallies near the building – pro-Ukrainian and pro-Russian. He passed into the centre of the courtyard from the side of the pro-Russia rally. At that moment, the Crimean Tatar demonstrators began to push their opponents and use violence against them, they threw plastic bottles of sand in their direction, demonstrators were fighting along the contact line. He saw the leaders of the Ukrainian rally. Those persons stood in the crowd and gave orders such as “forward” or “backward”. One of those leaders wore a red jacket and had a “balaclava” on his head, that is a hat covering the whole head except for the eyes. Then he saw someone among the Crimean Tatar protesters spray gas at them. He got poisoned, went out of the crowd, washed his face and left the rally.

Victim A.N.Semirog testified in the court that at around 9.30 am on 26.02.2014 as a militiaman he arrived at the building of the Supreme Council of Crimea to ensure the public order.

At around 11:00 am there were two rallies near the building. On the one side there were Crimean Tatar protesters, and on the other side – pro-Russia demonstrators. There occurred a crush among the protesters, they began pushing each other. Subsequently, the actions of the Crimean Tatars became more aggressive. They began to use violence against their opponents. He had his tooth knocked out as a result of a blow in his face, and then he was poisoned by gas. Those actions were carried out by the Crimean Tatar protesters. At about 4:00 pm, some brown gas was sprayed in their direction, after which they were forced out of the yard to the right between the columns, while Crimean Tatars were striking them with flagpoles and throwing plastic bottles of sand at them. After the Crimean Tatar protesters occupied the whole territory of the yard, both rallies began to disperse, and he, too, left the square.

Victim V.V.Shlomovich testified in the court that at around 9:00 am on 26.02.2014 he came to the building of the Supreme Council of Crimea. By the line of militiamen he understood that there would be two rallies – pro-Russian and pro-Ukrainian. The militia were supposed to help police officers protect the public order. Gradually, the number of protesters increased, and the rallies were in contact. For some time, there was a corridor of police officers between the protesters. He was in the courtyard, to the right of the entrance. Subsequently, the pressure by the pro-Ukrainian rally began to intensify, in fact, that rally consisted of Crimean Tatars. At some point, the pro-Ukrainian rally started to behave more aggressively, that is, the pressure on the pro-Russian rally increased significantly, and they began to use violence, beating their opponents with flagpoles. Then the pro-Russian rally was surrounded with a half circle and finally forced out of the yard. He turned his back on the pro-Ukrainian demonstrators and, at that moment, received a blow on his head by a

blunt object, which caused him a strong pain, and, after he got out of the crowd, he sought emergency treatment and then went home.

Victim A.A.Kolesnikov testified in the court session that at 2:00 pm on 26 February 2014, he arrived at the building of the Supreme Council of the Autonomous Republic of Crimea, as the day before he heard about the rally to be held from 3pm to 6pm.

When he approached the building, he saw protesters with Crimean Tatar and Ukrainian flags to the left of the entrance, and to the right – protesters with the flags of Crimea and the Russian Federation. He realised that there were two rallies – pro-Ukrainian and pro-Russian. He joined the pro-Russian rally, he went to the centre of the courtyard. At that moment, a crush occurred among the protesters, that is, the pro-Ukraine demonstrators began to push their opponents. It lasted for several hours, as the pro-Russian rally resisted the pressure. At some point, when the number of protesters of the pro-Ukrainian rally increased significantly, their opponents were forced out of the yard into the right passage between the columns. Bottles of water flew in their direction, and he knew someone sprayed gas, as his eyes filled with tears and it was hard to breathe. During the crush, he stumbled over a flower bed and fell, others fell on him. He was dragged out of the crush, after which he stepped aside. After a short time, two rallies began to disperse. He also went home.

Victim V.N.Zaichinsky testified in the court that on 23.02.14 he joined public organisation “Krymskaya Druzhina” [the so-called Squad of Crimea] which was supposed to help police officers protect the public order on 26.02.2014. They gathered by the “Simferopol” cinema theatre by 11:00 am and in a column of 200 people they marched towards the building of the Supreme Council of the Autonomous Republic of Crimea. There, to the left of the entrance stood Crimean Tatar protesters. He and other members of the public order squad moved through that rally one by one, and stood up in a line behind the police officers who formed in a U-formation in front of the entrance. The task of the members of the squad was to help the police, and not to allow protesters into the building.

At some point, the Crimean Tatar protesters began to shout, push representatives of the opposite rally, punch them, throw plastic bottles with water and spray gas at them. At some point, when he was in the front row, he was pulled out of the line and pushed to the ground. He fell and covered his face with his hands, then a friend helped him to stand up. By that time, the Crimean Tatar protesters had already occupied the entire yard and forced their opponents out into the right passage. He saw that the entrance to the building was open and inside it were the Crimean Tatar protesters. After that, rallies began to disperse and he also went home.

Victim O.I.Mokshin testified in the court that at 11:00 am on 26.02.2014 he arrived at the Supreme Council of the AR of Crimea, as he knew that there would be a rally in support of Crimea's autonomous status. In the courtyard, in front of the entrance, he saw Crimean Tatar protesters carrying their national flags and chanting pro-Ukrainian slogans. Their supporters were arriving in an organised manner and in large quantity. Police officers guarded the central entrance to the building. On the right side there were protesters of the pro-Russian rally, their number was much smaller. At around 12:00 pm, the Crimean Tatar protesters began to push the pro-Russia demonstrators and use violence against them. They sprayed gas, beat them with wooden flagpoles and threw plastic bottles of water at their opponents. Among those protesters he saw persons wearing red jackets who waved their hands – he did not observe them to have more details. As a result of the crush, he suffered a severe pain in the chest, and he also was hit by a plastic bottle of water, and pulled a muscle. When he came out of the courtyard, he saw that the pro-Russian rally had been forced out of the yard, and he also learnt from the others that the representatives of the pro-Ukrainian rally had broken into the building.

Victim N.F.Baranov testified in the court session that on 23.02.2014 he joined the People's Militia to protect the public order. On 25.02.2014, someone called him and asked to come to the office of Afghans on 26.02.2014. On the next day, as a disabled veteran of the 2nd group, he approached the office of Afghans in Pushkina Street where a convoy of soldiers was gathering to ensure the public order. Given that he had problems with walking, he followed the column to the Supreme Council, where they came from the right side of the entrance. He stood at the end of the yard by the wall. He saw a guy fall in the crowd and wanted to help him stand up, but then he himself fell, and people began to fall on him and step on him. He lost consciousness, and when he was brought to consciousness by sal ammoniac he found a policeman helping him and by that

time the meeting was already over. He got up, found his friends and left. Subsequently, he was diagnosed in the hospital with a traumatic hernia of the left side of the diaphragm. He did not see who organised the crush at the rally.

Victim M.A.Koleiko testified in the court hearing that on 26.02.2014 he saw on TV that a rally would be held near the building of the Supreme Council of ARC. At around 11:00 am he arrived at the Supreme Council building, where he saw two rallies in the courtyard. To the left of the entrance were the Crimean Tatars, and to the right – the pro-Russian rally which he joined. During the rallies he saw the flag of the “Right Sector” among the Crimean Tatars. When the two rallies closed up, their opponents sprayed gas in their direction, and he was severely poisoned, as he could not look and breathe. At that moment, they were attacked by plastic bottles with water. Then, after a while, he and his fellows were forced out of the yard, behind the columns. After that, the protesters began to disperse. He felt the gas poisoning for a few more days.

Victim S.A.Nedosekin testified in the court hearing that on 25.02.2014 he got a leaflet outside which said that a rally would be held near the building of the Supreme Council at 10:00 am the next day. On 26 February 2014, he came to the building of the Supreme Council of the Autonomous Republic of Crimea and saw two rallies there. To the left of the entrance he saw Crimean Tatar flags and flags of the “Right Sector”, and to the right – flags of Crimea and Russia. He saw a group of guys with covered faces and the flag of the “Right Sector” approach the Crimean Tatar protesters – one of them wore a red jacket – and blend into the crowd of protesters. When there occurred pressure between the protesters, a journalist of the “ATR” channel who was standing on the steps near the entrance shouted “Gas, gas, gas” and part of the pro-Russia demonstrators were promptly retiring towards the right passage, and there occurred a crush. R.Chubarov and S. Aksyonov spoke before the demonstrators one by one asking everyone to calm down and avoid conflicts. During the crush, the Crimean Tatars sprayed gas and the victim felt its action and left the crowd to catch his breath. When he was about to come back, he saw that the rally was actually already parted, he also went home. He did not seek medical treatment in connection with gas poisoning.

Victim V.S.Butyaga testified in the court session that at 12:00 pm on 26.02.2014 he came to the building of the Supreme Council of the Autonomous Republic of Crimea, as he was informed about a rally to take place in support of the current government. When he approached the building of the Supreme Council, in its courtyard he saw two groups of protesters. To the left of the entrance was a group of Crimean Tatars with their flags who were in favour of Ukraine, to the right were Russian-speaking demonstrators who spoke for Russia. He joined the Russian-speaking group. At first it was calm, and then the situation began to heat up, a crush began. He was in the front row, and when he was squeezed very hard, he felt pain in his chest. They were forced to the right, and after that he left the rally and went home. Later he applied for medical help.

The expert's opinion No. 1384 of 29.06.2015 established that V.S. Butyaga received injuries in the form of a bruise of the soft tissues of the left side of the chest caused by a blunt object probably as a result of compression of the chest, regarded as injuries not causing damage to health. Inflicting the damage is not excluded on 26.02.2014 (volume 17, file sheets 13-15);

Victim V.N.Kotenko testified in the court hearing that at around 3:00 pm on 26 February 2014, upon a call from his friend who informed about confrontation between the two rallies he arrived at the Supreme Council building, in order to help police officers ensure the public order in his capacity of a member of the People's Guard [“druzhinnik”]. He had joined the People's Guard squad the day before. At the Supreme Council building, he saw a confrontation between two rallies. To the right of the entrance were the pro-Russia protesters, and to the left – the Crimean Tatar protesters. After a while, the Crimean Tatar protesters began to push harder, and at that moment a plastic bottle filled with water hit him in the left shoulder. He felt a strong pain. After that, he left the crowd and went home. He did not seek medical help, he treated himself at home.

Victim G.A.Drozdov testified in the court hearing that at 9.30 am on 26.02.2014 he came to the building of the Supreme Council of the Autonomous Republic of Crimea. He knew that the rally of the Russian Unity party was scheduled for 12:00 pm. He had learned about this rally before. On 23.02.2014, he joined the Crimean self-defence, and later he was informed of the rally. When he came to the building, he saw Crimean Tatar protesters with their national flags, the flags of Ukraine, and the flag of the “Right Sector” to the left of

the entrance, and Cossacks and self-defence with the flags of Crimea to the right of the entrance. When the number of protesters of the Crimean Tatar people increased significantly, he and his associates lined up in front of the entrance. Between the two rallies was a corridor made by police officers. At some point, the opposing rally began to put pressure on him and his associates. He almost lost consciousness in the crush. Then he saw a large cloud of white gas in the crowd, and his rally withdrew, at that moment he was in the back rows. After that, someone spoke to the protesters in the courtyard and everyone began to disperse, he also went home.

Victim I.M.Rybalko testified in the court session that at 11:00 am on 26.02.2014 he came to the building of the Supreme Council of the AR of Crimea, as while he was enrolling in the People's Militia the day before, a friend of his told him that it was necessary to come to the building and protect it due to the session to be held by the deputies of the Supreme Council on Crimea's independence referendum. When he approached the building, he saw a crowd of protesters there. He did not know anything about the rallies. He joined his comrades who were also in the courtyard and, at that moment, the Crimean Tatar protesters began to put pressure as they were trying to break into the building. Together with other protesters, he stood up in a chain to resist their opponents. At some point, he had his hat and glasses torn off his head, and then a plastic bottle of water thrown from the rear ranks of the Crimean Tatar rally hit him in the head, as a result, he got a large abrasion on his head. Feeling a strong pain, he left the rally and went home, he did not see what was happening next.

Victim A.A.Belan testified in the courtroom that on 25.02.2014 as an officer of the Dzhankoi City Police Department he was informed that on 26.02.2014 he had to participate in the protection of public order in the city of Simferopol. On 26.02.2014 together with other officers of the Dzhankoi City Police Department he took special means and arrived at the building of the Supreme Council of Crimea. At around 11:00 am they came out to the yard of the building without special means, where they lined up between the two rallies. To the left of the entrance were Crimean Tatar protesters, and to the right of the entrance – the Russian-speaking demonstrators. Later the number of protesters increased significantly, and confrontation occurred between the rallies. In that crush he found himself sandwiched between the two rallies, as a result of which, he got sick, after that he was helped out towards the building of the Supreme Council along the chain of his colleagues, he was provided medical assistance at the medical aid station inside the building. He stayed at the medical aid station for about an hour. When he came out, he saw that rallies were dispersing. He also saw that glass inserts in the central entrance door were broken. They got on the bus and drove home. When later he went to the hospital, he was diagnosed with a chest contusion.

Victim G.A.Kuznetsov testified in the court session that he knew about a rally of the “Russian Unity” party scheduled for 2:00 pm on 26.02.2014 in front of the building of the Supreme Council of the Autonomous Republic of Crimea. However, when he turned on TV in the morning, he saw that a rally of supporters of the Ukrainian authorities was already under way near the Supreme Council building and he decided to go there and listen to their position. When he came to the building of the Supreme Council, in the courtyard in front of the entrance he saw two huge crowds of protesters with different flags separated by a corridor made of police officers. From time to time, there occurred a crush between the rallies. When he was in the front ranks of the protesters, someone from the pro-Ukrainian rally dropped an object which emitted gas which caused his eyes to smart, and he left the rally. When he came back, he found himself in the back rows. Subsequently, when they were forced out of the yard, there was still some tension on the contact line, and then everyone began to disperse, as someone gave a speech and said that the session would not take place.

Victim A.V.Arnautov testified in the court session that on 25 February 2014 he heard an announcement about the parliament's meeting to take place on the next day. The next day in the morning of 26 February 2014 he learned from the media about a rally which was already under way near the building of the Supreme Council of the Autonomous Republic of Crimea. He came to the meeting and saw two rallies there. To the left of the entrance to the building were protesters carrying Crimean Tatar and Ukrainian flags and flags of the “Right Sector”, and to the right were protesters with the flags of Crimea and the Russian Federation. He tried to understand the views of each of the rallies. First, it was calm. There was a corridor of police officers between the protesters. Later, at some point, police officers left the yard. And then the Crimean

Tatar protesters began to put pressure on the pro-Russia rally. He was not in the front ranks where the rallies closed up and stood closer to the way out from the yard. At some point, someone sprayed gas and the pro-Russian demonstrators started to withdraw. He felt the gas, as his throat and nose hurt and his eyes filled with tears. Given that there were a lot of women and children behind the pro-Russian rally, they (the men) made a corridor so that they could promptly leave the yard. At that moment, he stood with his back to the opposite rally. And it was then that he was knocked down and fell, some people fell on him, and he nearly lost consciousness. Then someone pulled him out of the crowd, and took him out of the yard, he was taken home by car.

Victim A.Ye.Osin testified in the court session that at around 2:00 pm on 26.02.2014 he came from Sevastopol to participate in the peaceful rally near the building of the Supreme Council of Crimea. In Sevastopol, about 100 people gathered in Nakhimov square and were taken to Simferopol in three buses. When they arrived he and his associates marched to the centre of the yard with the flag of the “Russian Bloc”, the protesters parted and let them go. Opposite them, to the left of the entrance to the building, were supporters of the pro-Ukrainian rally. There was a small chain of police officers between the protesters. He saw people in masks among the pro-Ukrainian demonstrators who showed with their gestures where the crowd of protesters should move. At some point, the pro-Ukrainian rally began to put pressure on the pro-Russian demonstrators and then began to use violence. They began to throw plastic bottles of water at them, and use gas. He breathed in the gas, and was squeezed between the protesters very hard, so he felt sick and then he was helped out of the crowd, put in the car and taken to a hospital where he was diagnosed with a bruised chest, and then he went home.

Victim M.A.Gusarov testified in the court that on 23.02.2014 he joined the People’s Militia of Crimea. On 25.02.2014, he learned about a rally of the “Russian Unity” party to be held on the next day near the Supreme Council building and that he and other militiamen should go to the Supreme Council building to protect the public order. He learned from the Internet that the supporters of the Mejlis were planning to gather near the Supreme Council building in the morning of 26.02.2014. At 8.30 am on 26.02.2014 he approached the Supreme Council and saw there small groups of people with flags. When he returned an hour later, he found more people with Crimean Tatar flags standing to the left of the entrance to the building, in the middle there was a corridor of police officers, and to the right of the entrance stood supporters of the pro-Russian rally. He stood up between the police officers and the supporters of the pro-Russian rally. Later, when the number of protesters increased significantly, the first ranks of the pro-Russian rally were making chains as the supporters of the Mejlis were occupying a larger space in the yard in front of the entrance. The police officers tried not to allow clashes between protesters, but at some point, the Mejlis protesters began to force the pro-Russian rally out and use violence and gas against them. He breathed in the gas, left the rally, and when he was about to go back he saw a large white cloud in the centre of the yard. Panic broke out in the crowd of pro-Russian protesters as people were trying to get out from the yard, but there was only one passage between the columns, a crush began. He managed to jump out onto the parapet, and the rest of the protesters were forced out from the courtyard by the protesters of the Mejlis. After that, he found his father who also took part in the rally, and together they went home.

Victim S.V.Kolesnikov testified in the court session that at 12:00 pm on 26.02.2014 he arrived at the building of the Supreme Council of the Autonomous Republic of Crimea. As a representative of the Crimean self-defence, he came to support the holding of the session of the Supreme Council. When he came there, he saw two rallies at the entrance. To the left of the entrance were Crimean Tatar protesters, and to the right were the militia and pro-Russian demonstrators who came to express their position. When he came up, there was already a crush between the front rows of the rallies. Then the protesters on the left began to throw plastic bottles of water. He was standing on the right side together with the militia, but not in the front rows, and restrained the pressure by the second rally. Sometimes he got out to take breath, as it was hard to breathe inside the yard as someone used gas. Then he saw another group of protesters while forcing them out broke into the right service entrance and got inside the building of the Supreme Council. When they were forced out of the

courtyard, he saw a woman lying on the lawn unconscious. He and some guy whom he did not know took this woman to an ambulance. After that, he went home.

The video file “Mass fight in Simferopol between the Tatars on 26.02.2014”, folder “State Council of Crimea 26.02.2014”, which is stored on the hard disk seized from O.V.Bogoslavskaya, shows according to the time mark from 00:19 until 00:26 victim S.V.Kolesnikov who together with other men were carrying the elderly woman with gray short hair and an injury on her face.

Victim V.I.Leontyev testified in the court session that at around 1:00 pm on 26.02.2014, his wife V.D. Korneva and he went for a stroll in the centre of the city. They saw on TV that a rally was under way in the city center. They hosted their friend A. Melnikov at that time who went for a walk with them. At around 3:00 pm, the three of them approached the building of the Supreme Council of the Autonomous Republic of Crimea, and they watched the rallies from the sidewalk across the road. He said he would go and take a closer look at the rally and asked his wife and A.Melnikov to stay where they were. He was absent for about 15 or 20 minutes. When he returned, he did not find his wife and A.Melnikov on the spot. Then he saw A.Melnikov who told him that he and V.D.Korneva also came closer to the rally, but there occurred a crush and they lost each other. He (V.I.Leontyev) called his wife several times but no one answered. In about 5 minutes someone answered his wife’s phone, an unfamiliar male voice said that the woman had been delivered with injuries to the 6th city hospital and he needed to come and identify her. When he arrived at the hospital, he learned that his wife had been delivered from the rally where she received a head injury, rib fractures, and injuries of internal organs. His spouse required an immediate surgery during which she died from her injuries. He does not know under which circumstances she received injuries at the rally.

The expert’s opinion No. 260-M of 28.01.2015 established that the corpse of V.D.Korneva had bodily injuries caused by multiple traumatic actions by a blunt object(-s) which could also be arms or legs. The cause of death of V.D.Korneva was a combined blunt trauma of the body with multiple fractures of the bones of the skeleton and injuries of the internal organs complicated by the development of fat embolism of the vessels of the small circle of blood circulation and traumatic shock. The woman died at 8:00 pm on 26.02.2014 (volume 15, file sheets 116-126).

Victim A.V.Dubikovsky testified in the court that at 11:30 am on 26.02.2014 together with his father and two brothers, they arrived at the building of the Supreme Council of the Autonomous Republic of Crimea to participate in the rally in their capacity of militiamen. When they approached the building, to the left of the entrance were Crimean Tatar protesters with national flags and flags of Ukraine, to the right were representatives of the pro-Russian rally. They entered the yard from the right side and walked to the first line of the rally and stood up in a chain on the side of the pro-Russian rally. The opposite rally was trying to push them out of the yard, they began throwing plastic bottles of water at them and one of the bottles hit him in the right forearm, which caused a bruise and hematoma. After that, he and his father and brothers left the rally, and returned in about an hour and a half. The confrontation between the rallies continued. When they tried to enter the yard of the Supreme Council, all the pro-Russian demonstrators were forced out of the yard. He saw the Crimean Tatar protesters with sticks and bars in their hands. After that together with his father and brothers they went home.

Victim O.I.Grek confirmed the testimony of victim A.Ye.Kiriyenko and V.A.Dorofeyev and testified in the court session that they in fact were together at the rally on 26 February 2014 near the building of the Supreme Council of Crimea. When they arrived, he saw several thousand protesters of the Crimean Tatar rally and several dozen Russian-speaking population. First, it was calm. Then, the Crimean Tatar protesters began to put pressure on the pro-Russian rally, they began to use violence, insult their opponents, and later they used gas. Dorofeyev became sick; he was brought into the car and taken to the hospital, where he was put on a drip. A.Ye.Kiriyenko had his head cut by a fishing rod with a flag on it. He also became sick in the crowd, as his two ribs clapped. When he came to the hospital for medical help, he was diagnosed with a bruised chest.

Victim S.V.Yernev testified in the court session that in the morning of 26.02.2014 he got a phone call from M.S.Sheremet who told him to come to the building of the Supreme Council of the ARC. When he arrived at the building, he saw about 40 police officers at the entrance, and the militia standing in a chain. To the left

of the entrance were protesters with Crimean Tatar flags. Several thousand protesters gathered in the yard from both the Crimean Tatar rally and the militia, which led to a crush, since the Crimean Tatars began to squeeze the militia out. When he saw that the number of Crimean Tatars greatly exceeded the number of militiamen, he left the rally and started to make calls to militiamen from other cities of Crimea so that they urgently came to the building of the Supreme Council to prevent the Crimean Tatars from breaking into the building. The night before he tried to meet with the leadership of the Mejlis to talk about the prevention of mass riots in Crimea, but they refused to have such a meeting. The need for such a meeting was due to the fact that a few days before this, he had been informed that a Turkish car had been stopped in Yevpatoriya where 10 bottles of combustible liquid were found, which could be used in Simferopol during provocations. On the spot he saw the way the actions of the Crimean Tatar protesters were coordinated and managed. Behind the protesters on the hill there stood a man, who looked like others and was giving signs to people wearing red jackets, and those were evenly distributed among the protesters. Those persons stood in 3 or 4 rows, and stood with their face to the leader and their back to the line of contact with the other rally. Upon a sign of the coordinator, they started to shout and encourage the actions of the protesters, and then stopped. When the pressure began, he was in the front row, he was pulled out of the line and dumped on the ground. At that moment, he was beaten with legs, and he also received a hematoma on his left cheek. Later, when he got up, the Crimean Tatar protesters kicked him in the chest, then he inhaled gas, and, losing coordination, he left the rally. He saw that the opposite rally sprayed gas in their direction in black cylinders produced by the Federal Republic of Germany, which is banned throughout the world. This gas was sprayed by a man from 2nd or 3rd row, who had two associates. They punched gas cylinders with nails and threw them under the feet of the militia, so that it was impossible to neutralize them in the crowd. He did not see what happened further in the courtyard, as he was already out.

Victim V.V.Pogorelov testified in the court session that on 23.02.2014 he enrolled in the People's Guard in order to ensure the public order in Crimea. On 26.02.2014, he received a phone call and was requested to come to the Supreme Council building to ensure the public order. When he came there, he saw a large number of protesters with Crimean Tatar and Ukrainian flags and the flags of the "Right Sector" to the left of the entrance to the building. To the right of the entrance were representatives of the militia who prevented a possible breakthrough into the building. He saw that the representatives of the "Right Sector" were encouraging the Crimean Tatars to clash with the militia who were standing up in a chain blocking the passage to the entrance. At about 12:00 pm, the police officers who had made a corridor between the protesters left the yard, and the Crimean Tatars, while using violence and gas, began to break through to the entrance. At that moment, someone sprayed gas into his face, and he felt sick, began to lose consciousness and fell. He found himself in an ambulance. He does not know what was happening further in front of the building of the Supreme Council.

The expert's opinion No. 1248 of 30.06.2015 established that V.V.Pogorelov had suffered injuries caused by a blunt object, i.e. the bruises on the anterior right chest and the abdomen regarded as not causing harm to health. The infliction of the damage is not excluded on 26.02.2014 (vol. 16, file sheets 14-18).

Victim A.V.Ivkin testified in the court hearing that in the afternoon of 26 February 2014 he came to the building of the Supreme Council of the Autonomous Republic of Crimea, as he knew about the session to be held. When he approached the building, by the flags of the protesters he found the pro-Russian demonstrators and stood in the first row. When the police officers who had made a corridor left, the rallies closed up, and the Crimean Tatar protesters began to push their opponents and use violence. Someone punched him in the face and in the head – he could not resist as he was holding the hands in the chain of the protesters. Their opponents remained aggressive, they threw plastic bottles of water, beat their opponents with sticks. When they were almost forced out, he was also hit in the head with a stick. At that moment he fell and was beaten with legs. When he got up, nobody touched him, and he left the crowd of Crimean Tatars and went home.

Victim V.M.Khudonosov testified in the court session that at 11:00 am on 26 February 2014, he learned from the television about some mass actions taking place in front of the building of the Supreme

Council of the Autonomous Republic of Crimea. In light of the events in Kiev, he came to the Supreme Council building to prevent the overthrow of the legitimate authorities. In the courtyard in front of the entrance to the building, he saw a large crowd of people. On the left side, there were Crimean Tatar protesters with their flags, the flags of Ukraine and a black and red flag of “Banderovsty”, to the right of the entrance there were protesters with Crimean flags. First, there was a corridor made by police officers between the two rallies. When the police officers left, the Crimean Tatars began to push their opponents. When the pressure reached its climax, he felt it was hard to breathe, and his head began to spin. He came out of the crowd, went to the ambulance, where he was helped. Since he had an arrhythmia and a broken rib, he was taken to the hospital where he was treated for 4 more days.

Victim Ye.S.Solodovnikova testified in the court session that at 2:00 pm on 26 February 2014 she arrived at the rally to the building of the Supreme Council of the Autonomous Republic of Crimea. As she learned from the mass media, the rally was held against unrest in Kiev. When she arrived at the Supreme Council building, she went into the crowd of protesters who were standing to the left of the entrance to the building. She did not notice at once that she was among pro-Ukrainian protesters. When they were shouting slogans for Ukraine, she said that she was for Russia. At that moment, two women began to beat her. They hit her in the face, and then began kicking her in her stomach, she felt the pain in her side, and at that moment, a black-haired young man pulled her out of the crowd and pushed her out into the open space. Then she walked into the courtyard from the side of the pro-Russian rally, where guys told her to leave the courtyard. She went out and went to the bus stop. Sitting there she saw that the rally was dispersing after which she went home. She sought medical help with regard to the pain in her side.

Victim K.S.Volchkov testified in the court session that on 26.02.14 he was near the building of the Supreme Council of the Autonomous Republic of Crimea, where there were mass riots which occurred as a result of the pressure by the pro-Ukrainian rally on representatives of the pro-Russian rally, during which he suffered severe physical pain.

Victim R.R.Bazhanov testified in the court session that in the morning of 26 February 2014 he came to participate in the rally at the building of the Supreme Council of the Republic of Crimea to defend his rights.

They were preventing Crimean Tatar protesters from approaching the central entrance of the Supreme Council. First, there was a corridor between the two rallies made by police officers who were holding them back. When the police officers left, the Crimean Tatar protesters began to use violence and tried to force the pro-Russian rally out of the courtyard. During the crush, he saw someone dragging a man from his rally into the opposite rally, he grabbed that man and pulled him back. At that moment, someone was beating him in the right hand which was dragging that man back. First, he felt nothing, and then he felt a strong pain in his hand and came out of the crowd. He had his hand put in the plaster splint in the ambulance, and then in the plaster when he was in the hospital. At the hospital, he did not say that he was injured during the rally, he said he had fallen.

Victim S.A.Turchanenko testified in the court that on 26.02.2014 he was on duty as an assistant to and the driver of the deputy of the Verkhovna Rada of the AR of Crimea V.Ye. Kosarev. At 8:00 am, he drove him to work. He knew about a peaceful meeting to be held on that day. Later he saw representatives of Crimean Tatars gathering in front of the building, and R.Chubatrov and Senchenko speaking before them. Then he saw several Crimean Tatar protesters approach a demonstrator wearing a helmet and carrying the Russian flag and try to take the flag away from him while beating him. He separated them, and took the man aside. R.Chubarov and S.Aksyonov spoke before the demonstrators and tried to calm the protesters down. In the crowd of the Crimean Tatars he saw people in red jackets, who were giving orders to the Crimean Tatars with gestures. Subsequently, when he was leaving the building of the Verkhovna Rada, he saw a corridor made by police officers between the two rallies. That corridor was crushed by the Crimean Tatars, who began to force the pro-Russian rally out of the yard, and at that moment he suffered from the effects of gas.

Victim O.I.Korniyenko testified in the court session that on 23.02.2014 as the commander of the 6th company of the People’s Militia regiment of Crimea he enrolled volunteers to participate in the rally on the side of militiamen. His company enrolled 118 persons; they gave their personal information and phone

numbers. On 25.02.2014, during the meeting S.V.Aksyonov informed that on 26.02.2014 the session of the Supreme Council of the Autonomous Republic of Crimea would decide the question of holding a referendum and asked the representatives of the People's Militia to come to the building at 1:30 pm to ensure the public order and avoid the disruption of the session which should take place at 2:00 pm. Aksyonov pointed out that, upon the agreement with R.Chubarov, the rallies must be held peacefully. In the morning of 26.02.2014, at about 10:00 am, he called the regiment's officers on duty and told them that crowds of aggressive Crimean Tatar protesters were gathering in front of the building of the Supreme Council of Crimea. He understood that it could result in the disruption of the session and gave a command to gather his staff in front of the Supreme Council building. In about an hour, he and his staff arrived at the building of the Supreme Council, where they found two rallies. On the left side were the Crimean Tatar protesters, on the right side were the pro-Russian demonstrators. The rallies were separated by a corridor made of police officers. They passed through the corridor into the courtyard and joined the pro-Russian demonstrators in the centre, who were standing in a chain blocking the way to the central entrance to the Supreme Council of the Autonomous Republic of Crimea. Subsequently, the Crimean Tatar protesters began to push them and the chain of the police officers, and later began to use violence, gas, and, having a quantitative advantage, they forced their opponents out of the yard into the right passage between the columns. At that moment, he saw Crimean Tatars breaking the door of a side entrance to the building. After they were forced out, they remained in the street for a while and then dispersed.

Victim N.V.Kolesnik testified in the court session that as part of the 3rd company of the Crimean People's Militia, he arrived at the building of the Supreme Council of the Autonomous Republic of Crimea at around noon on 26 February 2014. They stood on the square to the right of the entrance, as there already were Crimean Tatar protesters to the left and in the middle. He and his colleagues stood in front of those protesters, in the middle of the yard. Then, after a while, a crush began and the protesters began to use violence against each other, the Crimean Tatars sprayed gas. At that moment, someone hit him in the head. Later, the Crimean Tatar protesters began to force them out of the courtyard, at that moment he fell, a friend of his helped him get up and leave the yard.

Victim V.V.Lobyntsev testified in the court hearing that on 26.02.2014 he and his former wife I.A. Lobyntseva came to the building of the Supreme Council of the Autonomous Republic of Crimea, where the militiamen already stood in a chain, with a chain of Cossacks in front of them. He stood in the chain close to the Cossacks he knew personally. He knew that someone wanted to seize the building of the Verkhovna Rada, and he wanted to prevent it. At the same time, he saw Crimean Tatar protesters approaching the building with their flags. He did not know about any rallies of the parties. At around 10:00 am, a large number of Crimean Tatar protesters gathered near the yard, and in order to prevent their penetration into the building, Lobyntsev and other Cossacks stood in a chain in front of the police officers close to the central entrance to the building. The Crimean Tatars began to push their opponents. They were trying to push them away from the entrance. At the same time, the Crimean Tatars threw plastic bottles at them, and used tear gas. He felt its effect. They tried twice to pull him out of the chain, but it did not work. Then he came out of the crowd to catch his breath, and when he was about to return, they started to push harder, and their rally was squeezed out of the yard by the Crimean Tatar protesters. After this, the rallies dispersed.

According to the testimony of A.V.Shlyagin given in accordance with Article 281 of the Criminal Procedural Code of the Russian Federation, on 26.02.2014 he came to the building of the Verkhovna Rada of the Autonomous Republic of Crimea. To the left of the entrance he saw Crimean Tatars with their national flags. Later in the crowd of Crimean Tatars, he saw a flag of the "Right Sector". At around 11:00 am, next to him stopped a bearded man wearing a black helmet and carrying the flag of the Russian Federation. The Crimean Tatars who stood nearby ran towards that man and tried to take that flag away from him, but the man did not let go. He (A.V.Shlyagin) came close to them and stood up for that man, but the Crimean Tatars hit him several times with their legs and arms. They were separated by police officers. At around 12:00 pm, the Crimean Tatars became more aggressive, they started to push their opponents, there occurred a crush. The Crimean Tatars created the so called corridor of shame: they pushed one of the pro-Russian demonstrators into

that corridor and forced him out of the yard while he walked through that corridor and others kicked him with legs and arms. At 1-2 pm the victim was pushed into that corridor while he walked by that corridor Crimean Tatars hit him with their legs. He was kicked around five times causing him physical pain. When he left the corridor he went home.

Victim V.V.Koshelev testified in the court session that on 26 February 2014 as the member of the People's Militia of Crimea he came to the rally to the building of the Supreme Council of the Autonomous Republic of Crimea to ensure the public order. There were two sides at the rally – representatives of the Russian Unity who advocated the Supreme Council and the Crimean Tatars and the representatives of the Right Sector who were against the holding of the deputies' session. Each rally carried its own flags. He stood on the side of the "Russian Unity". At some point, the Crimean Tatar demonstrators, using their advantage in quantity, began to push the pro-Russian demonstrators and force them out of the yard, which resulted in the crush. His chest was squeezed, and he felt physical pain. After the supporters of the "Russian Unity" were forced out of the inner yard, the rallies dispersed.

Victim V.N.Kosarev testified in the court hearing that at 12:00 pm on 26 February 2014 he came to a rally at the Supreme Council of the Autonomous Republic of Crimea with his pro-Russian posters in support of the incorporation of Crimea into Russia. At 3:00 pm, when he was among protesters for the entry of Crimea into Russia, the other protesters who objected to the accession and consisted mainly of Crimean Tatars began to force them out of the yard. In the crush, he lost consciousness for a while, then he woke up and someone helped him get out of the crowd.

Victim A.V.Tokhtomysh testified in the court session that in December 2013 he was in Kiev, saw events in the Maidan and came to the conclusion that Ukraine was experiencing a nationalist and fascist political coup. In order to prevent the "new" government from taking power in Crimea, he decided to take part in the rally on 26 February 2014 near the building of the Supreme Council of Crimea. There were two forces at the rally – the "Russian Unity" advocating the incorporation of Crimea into Russia, and representatives of the Mejlis of the Crimean Tatar people and the Ukrainian radical party "Right Sector" opposing to it. He saw one of the participants of the Mejlis rally spray gas at the protesters of the "Russian Unity" who stood in front of him. Then the crush began, and at that moment he felt a sharp pain in his right buttock. He realised that he had been hit in his lower back with an awl and was about to leave the rally while helping his friend V.V.Bolshakov who was poisoned by gas. He treated himself as he has a corresponding education.

Victim A.V.Yukalo testified in the court hearing that on 26 February 2014 he participated in a rally near the building of the Supreme Council of the Autonomous Republic of Crimea. He saw the confrontation of two rallies between the Crimean Tatar protesters and the supporters of the "Russian Unity". He saw the Crimean Tatar protesters pushing the supporters of the "Russian Unity" and using violence against them. They beat them with flagpoles, threw plastic bottles filled with water and stones at them. Someone hit him in the right side of the face and he felt a severe physical pain. Then, at some point, the Crimean Tatars began to push the supporters of the "Russian Unity" party hard forcing them out of the inner yard of the Supreme Council. And then he saw representatives of the opposite rally penetrate into the building of the Supreme Council through its side entrance. After a while, all the protesters began dispersing for some reason.

Victim M.A.Postnaya testified in the court session that Igor Andreyevich Postny, her foster son, died at the rally on 26 February 2014 near the building of the Supreme Council of the AR of Crimea. Together with her husband, she was in Slavyansk, Ukraine, at that time. She knows that in mid-January 2014 I.Postny found a new job in a real estate agency in Simferopol. Her son did not tell her about his plans to go to the rally. As she found out later, he went to the rally to see what was going on there. In the evening of 26.02.2014, at around 4:30 pm, she received a phone call from Semashko hospital saying that I.Postny had been admitted to the intensive care department after the rally. Later she was told that he died. Her husband and she came back to Crimea on the same day. At the police department they were told that his death was caused by the effects of a blunt object. She does not know the circumstances of his death. Although, later she saw a video showing her son without consciousness being taken away from the rally in an ambulance.

The expert's opinion No. 259-M of 20.02.2015 established that the body of I.A.Postny had bodily injuries of his head, chest, abdomen and arms and legs. I.A.Postny died on 26.02.2014 as a result of combined trauma of chest and abdomen complicated by a traumatic shock. The bodily injuries on the body of I.A.Postny were caused by a blunt object (probably, a part of the body) (vol. 15, file sheets 50-55).

The video file "Ukraine. Crimea. Simferopol. First victims at the Parliament" in the folder "State Council of Crimea 26.02.2014", which is stored on hard disk seized from O.V. Bogoslavskaya, shows a newsreel by LIFE NEWS channel telling about two casualties at the rally on 26.02.2014 and has a video file of 26.02.2016 showing from 00:11 until 00:15 a young guy with injured face carried on the stretchers and taken in an ambulance.

Victim Ye.P.Mikolyuk testified in the court session that as representative of the Administration of the State Council of the Republic of Crimea he cannot testify in respect of the events on 26.02.2014. However, he explained on the merits of the case that as on 26.02.2014 the State Council of the Republic of Crimea had a name of the Supreme Council of the Autonomous Republic of Crimea. All the property of the Supreme Council of the Autonomous Republic of Crimea was on the balance of the Office of the Supreme Council of the AR of Crimea. After Crimea was incorporated into the Russian Federation, all its property was transferred to the Office of the State Council of the Republic of Crimea. The amount of damage inflicted as a result of criminal activities was established pursuant to the documentation. Subsequently, on 30.01.2016, the accused in another criminal case E.Nebiyev reimbursed for that damage in full.

Apart from the victims, the guilt of A.Z.Chiygoz is also confirmed by testimony of the following witnesses.

Witness S.V.Aksyonov testified in the court session that in February 2014 he was the chair of the "Russian Unity" political party and a deputy of the Supreme Council of the Autonomous Republic of Crimea. On 25 February 2014, their party filed a petition to the city council for holding a peaceful rally near the building of the Supreme Council on 26 February 2014 against the illegitimate leadership of Ukraine. Using violence was absolutely excluded. In the evening of 25 February 2014, he received a message about an illegal rally of supporters of the Mejlis of the Crimean Tatar people scheduled for 10:00 am on 26 February 2014. No information about a proper notification on holding a rally was received from the authorities at that time. Given that the rally of the Russian Unity was to take place in the afternoon, they believed that the rally of the Mejlis would be over by the beginning of their rally. Later he received information that about 100 radical supporters of the "Right Sector" had arrived in Crimea from Kiev to destabilise the situation in the city of Simferopol. It was also reported that those persons had colluded with the leaders of the Mejlis R.Chubarov and A.Chiygoz and agreed on a joint action on the square in front of the Supreme Council building. Considering that a significant number of Crimean Tatars were involved in that the Mejlis action, there could be provocations and clashes with participants of the scheduled rally of the "Russian Unity" party and the seizure of the building of the Supreme Council of the Autonomous Republic of Crimea. Earlier on 23 February 2014, the People's Militia was created in Crimea which he engaged to participate in their rally in order to protect public order. In the morning of 26 February 2014, fearing provocations, he made a phone call to chair of the Mejlis R.Chubarov and suggested that they should not hold their rally in the same place. However, R.Chubarov refused to change the place of the rally. When at 11:30 am he arrived at the square in front of the building of the Supreme Council, he approached R.Chubarov and A.Chiygoz and asked them to divide the territories where each side would hold its rally, but they refused. Next to them was a representative of the "Right Sector" whose name was Sergei who said that the supporters of the Mejlis and the "Right Sector" would use violence against the supporters of the "Russian Unity" party, if the latter did not leave the square, and they, that is the "Right Sector", would not allow the holding of the session of the Supreme Council of the Autonomous Republic of Crimea. The protesters on the square carried the flags of Ukraine, a black and red flag of the "Right Sector" and flags of the Crimean Tatar people. When the number of protesters on the part of the Mejlis increased, they have burst through the ranks of police officers. Later, when the number of the supporters of the "Russian Unity" increased too, he and Chubarov tried to create a corridor between them, although they did not manage to maintain that corridor for a long time. From time to time, he entered the

debating chamber of the Supreme Council of the Autonomous Republic of Crimea, where there were deputies, but there was no quorum and the session could not open. He was also informed that some of the deputies would not come for fear of their safety because of the Mejlis rally. When he returned to the courtyard, he found out there was a crush between the two rallies, he tried to separate them, but it did not work. He also saw protesters spraying gas at the pro-Russian demonstrators in the centre of the yard. He saw A.Chiygoz shouting something to Crimean Tatar protesters. He believes that A.Chiygoz indeed managed the rally, since he was an informal leader of the Mejlis. Subsequently, the pro-Russian protesters were squeezed out of the courtyard, and some of the supporters of the Mejlis penetrated into the building of the Supreme Council, where they were calmed down by the deputies as police did not intervene. He walked inside the building, where Chubarov and A.Z.Chiygoz were, and saw that the protesters surrounded deputy L.Bezaziev and shouted something loud. After that, Konstantinov announced that the session would not take place, due to the lack of the quorum. Chubarov and he went out on to the porch and announced to the protesters that the session would not take place, after which the rallies calmed down and dispersed.

Witness V.A.Konstantinov testified in the court session that from 2010 until February 2014 he had held a post of the Chairman of the Supreme Council of the AR of Crimea. In February 2014, due to the military coup in Ukraine the situation in Crimea was tense. It was regularly reported on TV about takeovers of power in the regions of Ukraine. In late February, near the Cherkassy city, radical nationalists stopped busses going from Kiev with Crimean demonstrators which resulted in casualties among those demonstrators. Then dead bodies of Berkut officers were brought to Crimea. At that time, the situation required prompt actions in order to maintain the legitimate authorities in Crimea. He contacted Crimean prime-minister A.Mogilev and realised that the latter came over to the “new” power and would take all necessary actions to transfer the power in exchange for his safety. On 25.02.2014, an informal meeting gathered near the Parliament’s building – those demonstrators wanted to meet him as they wondered about the measures that the Parliament would take to stabilise the situation and his position in regard of the events in Kiev. He promised that on 26.02.2014 he would convene an extraordinary session where deputies would give their political evaluation of the events in Kiev. To that effect, the Presidium of the Supreme Council of the ARC notified about its decision to convene an extraordinary meeting of deputies on 26.02.2014 with 2 issues on its agenda. The first issue concerned the report of the Crimean authorities that should envisage the resignation of the government headed by A.Mogilev, and the second issue concerned the evaluation of the political situation in Ukraine. The deputies were notified about the session, and it was also reported in the “Krymskiye Izvestiya” newspaper. On the same day, a delegation of Crimean Tatars – chair of the Mejlis R.A.Chubarov, also a deputy of the Supreme Council of the ARC, and members of the Mejlis Abdulayev and A.Z.Chiygoz – came to see him in the Supreme Council. During the conversation, R.A.Chubarov behaved boldly, strongly opposed to the session, although his faction in the Parliament was small and could not influence this decision. He demanded that the Parliament should provide a quota of 30% to the Crimean Tatars in all state bodies of Crimea. He refused it, as he believed that it was unacceptable to divide people according to their nationality. R.Chubarov responded as follows: “Tomorrow we will make trouble for you, we will bring people, and you will see.” In the morning of 26.02.2014, he came to work. The deputies were gathering, consultations were held on the possible resignation of A.Mogilev, but the latter refused to attend the session. In addition, the deputies were saying that A.Mogilev as the head of the Crimean organisation “Party of Regions” threatened the deputies of the “Party of Regions” and demanded that they would not come to the session. However, the secretariat reported that a large number of deputies, that is more than 51 people, should arrive at the session by 12:00 pm. After 10:00 am, it became known that the supporters of the Mejlis were gathering in front of the building of the Supreme Council of the Autonomous Republic of Crimea blocking approaches to the building and some of the deputies could not enter the building. At about 12:00 pm, R.A.Chubarov came to see him again and threatening him demanded to cancel the session, otherwise they would seize the building and “100% of power would be held by Crimean Tatars”, but Konstantinov refused. After R.A.Chubarov left, the guard detained an armed man who tried to get through to him. He was disarmed, and they let him have a talk with Konstantinov. That unknown man said that he was from the “Right Sector” and participated in the seizure of the residence of the Ukrainian President Yanukovich

in Mezhgorye, and came to take his life, then the conversation was over. In preparation for the session, the secretariat reported that only 49 deputies were registered and there was a lack of the quorum to have the session started. Deputy of the Verkhovna Rada A.Senchenko came in the debating chamber and demanded to cancel the session. It was known that A.Senchenko came as a representative of the “new” government, namely, of the acting President of Ukraine A.Turchinov and wanted to form his Government of Crimea, which he himself wanted to be the head of. The holding of the session was unacceptable for him. At the same time, in front of the building there was a confrontation between the two rallies: the rally of the Mejlis and the party “Russian Unity”, in this connection S.V.Aksyonov went to the square to solve the situation on the spot, prevent clashes, and give an opportunity to hold the session. There was information about two people who were injured during the rally, it became known later that they died. At about 3:00 pm, information was received that several dozens of Crimean Tatar protesters penetrated into the building. In order to prevent the disruption of the session, first, together with the deputies, he gathered on the 4th floor and, then, went to the debating chamber. At the same time, he saw 5 or 7 Crimean Tatars on the same floor waiting for the orders. He believes that if the session had started they would have taken measures. When they entered the debating hall, they held an electronic registration of the deputies, only 49 of them registered and there was no quorum. Since he intended to hold the session in strict accordance with the law and given the events happening in the building he decided to cancel the session. After that, those who penetrated into the building left it. The protesters on the square began to disperse. Then it became known that the windows of the central entrance had been broken by the protesters.

Witness S.P.Tsekov testified in the court session that in February 2014 he was deputy and member of the Presidium of the Supreme Council of the AR of Crimea and chair of the “Russian Unity”. In the beginning of February 2014, he suggested that Crimea should address to the Russian Federation for help, though his suggestion was left unattended by the deputies and was not supported by anyone. On 24.02.2014, the leadership of the Parliament received a request from the deputies to convene the meeting of the Government of Crimea. Upon the hearing, it was suggested to solve the issue of confidence to the Government since prime minister A.Mogilev recognised the illegitimate power in Kiev. That is why on 24.02.2014, it was decided to hold an extraordinary session of the deputies on 26.02.2014 to consider the issue of confidence to the Government. No other issues were supposed to be considered at the session. The final decision on holding the session was taken in the morning of 26.02.2014. The session was scheduled for 2-3 pm and the deputies were coming by that time. Also, a rally of the Russian Unity party was scheduled for 2 pm to support the Government. In the morning of 26.02.2014 he did not see any protesters near the building of the Supreme Council. At around 9 am the Presidium took the decision to hold an extraordinary session. By around 10 am came R.A.Chubarov who at that time was deputy and head of the deputy faction “Kurultai-Rukh” and demanded the members of the Presidium and Chairman of the Supreme Council V.A.Konstantinov to cancel the session. Chubarov repeatedly warned that if they tried to hold the session people would prevent it and seize the building. It was clear that Chubarov objected to the resignation of the Parliament and he needed a few days to appoint his candidates to the future Parliament of Crimea. Taking into account the situation in Kiev, there were grounds to believe that they would inflict pressure on the deputies. He saw protesters with Crimean Tatar flags gathering outside. Chubarov would enter the session hall and say that if they tried to hold the session his people would seize the building and disrupt the session. After 12 pm, the protesters with the flags of the “Russian Unity” party, the flags of Crimea and the “Russian Bloc” also came to the square by 12 pm to support the deputies of the Supreme Council. There were equal numbers of protesters from both sides. Head of the “Russian Unity” party S.V.Aksyonov was on the square trying to prevent clashes between the demonstrators. S.V.Aksyonov as deputy has registered in the session hall too, but the quorum of 51 deputies was not present. At around 3 pm, Konstantinov tried to open the session but it became known that demonstrators had broken into the building. At some point on the second floor he noticed about 10-15 young people rushing about the building. By their appearance and accent he knew they were the Mejlis’ supporters. Then on the first floor he saw another 80 demonstrators and saw a broken side door and scattered furniture. After that, it was decided to cancel the session. Before that from the balcony of the 3rd floor he also saw demonstrators using different means against the supporters of the “Russian Unity”, and the whole square was full of Mejlis’ supporters. After the session

was cancelled, the demonstrators dispersed. He left the building through the utility yard on the other side of the Parliament.

Witness O.F.Kovitidi testified in the court session that in February 2014 she was deputy of the Supreme Council of the Autonomous Republic of Crimea, and member of the largest parliamentary faction – the “Party of Regions”. In the morning of 26.02.2014, the Supreme Council of the Autonomous Republic of Crimea announced that an extraordinary session was scheduled at 3:00 pm to assess the political situation in Ukraine and read a report of the Government of the Autonomous Republic of Crimea. By 10:00 am she came to the building of the Supreme Council, where she saw that two thirds of the yard in front of the central entrance to the building was occupied by the Mejlis’ supporters. She tried to enter the building from the left side, but she was impeded. One of the protesters shouted to her “Glory to Ukraine” and demanded that she respond with the slogan “Glory to the Heroes”, but she refused to chant nationalist slogans. In response, he spat in her face, but she did not answer him, squeezed through the crowd and walked into the building. It took her about 15 minutes to pass through the crowd. Later, the police arrived, which separated the protesters. In the building, she registered as a deputy. When she was in the session hall, deputies R.A.Chubarov and A.Senchenko came in and warned that if the session should begin, then the Mejlis’ supporters who were downside on the square would break into the building. She realised that giving a negative assessment to the activities of the so-called government in Kiev would contradict the interests of Chubarov and Senchenko. While she was in the building she learnt that there would be held a rally of the “Russian Unity” party, which was previously officially authorised. Later, she saw those demonstrators in the yard on the right. She saw leader of that party S.V.Aksyonov who was taking measures to restrain and separate both rallies and prevent clashes on the square. The agenda of that session did not include any issues related to the appeal of the Supreme Council of the AR of Crimea to the Russian Federation, and it was not discussed. Subsequently, together with S.V.Aksyonov she went out on the porch of the building, where they addressed the protesters and asked them not to respond to provocations and behave peacefully. Aksyonov managed to ease the tension between the rallies at some point by arranging a corridor. At that time, she saw A.Z.Chiygoz on the porch with a megaphone who addressed his demonstrators in the Crimean Tatar language after which they began to push the opposing rally. Thus, she realised that A.Z.Chiygoz was managing the mass riots that started on the square as he managed their actions. R.A.Chubarov continued threatening the deputies in the session hall saying that if they did not cancel the session the Mejlis’ supporters would seize the building of the Parliament. At some point, they learnt that the Mejlis’ demonstrators penetrated through a side entrance into the building and were shouting “Allahu Akbar”. She had a conversation with one of those demonstrators. At around 3:00 pm V.A.Konstantinov tried to open the session but there was no quorum. The holding of the session required presence of 51 deputies and only 49 deputies were registered. The secretariat informed that many deputies could not enter the building. When she walked on the balcony on the second floor, she saw that 70% of the inner yard was occupied by the Mejlis’ supporters. Many of them held sticks in their arms, and then she saw them break one of the central doors and break into the building. At that point, she regarded the situation as emergency and stressful. She saw A.Z.Chiygoz on the steps in the crowd. Later when she was leaving the building, she saw that one of the doors was broken.

Defence witness L.R.Bezaziev testified in the court session that the Parliament’s session was scheduled for 26.02.2014. That session was supposed to consider administrative issues. He did not see any political issues or the report of the Crimean Parliament in the agenda of the session. According to the schedule, session always took place at 2:00 pm. Up to then he was in the Council of Ministers where he admitted citizens. At around 2:00 pm he tried to call Chairman of the Supreme Council V.A.Konstantinov but his mobile phone was unavailable. The landline phone did not work, either. At 2.30 pm, he arrived at the Supreme Council where he met V.A.Konstantinov and tried to find out why he could not reach him. He answered that he did not know why he was unavailable. He found out that there was no quorum to open the session. They waited other deputies to arrive. At that point there were only 48 deputies which was not enough as the presence of 51 deputies was required to start the session. At some point R.A.Chubarov entered the session hall and asked someone to go to the square with him. At that point, Crimean Tatars and pro-Russian demonstrators were on the square with

special forces officers between them. Therefore, he did not worry as he thought that it would be carried out smoothly. S.V.Aksyonov who was next to him agreed to go out with Chubarov. After that, he and other leaders of factions went up to the 6th floor. There someone approached them and told them that Crimean Tatars had broken into the Supreme Council building. He realised that there could be irreparable consequences since from November 2013 Ukraine had been experiencing disorders and in some cities radical forces had seized regional administrations and destroyed property there. He went down to the first floor in the lobby where he met a crowd of 100-150 Crimean Tatars advancing him and who then surrounded him and began scolding him for not allocating land to them and their rehabilitation. Among them were young people who did not listen to him. He had to address elder people to be heard. For the last 20 years he had been engaged in the issues of the resettlement of Crimean Tatars – therefore, people knew and respected him, and therefore, when he started talking to them he prevented them from going to upper floors. He believes that if he had not went down to the lobby no one would have stopped the demonstrators. He did not see there either Chubarov or Chiygoz. After that, the demonstrators set out their claims and left the building through the central entrance. The police did not apply any measures to the demonstrators as it was dangerous and could ignite more violence. He did not see any destroyed property in the building. After that, the session was postponed due to the lack of the quorum of deputies. He did not see what was happening outside. In the evening, after 7:00 pm, he left the building of the Supreme Council of the AR of Crimea.

Witness M.Yu.Ablayev (interrogated in accordance with Part 5 Article 278 of the Criminal Procedural Code of the Russian Federation under the conditions precluding a visual observation of the witness) testified in the court hearing that on 23.02.2014, he was at the rally in Lenina square in Simferopol, where chair of the Mejlis R.Chubarov reported in his speech that on 26 February 2014 the “Russian Unity” party would hold a meeting near the building of the Supreme Council of the Autonomous Republic of Crimea in support of the authorities of Crimea, and they, that is Crimean Tatars, needed to prevent the “Russian Unity” party from holding that rally, wherefore they needed to bring a large number of Crimean Tatars at the rally, that is, the goal was to confront the “Russian Unity” party and block the deputies of the Supreme Council of the Autonomous Republic of Crimea, and disrupt the session. He (Ablayev) knew that on the eve of 25.02.2014, the Mejlis had a meeting of all its members, and A.Z.Chiygoz was entrusted to ensure the participation of young, physically strong people in the rally. On 26.02.2014, he came to the building of the Supreme Council of the AR of Crimea. There he saw A.Z.Chiygoz and around him were young people who followed his instructions. With his gestures he showed the direction for confrontation. Then mass fighting occurred on the line between the rallies, he heard Crimean Tatars protesters calling to seize the building. Also, he heard A.Z.Chiygoz shouting “Beat!”, “Push forward!” He did not understand the rest of the words, but their meaning was that they should move forward and do somewhat. In the afternoon, he heard the noise and exclamations that indicated the break-through of the Mejlis supporters into the building. He did not see himself that break-through, as he was located at a considerable distance. Later, at 3:50 pm he left the meeting and went home.

Witness V.V.Petrov (interrogated in accordance with Part 5 Article 278 of the Criminal Procedural Code of the Russian Federation under the conditions precluding a visual observation of the witness) testified in the court hearing that on 25 February 2014 the Presidium of the Mejlis of the Crimean Tatar people held a meeting which upon the suggestion of R.Chubarov considered the disruption of the session of the Supreme Council of the AR of Crimea which was allegedly supposed to consider the incorporation of Crimea into the Russian Federation. R.Chubarov suggested to organise a meeting near the building of the Supreme Council and then demand to cancel the session. A.Z.Chiygoz was responsible for the organisation of the meeting. D.Akiyev prepared a draft notice to the City Council of the holding of the meeting, and it was signed by Chubarov. Upon the meeting of the presidium, all the heads of regional branches of the Mejlis were instructed to bring the maximum number of Crimean Tatars by 9:00 am on 26.02.2014. All the Crimean Tatars were informed that it was necessary to hold the rally to prevent the Supreme Council of the Autonomous Republic of Crimea from holding the session on the issue of the planned incorporation of Crimea into Russia. On the next day, he came to the building of the Supreme Council of the AR of Crimea where he saw A.Chiygoz who

was walking among the Crimean Tatar protesters and organised chains. Later, the Crimean Tatars began to push the pro-Russia demonstrators and force them out of the inner yard.

Witness A.A.Asanov (interrogated in accordance with Part 5 Article 278 of the Criminal Procedural Code of the Russian Federation under the conditions precluding a visual observation of the witness) testified that on 25 February 2014 the Presidium of the Mejlis of the Crimean Tatar people held a meeting where it made a decision to hold a rally in order to prevent the Supreme Council of the AR of Crimea from holding a session and, if necessary, to confront the rally of the “Russian Unity” party. A.R.Chubarov instructed A.Z.Chiygoz to organise that meeting. On 26.02.2014 when there occurred clashes between the two rallies he saw A.Chiygoz moving along the rear rows and instructing with gestures to move towards the opposite rally. After that, the crowd began to push the first row and the latter pushed the protesters of the “Russian Unity”. At some point, A.Z.Chiygoz who was near the central entrance said that “he would push them out of there” and moved into the crowd of protesters and talked to someone. After that, the protesters became more active, there occurred clashes on the line of contact and the “Russian Unity” supporters were finally forced out of the inner yard. After that, A.Chiygoz said that “he had to do that before”. After a while, the rally dispersed.

Witness E.A.Umerov testified in the court session that he had known A.Z.Chiygoz from 2007 when he was delegate of the Kurultai (council of representatives of the Crimean Tatar people), and the advisor from the election committee in the city of Sudak was A.Z.Chiygoz. He clarified as to the events, which took place that on 25.02.2014 he was informed that the chair of the Sudak Regional Mejlis urged Crimean Tatars to arrive at the Supreme Council of the ARC in the morning on the following day. At around 12:00 pm on 26.02.2014, he also arrived at the building as he wanted to know what was the purpose of bringing so many Crimean Tatars there. When he arrived, he saw that the whole yard in front of the Supreme Council building was occupied by demonstrators. To the left of the entrance were Crimean Tatars with their flags, to the right were pro-Russia demonstrators. He realised that the deputies of the Supreme Council were trying to organise the meeting of the deputies to take some decisions and Crimean Tatars objected to taking such decisions. The two rallies were divided by a corridor made of police officers, and Chubarov и Aksyonov who stood by the central entrance were calling everybody to calm down and avoid conflicts. He entered the yard from the side of the Crimean Tatar rally and stood aside. A.Z.Chiygoz moved along the corridor and addressed the Crimean Tatar protesters in the Crimean Tatar language giving orders to them “Bas and ur!” which means “Push and kick”. As a result, the protesters began to push the police officers and representatives of the pro-Russian rally in front of them. At the same time, A.Chiygoz addressed the two groups of protesters in Russian saying that there was no need to conflict with each other and then again repeated orders “Bas and ur”. He saw A.Chiygoz do this several times. This pressure continued from 1:00 pm until 3:00 pm and during these two hours they gradually advanced by 15 meters forcing out the opposing rally. Then he heard a roar in the crowd and then heard someone break into the building of the Supreme Council, after that he left the rally. Later he learnt from TV, there were mass fights and victims.

Witness R.V.Troshin testified in the court hearing that on 23 February 2014, he joined the People's Militia to ensure the protection of public order in Crimea. The session of deputies of the Verkhovna Rada of Crimea to consider the status of Crimea was scheduled for 26.02.2014. There was information that Crimean Tatars were planning to disrupt that session. To prevent a breakdown of the session, he came to the building of the Supreme Council at 11:00 am. In the courtyard to the right of the entrance he found pro-Russian protesters, to the left – the Crimean Tatar protesters with the flags of Ukraine and national flags. Occasionally, there occurred a crush between the rallies. At that time, police officers had already retired. In the corridor, he saw R.Chubarov and A.Chiygoz. At the same time, he heard A.Z. Chiygoz shouting “Push!” in Russian and saw the protesters pushing the pro-Russia demonstrators. He also saw a man among the pro-Ukrainian rally who sprayed gas from a small red can of 50 centimetres in length, and around 3-5 people in red jackets who were giving orders to the pro-Ukrainian rally with gestures. Later, when he left the meeting to have a rest the Crimean Tatars began to massively squeeze the pro-Russia demonstrators out of the yard, to the right, between the columns. After that, the demonstrators dispersed.

Witness Yu.T.Isatov testified in the court session that as on 26 February 2014 he worked as chief of police duty officers of the Bakhchisaray District Department. In the evening of 25.02.2014, it was ordered to send 30 police officers to the city of Simferopol to ensure the public order. At around 8:00 am on the following day, they arrived at the Supreme Council building. They were dressed in uniform and did not have any special means with them. At around 9:00 am they received an order to advance to the middle of the yard where they stood in a U-formation in front of the central entrance. The number of protesters was gradually increasing. To the left of the entrance were protesters with the flags of Ukraine and Crimean Tatar flags. To the right of the entrance were pro-Russia demonstrators. The demonstrators were gradually occupying the whole yard. Chubarov and Aksyonov were giving speeches near the entrance calming down the two rallies. Later a crush began, and his unit was squeezed out of the yard. He saw A.Z.Chiygoz two times at the rally. He moved along the Crimean Tatar protesters. In the crowd of protesters he heard people shouting "Push and squeeze". After the pro-Russian rally was squeezed out, he (Isatov) and his officers entered the building through the back entrance and stood near the central entrance. Then they left the building at around 7:00 pm and went to the police department.

Witness P.I.Parasenko testified in the court session that as of February 2014 he held the position of deputy chief of the Nizhnegorsk District Police Department for the public order. Thus, on 25.02.2014, they were told to send 10 officers to Simferopol to ensure public order. On 26.02.2014, they arrived at the ARC Supreme Council building. At 11:00 am, his unit stood in a chain between the two rallies to the left of the entrance. To the left were Crimean Tatar protesters who were chanting pro-Ukrainian slogans, to the right – a pro-Russian rally. The police officers separated the two rallies by a corridor. First, the demonstrators remained at their places and just shouted. At around 3:00, pm they began more active. The pro-Ukraine demonstrators began to throw bottles, then in the middle of the yard someone sprayed gas and demonstrators began to push the police officers and the pro-Russian demonstrators. The Crimean Tatars shouted "Push, push!" Chain of the police officers was broken and they moved close to the central entrance. The pro-Russia demonstrators were squeezed out of the yard. Then R.Chubarov gave a speech before the demonstrators and said that the session would not take place. After that, the demonstrators dispersed.

Witness A.V.Akimov testified in the court session that on 26.02.2014 he worked as a guard of S.V.Aksyonov during the events, which took place in front of the building of the Supreme Council of the Autonomous Republic of Crimea. When he arrived at the Supreme Council building, he saw a large number of Crimean Tatars who gathered in the yard, to the right of the entrance, and carried Crimean Tatar flags. There already was a crush between the two rallies. He approached the entrance through which S.V.Aksyonov left and he guarded him. S.V.Aksyonov began to calm the protesters down urging them to hold the rally peacefully. Also, S.V.Aksyonov moved around the protesters from both sides telling the demonstrators to hold their rallies in a peaceful manner. R.Chubarov also spoke before the protesters trying to calm the protesters down. Next to Chubarov was A.Z.Chiygoz. S.V.Aksyonov approached R.Chubarov and A.Z.Chiygoz and suggested that they should instruct the Crimean Tatar protesters to stand to the left of the entrance on the square and that the two rallies should be separated by police officers in order to avoid clashes. R.Chubarov categorically denied his suggestion. When S.V.Aksyonov entered the building, he left in the yard and he saw the Crimean Tatar protesters spray gas and then use violence and apply pressure. He left the meeting at around 5:00 pm.

Witness S.S.Milenichev testified in the court session that on 25.02.2014 he was at one of the rallies near the building of the Supreme Council of the Republic of Crimea. During this rally, Chairman of the Supreme Council Konstantinov gave a speech and said that on 26.02.2014 a session was scheduled. All the demonstrators expressed their will to gather on the following day by 12:00 pm to support the session. In the morning of 26.02.2014, he learnt that Crimean Tatars were unexpectedly gathering in front of the building of the Supreme Council and that is why he and his friends arrived earlier as they worried that they could disrupt the session. He did not know about any scheduled rallies. When he arrived there, he saw a large number of people near the building of the Supreme Council. To the left of the yard and around the yard were Crimean Tatars with their flags and flags of Ukraine. In the yard, to the right, were some pro-Russia demonstrators whom they joined. Later he saw that police officers made a corridor between the protesters, which separated

the rallies. He saw R.Chubarov by the central entrance, next to him was A.Chiygoz – he knew him as the chair of the Mejlis of the Bakhchisaray region. He also saw S.V.Aksyonov. He heard Chubarov and Aksyonov calming down the protesters. Later on, the Crimean Tatars began to squeeze the pro-Russian rally out of the yard, use violence, hit their opponents with sticks, spray gas, and they also used thunder flashes as he heard loud claps in the centre of the yard. When they were squeezed out of the yard, the Crimean Tatars were still throwing stones, sticks, bottles at them. Everyone stepped back and were bewildered by the behaviour of the Crimean Tatars. After that, the rally of Crimean Tatars quickly dispersed. He stayed for a little while and then left, too.

Witness V.V.Shishkin testified in the court session that at 7.30 am on 26.02.2014 he and another nine officers of the Belogorsk District Police Department arrived by the building of the Supreme Council of the AR of Crimea to ensure the public order during the events. They were in the bus. At around 11:00 am, he received an order from superior officers to move towards the central entrance. He and his fellows did not take any special means (shields, helmets, rubber sticks) with them, they wore bulletproof vests. They went towards the central entrance and stood in a line in front of the entrance. There were a lot of protesters in the yard. To the left of the entrance were protesters with Crimean Tatar flags, to the right stood Cossacks and pro-Russia demonstrators. The two rallies shouted and disputed. Later, he received an order to make a chain between the two rallies. They moved along the contact line and tried to restrain the two rallies. In about an hour and a half, the Crimean Tatars began to push massively their opponents and use violence against them. His employee Moiseyev was hit in the arm with a metal stick thrown from the side of the Crimean Tatar rally. The Crimean Tatars were squeezing them out together with the pro-Russian rally. He pulled his employees out of the crush one by one. There occurred conflicts between the rallies. The Crimean Tatars began to use violence. The pro-Russian rally was forced out of the yard. He and his employees moved along the wall towards the central entrance. At that moment, the rally was quieting down and dispersing. He stayed there until 9:00 pm and then returned to Belogorsk together with his officers.

Witness Yu.V.Gusev testified in the court hearing that at 11:00 am on 26.02.2014 he joined the guard of S.V.Aksyonov near the building of the Supreme Council of the Autonomous Republic of Crimea. Together with S.V.Aksyonov he moved around the courtyard. First, when he came, he saw that the pro-Ukrainian rally of the Crimean Tatars was located to the left of the entrance to the courtyard, to the right was a small group of pro-Russian protesters. He saw R.Chubarov and next to him was A.Chiygoz. In the front ranks of Crimean Tatars he saw strong athletic guys. A.Z.Chiygoz approached his protesters and said something to them. Aksyonov approached R.Chubarov and offered to separate the rallies, but Chubarov refused. The pro-Ukrainian rally started chanting, then they began to shift towards the police cordon, and then began to put pressure on the pro-Russian rally. In order to prevent conflicts S.V.Aksyonov asked to make a corridor between the protesters, and not to allow them to come into contact – such corridors were created for a short time. At that moment, a man named Sergei came to them, who introduced himself as a representative of the “Right Sector”, and said that Aksyonov should take people away. Then the situation began to heat up. The Crimean Tatars began to use violence, heat their opponents with flagpoles, and then used gas. Aksyonov walked through the crowd trying to prevent clashes. When Aksyonov entered the building, he remained in the courtyard, at that time the pressure increased, and the pro-Russian rally was squeezed out of the yard. At that moment, he saw Chiygoz who instructed the Crimean Tatars with his gestures to move forward – they almost squeezed the pro-Russian rally out of the yard. Then Chubarov gave a speech – he said that the session would not take place, after that the rally of the Crimean Tatars dispersed.

Witness V.F.Muravyov testified in the court hearing that at around 12:00 pm on 26.02.2014 he arrived at the Supreme Council building, as he learnt about a big rally from TV. When he arrived at the rally, he met his friends Gusev and Kisilev to the right of the entrance and together they were guarding S.V.Aksyonov. He stayed next to him for about an hour. Later, when he was in the crowd, he got into a crush that occurred between the rallies and he felt bad. He went to the ambulance where medical help was provided to him. He stayed there for about an hour, though he did not enter the yard, and when he saw a cloud of smoke in the centre of the courtyard, he went home.

Witness D.P.Kupriyenko testified in the court session that as in February 2014 he worked as an officer in charge of the criminal investigation division of the Kiev District Department of Simferopol. On 26.02.2014, he and other officers of the department were instructed to go to the building of the Supreme Council of the ARC to ensure the protection of public order. There he saw two rallies. On the one side there were protesters of the pro-Russian rally, on the other side – pro-Ukraine demonstrators. At first, all were quiet. Then the situation began to heat up. When the crush occurred, the pro-Ukrainian protesters pushed the police officers back to the central entrance. He also heard members of the pro-Ukrainian rally shout “Push, push!” The protesters did not use violence against them. When the rally dispersed, they went home.

Witness N.I.Bruzha testified in the court hearing that at 1:00 pm on 26 February 2014, he approached the building of the Supreme Council of the ARC, as he wanted to support his government. When he came there, he saw a large crowd of people in the yard, there was already pressure between the protesters. He tried to get inside, but he could not. Then he climbed the parapet, which surrounded the courtyard and observed what was happening from there. He saw someone pass secretly the cans similar to fire extinguishers to the Crimean Tatar protesters and then he saw them spray the gas. He also inhaled the gas a little, and then his heart ached. At around 3:00 pm, a massive crush began – the Crimean Tatars were squeezing both the police and the pro-Russian rally out of the yard. After that, he went home.

Witness A.V.Gurchenko testified in the court session that as in February 2014 he worked as deputy chief of the public security police in Alushta. On 25.02.2014, the department received a service telegram instructing to send 20 officers to Simferopol on the next day to protect public order. In the morning on the next day, 20 police officers left for Simferopol under his commandment. They pulled off at the back of the Verkhovna Rada of the Autonomous Republic of Crimea, where they were instructed, and he and his people marched into the courtyard in front of the entrance to the Supreme Council, where they formed a semicircle along the columns to the left of the entrance, in front of the protesters of the Crimean Tatar people. To the right, Cossacks also stood in a chain. Subsequently, the number of protesters increased and they stood in front of the central entrance. The Crimean Tatars began to act in a provocative manner, they threw stones, sticks at, began to push their opponents. Between the two rallies fights began. Then he saw the Crimean Tatar protesters squeeze out the pro-Russian rally and break into one of the side entrances to the building. Subsequently, the rallies began to disperse.

Witness V.N.Gritsai testified in the court session that in February 2014 he worked as head of the public security department of the Main Directorate of the Ministry of Internal Affairs of Ukraine in the Autonomous Republic of Crimea. On 25 February 2014, Deputy Head of the Main Directorate A.A.Kuznetsov informed him about the rally of the Mejlis of the Crimean Tatar people and the rally of the “Russian Unity” which would take place on 26 February 2014 near the building of the Verkhovna Rada of the Autonomous Republic of Crimea. They were instructed to engage 500 police officers from various departments. At 8:00 am on the next day, A.A.Kuznetsov held a general briefing of the officers involved to prevent offences during the rallies. After that, some of the officers were left in reserve on the approaches to the building, and some were put in front of the entrance to the building. Initially, access to the courtyard was limited, and later at 9.30 am when the protesters were arriving at the square, the police officers moved to the central entrance and made a corridor between the two rallies. To the left of the entrance were the demonstrators of the Mejlis of the Crimean Tatar people, and to the right – supporters of the “Russian Unity” party. The Crimean Tatars advocated that Crimea should remain part of Ukraine, and the “Russian Unity” advocated the independence of Crimea. Approximately at 11:00 am, there occurred a crush between the rallies, and the corridor of police officers was crumpled. Leaders of the rallies Chubarov and Aksyonov spoke before the protesters and asked not to allow conflicts between the rallies. He also saw A.Z.Chiygoz at the rally, who was next to Chubarov, and then he saw him address the Crimean Tatar protesters. At around 2-3 pm the situation became even more heated, mass conflicts began to arise. Crimean Tatars used violence against their opponents, and an order was issued to remove police officers who could no longer restrain the protesters. As a result, the protesters of the “Russian Unity” were squeezed out of the yard. At the same time, the protesters broke the right side door, and part of the protesters penetrated into the building. In the building, the conflict was settled, when deputies talked with the

demonstrators. By 4:00 pm R.Chubarov left the building and said that the session of the Verkhovna Rada would not take place, after which everyone began to disperse.

Witness Ya.S.Anokhin testified in the court session that he had been member of the “Russian Unity” party since 2012. At around 6:00 pm on 25 February 2014 he was at the headquarters of the party where he learned about the meeting of the party in front of the Supreme Council of the ARC scheduled for 2:00 pm on the next day. S.V.Aksyonov who also was at the party headquarters said that he had talked with R.A.Chubarov who promised that Crimean Tatars would not hold their rally in that place. Before that, the Mejlis and the “Russian Unity” party had held their rallies in different places. On the next day, at around 11:00 am on 26 February 2014, he received a call from the party secretary who said that a large number of people already gathered near the Supreme Council building who wanted to disrupt the session of the Supreme Council. Together with his two brothers he came to the place where he indeed found a large number of protesters with Crimean Tatar flags, they were opposed by a small number of protesters of Slavic nationality in front of the entrance to the Supreme Council building. He joined the people of Slavic nationality. He saw a group of 15-20 people among the Crimean Tatars in sports suits, of Slavic appearance, with the flag of the “Right Sector”. After that, the pressure intensified, and he and other protesters were squeezed out of the yard. After a while, the rally was over, all the Crimean Tatar protesters quickly dispersed.

Witness A.V.Kolesnikov testified in the court session that as in 26 February 2014 he worked as deputy head of the affairs of the Verkhovna Rada of the Autonomous Republic of Crimea. A plenary meeting of deputies was scheduled for that day and was supposed to consider a report of the Government of the Autonomous Republic of Crimea. He was aware of the rally to be held by the “Russian Unity” party. He was engaged in his routine affairs and was preparing for the plenary session. At around 10:00 am, he saw that a large number of Crimean Tatar protesters with their flags were gathering on the square besides the “Russian Unity” party. At around 12:00 pm, the number of protesters from both sides greatly increased, and additional measures were taken to strengthen the security of the building. S.V.Aksyonov and R.A.Chubarov spoke before the protesters trying to calm the protesters down, next to Chubarov he caught sight of the accused A.Z.Chiygoz who was talking to someone. Between the rallies began the excitement, as the rallies merged. At about 2:00 pm, some of the protesters broke the right door, immediately built a barricade out of the furniture, and rushed with green flags towards the central entrance and surrounded them. R.Chubarov approached them and ordered them to leave. After that, all of them left the building. Part of the furniture was destroyed. After that, the rally dispersed.

Witness N.A.Kozitsky who testified in the court hearing that as in 26 February 2014 he was a head of operation safety department of the Verkhovna Rada of the AR of Crimea. A plenary session was scheduled for that day. He was aware of the rally by the “Russian Unity” party. At around 10:00 a.m., participants of the Crimean Tatar people’s rally began gathering by the building. He took steps to enforce the security inside the building. At around 12:00 am, in the patio by the main door of the building, the clashes between the rallies commenced, following which they started bringing in the injured to provide medical aid. Deputies of the Verkhovna Rada of the AR of Crimea S.V.Aksyonov and R.A.Chubarov went out to negotiate with the rally participants and appeased them. The riots in the patio continued. At around 16:00, the rally participants broke into the emergency exit on the right-hand side and a crowd of about 30-40 people with Crimean Tatar flags broke into the building and damaged the furniture (tables and chairs) in the rooms. They screamed “Allahu Akbar”. Just then, R.Chubarov stopped them as he began talking to them in their language. After that, they left through the central door. He (A.N.Kozitsky) and his staff restored and reinforced the door and took down the barricade, which had been installed using the furniture. Later, before 22:00, he checked the building making sure there were no strangers inside and locked it.

Witness N.N.Khomenko who testified in the court hearing that as in 26 February 2014 he was the head of the information systems department of the Verkhovna Rada of the AR of Crimea. A plenary session of the deputies was scheduled for that day to consider a report of the Government of the AR of Crimea. When he arrived at work, he was in the plenary room checking the equipment. At around 10:00 am, he saw the rally participants with Crimean Tatar flags at the square before the entrance. At around 12:00 am, on the orders of

the management he installed the sound-amplifying equipment in front of the entrance. S.V.Aksyonov and R.A.Chubarov spoke before the rally participants. At that time, the commencement of the plenary session was postponed several times. While in the plenary room, at around 14:00, he heard a loud noise in the hallway and about 30 minutes later Konstantinov entered the room and said that the plenary session was cancelled.

Witness N.Yu.Belousov who testified in the court hearing that as in 26 February 2014 he was employed as a deputy head of engineering and technical support department of the Verkhovna Rada of the AR of Crimea. On that day, as usual, he came to work and while in the building, he saw a large number of people gathering in front of the building. The rally participants of Slavic origin on one side and non-Slavic on the other. Aksyonov and Chubarov spoke before the rally participants and tried to appease them. Then, the clashes between the rally participants commenced. Jostlement commenced, people were throwing plastic bottles with water. He later saw people with injuries being brought inside to receive medical aid, some were carried on stretchers. Closer to 18:00, he heard that the side door on the right-hand side was being crashed and strangers got into the building shouting "Allahu Akbar". He saw that and went downstairs to the vault where his office was located to warn his staff of the intrusion of strangers. When he got upstairs, he saw that these people had calmed down and left the building. Damaged furniture – chairs, tables, cabinets and a sofa – could be seen at the place of intrusion. The damaged furniture of the Supreme Council of the AR of Crimea has always been kept in the vault of the building.

Witness V.P.Skripnikova who testified in the court hearing that as in 26 February 2014, she was employed as the head of janitorial services department of the Verkhovna Rada of the AR of Crimea. A plenary session was scheduled for that day and she prepared the plenary room for that purpose. From the beginning of the working day, she saw the rally participants gather in front of the building. There were no incidents in the building in the morning. At around 15:00, the side door on the right-hand side was crashed and the rally participants broke in. When she learned about the intrusion, she went to check the cloak room. That was when she saw a group of people in the corridor who shouted emotional words and mottos. She saw that one man was holding a broken stick. That group went to the main staircase where R.Chubarov started talking to and appeasing them and asked them to leave the building. These people got into the building through the service room, a utility room where equipment was kept. Before the intrusion, the furniture in that room was in good condition. There were cupboards, tables and chairs there. Upon revision, row chairs and chairs were found broken. The door from the corridor to that room was also damaged, so was the door of the building. Moreover, flower pots, disc-dial telephone, brooms and vacuum cleaner kept in that room were also damaged. After 17:00, she and other personnel left the building of the Supreme Council through the back door.

Witness V.E.Ragimov who testified in the court hearing that on 26 February 2014 in the morning he and his fellow students of the Taudira University came to the building of the Supreme Council because a rally of supporters of President Yanukovich and representatives of the Maidan was announced the previous day. He was a by-stander and did not take sides. Two rallies gathered in front of the building: the Maidan supporters on the side of the Mejlis of the Crimean Tatar people, opposite to the pro-Russian rally. The number of rally participants was increasing and separate small clashes commenced. He saw a Cossack clashing with a representative of the Mejlis, but the conflict was prevented by police. He also saw football fans and a group of Ukrainian nationalists who actively participated in the rally on the side of the Mejlis and used gas. While he was at the side of the Mejlis, he heard the calls to get into the building of the Supreme Council. Later, as the rally participants began leaving, he also went home.

Witness Yu.M.Mikhailyuk who testified in the court hearing that on 26 February 2014, he was on duty protecting the building of the Supreme Council of the AR of Crimea. He and nine other officers of Kiev District police office have been guarding that building since December 2013. They would deploy near the left side entrance by the visitors pass desk. That door was not used to enter the building. The visitors came to the visitor pass desk, got their pass and then entered through the main door. On 26 February 2014 at 08:00, he and his fellow officers entered on duty. There were no incidents when they entered the duty. He later saw that police officers from other units arrived at the building and that a large number of people began gathering in front of the building with flags. He as a supervisor of the duty group did not receive any additional instructions. He

heard noise and shouts coming from the street. At around 14:00, they began bringing in the people who were injured at the rally through the main door; some were injured by gas, some had mechanical injuries. At around 16:00, he heard a loud noise and bursts from the opposite wing of the building (on the right-hand side) and then saw about 10 men in sports suits and medical face masks running from there with sticks in their hands. Police officers who were beside the main door attempted to block them. Deputy R.Chubarov went out and spoke to the rally participants, following which the rally participants and Chubarov went outside and the rally began to dissipate.

Witness V.A.Romantsov who testified in the court hearing that in February 2014 he was a sergeant of the patrol and checkpoint service battalion for and in Simferopol. On 26 February 2014, he and other officers arrived at the building of the Supreme Council at 08:00. Then they entered the building through the back door and stationed by the main door. In the afternoon, there was a breakthrough from the lateral part of the building. The people who broke into the building shouted “Glory to Ukraine” and held sticks (chair legs). I heard the sound of breaking furniture. R.Chubarov went out to talk to them, he spoke for 15-20 minutes and they left. He did not observe what was going on outside the building.

Witness M.U.Asanov who testified in the court hearing that in February 2014 he was an officer of the patrol and checkpoint service for and in Simferopol. On 26 February 2014, he and other officers entered on duty to protect the public order inside the building of the Supreme Council of the ARC. They were stationed by the main door of the building. At around 3:00-3:30 pm, they heard the noise of a door breaking to the right from the main door. The police officers who were closer to the door on the right-hand side made a barricade using the furniture. About 10 Crimean Tatars who managed to get in were holding sticks and began crashing the barricade in an attempt to break through. Then the commandment ordered to let them in and they walked to the staircase where they spoke to R.Chubarov who appeased them. Then they left through the main door. He and his colleagues remained in the building until 11:00 pm when they left for their office.

Witness P.N.Belik who testified in the court hearing that as in 26 February 2014 he was an officer of Simferopol patrol and checkpoint service. On that day, the personnel were assembled by the building of the Verkhovna Rada of the AR of Crimea to ensure public order. His unit comprised of 10 people entered the building from the back and stationed closer to the main door. In the afternoon, a group of people broke into the building. They got in from the left-hand side, there were about 7-10 of them, they were masked and wore tracksuits. They broke the furniture in the corridor. R.Chubarov came to the lobby and spoke to the rally participants who broke into the building, following which they left through the main door. Neither he nor his colleagues received any orders from the commandment to detain any rally participants who broke into the building.

Witness D.A.Kolesnikov who testified in the court hearing that as on 26 February 2014 he was an officer of Simferopol patrol and checkpoint service. Thus, on 26 February 2014 in the morning, they received a command to arrive at the building of the Verkhovna Rada of the AR of Crimea to ensure protection of public order. When they arrived at the building of Verkhovna Rada their unit was initially at the left-hand side of the building and then an order was received to enter the building. There were no incidents in the building before 13:00. In the afternoon, they heard a noise and there was an intrusion into the building. Another police unit was stationed before the exit from the corridor on the left-hand side to prevent these people who broke into the building from entering, but the latter managed to get to the hallway; they were holding sticks. They shouted and demanded to see the deputies. The deputies went out to see them and they spoke to each other. Then, these people left through the main door. After that, he saw a broken door, through which the rally participants broke into the building and saw the broken chairs.

Witness E.K.Dzhelal who testified in the court hearing that on 26 February 2014 at 1:30 pm, she as a reporter of the Chernomorsk Television and Radio Broadcasting Company arrived at the Supreme Council of the AR of Crimea to film a report on the extraordinary session concerning the Crimean referendum. She saw two confronting rallies – the pro-Russian and the pro-Ukrainian – before the building. She and the cameraman entered the building and went to the session room where at 2:00 pm the Parliament’s speaker Konstantinov declared that the quorum of deputies was not present and the session was adjourned indefinitely. She and the

cameraman went out to the balcony and watched the crowd jamming in the patio from there. She heard a clasp in the middle of the patio, smoke appeared and then she saw that a group of protesters broke into the first door to the right from the main door. She and the cameraman rushed downstairs. When they reached the ground floor, there was a group of about 10 people standing by the staircase and R.Chubarov was appeasing them. Some of the rally participants had their faces covered. Chubarov said that everything could be resolved peacefully. After about 15 minutes, that group left the building. She filmed that material and left for the editor's office. At that time, the rally began dissipating.

Witness V.V.Mikhailov who testified in the court hearing that as in February 2014 he was a deputy head of Feodosia Town Police Office. The day before 26 February 2014, their department received an official telegram asking to allocate 20 officers for protection of public order. On the following day, on 26 February 2014 at 08:00 am, he and his officers arrived at the building of the Supreme Council. Initially, they were in buses and approximately 2 hours later an order was received to station by the entrance to the building. As he and his officers were moving towards the entrance, he saw a very large number of Crimean Tatars in front of it. When he asked them to make way so that he and his officers could pass they refused. He contacted the commandment and they walked to the rear side of the building and entered the hall. He went up to the second floor and watched the confrontation between the rallies begin. The police corridor was smashed. Then they got an order to leave the building. Then, he and his people left the building in two lines and formed a human shield in front of the main door. At that time, the participants of the Crimean Tatar rally were pushing the participants of the Russian block rally out of the patio. The entire patio was occupied by the participants of the rally of the Crimean Tatar people. Then, several men from the Crimean Tatar rally came out from the main door and shouted something. Then, someone from the leadership of the Crimean Tatar rally spoke and the rally dissipated. At 6:00 pm, they left for their office.

Testimony of witness E.V.Nikiforov who testified in the court hearing that on 26 February 2014, he and other officers of the Central District Office of Simferopol were engaged in protection of public order during the mass gathering in front of the building of the Supreme Council of the AR of Crimea. When they arrived at the spot, they formed a chain along the perimeter of the patio. Then, as the number of rally participants increased and they retreated to the patio, he and other officers began separating the rally participants. At some point the tensions between the participants of the rally of the Crimean Tatar people and those of the rally of "Russian Unity" party began, clashes commenced and lasted about 2-3 hours. At that time, S.V.Aksyonov and R.A.Chubarov spoke before the rally participants calling everyone to calm down. At some point, he saw how a group of 10-15 Crimean Tatars broke into the side door of the building of the Supreme Council. When he entered the building later, he saw the furniture lying upside down. Later, when everyone began leaving, they also went to their office in an organised manner.

Witness V.I.Skripka who testified in the court hearing that on 26 February 2014 at around 11:00 am, he and his friend V.Kuznetsov arrived at the building of the Supreme Council of the AR of Crimea as he learned that there would be a rally in support of the acting government. In the patio, there was a very large number of people participating in both rallies. To the left from the entrance, there were the participants of the rally of the Crimean Tatar people, to the right – those of the Russian-speaking rally. They stood on the side of the pro-Russian rally. Initially, people were standing still. At some point, the participants of the Crimean Tatar rally began pushing them, that jostlement lasted for several hours. He went out to take a breath and at that same moment he saw that someone from the side of the Crimean Tatar rally began throwing bottles and spraying gas at them. He could not return to the patio. Then, he and Kuznetsov left.

Witness V.O.Kuznetsov confirmed the testimony of witness V.I.Skripka in the court hearing and stated that, indeed, they were together at a rally near the Supreme Council of the AR of Crimea on 26 February 2014 when jostlement between the two rallies commenced and violence was used by the Crimean Tatar meeting.

Witness A.I.Kovalchuk who testified in the court hearing that on 26 February 2014 in the morning he arrived at the building of the Supreme Council of the AR of Crimea. He did not want to stay indifferent and wanted to manifest his civic position. By the building, he saw a large number of rally participants holding different flags. As he approached, he saw two rallies in the patio. To the left from the entrance were the

participants of the rally of the Crimean Tatar people with their flags, to the right – the representatives of the pro-Russian rally. The Crimean Tatars were also holding black-red flags. As he entered the rally, he remained in the first rows on the pro-Russian side. Then the jostlement commenced, he stayed for another 40 minutes and left the crowd to get a breath of air. When he tried to get back the jostlement in the patio was intense and he found himself in the midst of it. With effort, he left the crowd; he did not return to the patio because his chest was hurting and went home.

Witness M.N.Shapovalova who testified in the court hearing that in February 2014 she was a senior officer for cooperation with executive authorities of the internal policy department of the Supreme Council of the AR of Crimea. On 25 February 2014, they received a notice from the “Russian Unity” association about the rally scheduled for 26 February 2014 in front of the building of the Supreme Council of the AR of Crimea. A copy of the notice was sent to the law enforcement agencies to ensure the public order at the rally and safety thereof. On the following day at 09:15 am, the secretariat received a notice from the Mejlis (of the Crimean Tatar people) concerning the holding of the rally on 26 February 2014 from 10:00 am until 5:00 pm in front of the building of the Verkhovna Rada of the ARC. As the notice was received exactly 45 minutes before the rally, a record concerning the untimely provision of such notice was drawn up. The law enforcement authorities were informed about the second rally over the phone, since the executive committee was unable to notify the authorities prior to the rally in accordance with the established procedure or take any other decisions.

Witness G.V.Aleksandrova who testified in the court hearing that as of 26 February 2014, she was a head of organisational directorate of Simferopol City Council. Thus, on 26 February 2014 at 09:15 am, a notice was received from the Mejlis of the Crimean Tatar people concerning the rally near the building of the Supreme Council of the Republic of Crimea starting at 10:00 am. Given that the day before a notice was received from the “Russian Unity” party concerning the rally also to be held in front of the building of the Supreme Council of the AR of Crimea and that the timing of the rallies overlapped and riots could arise, she made a record concerning the untimely provision of such notice. They had to notify the law enforcement authorities of the said rally by phone. She does not know which steps were taken by the law enforcement agencies to protect the public order.

Witness N.A.Fil who testified in the court hearing that on 26 February 2014 he as an officer of Kiev District Office of Simferopol and other officers were gathered in the morning, given the bulletproof vests and instructed to prevent clashes during the public events near the building of Supreme Council of the ARC. Upon arrival, initially, they were stationed by the entrance to the building. The participants of the rally of the Crimean Tatar people began gathering to the left from the main door and those of the rally of the Russian-speaking people were gathering at the right-hand side. When the number of rally participants increased greatly, they formed a line between the two rallies to contain them. At some point, the participants of the rally of the Crimean Tatar people became more aggressive and began pushing the police officers, himself included. Then the participants of the Crimean Tatar rally began throwing bottles with water, spraying gas and throwing flags at their opponents. The police officers were pushed out to the main door. Chubarov and Aksyonov came out to appease everyone to no avail. When the rally began to dissipate, they stayed and returned to the office only in the evening.

Witnesses V.V.Stetsenko and K.M.o.Mamedov who confirmed the testimony of N.A.Fil in the court hearing and stated that, indeed, on 26 February 2014, they endured the public order by the building of the Supreme Council of the AR of Crimea during the rallies of the Crimean Tatar People and the Russian Unity party, during which mass riots occurred.

Witness A.I.Filonov who testified in the court hearing that on 26 February 2014 he as a member of the People’s Militia got a telephone call and was invited to arrive at 11:00 am at the building of the Supreme Council of the ARC. On arrival, he was explained that the police needed help in maintaining public order that is why they formed a line along the perimeter of the patio. The number of participants of the Crimean Tatar rally increased substantially and they were accompanied to the main door. There were militia members and representatives of the “Russian Unity” on their side. Everything was tranquil at first but then the participants of the rally of the Crimean Tatar people began pushing out the militia and their supporters with force and used

violence – beat them with flag shafts, used tear gas, threw plastic bottles. Immediately after the participants of the rally of the Crimean Tatar people pushed their opponents out of the patio they began leaving.

Witness A.V.Bochkarev who testified in the court hearing that at 12:00 pm on 26 February 2014, he and other Afghan war veterans arrived at the building of the Supreme Council of the ARC because they received information that unidentified individuals wanted to break into the building of the Supreme Council. On arrival, he saw a large number of participants of the rally of the Crimean Tatar people with their national flags and black-red Bandera flags. They behaved aggressively. He and about 60 other people who arrived with him entered from the right-hand side and stood in line in front of the main door. The participants of the rally of the Crimean Tatar people began attacking them and tried to push them away from the entrance. Then, they began using violence and pushed them out of the patio. After that, the rally dissipated and he and his comrades left too.

Witness O.E.Abalakov who testified in the court hearing that on 23 February 2014 he became a member of the People's Militia of Crimea and was appointed commander of the 7th company. On 26 February 2014, he got a phone call from the militia saying that they needed to gather in front of the building of the Supreme Council because of an impending conflict. He gathered about 10 people from his company and at 11:00 am they arrived at the building of the Supreme Council where a large number of rally participants had already gathered. The Crimean Tatars participating in the rally gathered to the left from the entrance and the representatives of the Russian-speaking people gathered on the right-hand side. He and his people formed a line since there was tension between the two rallies already. The tensions lasted for about 2-3 hours. From time to time, on request from R.Chubarov and S.V.Aksyonov, the rally participants would form a corridor between them which would vanish rapidly. In the afternoon, the conflict exacerbated, there were clashes along the line of contact, small fights occurred. The participants of the Crimean Tatar rally began throwing plastic bottles, beating their opponents with flag shafts and later they sprayed gas. Since the wind blew in the direction of the Russian-speaking rally, they began retreating and were pushed out of the patio. Then he and his people left.

Witness Yu.V. Drozhkin who testified in the court hearing that, on 26 February 2014 at 12:00 pm, he took a flag of the Russian Federation and went to the rally of the "Russian Unity" by the building of the Supreme Council of the ARC. When he arrived, he saw a rally of the Crimean Tatar people who were holding their flags and Ukrainian flags and the pro-Russian rally, which he joined, was to the right from the entrance. After he joined the rally, he was in the middle of the patio and was moving there with his flag. It was his way to manifest his protest against the events in Ukraine. Some time later, he left the patio and when he wanted to go back he saw people running out of the patio. He went to the little fountain when some unknown guys ran up to him and tried taking away the flag but he did not allow them and he retreated a safe distance away. He did not see what was going on in the patio at that time. Then, Chubarov and Aksyonov spoke and said that there would be no session that day and then everyone left.

Witness I.V.Pugach who testified in the court hearing that in February 2014 he was a deputy head of police of Yevpatoria Town Office for public security. The day before, on 25 February 2014, an order was received for 40 officers of his department to arrive at the building of the Supreme Council of the ARC the following day. On 26 February 2014, they arrived at the building of the Supreme Council of the ARC in two buses without impact munition. At 09:00 am, their unit was stationed in a row to the left from the columns near the entrance to the patio of the Supreme Council. Shortly, the number of participants of the rally of the Crimean Tatar people increased substantially and they received an order to move to the patio and form a corridor separating the patio in two. They formed the corridor comprised of two lines of police officers. Their row marked the limit of the rally of the Crimean Tatar people and the other row marked the limit of the rally of pro-Russian supporters. The corridor was maintained during several hours. From time to time, the participants of the rally of the Crimean Tatar people attempted to move the row. R.Chubarov and S.V.Aksyonov spoke and asked to make a corridor. At around 2:00-3:00 pm, their row was squashed by the Crimean Tatars who began using violence against their opponents – throwing bottles and using gas. The police officers dragged each other out of the crowd and retreated to the main door where they formed a line. Then,

the participants of the rally of the Crimean Tatar people pushed the pro-Russian rally outside the patio. Eventually, R.Chubarov spoke and said that there would be no session and then the rally began to dissipate.

Witness Yu.G.Nagorny who testified in the court hearing that by 11:00 am on 26 February 2014 he arrived at the building of the Supreme Council of the AR of Crimea since he knew that there would be a rally concerning self-determination of Crimea. He was not aware of any other rally. He was in the patio standing with his back to the main door and in front of him were the rally participants holding Crimean Tatar flags. Gradually, the atmosphere between the rallies became tense and the jostlement commenced. In the afternoon, the jostlement grew into mass clashes. The rally participants with Crimean Tatar flags began hitting with the sticks and started spraying gas. At that time, Chubarov and Aksyonov tried to appease the rally participants. Then, the opponents made a breakthrough and they pushed the rally participants, himself included, out of the patio. After that, the rally participants began leaving.

Witness S.S.Pogorodny who testified in the court hearing that on 26 February 2014 he got a phone call from their ataman N.N.Palochkin who told them to arrive at the building of the Supreme Council of the AR of Crimea. He and other Cossacks arrived at the Supreme Council of the AR of Crimea by 11:00 am. where they formed a cordon with the militia. Then the conflict between the rallies began. There was a rally of the Crimean Tatar people on the one side and beside him there were the rally participants with the Crimean flags and supporters of the “Russian Unity” party. The session was to consider the issue of the Crimean referendum. The participants of the rally of the Crimean Tatar people were against that session. At first, there was a corridor between the rallies, then it was smashed by their opponents who began using violence against them. Someone sprayed tear gas into his face, he could not see anything and left the rally. He did not return and remained in the car. When everything was over, he left with his fellow Cossacks.

Witness O.A.Minasyan who testified in the court hearing that on 26 February 2014 he and other militiamen arrived from Yalta to the Verkhovna Rada of the AR of Crimea because the issue of separation of Crimea and its accession to Russia was to be considered. When they arrived at 09:30 am, they stationed by the “Tank” monument located on the square in front of the building of the Supreme Council. The police officers stood in front of the columns leading to the patio of the building. Gradually, about 4 thousand people gathered for the rally of the Crimean Tatar people; they were holding their flags and the flags of Ukraine and later the black-red flags of the “Right Sector”. To protect the public order, he and his fellow militiamen stood in front of the police officers blocking the main door in order to prevent anyone from breaking into the building of the Supreme Council. Then, confrontations between the rallies began and grew into clashes. Someone from the Crimean Tatar side started throwing bottles, the jostlement became more intense and gas was used at the line of contact. Because of that, the last line of the pro-Russian rally began retreating and they all were pushed out of the patio. Then, the participants of the Crimean Tatar rally got into the building but left it 15 minutes later. After that, all participants of the rally left and no session was held.

Witness E.S.Tsapkin who testified in the court hearing that on 26 February 2014 he went to downtown Simferopol because he knew there was to be a rally. At around 11:00 am, he came to the building of the Supreme Council of the AR of Crimea. He approached the building from the right-hand side and there he saw the rally participants with the Crimean and Russian flags and behind them he saw the protesters with the Ukrainian and Crimean Tatar flags. Some time later, he saw that riots began in the patio at the line of contact between the two rallies. Then, clashes commenced and pepper gas was used. He saw the rally participants coming out from the patio with red faces. Then, the conflict between the participants moved to the right corner of the building where the Crimean flags were located. Then, all commotion suddenly stopped and everyone started leaving. He also went home.

Witness Yu.B.Marintsov who testified in the court hearing that on 26 February 2014 he as the first deputy head of criminal police of Kiev District Office in Simferopol received an order to arrive with 10 officers at the building of the Supreme Council to protect the public order. At 09:00 a.m. they arrived at the building of the Supreme Council where they were placed closer to the columns to the right from the entrance. The rally participants with Crimean Tatar flags were in front of them and initially the latter wanted to push them inside the patio but did not succeed. Then, he and his people were relocated to the centre of the patio where they

formed a corridor between the two rallies from the side of the Crimean Tatars. Gradually, the conduct of rally participants changed. R.Chubarov and Aksyonov spoke and appeased the rallies. Then the jostlement commenced, which occurred in two stages. The participants of the Crimean Tatar rally began breaking the Crimean flags. Then, he received an order to take the cordon of police officers out of the patio. A mass fight between the two rallies began, plastic bottles were flying and the smell of tear gas could be felt. He and his people were by the main door suppressing the attempts to break into the building. By 5:00 pm the pro-Russian rally had been forced out of the patio, the situation became more peaceful and the rally participants began leaving.

Witness A.N.Gaidar who testified in the court hearing that at 11:30 am on 26 February 2014 he arrived at the building of the Supreme Council because information was received about the mass gathering of Crimean Tatars. When he arrived at the spot, he saw a large number of participants of the rally of the Crimean Tatar people with their national flags, to the right from the entrance there were the participants of the pro-Russian rally. There was already tension between the two rallies, that is, each side was pushing the other to gain more space in the patio. Then, at some point, the participants of the Crimean Tatar rally concurrently with the use of violence and tear gas began forcing the pro-Russian rally out of the patio. The Crimean Tatar rally dissipated promptly after the jostlement.

Witness A.N.Krolman who testified in the court hearing that on 26 February 2014 he got a phone call from the militia concerning a meeting scheduled by the building of the Supreme Council of the ARC. When he arrived there, there were participants of the rally of the Crimean Tatar people to the left from the entrance and to the right there were supporters of Crimea and Russia. The ratio of rally participants was 3:1, that is, the Crimean Tatar rally was a lot more numerous. At first, the rallies stood still, then tensions between the rallies began. He left the crowd briefly and when he tried to get back in he heard someone shouting “Gas” and saw his rally being forced out of the patio by the participants of the Crimean Tatar rally. After forcing them out, everyone began leaving. He also went home.

Witness S.A.Glinka who testified in the court hearing that on 26 February 2014 he was walking past the building of the Supreme Council of the ARC and saw a rally with the Ukrainian flags. He stopped by the square near the fountain and watched the events. As he understood later, two rallies with opposing views gathered in front of the building: the representatives of the Maidan were on the left-hand side and the anti-Maidan representatives were on the right-hand side. There was a police corridor between the rallies. Then the tensions were initiated by the opposite side and their rally was forced out of the patio. At that moment, he felt that gas was used because his eyes were burning. Then the rally ended and everyone left.

Witness A.I.Gryaznov who testified in the court hearing that at 10:00 am on 26 February 2014, he arrived at the building of the Supreme Council of the ARC where he saw two rallies. To the left from the entrance there were the participants of the rally of the Crimean Tatar people with their flags, to the right there were the representatives of the pro-Russian rally. There was tension between the rallies already. He joined the pro-Russian rally and remained there for a while. From time to time, the police officers would form a corridor between the rallies but it would be smashed by the rally participants. Then it was time for him to go to work, he left the rally and went away. He did not see what happened later.

Witness D.D.Smirnov who testified in the court hearing that on 26 February 2014, as he walked past the building of the Supreme Council of the ARC, he saw a throng of people and came closer. There, he saw that a large number of people with the Crimean Tatar flags were gathering; they were in a radical mood. Their conduct indicated that they may seize the building. He and other people he knew stood in the line with the police officers and contained the participants of the Crimean Tatar rally. They subsequently created a jostlement but he did not partake because he was outside the patio. Later, the rally began to dissipate, therefore, he also left.

Witness P.A.Komov who testified in the court hearing that at 12:00 am on 26 February 2014, he arrived at the building of the Supreme Council of the ARC. There, he saw rally participants with the Crimean Tatar flags and black-red “Bandera” flags to the left from the entrance who tried getting into the building. For that purpose, the Crimean Tatars tried pushing out their opponents who were standing in front of the main door

and occupied the right-hand side of the patio. The tensions lasted for several hours. Then, at some point the rally participants from the Mejlis pushed them out simultaneously from all sides in a wall-like formation and he saw fumes in the patio. After they had been driven out of the patio, he left.

Witness E.A.Arpatly who testified in the court hearing that at 10:00 am on 26 February 2014 he arrived at the building of the Supreme Council of the ARC to participate in a rally that was to be held pursuant to a decision of the Mejlis of the Crimean Tatar people at 11:00 am. The rally had to do with the expression of civil protest in connection with the Kiev events. When he arrived at the spot, he saw the participants of the rally of the Crimean Tatar people on the left-hand side and in the centre outside the patio, and on the right-hand side in the patio he saw the Cossacks, which was surprising because he was not aware of the rally of the “Russian Unity” party. The police officers lined up in a U-formation in the patio blocking access to the main door. There were other Mejlis members at the rally with him, including A.Z.Chiygoz as the head of the Bakhchisaray Mejlis and a member of Mili-Mejlis. All the Mejlis members at the rally tried to prevent clashes with the other side of the rally. At around 11:00 a.m., S.V.Aksyonov appeared at the square and coordinated the participants of the “Russian Unity” rally and spoke to them several times to separate the rallies and create corridors. Moreover, a black-red flag and a separate group appeared amidst the Crimean Tatar rally. That flag was also an aggravator at the rally. That group was headed by a guy named Sergei. Sergei was told from the outset not to create tensions at the rally and not to interfere where he should not. During the confrontations between the rallies, Aksyonov and Chubarov appeased the people and asked to create a corridor and to hold the rally peacefully. From time to time, on the line of contact, a conflict would arise between 5-6 individuals but the people from both sides of the rally would appease them. Subsequently, the rally participants from the “Russian Unity” party at the right-hand side were forced out of the patio. Then Chubarov spoke and said that the session was not happening because no quorum was present and everyone began leaving.

Witness V.S.Dubikovsky who testified in the court hearing that at around 09:00 am on 26 February 2014 he and his three sons arrived at the rally by the building of the Supreme Council of the Republic of Crimea where there was a confrontation between the participants of the Mejlis rally who protested against the session and those of the Russian-speaking rally who tried to prevent seizure of the Supreme Council. From time to time, local clashes between the rallies would arise and bottles would be thrown. One bottle hit his son in the forearm. Occasionally jostlement would be created but then the corridor would be formed again. After a few hours of confrontation, he and his sons left the rally. As they were coming back, they saw that their rally was pushed outside the patio, the flower beds were turned upside down and that the injured were accompanied to ambulance vehicles. He saw a half-burnt tyre and a burnt flag in the patio.

Witness A.N.Yunusov (an accused, the criminal case in respect of whom was separated in distinct proceedings) who testified in the court hearing that on 26 February 2014 he arrived at the rally by the building of the Supreme Council of the AR of Crimea, of which he learned online. At the rally, he saw Crimean Tatars and there also was a second rally of the “Russian Unity” party, the two were separated by a police corridor. Later, the tensions between the rallies commenced and the rally of the “Russian Unity” party was pushed out. At that time, he used violence against the rally participants. He did not see A.Z.Chiygoz at the rally at that time.

The testimony of witness A.N.Yunusov is also confirmed by:

His full confession of 25.06.2015 wherein A.N.Yunusov stated that on 26 February 2014 he arrived at the building of the Supreme Council of the AR of Crimea. During the riots, which arose, he participated in the jostlement and used violence against two men (vol. 23, file sheet 2);

Another person T.A.Yunusov (convicted in the criminal case which was separated in distinct proceedings) who upheld his testimony given during the preliminary investigation.

The testimony of another person E.B.Nebiyev (convicted in the criminal case which was separated in distinct proceedings) who testified in the court hearing that he knew A.Z.Chiygoz because they had met several times in connection with their professional activity. The Central District Court of Simferopol has already considered his criminal case in special proceedings because of his agreement to cooperate with the preliminary investigation authorities. He has been sentenced to a suspended sentence of 2 years and 6 months of

imprisonment for participation in mass riots. On 26 February 2014, he came to the rally by the building of the Supreme Council of the AR of Crimea to support his people in maintaining the territorial integrity of Ukraine. At the rally, he was in the patio amidst his rally of the Crimean Tatar people. Their opponents included the participants of the rally of the “Russian Unity” party. Later, tensions at the line of contact began, there were clashes between rally participants. At some point, he heard a sound of glass and a door breaking and saw the participants of their rally enter the building of the Supreme Council of the AR of Crimea. By that time, the pro-Russian rally had already been pushed out of the patio.

The testimony of E.B.Nebiyev is also confirmed by:

- the record of on-site verification of the testimony of the accused E.B.Nebiyev of 09.06.2015 whereby E.B.Nebiyev testified that in the morning of 26 February 2014 he arrived at the building of the Supreme Council of the AR of Crimea. At around 2:00 p, he was in the middle of the patio amidst the Crimean Tatars. There were repeated calls “push, push” coming from the back, following which the crowd of the Crimean Tatars from the back rows began thrusting. As a result, he and everyone who stood near him pushed against the pro-Russian rally participants with their body weight. Then, the Crimean Tatars moved the Russian-speaking rally to the right away from the main door of the building of the Supreme Council and he left the crowd. He was near the main door when he saw A.Z.Chiygoz who was speaking to someone and explaining something. Then, he saw a mass fight on the flower bed near the building of the Supreme Council where the Crimean Tatars were beating up the Russian-speaking rally participants. Moreover, there were calls to use violence coming from the crowd, that is, someone from the side of the Crimean Tatars was shouting “beat them”. He succumbed to these appeals, climbed on that flower bed and began beating the participants of the pro-Russian rally. During that group fight on the flower bed, he hit two men in the face and head with his hands only. Then, he stepped aside and looked what was going on (vol. 20, file sheets 88-98).

Another person E.E.Kantemirov (an accused, the criminal case in respect of whom was separated in distinct proceedings) who testified in the court hearing that at around 11:00 am on 26 February 2014, he arrived at the rally of the Crimean Tatar people by the building of the Supreme Council of the AR of Crimea where the rally of the “Russian Unity” party was held simultaneously. There was a confrontation between the rallies and clashes occurred. He did not hear any orders to seize the building or put pressure on the participants of the other rally. He did not see A.Z.Chiygoz at the rally because they were not acquainted at that time.

The testimony of E.E.Kantemirov is also confirmed by:

- the record of appearance of a person for identification of 06.02.2015 whereby victim S.A.Berbenets identified E.E.Kantemirov as the man who used violence against him during the rally by the building of the Supreme Council of the AR of Crimea on 26.02.2014 (vol. 21, file sheets 3-6).

- the full confession of 06.02.2015 wherein E.E.Kantemirov stated that on 26.02.2014 he participated in mass riots by the building of the Supreme Council of the AR of Crimea and used violence against the man (vol. 21, file sheet 7);

- the record of on-site verification of the testimony of the accused E.E.Kantemirov of 07.04.2015 whereby E.E.Kantemirov showed and demonstrated on site that on 26.02.2014 he participated in the rally near the building of the Supreme Council of the AR of Crimea. The jostlement was created during the rally, there were clashes between the rally participants and he consecutively used violence against two men (vol. 21, file sheets 51-57).

Another person E.A.Emirvaliev (an accused, the criminal case in respect of whom was separated in distinct proceedings) who testified in the court hearing that on 26.02.2014, he and M.B.Degermedzhi arrived at the rally of the Crimean Tatar people in support of the territorial integrity of Ukraine near the building of the Supreme Council of the AR of Crimea. Later, when he went to the patio he had a conflict with victim Shalyagin. He did not see the accused A.Z. Chiygoz at the rally and cannot comment on any actions. Moreover, he did neither receive nor give any orders at the rally.

Another person M.B. Degermedzhi (an accused, the criminal case in respect of whom was separated in distinct proceedings) who testified in the court hearing that on 26.02.2014, he, E.A.Emirvaliyev and his own father arrived at the rally of the Crimean Tatar people protesting against the holding of the referendum on

accession of Crimea to the Russian Federation near the building of the Supreme Council of the AR of Crimea. On the other side of the patio there were participants of the rally of the “Russian Unity” party, the militia and the Cossacks. Degemerdzhi was in the patio until 2:00 pm when the tensions began; his father began feeling unwell, he took his father out and watched the rally from the outside. He did not see the accused A.Z.Chygoz and did not receive any orders from him.

Another person A.A.Asanov (an accused, the criminal case in respect of whom was separated in distinct proceedings) who testified in the court hearing that on 26.02.2014, he arrived at the rally of the Mejlis by the building of the Supreme Council of the AR of Crimea. There he saw two rallies: a pro-Ukrainian one and a pro-Russian one, which were separated by a corridor of police. Later, the tensions and clashes between the rallies commenced. He was hit with a bottle of water and then someone sprayed gas into his face. When the pro-Russian rally participants were being pushed out, he saw that participants of the pro-Ukrainian rally broke into the door on the right-hand side of the Supreme Council. He also entered the first room but saw broken furniture there and left. He did not hear any orders to break into the building. He did not see the accused A.Z.Chygoz and did not receive any orders from him.

In addition, the active role of the accused A.Z.Chygoz in the organisation of mass riots on 26.02.2014 is also confirmed by the following:

Testimony of the defence witnesses N.E. Dzhelyalov, D.Z. Akiyev, I.R. Umerov, A.M.o. Egiz, Z.S. Smedlyayev, L.A. Yunusov, R.R. Velilyayev, E.R. Avamileva, S.A. Yagyayev, M.T. Maushev, B.A. Mamutov and Z.R. Smirnov who in the court hearing confirmed their participation in the meeting of the Mejlis on 25 February 2014 where chair of the Mejlis R.A.Chubarov informed them of the potential decisions to be made by the deputies at the extraordinary session on 26.02.2014 in breach of the territorial integrity of Ukraine. However, R.A.Chubarov did not give any instructions to A.Z.Chygoz. Excluding the testimony of witness Z.R.Smirnov indicating that he objected to holding the rally by the Supreme Council of the AR of Crimea and that A.Z.Chygoz was instructed to conduct the mass event.

Testimony of the defence witnesses A.U. Khamzin, E.Ya. Mustafayev, A.S. Osmanov, E.S. Umerov, S.R. Egamberdiyev, R.E. Refatov, R.N. Enannov, R.A. Selimov, N.A. Memetov, Sh.E. Kaibulayev, S.I. Ametova, L.Ya. Dyulberova, A.F. Abdulayev, S.D. Ametov, E.M. Dudakov, Sh.S. Memetov, E.S. Mamutov, I.B. Chetyrma, E.G. Ametov, U.S. Sulaymanov, N.F. Kurukchi, M. Asab, S.I. Asanov, E.I. Nemetullayev, M.M. Fukal, E.A. Kurtiyev, R.S. Khalilov, E.U. Mustafayev, R.V. Edemov, E.A. Alyadinov, S.A. Fakhriyev, I.V. Muslyadinov, R.A. Seyitablayev, E.K. Emirasanov, R.R. Osmanov, N. Osmanov, S.R. Abdull, M.A. Ablyazov, A. Sh. Alimov, E.E. Abdulvatov, L.P. Ablyazimov, E.K. Mensitov, I. Izedinov, N.A. Abdurakhmanov, R.S. Kedzhametov, E.yu. Bekirova, D.A. Seitgazyeva, M.D. Mavlyudov, I. Suleimanov who testified in the court hearing that on 26.02.2014, they participated in the rally organised by the Mejlis of the Crimean Tatar people by the building of the Supreme Council of the AR of Crimea where they saw A.Z.Chygoz who did not take any steps aimed at organising the mass riots and only took action to coordinate and appease the rally participants.

Apart from the testimony of victims and witnesses, the guilt of A.Z.Chygoz in relation to the alleged crime is also confirmed by the following:

- record of inspection of the crime scene of 21 January 2015 whereby the area near the building of the Supreme Council of the AR of Crimea (currently – the State Council of the Republic of Crimea) located at: 18 Karla Marksa Street, Simferopol, was examined. According to the record, the patio in front of the door of the Supreme Council of the AR of Crimea is an area delineated by two trapezoid centre columns and six pairs of lateral columns (three pairs on each side) (vol. 6, file sheets 1-7);

- record of inspection and review of the Internet of 23 June 2015 whereby a notice convoking Crimean Tatars to the rally on 26 February 2014 by the building of the Supreme Council of the AR of Crimea was found at several Internet sites (vol. 6, file sheets 199-204);

- copy of the notice of 25 February 2014 from the head of Simferopol city organisation of the “Russian Unity” political party M.S.Sheremet concerning the holding of the rally against the destabilisation of the

situation and for maintaining and increasing the powers of the Republic of Crimea on 26 February 2014 from 1:00 pm until 8:00 pm in front of the building of the Supreme Council of the AR of Crimea with the participation of 10 000 to 15 000 people (vol. 4, file sheet 117);

- copy of the notice of 26 February 2014 from the head of the Mejlis of the Crimean Tatar people R.Chubarov concerning the holding of the rally of the Mejlis of the Crimean Tatar people for preservation of the territorial integrity of Ukraine and prevention of adoption of decisions by the Verkhovna Rada of the AR of Crimea aimed at destabilisation of the situation in the autonomous area on 26 February 2014 from 10:00 am until 5:00 pm in front of the building of Verkhovna Rada of the AR of Crimea with the participation of 3 000 people (vol. 4, file sheet 115);

- copy of the letter from Simferopol City Council of 26 February 2014 addressed to R.A.Chubarov concerning the untimely submission of the notice of the rally (vol.4, file sheet 111);

- record of seizure of 23 January 2015 whereby a hard disk storage drive containing photo and video files depicting the events that took place on 26 February 2014 by the building of the Supreme Council of the AR of Crimea was seized from witness O.V.Bogoslavskaya (vol. 19, file sheets 143-145);

- record of inspection and viewing of a video recording of 24 June 2015 whereby the hard disk storage drive containing a video recording of the events that took place on 26 February 2014 by the building of the Supreme Council of the AR of Crimea and mass use of violence by E.B.Nebiyev, T.A.Yunusov, A.S.Charukhov and other riot participants against the peaceful protesters and subsequent intrusion in the building of the Supreme Council of the AR of Crimea titled "Storm of Verkhovna Rada" (vol. 6, file sheets 205-220);

- record of seizure of 05 February 2015 whereby nine optical discs containing video recordings of the events that took place on 26 February 2014 by the building of the Supreme Council of the AR of Crimea were seized from witness A.A.Veliyev (vol. 9, file sheets 235-237);

- record of inspection and review of the video recording of 21 August 2015 whereby 9 discs seized from witness A.A.Veliyev were inspected and the video recordings contained thereon were viewed. The viewed recordings depict the events that took place on 26 February 2014 by the building of the Supreme Council of the AR of Crimea, including the police cordoning, representatives of the People's Militia and the mass assembly of the Crimean Tatars holding wooden flag shafts with the national Crimean Tatar and Ukrainian flags:

- video file "Clashes between the supporters and opponents of the new Ukrainian government in Simferopol" at 00:05 – 00:37, as well as the video file No. 00084 folder "Veliyev" depicting the moment when the rally participants with the Crimean Tatar and Ukrainian flags walked past the police cordon and entered the right-hand side of the patio in front of the building of the Supreme Council of the AR of Crimea where the rally participants and supporters of the "Russian Unity" party were standing and created a jostlement by pushing the latter towards the cordon of the police officers, as a result of which the initial line of contact between the two opponent rallies was created again and conflicts occurred;

- video files Nos. 00017 and 00018 from "Veliyev" folder showing witness Yu.V.Drozhkin holding the flag of the Russian Federation;

- video files Nos. 00056 and 00057 depicting the members of the Mejlis of the Crimean Tatar people, including A.Z.Chiygoz and R.A.Chubarov talking to each other. They also show how A.Z.Chiygoz lines up the people from his rally in a "chain";

- video files titled 00100 showing A.N.Yunusov participating in the jostlement;

- video files titled 00145 showing A.Z.Chiygoz and R.A.Chubarov talking to each other near the main door of the Supreme Council of the AR of Crimea;

- video file MVI_9317 (2) showing A.Z. Chygoz lining up the participants of the Crimean Tatar rally, followed by a verbal conflict between the latter and E.A.Arpatly;

- video file MVI_9790 (2) showing A.A.Asanov partake in the jostlement and tearing off a St. George's ribbon of one of the protesters. These recordings also show the jostlement organised by the Crimean Tatars who were pushing with their body weight on the pro-Russian rally.

- record of seizure of 12 February 2015 whereby an optical disc containing photo files depicting the events that occurred on 26 February 2014 in the patio of the building of the Supreme Council of the AR of Crimea was seized from witness I.P.Okhrimenko (vol. 9, file sheets 229-231);
- record of seizure of 10 April 2015 whereby an optical disc containing video files depicting the events that occurred on 26 February 2014 in the patio of the building of the Supreme Council of the AR of Crimea was seized from witness A.S.Grobov (vol. 20, file sheets 13-15);
- record of inspection and review of video recording of 24 June 2015 whereby the disk seized from witness A.S.Grobov and a video recording contained thereon depicting the events that took place on 26 February 2014 by the building of the Supreme Council of the AR of Crimea and consecutive use of violence by A.N.Yunusov and A.A.Asanov against victim A.V.Ivkin (vol.6, file sheets 224-234);
- ruling of 29 August 2015 on admission and inclusion of physical evidence in criminal case file whereby the following objects were admitted as physical evidence and included in the case file: - hard disc storage drive seized during the seizure procedure from O.V. Bogoslavskaya; - five optical discs seized during the seizure procedure from I.P. Okhrimenko; nine optical discs seized during the seizure procedure from A.A.Veliyev; DVD-R seized during the seizure procedure from A.S.Grobov; - optical disc attached to the expert report No. 108 of 24.07.2015 (vol. 20, file sheets 58-62);
- viewing in a court hearing of five DVD-R discs containing photographic material (folder Photos Okhrimenko) depicting the events that occurred on 26 February 2014 in front of the door of the Supreme Council of the AR of Crimea from 10:45 am until 2:30 pm (the time is recorded in file properties);
- photographic file IGQR_1908 (date of recording 26 February 2014, 10:53 a.m.) – in front of the rally participants with the Crimean Tatar flags standing in front of the columns in the right-hand side of the patio of the Supreme Council of the AR of Crimea (with their back to the main door), A.Z. Chiygoz is in the middle;
- photographic file IGQR_1909 (date of recording 26 February 2014, 10:53 a.m.) – depicting a cordon of police officers in front of the rally participants with the Crimean Tatar and Ukrainian flags located in front of the centre columns by the entrance to the patio of the Supreme Council of the AR of Crimea;
- photographic file IGQR_1914 (date of recording 26 February 2014, 10:53 a.m.) – the rally participants with the Crimean Tatar flags are standing in a cordon holding hands, A.Z.Chiygoz is in the front;
- photographic file IGQR_1996 (date of recording 26 February 2014, 11:04 a.m.) – the cordon of police officers in the left-hand side of the patio of the Supreme Council of the AR of Crimea (backs turned towards the main door) and in front of them there are two rows of people in camouflage uniform and plain clothes standing with their back to them;
- photographic file IGQR_12071 (date of recording 26 February 2014, 11:45 a.m.) – the rally participants with the Crimean Tatar flags located to the right from the main door have moved inside the patio towards the police cordon;
- photographic file IGQR_2086 (date of recording 26 February 2014, 12:05 p.m.) – showing the rally participants with the Crimean flags to the left from the main door in the patio of the Supreme Council of the AR of Crimea;
- photographic file IGQR_2100 (date of recording 26 February 2014, 12:10 p.m.) – photo of the contact line between the rally participants with the Crimean Tatar flags and those with the Crimean flags in the left-hand side of the patio where the pro-Russian rally was located (back turned towards the main door to the Supreme Council of the AR of Crimea);
- photographic file IGQR_2100 (date of recording 26 February 2014, 12:10 p.m.) – photo of the contact line between the rally participants with the Crimean Tatar flags and those with the Crimean flags in the left-hand side of the patio where the pro-Russian rally was located (back turned towards the main door to the Supreme Council of the AR of Crimea);
- photographic file IGQR_2214 (date of recording 26 February 2014, 12:32 p.m.) – A.Z.Chiygoz between the centre columns lines up the rally participants with the Crimean Tatar flags in a cordon;
- photographic file IGQR_2230 (date of recording 26 February 2014, 12:32) – the central part of the patio of the Supreme Council of the AR of Crimea where the police officers are rearranging their position in

front of the main door as a result of breakthrough by the rally participants with the Crimean Tatar flags. A.Z.Chygoz is between the centre columns at the line of contact between the rally participants with the Crimean Tatar flags and the police officers lining up the rally participants in a cordon;

- photographic file IGQR_2278 (date of recording 26 February 2014, 12:35 p.m.) – a broad angle photo showing the rally participants with the Crimean and Ukrainian flags in the left-hand side part of and outside the patio of the Supreme Council of the AR of Crimea, in the middle of and outside of the patio. The rally participants with the Crimean and Sevastopol flags are by the wall on the left-hand side and outside the patio.

In the centre there are police officers arranged in several rows in front of the main door, in front of them on the line of contact there are the rally participants with the Crimean Tatar flags, A.Z.Chygoz is behind that group;

- photographic files IGQR_2321, 2323, 2324, 2325, 2326, 2327, 2340, 2341 (date – 26 February 2014, 12:41) showing the central part of the patio. They depict the moment of pressure exerted by the rally participants with the Crimean Tatar flags on the police officers and A.Z.Chygoz is centre-right;

- video file – News report by STB Ukrainian channel at 03:36 showing A.Z. Chygoz organising the rally participants.

- video file MVI_9317 (2) which shows at second 54 (based on timeline beginning at 00”) A.Z. Chygoz giving an order to rally participants saying ‘Cordon, go!’.

- video file “Storm of Verkhovna Rada.avi” showing at 3:03 (according to the timeline) the intrusion and damaging of property in the building of the Supreme Council of the AR of Crimea by the rally participants with the Crimean Tatar flags;

- Expert report No. 246/3-85-15 of 26 June 2015 whereby the video recordings contained in files “Fight near the Supreme Council of Crimea, Tatars breaking into the Parliament building 26 February 2014.mp4” and “storm of Verkhovna Rada_AVI_Microsoft_DV_PAL.avi” contained on the DVD-R disc provided are deemed suitable for digital image enhancement.

The images recorded in the frames of fragments of the video recordings “Fight near the Supreme Council of Crimea, Tatars breaking into the Parliament building 26 February 2014.mp4” and “storm of Verkhovna Rada_AVI_Microsoft_DV_PAL.avi” set out in schedule 5 in the investigative part of this expert report were digitally enhanced. The results of enhancement in the form of shot breakdown are set out in annex 1 to this expert report (vol. 18, file sheets 16-29);

- Expert report No. 246/3-83-15 of 15 May 2015 whereby the video recordings provided in files ‘Fight near the Supreme Council of Crimea, Tatars breaking into the Parliament building 26 February 2014.mp4’ and ‘storm of Verkhovna Rada_AVI_Microsoft_DV_PAL.avi’ contained on the DVD-R disc provided are deemed to be suitable for digital enhancement of the images in the frames in order to increase the quality of perception. The results of image enhancement are provided on the CD-R disc attached to the expert report as annex 1). (vol. 18, file sheets 52-56);

- Expert report No. 1108/7-1 of 23 June 2015 whereby the cost of the property destroyed as a result of intrusion in the building of the Supreme Council of the AR of Crimea on 26 February 2014 is as follows:

- 3-seater chair, given its actual condition as of 26 February 2014 – 1360.00 rubles;
- a wall cabinet with 2 cases, given its actual condition as of 26 February 2014 – 912.00 rubles;
- dark lacquered extension table, given its actual condition as of 26 February 2014 – 92.00 rubles;
- closet, section No.1, given its actual condition as of 26 February 2014 – 1020.00 rubles;
- classroom table, given its actual condition as of 26 February 2014 – 251.00 rubles;
- telephone stand, given its actual condition as of 26 February 2014 – 300.00 rubles;
- VEF telephone set, given its actual condition as of 26 February 2014 – 500.00 rubles;
- 3-seater chair, given its actual condition as of 26 February 2014 – 1360.00 rubles;
- five faux-leather chairs with wooden back, given their actual condition as of 26 February 2014 – 350.00 rubles;
- six demi-soft chairs, given its actual condition as of 26 February 2014 – 1530.00 rubles;

- bookcase, given its actual condition as of 26 February 2014 – 1400.00 rubles; - a total of 9405 rubles (vol.18, case sheet 157-179);

Therefore, by analysing and assessing the testimony of victims P.P.Petrov, V.V.Savchenko, V.V.Berezin, A.V.Pedos, V.O.Yushkov, S.G.Sinetsky, S.Yu.Vakhlin, D.E.Moiseev, A.N.Baranov, S.A.Berbenets, A.A.Azardovich, A.P.Yashchenko, S.P.Prozor, V.A.Dorofeyev, I.A.Lobyntseva, as well as the testimony of witnesses S.V.Aksyonov, V.A.Konstantinov, S.P.Tsekov, O.F.Kovitidi, Z.R.Smirnov, L.R.Bezaziev, E.A.Umerov, V.V.Petrov, M.Yu.Ablaev, A.V.Kolesnikov, A.V.Akimov, A.A.Asanov, S.S.Milenichev, Yu.V.Gusev, V.N.Gritsai, Yu.T.Isatov and R.V.Troshin concerning the circumstances of commission of the above unlawful acts by the accused A.Z.Chiygoz that are known to them, as well as the testimony of defence counsel with regard to the above, the Court takes them as well as the indicated expert reports, records of investigative actions that made in accordance with the legislation of the Russian Federation as the basis for the decision.

This evidence, in the view of the Court, is relevant, admissible and accurate and was obtained by competent persons in accordance with the procedure established by the Criminal Procedural Code of the Russian Federation for the collection and procedural recording thereof, is completely consistent and complementary, therefore, there are no reasons to disbelieve it.

The arguments of the defence concerning the inadmissibility of analysis of the additional forensic product expert examination No. 1108/7-1 of 23.06.2015 (vol. 18, file sheet 157-179) are invalid since the expert report was made in accordance with the provisions of the Criminal Procedural Code of the Russian Federation and recorded in the criminal case materials under the Russian legislation and the analysis contained therein was made by a qualified independent expert with extensive expertise who applied the correct method to the expert examination and used specialist literature and online resources. The objects provided to the expert for examination were obtained in accordance with the requirements of the criminal procedure legislation that correspond to the information about them contained in the materials of the criminal case.

There is no information concerning the existence of reasons for slander of the accused by the victims or witnesses whose testimony was used by the Court as the basis for the decision and the statements of the accused about the contrary are farfetched.

Moreover, all victims and witnesses were interrogated independently from each other at different times and were warned about criminal liability for refusal to testify and perjury, most of them were acquainted neither with each other nor with the accused, therefore, they had no bias against the latter.

At the same time, the Court is critical about the testimony of defence witnesses with regard to A.G. Chiygoz's role in organising the mass riots for the reasons set out above, since the testimony of the said individuals is refuted by the above evidence and does not coincide with the actual facts of the criminal case that were established by the Court.

Based on the above, the argument of the defence concerning, in general, the absence of mass riots on 26 February 2014 near the Supreme Council of the AR of Crimea is also invalid.

Given the totality of the evidence examined in the court hearing and taken as the basis for the decision, the Court finds that the fact of mass rioting, including violence and damage to property, that resulted in the death of two people on 26 February 2014 in front of the building of the Supreme Council of the AR of Crimea by A.Z.Chiygoz together with unidentified individuals aimed at sabotaging the extraordinary session under the pretext of a peaceful public event of the Mejlis of the Crimean Tatar people is established beyond controversy.

This is confirmed by the number of people convened by the Mejlis, their organisation, the objects that were prepared and brought in advance (sticks, bottles and tear gas), consistency of their actions (throwing bottles and spraying tear gas at the public officers and supporters of the "Russian Unity" party participating in the rally) as well as by subsequent destruction of and damage to property of the Supreme Council of the AR of Crimea: doors, bookcases, chairs, tables, etc.

Moreover, the violence used against the public officers and the supporters of the "Russian Unity" party participating in the rally was manifested by beating of the latter (kicking and hitting them with hands, flag

shafts and other objects in different parts of the body, which resulted in pushing and shoving and eventually the death of people).

The Court declares the statement of the defence concerning the absence of the elements of the crime envisaged by Article 212(1) of the Criminal Code of the Russian Federation in the actions of A.Z.Chygoz because the said rule requires commission of all actions listed in the descriptive part of the said Article to be wrong and based on erroneous interpretation of the criminal legislation of the Russian Federation.

Within the meaning of the Russian criminal legislation, mass riots are understood as an infringement of public safety committed by a large group of people (a crowd) which is accompanied by commission in a public place of at least one of the actions envisaged by the descriptive part of Article 212(1) of the Criminal Code of the Russian Federation. It is the presence of a large number of people during the commission of various criminal offences that gives this act a greater degree of public hazard. The specific situation of the commission of the crime, namely, the number of people, the ability of the crowd to paralyse or substantially obstruct the activity of government and management authorities with their anti-social conduct shall be taken into account. The number of people shall also be sufficient to block road traffic, frustrate a mass event, that is, to control the situation in a substantial territory.

The organisation of mass riots is understood as the activity of a person that manifests itself as instigation and management of the crowd, making various claims to the public officials and such activity can manifest itself in different forms, including the planning and preparation of such activities, selecting the groups of people to provoke and start up mass riots, instigation of such conduct, suggesting petitions and mottos, saying appeals and proclamations capable of electrifying the crowd and causing revolt, gradual conditioning of popular sentiment through mass media, rallies and other means of propaganda, elaboration of the action plan for the crowd based on the sentiment and accumulated remorse of the people, directing the crowd to commit the act of mass rioting.

The objective element of mass rioting is comprised of any of the acts listed in the law and this offence is deemed to be complete as of the commission of any act envisaged by Article 212(1) of the Criminal Code of the Russian Federation and commission of all of the above acts is not required, as the defence mistakenly claimed.

Further, the offence consisting in the organisation of mass riots is complete as of the moment of commencement of organisational activity and is unaffected by the subsequent adverse consequences (or absence thereof).

The Court deems the testimony of the accused A.Z.Chygoz who denied his involvement in the organisation of mass riots on 26 February 2014 in front of the building of the Supreme Council of the AR of Crimea to be invalid and given to avoid liability for the offence committed.

The Court also deems the statements of the accused concerning the inaction of police officers and unlawfulness of the actions of the “Russian Unity” party supporters participating in the rally who, in his view, committed the act of mass rioting, to be invalid as there statements contradict the established facts of the case and are completely refuted by the consistent testimony of the victims and witnesses, photographic and video files, on which the decision was based and which objectively reflect the true picture of the events and that it was A.Z.Chygoz who was an organiser thereof.

Instead, the Court has established beyond doubt that the law enforcement officers, given their number, took all steps to prevent the breaches of public order by the participants of the Mejlis rally and no act resultant in mass riots was committed by police officers.

The position of the rally participants supporting the “Russian Unity” party, albeit different from that of the Mejlis, did not allow the latter to use physical violence against their opponents, in breach of existing legislation, which led to infliction of injuries and death on participants of the said rally. Moreover, the majority of supporters of the “Russian Unity” party had the intention of ensuring normal functioning of the Supreme Council of the AR of Crimea.

This fact is objectively confirmed by the testimony of the victims interrogated in the court hearing as well as by that of the witnesses of the defence and prosecution, and by the documents, video- and photographic

files examined in the court hearing, which show that no actions aimed at instigation of mass riots through appeals encouraging aggressive conduct of the crowd, destruction of property, use of weapons, persuasion or threats or by throwing objects at people, unjustified use of violence or otherwise, that is, the acts that directly or indirectly encourage the participants of a mass event to cause mass riots, have been committed by the supporters of the “Russian Unity” party participating in the rally nor by police officers.

The conduct of police officers during the public event, which was in every way upheld by the supporters of the “Russian Unity” participating in the rally was in strict compliance with the law and was aimed at prevention of unlawful acts, elimination of threats to the safety of individuals and public security, as well as at ensuring public order and safety at the location of the public event.

The police officers have not committed any acts of provocation aimed at causing mass riots; on the contrary, these acts were organised by A.Z.Chygoz as confirmed by the testimony given in the course of judicial investigation by witnesses: O.F.Kovitidi, A.A.Asanov, V.V.Petrov, M.Yu.Ablayev, E.A.Umerov who confirmed the active role of an organiser and administrator that A.Z.Chygoz played during the mass riots.

Thus, the Court finds it established beyond doubt that the mass riots organised, among others, by A.Z.Chygoz that took place on 26 February 2014 in front of the building of the Supreme Council of the Autonomous Republic of Crimea in Simferopol have destabilised the public order and disturbed peace in a public place during a public event, have caused substantial psychological tension, a threat to life and wellbeing of a large number of individuals, including those who came to exercise their constitutional right to peaceful assembly, have breached public safety and involved use of physical violence against the representatives of the oppositional rally of the supporters of the Russian Unity party and destruction of property of the Supreme Council of the Autonomous Republic of Crimea.

The information provided by R.A.Chubarov on 25 February 2014 at the meeting of the Mejlis concerning the need to hold a rally and frustrate the session because an appeal for help to the Russian Federation was planned to be made at the extraordinary session of the Supreme Council of the AR of Crimea relied on in the court hearing by the following defence witnesses: N.E.Dzhelyalov, D.Z.Akiyeva, I.R.Umerov, A.M.o. Egiz, Z.S.Smedlyayev, L.A.Yunusov, R.R.Velilyayev, E.R.Avamileva, S.A.Yagyayev, M.T.Maushev, B.A.Mamutov was not accurate since, according to the testimony of witness V.A.Konstantinov (Chairman of the Supreme Council of the AR of Crimea) the appeal for help to the Russian Federation was not included nor planned to be included in the agenda of the session.

Given the testimony of witnesses A.A.Asanov, V.V.Petrov, M.Yu.Ablayev concerning the instructions given by R.A.Chubarov to A.Z.Chygoz to hold the said mass event and the need to accomplish the aim, namely, to block the building of the Supreme Council of the AR of Crimea, frustrate the session and oppose the other rally, which A.Z.Chygoz accomplished in full, the Court believes that the circumstances of A.Z.Chygoz’s organisation of and participation in the mass riots are established.

Assessing the testimony of defence witnesses A.U.Khamzin, E.Ya.Mustafayev, A.S.Osmanov, E.S.Umerov, S.R.Egamberdiyev, R.E.Refatov, R.N.Enannov, R.A.Selimov, N.A.Memetov, Sh.E.Kaibulayev, S.I.Ametova, L.Ya.Dyulberova, A.F.Abdulayev, S.D.Ametov, E.M.Dudakov, Sh.S.Memetov, E.S.Mamutova, I.B.Chetyrma, E.G.Ametov, U.S.Sulaimanov, N.F.Kurukchi, M.Asab, S.I.Asanov, E.U.Mustafayev, R.V.Edemov, E.A.Alyadinov, S.A.Fakhriyev, I.V.Muslyadinov, R.A.Seyitablayev, E.K.Emirasanov, R.R.Osmanov, N.Osmanov, S.R.Abdull, M.A. Ablyazov, A.Sh.Alimov, E.E.Abdulvatov, L.P.Ablyazimov, E.K.Mensitov, I.Izedinov, N.A.Abdurakhmanov, R.S.Kedzhametov, E.yu.Bekirova, D.A.Seitgazyeva, M.D.Mavlyudov, and I.Suleimanov who explained in the court hearing that the accused A.Z.Chygoz committed neither acts aimed at organisation of the rally of supporters of the Mejlis nor any acts aimed at organisation of mass riots in front of the building of the Supreme Council of the AR of Crimea, the Court believes these statements to be invalid as the said witnesses said that they were unaware of the actions of A.Z.Chygoz on 25 February 2014 and were occasionally observing A.Z.Chygoz during the rally on 26 February 2014, which does not deny his involvement in organisation of mass riots.

Moreover, the Court is critical about the testimony of the said defence witnesses since A.Z.Chygoz as deputy chair of the Mejlis of the Crimean Tatar People has substantial influence among the national

movement of the Crimean Tatar people and at the time of the rally of the supporters of the Mejlis the said witnesses were members and supporters of the Mejlis at different levels (regional and local), which raises doubts as regards their credibility.

The Court deems the testimony of the defence witnesses alleging that the initial pressure was provoked by the supporters of the “Russian Unity” party participating in the rally to be invalid as these facts are confirmed by video file No.00084, folder “Veliyev”, which captures the moment when the rally participants with the Crimean Tatar and Ukrainian flags walked behind the cordon of police officers and entered the right-hand side of the patio where the supporters of the “Russian Unity” party were located and exerted pressure on the latter by pushing them towards the police cordon.

Therefore, the supporters of the Mejlis participating in the rally, having breached the boundaries established by the police officers for each rally, without authorisation occupied a part of the territory where the rally participants from the “Russian Unity” party were located, created a line of contact and caused confrontations with the said rally.

Moreover, the testimony of defence witnesses concerning the absence of any breaking of the police cordon is refuted by the photographic file IGQR_2185 (photo taken on 26 February 2014 at 12:29 p.m.) from “Okhrimenko” folder, according to which the rally participants with the Crimean Tatar flags, while in the already occupied right-hand side of the patio to the right from the right-centre column, broke the cordon of police officers who were protecting the main door in a U-formation and initially creating a corridor between the two rallies. At that time, A.Z.Chygoz was by the centre-left column, that is, in close proximity to the events.

This breakthrough by the Mejlis rally participants disrupted the work of the police officers, as their cordon by the centre-left column and the cordon between the central columns was squeezed between the participants of the Mejlis rally as a result of which the police officers regrouped towards the main door, thus increasing the line of contact and confrontation between the two rallies in the central part of the patio of the Supreme Council of the AR of Crimea.

Therefore, the actions of the supporters of the Mejlis participating in the rally resulted in further destabilisation during the public event, weakening of the police’s control over that event, which contradicts the testimony of the defence witnesses concerning the intention to hold their rally in a purely peaceful manner.

The sequence of actions of the Mejlis supporters participating in the rally throughout the day, namely:

- creation of the line of contact between the two rallies in the right-hand side of the patio, in the area allocated by the police to the supporters of the “Russian Unity” party;
- breaking of the cordon of police officers in the patio of the Supreme Council of the AR of Crimea and increasing the line of contact between the rallies;
- driving the supporters of the “Russian Unity” party participating in the rally out of the patio and breaking into the building of the Supreme Council of the AR of Crimea,

shows that they were strictly organised and raises reasonable doubts as to the authenticity of the testimony of the defence witnesses.

Given the above, the Court finds the said sequence of actions of the Mejlis rally participants to be planned, organised and aimed at frustration of the session of the deputies.

It follows from the testimony of the defence witnesses: I.R.Umerov, E.M.Dudakov, R.M.Minnanov, R.A.Seyitblaev, I.V.Muslyadinov, N.A.Abdurakhmanov, S.R.Abdula, M.A.Ablyazov, E.E.Abdulvatov, N.F.Kurukchi, E.Ametov, E.K.Menseitov, R.E.Refatov that each part of the area occupied by the rally of the Mejlis supporters was divided into sections headed by a person in charge, and A.Z.Chygoz gave instructions to some of them (the members of the Regional Mejlis entities, namely, S.R.Abdula, N.F.Kurukchi and E.Ametov) where to stand with their people and what to do.

The above allows the Court to conclude that the actions of the Mejlis rally participants on 26 February 2014 during the mass riots were planned, organised and controlled by the accused A.Z.Chygoz.

The Court finds the arguments of the defence that the provisions of the Federal Law “On application of provisions of the Criminal Code of the Russian Federation and the Criminal Procedural Code of the Russian Federation in the Republic of Crimea and the Federal City of Sevastopol” of 05 May 2014 No.91-FZ contradict the Constitution of the Russian Federation as they determine the punishability of the acts committed prior to accession of the Crimea to the Russian Federation to be invalid, since in accordance with the legal stance set out in the order of the Constitutional Court of the Russian Federation of 19 July 2016 No. 1707-O, the interconnected rules of Article 2 and Article 6(2) of the Federal Law “On application of provisions of the Criminal Code of the Russian Federation and Criminal Procedural Code of the Russian Federation in the Republic of Crimea and the Federal City of Sevastopol”, which alone do not determine the criminal law consequences of the crimes committed in the said territories and which stipulate the rules concordant with Article 54(2) of the Constitution of the Russian Federation concerning the prohibition of *reformatio en peius* and general rules of retroactive application of criminal law are aimed to ensure legal certainty of the status of participants of criminal law relations arising in connection with the offences committed prior to 18 March 2014.

Thus, under Article 2 of the Federal Law of 5 May 2014 No. 91-FZ “On application of provisions of the Criminal Code of the Russian Federation and Criminal Procedural Code of the Russian Federation in the Republic of Crimea and the Federal City of Sevastopol” the criminality and punishability of the acts committed in the Republic of Crimea and the City of Sevastopol prior to 18 March 2014 are determined under the criminal legislation of the Russian Federation and *reformatio en peius* is not allowed.

The Court finds the arguments of the accused A.Z.Chiygoz and the defence counsel concerning the absence of intent to organise mass riots to be invalid for the following reasons.

Thus, Article 39 of the Constitution of Ukraine provides that individuals have the right to peaceful assembly without arms and may hold gatherings, rallies, walks and demonstrations of which a timely notification shall be sent to the executive government or local authorities.

A restriction of such right may be established by the court in accordance with the law only for the sake of national security and public order to prevent riots or crimes, to protect the wellbeing of the population or the rights and freedoms of other individuals.

However, in accordance with the Judgment of the Constitutional Court of Ukraine No. 4-rp/2001 of 19.04.2001, the provisions of Article 39(1) of the Constitution of Ukraine concerning the timely notification of the executive government authorities about a rally shall be understood in such a way that the organisers are to notify the said authorities of such events in good time, that is, allowing a reasonable period of time to pass prior to the date of such event.

Therefore, the legislation of Ukraine as in force on 26 February 2014, established the procedure regulating the notification of the executive authorities within the time frame preceding such events, that is, prior to the date of the rally.

According to the notice of the rally of supporters of the Mejlis of the Crimean Tatar people, at 09:15 am on 26 February 2014, the chair of the Mejlis R.A.Chubarov notified the Simferopol City Council of the rally scheduled for 10:00 am to 5:00 pm on 26 February 2014.

Based on the above, the organisers of the Mejlis rally did not notify the executive authorities in good time, that is, prior to the holding of such rally, as confirmed by a copy of the letter from the Simferopol City Council of 26 February 2014 to the chair of the Mejlis of the Crimean Tatar people R.A.Chubarov (vol. 4, file sheet 111).

The Court finds the arguments of the defence that the application of the “Russian Unity” political party was filed after the rally as late as on 28 February 2014 to be invalid since the seal confirming registration of the said notice on 28 February 2014 with the administration of the Simferopol City Council does not rule out the fact that it was submitted to the City Council on 25 February 2014 as confirmed by the relevant stamp on the document – 2025/25 February 2014.

Similarly, the notification sent by the Mejlis of the Crimean Tatar people bears a stamp dated 03.03.2014 and a marking in the right bottom corner – 2035/26 February 2014.

Thus, the notice of the rally to be held by the “Russian Unity” political party was received first – on 25 February 2014 and the one from the Mejlis of the Crimean Tatar people was received on 26 February 2014.

Moreover, A.Z.Chygoz and other unidentified individuals as organisers of the rally of supporters of the Mejlis were well aware of the rally of the “Russian Unity” party scheduled for that same date – 26 February 2014 at 1:00 pm, in front of the building of the Supreme Council of the AR of Crimea to support the session of the Supreme Council of the AR of Crimea, therefore, they were aware of both rallies to be held in the same place at the same time with a large number of participants with opposing views, which the Court interprets as direct intent to cause mass riots and frustration of the session.

Given that on 25 February 2014 R.A.Chubarov in the presence of A.Z.Chygoz made unlawful claims to the chairman of the Supreme Council of the AR of Crimea V.A.Konstantinov to cancel the extraordinary session scheduled for 26 February 2014, A.Z.Chygoz was aware that there were no items on the agenda that would violate the territorial integrity of Ukraine and understood that the reasons to convene the rally of supporters of the Mejlis were farfetched supported the position of R.A.Chubarov at the meeting of the Mejlis on 25 February 2014 with regard to the rally of the Mejlis supporters aimed at preventing the session of the Supreme Council of the AR of Crimea on 26 February 2014.

On 26 February 2014, A.Z.Chygoz, using the sentiment of the Mejlis supporters who wished to prevent the decisions of the Supreme Council of the AR of Crimea breaching the territorial integrity of Ukraine and knew with certainty about the absence of such items on the agenda of the session, organised mass riots involving the participants of the rally of the Mejlis supporters and frustrated the session of the Supreme Council of the AR of Crimea.

The above actions of A.Z.Chygoz show that he and other persons had a criminal plan of mass riots.

The Court deems the arguments of the accused A.Z.Chygoz concerning the absence of any actions on his part that would be aimed at organisation of mass riots to be invalid for the following reasons:

The agreement to co-perpetrate a crime may manifest itself in various forms, for instance: written, verbal, by conduct. However, in all cases the agreement may be reached only by action.

Depending on the time of its conclusion, the agreement may be preliminary, that is, made prior to the attack on the object protected by criminal law or it can be made during the commission of the crime but in any event before the actual completion of the offence.

According to the witness testimony, the accused A.Z.Chygoz organised and managed the actions of the Mejlis supporters participating in the rally, in particular, called them to use violence and push their opponents – the participants of the rally of supporters of the “Russian Unity” party – out of the patio of the Supreme Council of the AR of Crimea.

His commands were directed to an indefinite number of the Mejlis supporters participating in the rally and the actions of individuals coded No. 1, 2, 3, 4, 5, 6, the criminal cases in respect of whom were separated in distinct proceedings, and those of convicts E.B.Nebiyev and T.A.Yunusov were aimed at inflicting violence on the rally participants, which confirms a tacit collusion, which they joined through instigating conflicts with the participants of the opposing rally by pushing the latter out of the patio and breaking into the building of the Supreme Council of the AR of Crimea.

Given the above evidence, the Court concludes that A.Z.Chygoz when he committed the above unlawful acts was fully aware of the public danger thereof and was able to foresee and desired the socially dangerous consequences of such act, that is, acted voluntarily.

Based on the totality of the evidence examined in the court hearing that were used as the basis for the decision, the Court concludes that the guilt of A.Z.Chygoz in the commission of the alleged crime has been established.

Therefore, the above criminal conduct of A.Z.Chygoz who organised mass riots involving violence, destruction of property and resultant in the death of people is qualified by the Court, subject to the requirements of Article 10(1) of the Criminal Code of the Russian Federation that prohibit putting him in a worse position, under Article 212(1) of the Criminal Code of the Russian Federation (as amended by Federal Law of 13.06.1996 No. 63-FZ).

At the same time, Article 294(2) of the Criminal Code of Ukraine (as amended on 05.04.2001 No. 2341-Sh) provides that organisation of mass riots involving violence in relation to individuals, arsons, destruction of property, seizure of buildings or constructions, forceful displacement of individuals, resistance to public officers using arms or other objects used as arms, as well as active participation in mass riots if the above caused the death of people or other grave consequences, is punishable by imprisonment of eight to fifteen years.

Article 212(1) of the Criminal Code of the Russian Federation (as amended by Federal Law of 13.06.1996 No. 63-FZ) provides that organisation of mass riots involving violence, bashing, arsons, destruction of property, use of firearms, explosive substances or devices or furnishing armed resistance against a public officer is punishable by imprisonment of four to ten years.

Based on the interpretation of Article 212 of the Criminal Code of the Russian Federation providing that violence as an obligatory factor associated with the breach of the established public order by numerous individuals (a crowd) may be physical or psychological.

Physical violence is understood as the commission of acts associated with infliction of physical pain or triggering consequences envisaged by Articles 112 and 115 of the Criminal Code of the Russian Federation. Infliction of death or grave injury is beyond violence caused by mass riots and must be qualified in conjunction with the relevant articles of the Criminal Code of the Russian Federation .

In qualifying the conduct of the accused, the Court proceeds from the premise that the criminal proceedings initiated after 18 March 2014 shall involve qualification under the Criminal Code of the Russian Federation and that the Criminal Code of Ukraine shall be taken into account exclusively for the purpose of comparison of penalty and other provisions putting the person who committed the crime in a better or a worse position, subject to provisions of Article 10 of the Criminal Code of the Russian Federation .

The conduct of A.Z.Chiygoz under Article 294(2) of the Criminal Code of Ukraine includes the acts which resulted in the death of people and does not require additional qualification and, hence, consolidated sentencing.

Thus, based on the provisions of Article 10 of the Criminal Code of the Russian Federation, the consolidated qualification of the conduct of the accused under the relevant articles of the Criminal Code of the Russian Federation puts the accused in a worse position as compared to the descriptive part of Article 294(1) of the Criminal Code of Ukraine, therefore, his conduct resultant in the death of people is not subject to consolidated sentencing and shall be qualified exclusively under Article 212(1) of the Criminal Code of the Russian Federation.

In connection with the refusal of the Public Prosecutor from prosecution in connection with infliction of harm on victim A.A.Solovyov and victim L.G.Snarsky, the Court finds it possible to remove from the charges made against A.Z.Chiygoz the comment concerning the infliction of injury on victim A.A.Solovyov and physical pain on victim L.G.Snarsky, since the withdrawal of charges (including partial) by a public prosecutor is binding on the court.

Moreover, subject to the position of the Public Prosecutor in the pleadings, the Court removes from the charges in relation to the victim R.R.Bazhanov the comment concerning the infliction of average injury (physical pain in the right arm) on victim R.R.Bazhanov in the course of mass riots.

Furthermore, based on the facts established in the court hearing the Court finds it necessary to state that physical pain in the arm area was caused to the victim A.V.Dubikovsky during the mass riots.

Based on the above, given the personal characteristics of A.Z.Chiygoz as well as the information concerning the conduct of the latter during preliminary investigation and in the court hearing, the Court rules him sane and subject to criminal liability and punishment for the offence committed.

When deciding on the penalty for the accused, the Court takes into account the nature and degree of social danger of the offence committed, which is regarded as grave (as of 26 February 2014), the personal characteristics of the accused, existence of mitigating circumstances and absence of aggravating circumstances, as well as the impact of the penalty chosen on the correction of the convict and life of his family.

The Court finds and takes into account the following circumstances mitigating the punishment of the accused A.Z.Chiygoz: commission of a crime for the first time, the accused having a minor dependent child, an elderly father and the death of his mother. The Court also takes into consideration the positive references of the accused A.Z.Chiygoz.

There are no other circumstances that could mitigate the penalty, including compensation of damage.

As was established in the course of judicial proceedings, the damage caused to the Office of the Supreme Council of the AR of Crimea was compensated by E.T.Nebiyev in full.

There are no circumstances aggravating the guilt of A.Z.Chiygoz.

However, given the high social danger of the offence committed by A.Z.Chiygoz, degree of his involvement in the said offence, number of victims of mass riots on 26 February 2014, the Court concludes that the aims of restoring social justice, correction and prevention of new crimes that are envisaged by the Russian law may be accomplished solely by isolating him from the society through imposition of penalty in the form of imprisonment.

Based on the facts of the crime, given the number of victims, the Court finds no reasons to apply the provisions of Articles 64 and 73 of the Criminal Code of the Russian Federation to the accused.

The Court finds no reasons to apply Article 15(6) of the Criminal Code of the Russian Federation to A.Z.Chiygoz, that is, to change the category of the offence committed by him to a lighter one, given the facts of the crime (number of victims) and degree of social danger thereof.

The Court finds it necessary to dismiss the civil-law claim of A.A.Solovyov due to withdrawal of charges by the Public Prosecutor concerning the infliction of injury on victim A.A.Solovyov during the mass riots, since in accordance with the legal stance set out in para 29 of the ruling of the Plenum of the Supreme Court of the Russian Federation of 05.03.2004 No. 1 “On application of the rules of Criminal Procedural Code of the Russian Federation by the courts”, full or partial withdrawal of charges by the public prosecutor during the judicial proceedings implies adoption by the court of a decision concordant with the position of the public prosecutor as the criminal procedure law proceeds from the premise that the criminal judicial proceedings are based on the adversarial principle and the principle of equality of the parties and the prosecutor is responsible for articulating and sustaining the charges.

Under Article 81 of the Criminal Procedural Code of the Russian Federation the Court shall decide on the fate of material evidence: the hard disc drive seized during the seizure from O.V. Bogoslavskaya, five optical discs seized during the seizure from I.P.Okhrimenko, nine optical discs seized during the seizure from A.A.Veliyev, as well as the DVD-R disc seized during the seizure from A.S.Gorbov, which are attached to the materials of the criminal case No. 2014467091 (Main Investigations Directorate of the Investigation Committee for and in the Republic of Crimea) upon adoption of final decision in the said criminal case.

When deciding on the preliminary measures, given the nature and degree of social danger of the offence committed by A.Z.Chiygoz as well as for the purposes of execution of the decision the Court finds it necessary to uphold the injunction previously imposed against A.Z.Chiygoz (custody).

Under Articles 307-309 of the Criminal Procedural Code of the Russian Federation the Court

DECIDED:

To convict Akhtem Zeitullayevich Chiygoz of a crime envisaged by Article 212(1) of the Criminal Code of the Russian Federation (as amended by Federal Law of 13 June 1996 No. 63-FZ) and decision him to 8 (Eight) years of imprisonment in the general correctional colony.

To calculate the term of imprisonment from 11 September 2017.

To count the time spent by the accused A.Z.Chiygoz in detention from 29 January 2015 until 11 September 2017 in the term of imprisonment.

To uphold the injunction (custody) issued against A.Z.Chiygoz until the decision takes effect.

To dismiss the civil-law claim of the victim A.A.Solovyov.

Physical evidence: the hard disc drive seized during the seizure from O.V. Bogoslavskaya; five optical discs seized during the seizure from I.P.Okhrimenko; nine optical discs seized during the seizure from A.A.Veliyev; as well as the DVD-R disc seized during the seizure from A.S.Gorbov, which are attached to the materials of the criminal case No. 2014467091 (Main Investigations Directorate of the Investigation Committee for and in the Republic of Crimea) – to be resolved upon adoption of final decision in the said criminal case.

The decision may be appealed against in the Criminal Panel of the Supreme Court of the Russian Federation through the Supreme Court of the Republic of Crimea within 10 days from the day of its delivery and by the accused A.Z.Chygoz – within the same time limit from the date of service of a copy of the decision. In case of submission of the appeal, the convict may participate in the consideration of the criminal case by the court of appeal.

Presiding Judge: */Signature/*_____ **V.I. Zinkov**

Judges: */Signature/*_____ **A.V. Kozyrev**

*/Signature/*_____ **I.I. Kryuchkov**

TRUE COPY

Vice Chair of the Supreme Court of the

Republic of Crimea

/Signature/

V.N. Sklyarov

[Round seal: Supreme Court of the Republic of Crimea; OGRN 1149102095306]

Vice head of division

/Signature/

Ye.Yu. Kapitsyna

The decision came into effect on 22 September 2017.

Vice Chair of the Supreme Court of the

Republic of Crimea

/Signature/

V.N. Sklyarov

[Round seal: Supreme Court of the Republic of Crimea; OGRN 1149102095306]

Vice head of division

/Signature/

Ye.Yu. Kapitsyna

The original copy of the decision is bound and kept on file of the criminal case No. 1-1/2017 pending with the Supreme Court of the Republic of Crimea

Vice Chair of the Supreme Court of the

Republic of Crimea

/Signature/

V.N. Sklyarov

[Round seal: Supreme Court of the Republic of Crimea; OGRN 1149102095306]

Vice head of division

/Signature/

Ye.Yu. Kapitsyna

Annex 343

Kievskiy District Court of Simferopol, Republic of Crimea, Case No. 444/2017, Ruling authorizing the inspection of R.R. Paralamov's house, September 2017

Translation

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RULING

/illegible/ September 2017

Simferopol

A.N. Dolgoplov, Judge of the Kievskiy District Court of Simferopol, the Republic of Crimea, having considered the resolution of Lieutenant General [name: ...], Head of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the City of Sevastopol on the performance of operative search activities “Inspection of premises, buildings, structures, terrain and vehicles”,

has established:

Lieutenant General [name: ...], Head of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the City of Sevastopol, submitted to the court a resolution on the performance of operative search activities “Inspection of premises, buildings, structures, terrain and vehicles”, justifying it with the fact that information was received about R.R. Paralamov’s involvement in the activities of terrorist organizations.

In connection with the involvement in the activities of an international terrorist organization, weapons and other items the free circulation of which is forbidden in the Russian Federation may be stored at R.R. Paralamov's place of residence at the address: 45 Krasnoarmeyskaya str., Nizhnegorsky settlement, the Republic of Crimea.

The information received confirms that Paralamov’s actions show elements of the crimes envisaged in Articles 205.5, 222 */illegible/* of the Criminal Code of the Russian Federation.

Having reviewed the provided materials, I deem it necessary to satisfy the motion.

In accordance with Part 6 of the Law of the Russian Federation “On operative search activities in the Russian Federation”, one of the types of operative search activities is, specifically, the “Inspection of premises, buildings, structures, terrain and vehicles”.

The applicant provided sufficient proof to support the justifiability of this motion.

Therefore, I deem it necessary to authorize the performance of operative search activity “Inspection of premises, buildings, structures, terrain and vehicles”.

Based on the above, guided by the Law of the Russian Federation “On operative search activities” of 12 August 1995 No. 144-FZ, the judge

has ruled to:

Authorize the performance of operative search activities for the inspection of premises, buildings, structures, terrain and vehicles at the address: 45 Krasnoarmeyskaya str., Nizhnegorsky settlement, the Republic of Crimea.

Set the term of this ruling until 23 September 2017.

Judge

/signature/

A.N. Dolgoplov

*/Seal: Kievskiy District Court
of Simferopol, Republic of Crimea/*

*/Seal: Inquiry Organization Department of the Ministry of
Internal Affairs for the Republic of Crimea * FOR BAGS
No. 40 /signature/
/Stamp: TRUE COPY/*

*/Seal: Inquiry Organization Department of the Ministry of Internal
Affairs for the Republic of Crimea * FOR PACKAGES No. 40
/signature/
/Stamp: TRUE COPY/*

*/handwritten: Rinat Basimovich Paralamov, born on 21 April 1986, personally read ruling. * He refused to sign it in the presence of members of the public E. Alekseev and N.A. Plotnikov/*

/Signature/

/Signature/

Annex 344

Record of inspection of premises, buildings, structures, terrain and
vehicles, 13 September 2017

Translation

case file sheet $\frac{16}{179}$

RECORD
on inspection of premises, buildings, structures, terrain and vehicles

Nizhnegorskiy settlement
 (place of completion)

13 September 2017

The inspection began at 6:05 a.m.

The inspection ended at 7:15 a.m.

Operative officer of the Directorate of the Federal Security Service of the Russian Federation for the Republic of Crimea and Simferopol, Captain [name: ...].

(position of the operative officer)

in the presence of:

1. Evgeny Igorevich Alekseev, born on [...], residing at [...]
 (full name and residence address)

2. Nikita Alekseevich Plotnikov, born on [...], residing at [...]
 (full name and residence address)

With the participation of: Rinat Rasimovich Paralamov
 (full name of each person)

Specialist of the Directorate of the Federal Security Service of the Russian Federation for the Republic of Crimea and the City of Sevastopol

participating in the operative search activities, and, if necessary, their address and other personal details)

[Name: ...]

Based on Ruling No. 444/2017 of the Judge of the Kievskiy District Court of Simferopol, Republic of Crimea, A. Dolgoplov

In accordance with Paragraph 8, Part 1, Article 6 of Federal Law No. 144-FZ dated 12 August 1995 "On Operative Search Activities", an inspection was performed at the address:

45 Krasnoarmeyskaya str., Nizhnegorskiy settlement, the Republic of Crimea

(specify the location)

to search for and seize firearms, explosives,

(specify the items,

extremist literature, as well as other objects

documents and valuables)

the free circulation of which is prohibited in the Russian Federation

/signature/

(signature of the attending person)

/signature/

/signature/

(signature of the attending person)

/Stamp: TRUE
 COPY/

/Seal: Inquiry Organization Department of
 the Ministry of Internal Affairs for the
 Republic of Crimea * FOR BAGS No. 40
 /signature/

case file sheet $\frac{17}{180}$

Printed publication: a green book with the writing "A Muslim's Strength: Reminders of Allah in the Qur'an and Sunnah", publisher: Ezhaev; found in the wardrobe in the room to the far right of the corridor, packed in a grey plastic bag, the opening of which is tied with a thread, color: /illegible/, the ends of which are sealed with a piece of white paper with the seal "For bags. No. 5", and "Bag No. 1" written on it.

Green laptop with the writing on the front part "acez,ASPIPE/illegible/" and reverse serial number: "S/N NUSGDEU002340P2A37614", found in the /illegible/ room alongside the corridor /illegible/ on the sofa packaged in a black bag which is tied with a black thread, the ends of which are sealed with a piece of white paper with the seal "For bags. No. 5", and "Bag No. 2" written on it.

During the inspection, the following activities were carried out not carried out
(taking of photographs, recording of video, audio)

/Stamp: TRUE COPY/

/Seal: Inquiry Organization
Department of the Ministry of
Internal Affairs for the Republic
of Crimea * FOR BAGS No. 40
/signature/

/signature/

(signature of the attending person)

/signature/

(signature of the attending person)

19
case file sheet 4
182

Before the beginning, during or upon completion of the inspection, the participants from
R.R. Paralamov and the present persons did not make any statement
(their initials, last name)

Statements were not received. Content of the statements: _____
(received, not received)

Present:	/Signature/	<u>E.I. Alekseev</u> (signature)
	/Signature/	<u>N.A. Plotnikov</u> (signature)
Other participating persons:	/Signature/	<u>R.R. Paralamov</u> (signature)
	/Signature/	<u>[Signed]</u> (signature)
		_____ (signature)

The record was submitted to all participants in the operative search activity for familiarization.

The right to provide remarks stipulated by the applicable laws and signed by the respective participants regarding the supplementation and adjustment of the records were clarified to the participants. Upon familiarizing with the records by means of individual reading

(by individual reading or reading the Records aloud by the operative officer)

the participants of the operative search activities made the following remarks on its supplement and clarification

no remarks were made. R.R. Paralamov did not request

(specify the initials and last name of the participant of the operative search activities and their remarks on the completion and clarification of the report)

to copy the information saved on the confiscated laptop.

_____	/signature/ (signature)	_____ <i>E.I. Alekseev</i> (initials, last name)
_____	/signature/ (signature)	_____ <i>N.A. Plotnikov</i> (initials, last name)
_____	/signature/ (signature)	_____ <i>R.R. Paralamov</i> (initials, last name)
_____	/signature/ (signature)	_____ [Signed] (initials, last name)

Operative officer

_____ */signature/*
(signature)

I received a copy of the record: *R.R. Paralamov*

(full name of the person

received on the premises where the inspection was performed on 13 March 2017

on whose premises the search (seizure) was carried out, or a representative of the institution's administration)

13 September 2017

/Stamp: TRUE COPY/

*/Seal: Inquiry Organization
Department of the Ministry of
Internal Affairs for the Republic
of Crimea * FOR BAGS No. 40
/signature/*

Annex 345

Record of R.R. Paralamov's questioning, 13 September 2017

Translation

183

QUESTIONING

Simferopol
(place of completion)

13 September 2017

Operative officer of the Directorate of the Federal Security Service of the Russian Federation for the Republic of Crimea and the City of Sevastopol, Captain [name: ...]

in accordance with Federal Law No. 144-FZ dated 12 August 1995 "On Operative Search Activities"

on the premises of: Directorate of the Federal Security Service of the Russian Federation for the Republic of Crimea and the City of Sevastopol

(specify)

from 12:05 p.m. until 3:25 p.m., I questioned Mr.:

1. Full name Rinat Rasimovich Paralamov
2. Date of birth 21 April 1986
3. Place of birth [...]
4. Place of permanent and (or) temporary residence [...]
- phone [...]
5. Citizenship Russian Federation
6. Education higher
7. Marital status, family composition married, raising four children
8. Place of work or study: individual entrepreneur

phone

9. Military status liable for military service, according to his words
(place of

military registration)

10. Criminal record according to his words, he has no criminal record
(date and name of the court

of conviction, article of the Criminal Code of the Russian Federation,

type and scope of the punishment, date of release)

11. Passport or other identity document Russian citizen's passport [...]

Brown

Respondent

/signature/
(signature)

R.R. Paralamov
(initials, last name)

/Stamp: TRUE COPY/
/Seal: Inquiry Organization
Department of the Ministry
of Internal Affairs for the
Republic of Crimea * FOR
PACKAGES No. 40
/signature/

Questioning continuation Sheet No. 2 dated 13 September 2017

184

Before the questioning, I was explained that I have the right:

- 1) in accordance with Article 51 of the Constitution of the Russian Federation, not to testify against myself, my spouse or close relatives, the range of whom is determined by Paragraph 4, Article 5 of the Criminal Procedural Code of the Russian Federation;
- 2) to appeal the actions of the bodies performing operative search activities which violated my rights and freedom to the higher authority carrying out operative search activities, the prosecutor or the court.

Person questioned

/Signature/
(signature)

R.R. Paralamov
(initials, last name)

I am warned on the criminal liability for the knowingly false report in accordance with Article 306 of the Criminal Code of the Russian Federation.

Person questioned

/Signature/
(signature)

R.R. Paralamov
(initials, last name)

On the substance of the case, I can clarify the following:

I, Rinat Rasimovich Paralamov, was born in the Uzbek Soviet Socialist Republic. I moved from Uzbekistan to the Nizhnegorskiy district of Crimea in 1989 with my parents. My address of residence in the Nizhnegorskiy settlement is 45 Krasnoarmeyskaya Str.

After graduating from the Nizhnegorskaya general education school in 2002, I moved to Kazakhstan, where I studied programming at the Akhmet Uezi University.

Around 2004, while studying at the university, I became interested in the Hizb ut-Tahrir al-Islami ideology and began studying the book "System of Islam".

In 2008, I graduated from the Akhmet Uezi University and went back to Crimea, to the village of Partenit. From 2008 until 2010 I attended the mosque in Alushta, where I also attended classes on the Hizb ut-Tahrir al-Islami ideology taught by the imam of the mosque Elvin Kadyrov, a mushrif of Hizb ut-Tahrir al-Islami.

In 2009, I married Nefiza Dlyaverovna Bodurova, born on 3 July 1987.

In 2010, we moved to Simferopol, where I began attending Hizb ut-Tahrir al-Islami classes, meetings and conferences. "Abuyazid", "Mustafa", "Ruslan Ramazan", "Fazyl Amzaev" attended the classes and other events with me. The classes were taught by "Nariman" at the Ak-Mechet mosque. "Nariman" gave me literature to study: "Hizb ut-Tahrir al-Islami", "Concepts of Hizb ut-Tahrir", "Political Problems, the Occupation of Muslim Countries", "Draft Constitution of the Islamic State of the Caliphate", "Political Concepts of Hizb ut-Tahrir", "Radicalism, Extremism and Islamism".

In 2014 "Nariman" moved to Turkey for permanent residency.

In the same year, after Crimea became a part of the Russian Federation, I moved to the Nizhnegorskiy settlement with my wife and children, where we still live now. In the Nizhnegorskiy district, I continued studying the Hizb ut-Tahrir al-Islami ideology on my own.

I have been a member of Hizb ut-Tahrir al-Islami and an adherent of its ideology since 2004 until present time.

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COPY/*

*/Seal: Inquiry Organization
Department of the Ministry
of Internal Affairs for the
Republic of Crimea * FOR
PACKAGES No. 40*

/signature/

Questioning continuation Sheet No. 3 dated 13 September 2017

185

I am also the administrator of a personal page on the social network VKontakte, with the username Renat Paralamov (<http://vk.com/id26235488>). I use this page to manage a group on VKontakte: "Islam: a Direct Path to Heaven" (<http://vk.com/club17686082>).

This group is like a cell of the Hizb ut-Tahrir al-Islami organizations, where video footages were uploaded on the organization's activities for propaganda purposes. Through this group, new adherents of Hizb ut-Tahrir al-Islami were recruited. There was a distribution of responsibilities in this group. I was in charge of selecting new administrators, general management of the group, and, as a programmer, I gave instructions on editing and using anonymizers to bypass the blocking of extremist Internet resources and hide one's affiliation when publishing materials on the group's wall.

The administrator of the group "Islam: a Direct Path to Heaven" (<http://vk.com/club17686082>), registered on VKontakte as "Bayaman Elchiev" (<http://vk.com/id176933701>), was in charge of publishing video footages on Hizb ut-Tahrir al-Islami's activities.

I also personally know the administrator of this group, Ridvan Umerov, who is registered on VKontakte as "Ridvan Krymskiy", and lives in Sudak, the Republic of Crimea.

I personally admitted and gave administrator rights in this group to users "Dzhonik Nuraliev" (<http://vk.com/id54662743>), "Ilduzyar Rakhmatullin" (<http://vk.com/id204932085>), "Mukhammad Kotov" (<http://vk.com/id1106787389>). These users managed the Internet group "Islam: a Direct Path to Heaven" (<http://vk.com/club17686082>) with my approval. They are all supporters of the Hizb ut-Tahrir al-Islami ideology.

After the Republic of Crimea became a part of the Russian Federation, I learned that Hizb ut-Tahrir al-Islami is recognized as an international terrorist organization, but continued to manage the group "Islam: a Direct Path to Heaven" (<http://vk.com/club17686082>).

Person questioned

/signature/

(signature)

R.R. Paralamov

(initials, last name)

The record of questioning was read aloud in person

(in person or aloud by the person who wrote down the questioning)

Person questioned

/signature/

(signature)

R.R. Paralamov

(initials, last name)

The above is an accurate record of my statement accurate

(accurate, inaccurate)

Remarks and additions I do not have any remarks or additions

(content of the remarks and additions)

no psychological or physical pressure was put

or statement on the absence thereof)

/Stamp: TRUE
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/Seal: Inquiry Organization
Department of the Ministry
of Internal Affairs for the
Republic of Crimea * FOR
PACKAGES No. 40
/signature/

Questioning continuation Sheet No. 4 dated 13 September 2017

186

I do not have any claims against the officers

Person questioned

/Signature/
(signature)

R.R. Paralamov
(initials, last name)

Attachments to the record of questioning:

_____ (specify)

Person questioned

_____ (signature)

_____ (initials, last name)

The questioning was conducted by:

Operative officer of the Directorate of
the Federal Security Service of the Russian
Federation for the Republic of Crimea and the
City of Sevastopol, Captain
(position, rank)

/signature/
(signature)

[name: ...]
(full name)

It was proposed to Mr. R.R. Paralamov to continue the questioning at 9 a.m. on 14 September 2017 at the address: 13 Franko B., Simferopol.

Read by: /signature/ R.R. Paralamov 13 September 2017 3:25 p.m.

*/Stamp: TRUE
COPY/*

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/Seal: Inquiry Organization
Department of the Ministry
of Internal Affairs for the
Republic of Crimea * FOR
PACKAGES No. 40
/signature/*

Annex 346

Record of R.R. Paralamov's questioning (continuation of the questioning of 13 September 2017), 14 September 2017

Translation

187

CONTINUATION OF THE QUESTIONING OF 13 SEPTEMBER 2017Simferopol

(place of completion)

14 September 2017Operative officer of the Directorate of the Federal Security Service of Russia for

(position, ranks, initials, last name)

the Republic of Crimea and the City of Sevastopol, Captain [name: ...]In accordance with Federal Law of 12 August 1995 No. 144-FZ "On Operative Search Activities",
on the premises: of the Federal Security Service of Russia for the Republicof Crimea and the City of Sevastopol

(specify)

from 9:15 a.m. until 10:30 a.m., questioned Mr.:1. Full name Rinat Rasimovich Paralamov2. Date of birth 21 April 19863. Place of birth [...]4. Place of permanent and (or) temporary residence: [...]Phone [...]5. Citizenship Russian Federation6. Education: Higher7. Marital status, family composition married, raising four children8. Place of work or study: individual entrepreneurPhone9. Military status liable for military service, according to his words

(place of

military registration)

10. Criminal record /Handwritten text: according to his words, he has no criminal record/

(date and name of the court

of conviction, article of the Criminal Code of the Russian Federation,

type and scope of the punishment, date of release)

11. Passport or other identity document Russian citizen's passport [...]

Person questioned

/signature/

(signature)

R.R. Paralamov

(initials, last name)

/Stamp: TRUE COPY//Seal: Inquiry Organization Department of the Ministry of Internal
Affairs for the Republic of Crimea * FOR PACKAGES No. 40/signature/

Questioning continuation Sheet No. 2 dated 14 September 2017

188

Before the questioning, I was explained that I have the right:

- 1) in accordance with Article 51 of the Constitution of the Russian Federation, not to testify against myself, my spouse or close relatives, the range of whom is determined by Paragraph 4, Article 5 of the Criminal Procedural Code of the Russian Federation;
- 2) to appeal the actions of the bodies performing operative search activities which violated my rights and freedom to the higher authority carrying out operative search activities, the prosecutor or the court.

Person questioned

/signature/
(signature)

R.R. Paralamov
(initials, last name)

I am warned on the criminal liability for the knowingly false report in accordance with Article 306 of the Criminal Code of the Russian Federation.

Person questioned

/signature/
(signature)

R.R. Paralamov
(initials, last name)

On the substance of the case, I can clarify the following:

Question: Have you ever been involved in illegal storage, transportation, sale of firearms, ammunition and explosives?

Answer: In the summer of 2015, in the tree belt near the settlement of Dvurechie (I do not remember the exact place), I found a poly bag containing a brown TNT block, two fuzes with wires and about 15 live bullets (I do not remember the exact number), wrapped in a sheet of paper. I kept the items I found for myself, for possible self-defense, and kept them secret from my relatives, until August 2017, at my place of residence in the Nizhnegorskiy settlement in a garage shed on the shelves, among the tools.

In 2017, I learned from the media that members of terrorist organization Hizb ut-Tahrir al Islami had been convicted in Crimea. As I feared that my house may be searched, I decided to hide the ammunition and the TNT, and in early August 2017, during a trip to Simferopol in my personal Renault car with registration plate K787HO82, I took them with me. When I arrived to Simferopol, I stopped in the woods near the Simferopol reservoir and hid them in the ground. I did not plan to use these items to commit crimes, and I kept them for personal defense. I am ready to show this place.

Question: Where were you after the end of the questioning dated 13 September 2017, after exiting the administrative building on 13 Franko B.?

Answer: On 13 September 2017, at about 4 p.m., after I was escorted outside the building on Franko Boulevard (Simferopol), where the questioning took place, I walked in Simferopol for some time, then I went to Gagarin Park, because I did not want to go to my relatives, as I felt guilty due to the fact that I attracted the attention of the law-enforcement authorities to my family, and I wanted to ponder the current situation after the inspection in my house. I spent the whole night in Gagarin Park. Then, as I was invited to continue the questioning, today, 14 September 2017, I arrived at the building on 13 Franko Boulevard, at 9 a.m.

Question: During this period, have you been near the weapons cache arranged by you?

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Department of the Ministry of
Internal Affairs for the Republic of
Crimea * FOR PACKAGES No.
40 /signature/*

Questioning continuation Sheet No. 3 dated 14 September 2017

189

Answer: I have never been near the weapons cache arranged by me after making it.

Question: Did any of your relatives know about your weapons cache? If so, could they have removed it until now?

Answer: I state that, except for me, nobody knew about the weapons cache with ammunition and TNT, therefore, except for me, nobody could remove it. I am ready to show the location of the weapons cache.

Person questioned /signature/ R.R. Paralamov
(signature) (initials, last name)

The record of questioning was read aloud in
person
(in person or aloud by the person who wrote down the questioning)

Person questioned /signature/ R.R. Paralamov
(signature) (initials, last name)

The above is an accurate record of my statement accurate
(accurate, inaccurate)

Remarks and additions I do not have any remarks or additions
(content of the remarks and additions
no psychological or physical pressure was put
or statement on the absence thereof)

I do not have any claims against the officers

Person questioned /Signature/ R.R. Paralamov
(signature) (initials, last name)

Attachments to the record of questioning:

(specify)

Person questioned _____
(signature) (initials, last name)

The questioning was conducted by:

Operative officer of the Directorate of
the Federal Security Service of the Russian
Federation for the Republic of Crimea and the
City of Sevastopol, Captain

(position, rank)

/signature/
(signature)

[name: ...]
(full name)

/Stamp: TRUE COPY/

*/Stamp: TRUE COPY/ /Seal:
Inquiry Organization Department
of the Ministry of Internal Affairs
for the Republic of Crimea * FOR
PACKAGES No. 40 /signature/*

Annex 347

Military Enlistment Office of the Republic of Crimea of the Ministry of
Defence of the Russian Federation, Letter No. 2304,
14 September 2017

(Coat of Arms of the Ministry of Defence of the
Russian Federation)
MINISTRY OF DEFENCE OF THE RUSSIAN
FEDERATION
**FEDERAL STATE INSTITUTION,
MILITARY ENLISTMENT OFFICE OF THE
REPUBLIC OF THE REPUBLIC OF
CRIMEA**

152 Kievskaya Str.,
Simferopol
Republic of Crimea,
295493
telephone/fax (3652) 22-75-02
14 September 2017 No. 2304
to Ref. No. _____

**To the Head of Investigative Department for
the Zheleznodorozhniy District of Simferopol
of the Main Investigative Directorate for the
Republic of Crimea**

60 Karla Marksa Str., Simferopol, the Republic of
Crimea, 295000

As a response to your requests No.1001-17 and No.1002-17 of 8 September 2017, I inform you that there is no information about the possible presence of citizens M.V. Vdovichenko, A.A. Gritsenko, S.A. Suprun, N.V. Lukyanchenko, A.S. Shchekun and A.I. Kovalsky in March 2014 in the Federal State Institution, Military enlistment office of the Republic of Crimea (including the presence in the territory of the military enlistment office).

So, by Resolution of the State Council of the Republic of Crimea of 17 March 2014 No. 1745-6/14 "On the independence of Crimea", the activities of state bodies of Ukraine in the territory of Crimea were terminated. And by Resolution of the State Council of the Republic of Crimea of 11 April 2014 No. 2025-6/14, the territorial bodies of the central executive bodies of Ukraine and structural subdivisions of the central executive bodies of Ukraine located in the territory of the Republic of Crimea were liquidated.

According to the regulatory documents of the Ministry of Defence of the Russian Federation, since April 2014, a military enlistment office of the Republic of Crimea and its departments (for municipalities) have been established in the territory of the Republic of Crimea, as a military command and control body of the Ministry of Defence of the Russian Federation. Subsequently, by order of the Minister of Defence of the Russian Federation of 5 September 2014 No. 651, the Federal State Institution Military enlistment office of the Republic of Crimea, was created, which is not the legal successor of the Military enlistment office of the Autonomous Republic of Crimea of the Ministry of Defence of Ukraine.

Chief enlistment officer of the Republic of Crimea

(signed) **O. Ermilov**

prepared by V.N. Boyko

phone number: [...]

*/STAMP: MAIN INVESTIGATIVE DEPARTMENT OF THE
INVESTIGATIVE COMMITTEE OF THE RUSSIAN
FEDERATION FOR THE REPUBLIC OF CRIMEA
Investigative Department for the Zheleznodorozhniy
District of Simferopol
REGISTERED IN THE INCOMING DOCUMENTS
ACCOUNTING BOOK
on 18 September 2017
No. (illegible)-2324-2017/*

Annex 348

Record of inspection of premises, buildings, structures, terrain and
vehicles, 14 September 2017

TranslationCase sheet 1
190**RECORD
of inspection of premises, buildings, structures, terrain and vehicles**Simferopol

(place of completion)

14 September 20 17 .The inspection began at 11 : 25 a.m.The inspection ended at 12 : 15 p.m.Operative officer of the Directorate of the Federal Security Service of the Russian Federation

(position of the operative officer)

for the Republic of Crimea and the City of Sevastopol, Captain [name: ...]

in the presence of:

1. Evgeniy Igorevich Alekseev, born on [...], residing at [...]

(full name and residence address)

2. Nikita Alekseevich Plotnikov, born on [...], residing at [...]

(full name and residence address)

with the participation of Rinat Rasimovich Paralamov, born on 24 January 1986

(full name of each person)

participating in the operative search activities, and, if necessary, their address and other personal details)

In accordance with Paragraph 8, Part 1, Article 6 of Federal Law of 12 August 1995 No. 144-FZ "On Operative Search Activities", an inspection was performed at the address:

terrain area between Leskhoznaya street and the reservoir

(specify the location)

of Simferopol, coordinates: 44°56'26" north (latitude) 34°8'43" east (longitude)for the purpose of finding and seizing weapons cache

(specify the items,

arranged by R.R. Paralamov in August 2017

documents and valuables)

*/Seal: Inquiry Organization Department of the
Ministry of Internal Affairs for the Republic of
Crimea * FOR PACKAGES No. 40 /signature//
/Stamp: TRUE COPY/*/signature/

(signature of the attending person)

/signature/

(signature of the attending person)

Case sheet 1 190

Before starting the inspection, the rights, liability and procedure for inspecting of the premises (terrain) were explained to the participants.

Participants:

R.R. Paralamov
 (signature)

(signature)

(signature)

Moreover, the attending persons' rights and obligations were explained to them before beginning the inspection

/signature/ Alekseev
 (signature of the attending person)

/signature/ Plotnikov
 (signature of the attending person)

The persons participating in the operative search activities were informed in advance of using the following technical devices:

Panasonic DMC-FZ200 camera, number
 (specify which and by whom)
52HB00311

During the inspection, R.R. Paralamov
 (specify who)

was proposed to surrender specify the exact location of the weapons cache
 (specify the items, documents,

/Illegible/ which, according to the record
of questioning dated 14 September 2017, he had arranged in August 2017.

The specified items, documents and valuables were R.R. Paralamov indicated
 (surrendered

the exact location of the weapons cache, located at the point
 voluntarily, seized forcibly)

with coordinates 44°56'26" north (latitude) 34°8'43" east (longitude)

During the inspection, the following items were seized: Point with coordinates
 (describe the circumstances of the inspection

44°56'26" north (latitude) 34°8'43" east (longitude), located in the woodland
of the Simferopol reservoir. It consists of soil covered with conifer needles, pressed with a grounded stone,
about 25 cm in size. According to R.R. Paralamov, the weapons cache is under the said stone. To open the
weapons cache, the said stone and the upper layer of soil were removed; after further digging, at a depth of
about 10–15 cm, a white poly bag was found, which was removed from the soil. When this bag was opened,

/signature/
 (signature of the attending person)

/signature/
 (signature of the attending person)

*/Seal: Inquiry Organization Department of the
 Ministry of Internal Affairs for the Republic of
 Crimea * FOR PACKAGES No. 40 /signature//
 /Stamp: TRUE COPY /*

two poly packages were found. One of these packages contained a dark brown rectangular object inside a
poly bag, with its top wrapped in transparent duct tape, which looked like a TNT block, as well as two brown
oblong rounded objects with wires, similar to fuzes. The second bag contained a bundle of squared paper,
inside of which there were fifteen green oblong rounded objects with a pointed end, similar to 5.45 mm
bullets .

R.R. Paralamov clarified that the above mentioned objects are a TNT block, two fuzes and fifteen 5.45 mm
bullets, which he found in the summer of 2015 in the tree belt near the settlement of Dvurechie, and until
August 2017/the time when they were placed in the weapons cache/ he kept them at his place of residence at
the address: Republic of Crimea, Nizhnegorsky settlement, ul. Krasnoarmeyskaya, 45, on the shelves of his
garage shed among his tools. According to R.R. Paralamov's words, he did not plan to use the discovered
objects to commit any crime, and he kept them for possible self-defense.

Found: 1) oblong rounded objects were found, /Illegible/ the report on inspection is on case file sheet 4

/Seal: Inquiry Organization Department of the Ministry of the Interior for the Republic of Crimea *
FOR PACKAGES No. 40/

/Signature/

/Stamp: TRUE COPY/

/signature/

(signature of the attending person)

/signature/

(signature of the attending person)

During the inspection, the following activities were carried out: *taking of photographs*

(taking of photographs, recording of video footage, audio)

Panasonic DMC-FZ200 camera, number 52HB00311

a photoboard on 5 sheets is attached to the report

of inspection

/Signature/

(signature of the attending person)

/Signature/

(signature of the attending person)

/Seal: Inquiry Organization Department of the
Ministry of Internal Affairs for the Republic of
Crimea * FOR PACKAGES No. 40 /signature//
/Stamp: TRUE COPY /

brown, with wires, inside white cardboard box, which was placed inside a poly bag /Illegible/ with a dark brown rectangular object placed inside a poly bag and wrapped from above in transparent duct tape, similar to a TNT block. The specified poly bag, in the area of the opening, /Illegible/ with a black thread, the ends of which are sealed with a piece of paper with the seal "For packages" and the writing "Bag No. 2". 2) the bag with a paper bundle, /Illegible/ contained objects similar to 5.45 mm bullets, in the amount of fifteen, inside a black poly bag, the ends of which are sealed with a piece of paper with the seal "For packages" and the writing "Bag No. 1".

The pieces of paper with the seal "For packages" and the writings "Bag No. 1", "Bag No. 2" were signed by the present persons by R.R. Paralamov

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Republic of Crimea * FOR PACKAGES No. 40 /signature//
/Stamp: TRUE COPY /

The signature of the person questioned /signature/

Case sheet 5 194

Before the beginning, during or upon completion of the inspection, the participants _____

R.R. Paralamov, E.I. Alekseev, N.A. Plotnikov

(their initials, last name)

did not make

any statement

(submitted, not submitted)

Content of the statements: _____

Present:

/Signature/

R.R. Paralamov

(signature)

(signature)

Other participating persons:

/Signature/

E.I. Alekseev

(signature)

/Signature/

N.A. Plotnikov

(signature)

(signature)

The record was provided to all participants of the operative search action for familiarization.

The rights to provide remarks stipulated by the applicable laws and signed by the respective participants regarding the supplementation and adjustment of the records were clarified to the participants.

Upon familiarizing with the records by means of individual reading,

(by individual reading or reading the record aloud by the operative officer)

The participants of the operative search activities made the following remarks on its supplement and clarification

no remarks were made

(specify the initials and last name of the participant of the operative search actions and their remarks on the completion and clarification of the report)

_____	/Signature/ (signature)	_____ <i>R.R. Paralamov</i> (initials, last name)
_____	/Signature/ (signature)	_____ <i>E.I. Alekseev</i> (initials, last name)
_____	/Signature/ (signature)	_____ <i>N.A. Plotnikov</i> (initials, last name)
_____	(signature)	_____ (initials, last name)

Operative officer

/Signature/
(signature)

I received a copy of the record:

R.R. Paralamov
(full name of the person

received

on whose premises the search (seizure) was carried out, or a representative of the institution's administration)

14 September 20 17 .

*Seal: Inquiry Organization Department of the Ministry of Internal Affairs for the Republic of Crimea * FOR PACKAGES No. 40 /signature//
/Stamp: TRUE COPY /*

Annex 349

Police Station No. 1 “Zheleznodorozhny” of the Directorate of the Ministry of Internal Affairs for Simferopol, Letter No. 49/3-24575,
21 September 2017

Translation

(Coat of Arms of the Ministry of Internal
Affairs of the Russian Federation)
**Ministry of Internal Affairs of the
Russian Federation**
**Ministry of Internal Affairs for the
Republic of Crimea**
**Directorate of the Ministry of Internal
Affairs of Russia for Simferopol**
Police Station No. 1 “Zheleznodorozhny”
1-a Pavlenko Str., Simferopol, Republic of
Crimea, 295006
21 September 2017 No. 49/3- 24575.
to Ref. No. _____ of _____

To E.A. Kozlova, the Senior
Investigator of the
Investigative Department,
Lieutenant of Justice

60 Karl Marks Str.,
Simferopol
295006

We inform you that the order on the performance of certain investigation actions (operative search activities, search activities) of the Investigative Committee, registered at the Police Station No. 1 “Zheleznodorozhny” of the Directorate of the Ministry of Internal Affairs of Russia for Simferopol, your ref. No. 7077 of 7 September 2017, on the statement of E.A. Zakrevskaya on abduction and illegal deprivation of liberty of M.V. Vdovchenko, the citizen of Ukraine, by unidentified persons, has been considered.

During the verification, it was found that on 11 March 2014, employees of the Department of Internal Affairs did not patrol at the following address: Karl Marks Str., Simferopol.

Annex on *I* sheet.

Head officer
Police lieutenant-colonel

(signed)

A.A. Smolin

/STAMP: MAIN INVESTIGATIVE DEPARTMENT OF
THE INVESTIGATIVE COMMITTEE OF THE
RUSSIAN FEDERATION FOR THE REPUBLIC OF
CRIMEA
**Investigative Department for the Zheleznodorozhny
District of Simferopol**
**REGISTERED IN THE INCOMING DOCUMENTS
REGISTRATION BOOK**
on 25 September 2017
No. *(illegible)*-2388-2017

Annex 350

Simferopol District Court of the Republic of Crimea, Criminal Case
No. 1-171/17, Decision, 27 September 2017

Translation

Case No. 1-171/17

DECISION

IN THE NAME OF THE RUSSIAN FEDERATION

27 September 2017

Simferopol

Simferopol District Court of the Republic of Crimea comprised of A.S. Kulishov, the presiding judge, in the presence of E.A. Katakli, the secretary of the court session, with participation of public prosecutors O.Yu. Sarginov, Deputy Prosecutor of the Krasnoperekopskiy District, E.D. Artemenko, Senior Prosecutor of the Department of the Prosecutor's Office's Directorate for the Republic of Crimea, D.A. Semenchuk, Prosecutor of the Department of the Prosecutor's Office's Directorate for the Republic of Crimea, defence counsel E.M. Kurbedinov, E.S. Semedlyaev, M.Z. Feygin, A.P. Podrabinek, having reviewed in open court session the criminal case files in respect of charges against

Ilmi Rustemovich Umerov, born on 3 August 1957, in the village of Akhunbabaeva of the Tashlak District of the Fergana Region of the Uzbek Soviet Socialist Republic, registered at the address: [...], actually residing at the address: [...], citizen of the Russian Federation, Russian-speaking, of higher education, married, unemployed, a pensioner, not liable for military duty, a disabled person of the third category, no criminal background,

who is accused of committing a crime under Part 2 of Article 280.1 of the Criminal Code of the Russian Federation,

ESTABLISHED:

I.R. Umerov committed a crime under Part 2 of Article 280.1 of the Criminal Code of the Russian Federation, i.e. he publicly called for taking action aimed at violating the territorial integrity of the Russian Federation, using the mass media and information and telecommunication networks, including the Internet, under the following circumstances.

On 19 March 2016, while in the territory of Kiev, Ukraine, while pursuing his intent to take action aimed at violating the territorial integrity of the Russian Federation, when taking part in a live television programme named after Noman Çelebicihan on the Ukrainian television channel ATR, which is a mass media outlet broadcasting, *inter alia*, on the territory of the Russian Federation, and knowing that the video of his address would be afterwards broadcast on the ATR television channel and published on certain online resources on the Internet, willing to achieve this, while giving an interview to a broadcaster of the Ukrainian television channel ATR, being motivated by political enmity towards the Russian Federation and the accession of the Republic of Crimea into the Russian Federation as a new constituent entity, being aware of the criminal nature of his actions, while pursuing a goal to publicly influence the mind and will of an unlimited number of people and to encourage them to take extremist action, I.R. Umerov intentionally and publicly addressed an unlimited number of people calling them to take action to violate the territorial integrity of the Russian Federation, namely to return the Republic of Crimea to the jurisdiction of Ukraine, with his calls translated from Crimean Tatar into Russian as follows:

“...to force Russia to leave Crimea, Donbass and Lugansk, if one could return the Ukrainian borders to where they once were...”, “...I repeat - to force Russia to leave Crimea and Donbass...”.

“...Ukraine shouldn't change its opinion and before long it should adopt several laws on indigenous peoples, the status of the Crimean Tatar people, then amend the constitution of Ukraine, with a territorial autonomy becoming a national autonomy...”, “...necessarily if the Crimean Tatar autonomy is part of Ukraine...”, “...to help the Mejlis of the Crimean Tatar People, we would all together expand, extend, and ramp up these sanctions, and force Russia to leave Crimea...”.

Afterwards, no later than on 20 March 2016, the video footage of that television speech of I.R. Umerov was made public on the Internet by the Ukrainian television channel ATR, namely on YouTube at the address: <https://www.youtube.com/watch?v=CyTuPNPKTUI> titled “Ilmi Umerov Live, 19 March 2016” that may be accessed by an unlimited number of people.

In the court session, the defendant I.R. Umerov did not plead guilty to the charge brought against him and explained that in the middle of March 2016 he was in Kiev (Ukraine) when the journalist Gulsum Khalilova called him and invited him to go on air on the ATR television channel without naming the television programme and without discussing the topic and future questions, and I.R. Umerov agreed to that proposal. I.R. Umerov denies making any public calls for taking action aimed at violating the territorial integrity of the Russian Federation in that television programme and notes that in that dialogue with the broadcaster he discussed possible assistance to the Mejlis of the Crimean Tatar People from international organisations, under which he meant the United Nations and the European Union. The defendant was saying that, under the circumstances, international organisations’ influence could extend only to mainland Ukraine and, as a matter of fact, not to the territory of Crimea. At the same time he admitted that if the sanctions had been ramped up and expanded, this would have led to Russia giving up on Crimea on its own, and the borders of Ukraine would have therefore been restored, and the influence and impact of those organisations in Crimea would have also been restored. The defendant believes that he used conditional tenses in his speech and expressed his personal opinion on the political situation in Crimea. He did not seek to influence the mind and will of people or call anyone to take violent action, and the speech itself did not lead to any significant change in the behaviour of the television channel’s audience.

At the same time I.R. Umerov’s guilt in the alleged crime is supported by the cumulative evidence examined by the court.

For example, according to Report No. 171/5-2733 of 11 May 2016 concerning the discovery of elements of crime prepared by the Counterintelligence Operations Service of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, I.R. Umerov, a Russian citizen, on 19 March 2016, while being on air on the ATR television channel, publicly called to take action aimed at violating the territorial integrity of the Russian Federation by seceding the Republic of Crimea from the Russian Federation. Afterwards the video footage of that television speech of I.R. Umerov was made public on the Internet, namely on YouTube (volume 1, case sheet 16).

The items and documents examination certificate of 21 March 2016 states that the video footage titled “Ilmi Umerov Live, 19 March 2016” is made public on the Internet, namely on YouTube, and physical evidence in the form of an optical disc “Smartbuy CD-R 80 min 700 MB 52x, ZGX505012909RB14” was also obtained (volume 1, case sheets 21–26).

The witness [name: ...] ([position: ...] of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol) explained in the court session that on 21 March 2016 he was conducting an operative search activity – “examination of items and documents” – relating to the video footage titled “Ilmi Umerov Live, 19 March 2016” published on the Internet, namely on YouTube. In the course of that operative search activity, in which a specialist and two members of the public were involved, the video titled “Ilmi Umerov Live, 19 March 2016” was found in the online public Internet domain, namely on YouTube. That video was copied in .mp4 format to an optical disc enclosed to the examination certificate.

The witnesses O.N. Cherkashina and L.U. Bayramova, who were involved in the above operative search activity as members of the public on 21 March 2016, confirmed that the above video footage titled “Ilmi Umerov Live, 19 March 2016” was found in the online public Internet domain available for unconditional free access, namely on YouTube.

Besides, [name: ...], questioned in the court session as a witness, confirmed his involvement as an IT specialist in the operative search activity “examination of items and documents” on 21 March 2016 relating to the video titled “Ilmi Umerov Live, 19 March 2016” published on the Internet, namely on YouTube. In the course of that operative search activity, the video titled “Ilmi Umerov Live, 19 March 2016” the online public Internet domain available for unconditional free access, namely on YouTube.

The interpreter [name: ...] performed a verbatim interpretation of the video footage of I.R. Umerov's address from Crimean Tatar into Russian (volume 1, case sheets 30–37). The video footage and the verbatim transcript were examined by [name: ...], [position: ...] of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, in the course of the relevant operative search activity (volume 1, case sheets 40–51).

The video footage and the verbatim transcript were submitted for linguistic examination. According to Report No. 77 of 21 April 2016 of the specialist [name: ...], insofar as linguistics is concerned, the above verbatim transcript contains a call for actions aimed at violating the territorial integrity of the Russian Federation (volume 1, case sheets 60–72).

The court dismisses the defence's arguments that the report is not admissible as evidence because it was prepared in one business day since such arguments are not based on law. There are no statutory minimum terms for the preparation of such documents. A reference made in the cover letter of 21 April 2016 (volume 1, case sheet 59) to the annex "Twelve Pages, Non-Classified", which the defence counsels believe to be absent from the case files, is not sufficient to conclude that procedural law was violated either.

According to the item examination record of 24 May 2016, in the course of that investigative activity, the investigator [name: ...], in the presence of two witnesses and the interpreter [name: ...], examined the physical evidence – the optical disc "Smartbuy CD-R 80 min 700 MB 52x, ZGX505012909RB14" containing the video file titled "Ilmi Umerov Live, 19 March 2016". During the examination, the speeches of the journalist and I.R. Umerov recorded in the video file were interpreted from Crimean Tatar into Russian and, once interpreted, reflected in the examination record (volume 2, case sheets 97–117).

A copy of the video footage examination record of 24 May 2016, the optical disc, and Specialist Report No. 77 of 21 April 2016 were submitted for forensic linguistic examination. According to Expert Report No. 110 of 22 August 2016, insofar as linguistics is concerned, the statements of I.R. Umerov reflected in the transcript of the video footage titled "Ilmi Umerov Live, 19 March 2016" contain calls for extremist activity and calls for actions aimed at violating the territorial integrity of the Russian Federation (volume 2, case sheets 58–83).

The evidence examined during the court investigation affords no ground for concluding that Expert Report No. 110 of 22 August 2016 is insufficiently clear or incomplete.

The defence has failed to provide any sufficient basis for casting doubt on the reasonableness of the expert report or suggesting that there are inconsistencies therein.

The fact that the case files contain no information about the sending of a ruling appointing the examination to an expert division and about the receipt of the case files by the expert division, is not indicative of any violation of criminal procedural law in the course of the examination. The fact that there is no information about the expert in the investigator's ruling does not prejudice the defence's right to challenge expert as provided for by law.

Part 2 of Article 199 of the Criminal Procedural Code of the Russian Federation, which is also invoked by the defence counsel, is not a criminal procedural provision that regulates gathering evidence. Furthermore, the head of an expert institution is not among parties to criminal proceedings listed in Section 2 of the Criminal Procedural Code of the Russian Federation, and a violation of Part 2 of Article 199 of the Criminal Procedural Code of the Russian Federation invoked by the defence counsel does not indicate that the obtained evidence is procedurally invalid or that the expert's findings are unsubstantiated.

The defence's arguments that the verbatim interpretation has errors and fails to convey the meaning and content of I.R. Umerov's speech are refuted by the following.

According to the item (document) examination record of 3 June 2016, it was established in the course of the above investigative activity that the video footage titled "Ilmi Umerov Live, 19 March 2016" (<https://www.youtube.com/watch?v=CyTuPNPkTUI>) is available in the online public Internet domain, namely on YouTube; the duration of that video is 40 minutes 19 seconds; the video footage is published (uploaded) on 20 March 2016; the video has 1,066 views. In the presence of the interpreter [name: ...] and the official witnesses E.I. Alexeev and G.A. Kleshnev, and the specialist [name: ...], the investigator

watched the video footage, while the interpreter was performing a verbatim interpretation, which the investigator was reflecting in the record (volume 2, case sheets 118–140).

[name: ...], questioned in the court session as a specialist, explained that he did translate I.R. Umerov's speech in writing and took part in the investigative activities in the building of the Directorate of the Federal Security Service, during which he also interpreted that speech. He has personally performed the translation in writing and does not deny affixing his signature on the last page of the translation (volume 1, case sheet 37) and on the item examination records of 24 May 2016 and 3 June 2016 (volume 2, case sheets 97–117, 118–140).

The court does not take into account, and assesses critically the testimony of [name: ...] to the effect that the investigator [name: ...] repeatedly summoned the former to sign the documents once again.

The investigator [name: ...], questioned in the court session, explained that the interpreter [name: ...] was involved in investigative activities twice, namely in the examination of the video footage and the video file of I.R. Umerov's speech on YouTube. In the course of those, [name: ...] interpreted I.R. Umerov's speech and then signed the relevant records. After that, he did not sign the records once again but was summoned to have his diploma translation enclosed to the case files.

The witness [name: ...], in the course of the additional questioning, confirmed his involvement in the investigative activity as an IT specialist, during which I.R. Umerov's speech on YouTube was examined. The investigative activity also involved the interpreter who was interpreting the speech and the investigator who was writing down the interpreted speech in the record.

The witness G.A. Kleshnev, who was involved in the examination of I.R. Umerov's speech on YouTube as an official witness, confirmed that the interpreter was performing simultaneous interpreting, while the investigator was writing it down in the record, after which the latter was signed by all the participants involved. As regards inconsistencies with his residential address specified in the record, the witness G.A. Kleshnev explains that he could have specified the address of a dormitory he was going to live in as he intended to enter a higher educational institution to which the dormitory relates.

The witnesses' testimonies are consistent and coherent, correspond with each other and match the content of the examination records of 24 May 2016 and of 3 June 2016 (volume 2, case sheets 97–117, 118–140).

The court examined the video file "Ilmi Umerov Live, 19 March 2016" in .mp4 format and a phonogram of I.R. Umerov's speech of 19 March 2016 when he was taking part in a live television programme named after Noman Çelebicihan on the Ukrainian television channel ATR, with this video file recorded on the optical disc "Smartbuy CD-R 80 min 700 MB 52x, ZGX505012909RB14" (volume 2, case sheet 84). When examining the video file with the participation of the interpreter [name: ...], the latter interpreted it from Crimean Tatar into Russian.

The semantic content of the interpretation performed by [name: ...] in the court session, the verbatim translation (volume 1, case sheets 30–37), and the translated text in the examination records of 24 May 2016 (volume 2, case sheets 97–117) and 3 June 2016 (volume 2, case sheets 118–140), is identical as confirmed by the phrases below: "...Ukraine shouldn't change its opinion and before long it should pass several laws on indigenous peoples, the status of the Crimean Tatar people, amend the Constitution. The status of Crimea should be changed from a territorial autonomy into a national autonomy..."; "...to help the Mejlis of the Crimean Tatar People to expand and ramp up the sanctions, and force Russia to give up on Crimea, to leave Crimea, Donbass and Lugansk..."; "...if the Crimea is returned, the influence of these international organisations would be even stronger..."; "...their influence should be, and I repeat – to force Russia to leave Crimea and Donbass...".

The testimony of [name: ...], who has been admitted to the proceedings as a specialist, does not cast doubt on these findings of the court. The seventeen inaccuracies in the translation found by the specialist are of no significant importance and do not change the thematic scope of the speech and the content of the above-mentioned phrases.

The defence submitted a review of [name: ...] expert report prepared by the Guild of Linguistic Experts in Documentation and Information Disputes, but this review does not indicate that the examination

was non-compliant with law, and the violations mentioned in the review *per se* afford no ground for questioning the independence, objectivity, comprehensiveness, and completeness of the examination.

As such, the review's authors note that the expert report fails to reflect some part of original data (the video footage of the speech itself) and that the expert performed a linguistic examination of the translation prepared by [name: ...] rather than the text of I.R. Umerov's speech, meaning that answers to relevant questions do not relate to the examined text.

However, as noted above, the court has no doubt in the correctness of the translation.

Besides, the expert [name: ...] explained in the court session that she came to a conclusion that there were calls for violating the territorial integrity of the Russian Federation not only based on the phrases mentioned in the report but also on the general thematic scope of the text.

The commonly accepted term "call", within the meaning of Article 280.1 of the Criminal Code of the Russian Federation, means any appeal - in any form, be it oral, written, involving technical means, public information and telecommunications networks, including the Internet - to other persons with an aim to induce them to take action aimed at violating the territorial integrity of the Russian Federation.

As explained by the expert [name: ...], the fact that there are no verbs in the imperative mood does not mean there is no call since a call may be expressed indirectly.

In this case, the translated text is to be assessed in conjunction with the general thematic scope of statements and the form of information dissemination.

The above phrases, which are contained in the text of I.R. Umerov's responses to the journalist's questions during the television programme, are clearly indicative of a call for actions, meaning Crimea's secession from the Russian Federation and possible accession to Ukraine.

According to the item and document examination certificate of 28 April 2016, it was established that the above television channel broadcasts live in the online public domain, namely on the website <http://atr.ua> (volume 1, case sheets 52–57).

The witness [name: ...] explained in the court session that on 28 April 2016 he conducted an operative search activity - "examination of items and documents" - relating to the ATR's website (<http://atr.ua>). In the course of the conducted examination, in which a specialist and two members of the public were involved, it was established that the above website is a website of the ATR television channel that broadcasts live in the online public domain. In the course of that operative search activity, graphic files (screenshots) reflecting the above website were saved through the PrintScreen function and included in the examination record.

[Name: ...], questioned as a witness, confirmed his involvement as an IT specialist in the operative search activity ("examination of items and documents") on 28 April 2016 relating to the ATR's website (<http://atr.ua/>), during which it was established that the above website is a website of the ATR television channel that broadcasts live in the online public domain.

The witnesses E.A. Prikhodko (pre-marriage family name – Bondaryuk) and K.I. Budko confirmed in the court session that they were involved in the operative search activity on 28 April 2016 - "examination of items and documents" - relating to the ATR's website (<http://atr.ua/>) as members of the public.

These persons were questioned during the preliminary investigation for the sole purpose of ascertaining the above fact, and the defence's arguments that E.A. Prikhodko and K.I. Budko did not confirm their involvement during the questionings of 26 May 2016 are irrelevant to the case.

According to the item (document) examination records of 3 June 2016 (volume 2, case sheets 142–147) and 29 November 2016 (volume 2, case sheets 192–195), it was established during those investigative activities that the ATR television channel broadcasts live in the online public domain available for unconditional free access on the websites <http://atr.ua/> and guzei.com (address bar: http://guzei.com/online_tv/watch.php?onlinetv_id=4919).

During the seizure conducted on 23 May 2016 in office No. 1 of the Department of the Directorate of the Federal Migration Service of Russia for the Republic of Crimea and Sevastopol located at the address: Republic of Crimea, Bakhchisaray, 7a Simferopolskaya Street, an application (1P form) for the issuance

(replacement) of a Russian passport [passport details ...] in the name of Ilmi Rustemovich Umerov was seized, with a relevant record drawn up to that effect (volume 2, case sheets 11–14).

According to Expert Report No. 24/14/14-688 of 14 June 2016, there is the same person on a photo of the application (1P form) for the issuance (replacement) of a Russian passport [passport details ...] in the name of Ilmi Rustemovich Umerov, and the video file “Ilmi Umerov Live, 19 March 2016” in .mp4 format (a man with short light hair wearing a white shirt, a tie, and a classic black jacket) (volume 2, case sheets 35–40).

According to Operative Search Activity Certificate No. 171/5-2597 of 21 April 2016, I.R. Umerov left the Russian Federation and entered Ukraine on 11 March 2016 via the Armyansk regular multilateral vehicular cargo and passenger checkpoint situated at the address: Republic of Crimea, urban district of Armyansk, highway M-17 “Kherson (Ukraine) – Simferopol – Kerch”, 800 metres to the south of the state border of the Russian Federation; on 22 March 2016, I.R. Umerov entered the Russian Federation from Ukraine via the above checkpoint (volume 1, case sheet 19).

The witness S.Z. Memetov (husband of I.R. Umerov’s daughter) explained in the court session that I.R. Umerov was in the territory of Ukraine in March 2016.

The witness L.A. Yunusov testified that he knew that I.R. Umerov took part in a live programme of the Ukrainian television channel ATR when he was in Ukraine in March 2016.

According to the materials of execution of Operative Search Activity Order No. 171/17-494 of 27 January 2017, which was carried out by the Assistance Programmes Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, it was established that Atlant-SV Television Company LLC was created in 2006 and broadcasts under the brand of the Ukrainian Crimean Tatar television channel ATR founded on 1 September 2006, which is a mass media outlet. From June 2015 onwards, the editorial office of the ATR television channel has been situated at the address: 04060, Ukraine, Kiev, 17 Vavilovyykh Street. Legal address of the company: 04073, Ukraine, Kiev, 33V Siretskaya Street. Satellite Broadcasting Licence NR No. 00267-m of 31 January 2012 was issued to the ATR television channel by the National Council of Television and Radio Broadcasting of Ukraine (Ukraine, Kiev). From 2013 to date, acting under the above licence, the ATR television channel has provided cable and satellite broadcasting in the territory of Ukraine, Russia (including the territory of the Republic of Crimea and Sevastopol), Turkey, CIS countries and the European Union (via the ASTRA 4 satellite, frequency Freq.12284 V, SR 27500, Fec 3/4). There has been consistent reception of the ATR television channel’s satellite signal since 2013 under the above licence, including now in the territory of Ukraine and Russia, including the Crimean Peninsula territory. Moreover, the ATR television channel broadcasts online via the following addresses on the Internet:

https://www.youtube.com/channel/UC_FR3B7aW2Ke2acWi54PWTA

http://guzei.com/online_tv/watch.php?online_tv_id=4919;

https://www.youtube.com/watch?v=ThEoy_ql-p8 (volume 3, case sheets 14–18).

Witnesses were also questioned in the court session upon a motion of the defence.

The witnesses L.Ya. Dyulberova, N.A. Memetov, R.Z. Adilseitov, L.I. Yashlavskaya, N.E. Dzhelyalov, E.R. Avamileva, Sh.S. Memetov, B.A. Mamutov, Z.S. Smedlyaev, L.S. Yagyaeva, and M.S. Sattarova testified that they watched I.R. Umerov’s live speech on the ATR television channel. While watching the video, they had an impression that I.R. Umerov did not make any calls for violating the territorial integrity of the Russian Federation, influence their mind and will, induce them to take extremist action, but shared his opinion on the political situation in Crimea, admitting a possibility that the sanctions imposed by international organisations could be ramped up in order to bolster the influence of those organisations over the territory of Crimea.

The witness L.Ya. Dyulberova testified that I.R. Umerov was saying that the sanctions should be ramped up, while the witnesses R.Z. Adilseitov and L.I. Yashlavskaya said that I.R. Umerov was talking about what would have happened had the sanctions been ramped up, i.e. he used a conditional tense.

The witness Z.S. Smedlyayev heard three calls in I.R. Umerov's speech: to live in peace and harmony, to speak Crimean Tatar, and not to leave the homeland. The other witnesses heard no calls in I.R. Umerov's speech at all.

The witnesses' testimonies are subjective and cannot be taken as a basis for concluding whether the defendant's actions constitute the alleged crime or not.

The witness [name: ...] testified in the court session that following the instructions of her superiors and as requested by the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, she translated I.R. Umerov's speech in the video footage, however, the parties have failed to provide, and the court has not received, any evidence that such translation was performed and sent to the law enforcement authorities.

The testimony of the witness N.N. Polozov is irrelevant to the establishment of facts subject to be proven in the criminal case, which are listed in Article 73 of the Criminal Procedural Code of the Russian Federation.

There is no objective evidence supporting the defence's arguments that there were procedural violations during the initiation of a criminal case and the preliminary investigation, in particular a violation of the right to defence, since the appeal procedure and the right of appeal were not explained in a ruling on the initiation of a criminal case, and I.R. Umerov's Ukrainian citizenship was not specified therein.

The investigator took action provided for by law – in due time and to the extent required – to ensure that I.R. Umerov could exercise his right to defence. The arguments that it is necessary to explain the right of appeal and the appeal procedure in a ruling on the initiation of a criminal case and commencement of proceedings are contrary to Part 2 of Article 146 of the Criminal Procedural Code of the Russian Federation.

The fact that the investigator specified I.R. Umerov's Russian citizenship in the documents is in conformity with Para. 1 of Article 6 of Federal Law No. 62-FZ of 31 May 2002 "On Citizenship of the Russian Federation", which sets out that a Russian national having citizenship of another state is treated by the Russian Federation only as a Russian national unless otherwise provided for by an international agreement of the Russian Federation or federal law.

The cumulative evidence examined by the court allows concluding that the event and elements of a crime under Part 2 of Article 280.1 of the Criminal Code of the Russian Federation are proved, namely public calls for actions aimed at violating the territorial integrity of the Russian Federation committed with the use of mass media and information and telecommunications networks (including the Internet), and that I.R. Umerov's guilt in the crime is proved.

Within the meaning of Article 280.1 of the Criminal Code of the Russian Federation, the objective side of this crime may consist in public calls for actions to prepare, organise, carry out, or contribute to the activity of a foreign state, international or foreign organisation or their representatives aimed at violating the territorial integrity of the Russian Federation. At the same time it is irrelevant whether one calls for violent or non-violent actions and whether the person has succeeded in inducing anyone to commit them.

According to Part 1 of Article 65 of the Constitution of the Russian Federation, Federal Constitutional Law No. 6-FKZ of 21 March 2014 "On the Admission of the Republic of Crimea into the Russian Federation and the Formation of New Constituent Entities within the Russian Federation - the Republic of Crimea and the Federal City of Sevastopol", the Republic of Crimea is a constituent entity of the Russian Federation, and the court therefore dismisses the defence's argument that Crimea's territorial affiliation is a controversial topic.

In establishing such a qualifying feature as a crime committed through a mass media outlet, the court relied on Article 2 of the Law of the Russian Federation No. 2124-1 of 27 December 1991 "On Mass Media", wherein a mass media outlet means a periodical printed publication, online media outlet, television channel, radio channel, television programme, radio programme, video programme, newsreel programme, other form of periodical dissemination of mass information under a constant name (title).

In establishing such a qualifying feature as "a crime committed through the information and telecommunications network Internet", the court relied on Federal Law No. 149-FZ of 27 July 2006 "On Information, Information Technology, and Protection of Information", wherein an information and

telecommunications network is a technological system designed to transmit information via communication lines, with access to such information provided by computer hardware (para. 4 of Article 2); a website is a collection of programmes for electronic computing machines and other information contained in the information system, with access to such information provided via the information and telecommunications network Internet through domain names and (or) web addresses that allow identifying websites on the Internet (para. 13 of Article 2); it is prohibited to disseminate information aimed at the propaganda of war, incitement to ethnic, racial, or religious hatred and strife, and other information dissemination of which entails criminal or administrative liability (para. 6 of Article 10).

In taking actions constituting the objective side of the alleged crime, I.R. Umerov was aware that the ATR television channel is a mass media outlet under Ukrainian law, and that the above television channel provides online and satellite broadcasting.

According to Forensic Psychiatric Examination Report No. 34 of 7 September 2016, I.R. Umerov – both at the time of the alleged crime and at present – did not and does not suffer from any mental disorder (serious mental impairment), chronic mental impairment, dementia, temporary mental impairment, and other diseased mental state, which would make it impossible for him to understand the actual nature and public danger of his actions and to control them. I.R. Umerov – both at the time of the alleged crime and at present – can and could understand actions he was committing and control them. Besides, I.R. Umerov was not in a state of temporary mental impairment at the time of the alleged crime and could understand the actual nature and public danger of his actions and control them (volume 2, case sheets 91–94).

The defendant's behaviour in the court session is adequate. The court has no doubts about his mental capacity. In light of the above, the court finds him to be of sound mind and subject to criminal liability and punishment.

In determining the measure of punishment, the court takes into consideration the nature and level of public danger of the crime, information about the defendant's personality who has mediocre references at his place of residence, is not on a register with a narcologist or psychiatrist, and has no criminal record.

The court has established no aggravating circumstances.

The court has established mitigating circumstances – health condition and disability of the third category – under Part 2 of Article 61 of the Criminal Code of the Russian Federation.

As the punishment should be consistent with the nature and level of public danger of the crime, circumstances of the crime, and information about the personality of a guilty person, given that the punishment's goal is to influence I.R. Umerov's reformation, the court believes it necessary to sentence him to imprisonment and disqualification from engaging in public activities relating to making speeches and publications in the mass media and telecommunication networks, including the Internet, within the punishment under Part 2 of Article 280.1 of the Criminal Code of the Russian Federation.

Compulsory labour is not consistent with the level of public danger and circumstances of the crime, and the court therefore does not apply it in this case.

Pursuant to Part 1 of Article 73 of the Criminal Code of the Russian Federation, the court's findings that the convict may reform without actually serving his sentence constitute grounds for a suspended sentence. Such conclusion may be drawn based on the cumulative objective facts, but the parties have failed to provide, and the court has not established, any relevant evidence in the course of the proceedings.

According to para. "a" of Part 1 of Article 58 of the Criminal Code of the Russian Federation, the main punishment (imprisonment) imposed by the court is to be served in a colony-settlement. By virtue of Article 75.1 of the Penal Enforcement Code of the Russian Federation, the court individually determines I.R. Umerov's way of transfer to the correctional facility.

The court finds no basis for reducing the grade of the crime under Part 6 of Article 15 of the Criminal Code of the Russian Federation and applying Article 64 of the Criminal Code of the Russian Federation and no basis for delivering a decision without punishment, release from punishment, or suspended punishment.

The court decides that a measure of restraint in the form of undertaking not to leave and to maintain proper conduct is to remain in force until the decision becomes legally effective.

The physical evidence (optical discs) are to be kept in the criminal case files.

No civil action was brought under the criminal case. There were no interim measures relating to a civil action and potential confiscation of property. There is no information about procedural costs under the criminal case.

Being guided by Articles 296–299, 314–317 of the Criminal Procedural Code, the court

DECIDED:

to find Ilmi Rustemovich Umerov guilty of committing a crime under Part 2 of Article 280.1 of the Criminal Code of the Russian Federation as amended by Federal Law No. 274-FZ of 21 July 2014 and to sentence him to 2 (two) years of imprisonment and disqualification from engaging in public activities relating to making speeches and publications in the mass media and telecommunication networks, including the Internet, for two years, with the main sentence to be served in a colony-settlement.

According to Part 2 of Article 75.1 of the Penal Enforcement Code of the Russian Federation, Ilmi Rustemovich Umerov is to head for the colony-settlement on his own at the state's expense.

Ilmi Rustemovich Umerov is obliged to answer the summons of, and to go to, the Branch of the Bakhchisaray District of the Federal State Institution of the Penal Enforcement Inspectorate of the Directorate of the Federal Penitentiary Service for the Republic of Crimea and Sevastopol to receive an order to head for the colony-settlement on his own and to follow this order. Ilmi Rustemovich Umerov is to be informed that should he avoid receiving the order or fail to arrive at the correctional facility in due time as set out in the order, the convict will be put on a wanted list and subject to detention for up to 48 hours, with this period may be extended to 30 days. Once the convict is detained, the court resolves to put them into custody and then to transfer them to colony-settlement under guard.

The term of punishment is to start once the convict Ilmi Rustemovich Umerov arrives at the colony-settlement. The convict Ilmi Rustemovich Umerov's travel time is to be offset against the term of punishment (one day equals one day) as per the order.

Ilmi Rustemovich Umerov's time spent in a medical organisation providing inpatient medical psychiatry care (between 18 August 2016 and 7 September 2016) is to be offset against the term of the main punishment in the form of imprisonment.

The measure of restraint against Ilmi Rustemovich Umerov in the form of undertaking not to leave and to maintain proper conduct is to remain in force until the decision becomes effective. Once the decision becomes legally effective, the measure of restraint against Ilmi Rustemovich Umerov in the form of undertaking not to leave and to maintain proper conduct is to be revoked.

The physical evidence (optical discs) are to be kept in the case files.

The decision may be appealed before the Supreme Court of the Republic of Crimea via the Simferopol District Court of the Republic of Crimea within 10 days since its proclamation.

If an appeal is brought, the convict may file a motion with a court of appeal seeking to be involved in criminal proceedings conducted by the appellate court, which is to be specified in the appeal, objections to the appeal/application or a separate written statement.

If an appeal is brought, the convict may contract and engage a defence counsel to be involved in criminal proceedings before a court of appeal, file a motion with the court to be provided with a defence counsel, or waive a defence counsel.

Judge /Signature/

True copy

The decision did not enter into legal force

Judge /Signature/

Secretary /Signature/

/Seal: Simferopol District Court of the Republic of
Crimea/

/Stamp: Simferopol District Court of the Republic
of Crimea

The original decision (illegible) on 2 October 2017

Judge /Signature/

Secretary /Signature/

/Seal: Simferopol District Court of the Republic of
Crimea/

Annex 351

Inquiry Organization Department of the Ministry of Internal Affairs for
the Republic of Crimea, Resolution on the initiation of a criminal case,
28 September 2017

Translation

146

No. 11701350001009033

RESOLUTION
on the initiation of a criminal case and commencement of proceedings

Simferopol

28 September 2017

12:03 p.m.

Inquiry officer of the Inquiry Organization Department of the Ministry of Internal Affairs for the Republic of Crimea Police Lieutenant E.O. Zakieva, having considered the materials of the pre-investigation verification on the illegal acquisition, storage and transportation of explosive devices by R.R. Paralamov, registered in the Crime Reporting Book of the Ministry of the Internal Affairs for the Republic of Crimea under No. /illegible/ of 27 September 2017,

ESTABLISHED:

In the summer of 2015, the exact date and time were not established, R.R. Paralamov, being in the tree belt area in Dvurechie villiage, Nizhnegorskiy district, of the Republic of Crimea, found a poly bag containing TNT block and two /illegible/ with wires. Knowing that the illegal carrying of explosives is a punishable offence, being aware of the illegality of his actions, R.R. Paralamov kept these explosive devices for his personal use, thus illegally acquiring explosives.

Afterwards, R.R. Paralamov kept the explosive devices he had found in his garage, located in the territory of his housing estate at the address: 45 Krasnoarmeyskaya str., Nizhnegorskiy settlement, Republic of Crimea. In August /illegible/, the exact date and time were not established, R.R. Paralamov, while driving his personal car, a Renault, registration plate K 787 HO 82, brought the explosives previously acquired by him to the area located between Leskhoznaya str. and the Simferopol reservoir, with coordinates 44°56'26" north (latitude) 34° 8'43" east (longitude), where he had personally made a hiding place in the ground for further storage of the explosive devices. So, R.R. Paralamov illegally transported the explosive devices.

On 14 September 2017, during the operative search activities, inspection of premises, buildings, structures, terrain and vehicles, R.R. Paralamov indicated to the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the City of Sevastopol the area between Leskhoznaya street and the Simferopol reservoir, with coordinates 44°56'26" north (latitude) and 34° 8'43" east (longitude), where the explosive devices were kept in the hiding place arranged by him.

During the inspection of the above-mentioned area, the following items were found and confiscated: a dark-brown rectangular object,

*Seal: Inquiry Organization Department of the
Ministry of Internal Affairs for the Republic of
Crimea * FOR PACKAGES No. 40 /signature//*

/Stamp: TRUE COPY /

which, according to Expert's Opinion No. 215 of 22 September 2017, is a type 200 TNT detonating slab for the detonation /illegible/ an oblong rounded object with wires, which, according to Expert's Opinion No. 215 of 22 September 2017, is an EDZD-7 electric detonator /illegible/ use, with delayed action, not bore-safe, designed to detonate explosive charges on the ground, in shafts and mines without gas and dust hazard, as well as an oblong rounded object with wires, which, according to Expert's Opinion No. 215 of 22 September

2017, is a general-purpose EDKZ-PM 1 electric detonator with a short-delayed action, of increased power, with a fuze designed to detonate explosive charges with a delay up to 120 ms on the ground and in mines, with /Illegible/ dust hazard.

The reason for initiating a criminal case was the report on the discovery of the signs of a crime by the acting head of the Center for Countering Extremism of the Ministry of Internal Affairs for the Republic of Crimea, police lieutenant colonel A.A. Pankov, registered in the Crime Reporting Book of the Ministry of Internal Affairs for the Republic of Crimea under No. 4324 of 27 September 2017.

Taking into account that there are sufficient indicators of a crime under Part 1, Article 222.1 of the Criminal Code of the Russian Federation, and being guided by Articles 140, 145, 146, Part 1 of Article 156 of the Criminal Procedural Code of the Russian Federation,

RESOLVED:

1. To initiate a criminal case in respect of Rinat Rasimovich Paralamov, born on 21 April 1986, for illegal acquisition, storage and transportation of explosive devices, i.e. the elements of the crime envisaged in Part 1, Article 222.1 of the Criminal Code of the Russian Federation.
2. To initiate criminal proceedings and start the investigation.
3. To send a copy of this resolution to the Prosecutor of the Republic of Crimea.

Inquiry officer of Inquiry
Organization Department of the
Ministry of Internal Affairs for the
Republic of Crimea
Police Lieutenant

/Signature/

E.O. Zakieva

A copy of this resolution has been sent to the Prosecutor of the Republic of Crimea on 28 September 2017 at 12:45 p.m.

Inquiry Officer of Inquiry
Organization Department of the
Ministry of Internal Affairs for the
Republic of Crimea
Police Lieutenant

/Signature/

E.O. Zakieva

*Seal: Inquiry Organization Department of the
Ministry of Internal Affairs for the Republic of
Crimea * FOR PACKAGES No. 40 /signature//
/Stamp: TRUE COPY /*

Annex 352

Investigative Department of the Federal Security Service Directorate of
Russia for the Republic of Crimea and the City of Sevastopol, Case No.
11707350001427055, Record of a suspect's detention,
11 October 2017

TranslationRECORD
of a suspect's detention

Simferopol

11 October 2017

The record is drawn up at 14:50

Senior Investigator of the Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and the City of Sevastopol, Major, [name: ...], in the presence of defence counsel, Emil Makhsudovich Kurbedinov (certificate No. [...] of [...], warrant No. BS-019 of 11 October 2017), in accordance with Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation, detained at 12:40 on 11 October 2017, at office No. 131 of the Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and City of Sevastopol, at address: Republic of Crimea, Simferopol, 13 I. Franko B., under the criminal case No. 11707350001427055, as a suspect, the following person:

Full name	Marlen Rifatovich Asanov
Date of birth	2 March 1972
Place of birth	Bekabad, Tashkent region, Uzbek Soviet Socialist Republic
Place of residence and (or) registration, phone number	is registered and resides at address: Republic of Crimea, Bakhchisaray, 18 Chepurina Str.; phone number: [...]
Citizenship	Russian Federation (also citizen of Ukraine)
Education	Higher education, graduated from the Taurida National University as “specialist in Turkish and Crimean Tatar languages” in 1999
Family status, family members	Married, wife – A.R. Asanova; has 4 minor children: son – Said (born in 2005), son – Seitmamut (born in 2007), son – Eskender (born in 2010), daughter – Safie (born on 2013)
Place of employment or studying, phone number	Individual entrepreneur M.R. Asanov
Military status	non-obliged
Criminal records	none
Passport (or another identifying document)	Passport of citizen of the Russian Federation, series [...], No. [...], issued by [...] on [date...], subdivision code [...]
Other personal information of the suspect	not a deputy, has a good command of the Russian language
Grounds for detention and other circumstances	Para. 2 of Part 1 of Article 91 of the Criminal Procedural Code of the Russian Federation – eye-witnesses pointed him out as a perpetrator of a crime envisaged in Part 1 of Article 205.5 of the Criminal Code of the Russian Federation

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

(Seal illegible)

Suspect

/signed/

M.R. Asanov

I was explained provisions of Part 3 of Article 46 of the Criminal Procedural Code of the Russian Federation, that is, in case described in Para. 2 of Part 1 of this Article suspected person has right for one phone

conversation in Russian in the presence of inquiry officer, investigator in order to inform their close relatives, relatives or family members about the detention and whereabouts, and inquiry officer, investigator must inform about the detention in accordance with Article 96 of the Criminal Procedural Code of the Russian Federation

I was also explained that, in accordance with Part 4 of Article 46 of the Criminal Procedural Code of the Russian Federation, I have rights:

1) to know of what I am suspected of, and to get a copy of the resolution on the initiation of a criminal case against me, or a copy of the detention record, or a copy of the ruling on the application of preventive measure against me;

2) to give explanations and evidence concerning the suspicion against me or to refuse giving explanations and evidence. I am warned that, if I agree to give evidence, my evidence may be used as proof in a criminal case, and likewise in the event of my subsequent denial of this evidence, save for the instance provided for by Para. 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;

3) to avail myself of the advice of the defence counsel from the moment stipulated by Paras. 2 – 3¹ of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and confidential visit from him before my first interrogation;

3.1) from the moment of applying a preventive measure in the form of detention or house arrest, to meet the notary with no limit on number of meetings in order to verify proxy for acting on behalf of suspect in business sphere. However, notarial actions are prohibited regarding property, funds and other objects of value which can be seized in cases provided for in this Code.

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

4) to furnish proof;

5) to enter motions and to file recusals;

6) to give the evidence and the explanations in my native tongue or in the language, of which I have a good command;

7) to use interpreter's services free of charge;

8) to get acquainted with the records of investigative actions carried out with my participation and to submit comments on them;

9) to take part, with the permission of the investigator or of the inquiry officer, in the investigative actions carried out at my own motion, at the motion of my counsel for the defence, or of my legal representative;

10) to lodge complaints against the actions (the lack of action) and decisions of the inquiry officer, of the head of an inquiry unit, of the head of an inquiry body, of an investigation body, of the investigator, of the prosecutor or of the court;

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(handwritten)

True copy /signed/

/signed/ illegible

11) to defend myself using the other means and ways, not prohibited by the Criminal Procedural Code of the Russian Federation

Suspect

/signed/

M.R. Asanov

In accordance with Article 18 of the Criminal Procedural Code of the Russian Federation, the suspect was explained that he has a right to make statements, to give explanations and evidence, to lodge motions and complaints, to get acquainted with the materials of the criminal case and to take the floor in the court using his

native language or another language, of which he has a good command, and to use interpreter's services free of charge in accordance with the procedure, established by the Criminal Procedural Code of the Russian Federation

Suspect /signed/ M.R. Asanov

I was explained that, in accordance with Article 51 of the Constitution of the Russian Federation, I am not obliged to give incriminating evidence against myself, my spouse and close relatives the range of whom is determined by Part 4 of Article 5 of the Criminal Procedural Code of the Russian Federation

Suspect /signed/ M.R. Asanov

I was also explained that, in accordance with Article 317.1 of the Criminal Procedural Code of the Russian Federation, I have a right to file a motion for concluding a pre-judicial cooperation agreement.

Article 317.1. Procedure for Filing a Motion for Concluding a Pre-Judicial Cooperation Agreement

1. A motion for concluding a pre-judicial cooperation agreement is filed in writing by a suspect or accused as addressed to a prosecutor. The motion is also signed by a defence counsel. Unless a defence counsel has been invited by the suspect or accused proper or his/her legal representative or other persons on instructions of the suspect or accused, the investigator shall make sure that a defence counsel take part.

2. The suspect or accused is entitled to file a pre-judicial cooperation agreement motion starting from the time of commencement of criminal prosecution until the announcement of termination of the preliminary investigation. In his/her motion the suspect or accused shall indicate what actions he/she is going to undertake to assist the investigation in the identification and investigation of the crime, the exposure and criminal prosecution of the other accomplices in the crime, search for the property received through the crime.

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

3. The pre-judicial cooperation agreement motion shall be presented by the suspect or accused or his/her defence counsel through the investigator. Having received said motion, the investigator shall within three days after receipt thereof either dispatch it to the prosecutor together with a substantiated resolution – approved by the head of the investigation body – on filing a motion with the prosecutor for conclusion of the pre-judicial cooperation agreement with the suspect or accused or shall issue a decision on refusal to uphold the pre-judicial cooperation agreement motion.

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*True copy /signed/
/signed/ illegible*

4. The suspect or accused or his/her defence counsel may appeal against investigator's resolution on refusal to uphold the pre-judicial cooperation agreement motion to the head of the investigative body.

Suspect /signed/ M.R. Asanov

Provisions of Chapter 40.1 on a Special Procedure for Taking a Court's Decision when a Pre-Judicial Cooperation Agreement is Concluded, that is, Articles 317.1 – 317.9 of the Criminal Procedural Code of the Russian Federation, are also clarified and clear to me.

Suspect /signed/ M.R. Asanov

I was informed that I am suspected in organizing the activities of the organization "Party of Islamic Liberation" ("Hizb ut-Tahrir al-Islami") which, in accordance with the legally effective decision of the Supreme Court of the Russian Federation of 12 February 2003, was designated as terrorist with prohibition of activities in the Russian Federation, that is, committing crime provided for in Part 1 of Article 205.5 of the Criminal Code of the Russian Federation.

Suspect /signed/ M.R. Asanov

Defence counsel /signed/ Kurbedinov E.M.

Regarding the detention, M.R. Asanov stated the following: the rights of suspect and suspicions aroused against me are clarified and clear to me. I refuse to give evidence regarding aroused suspicions using my right according to Article 51 of the Constitution of the Russian Federation. I consider my detention as unjustified.

I accept the attorney E.M. Kurbedinov as my defence counsel.

Suspect /signed/ M.R. Asanov

Defence counsel /signed/ Kurbedinov E.M.

Personal search of suspect M.R. Asanov was not conducted.

Suspect /signed/ M.R. Asanov

Defence counsel /signed/ Kurbedinov E.M.

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(handwritten)

True copy /signed/

/signed/ illegible

At the end of the detention of the suspect, the persons involved, suspect M.R. Asanov, defence counsel Kurbedinov E.M., made the following statements:

Content of the statements: *I became aware of the initiation of a criminal case against me on 11 October 2017, /signed/ (illegible) E.M. Kurbedinov /signed/. I also ask to provide a proof of detention according to Para. 2 of Part 1 of Article 91 of the Criminal Procedural Code of the Russian Federation. At the moment, it is not possible to establish the legality of the detention. /signed/ E.M. Kurbedinov. I support /signed/*

Suspect /signed/ M.R. Asanov

Defence counsel /signed/ Kurbedinov E.M.

At the end of the detention, the record of the investigative action was presented to the participants for reading. Comments on the records: *none*

Senior Investigator
of the Investigative Department of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Major

/signed/ [name: ...]

(Seal) illegible

Suspect M.R. Asanov was transferred for custody into the Temporary Detention Facility of the Ministry of Internal Affairs Directorate for Simferopol.

The message on detention of M.R. Asanov was sent to the Prosecutor's office of the Republic of Crimea at *(illegible)*:40 on 11 October 2017.

Senior Investigator
of the Investigative Department of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Major

/signed/ [name: ...]

(Seal) illegible

Wife of M.R. Asanov, A.R. Asanova, was notified of his detention on suspicion of committing crime.

(Seal) illegible

(handwritten)

True copy /signed/

/signed/ illegible

Annex 353

Investigative Department of the Federal Security Service Directorate of
Russia for the Republic of Crimea and the City of Sevastopol, Case No.
11707350001427055, Record of a suspect's detention,
11 October 2017

TranslationRECORD
of a suspect's detention

Simferopol

11 October 2017

The record is drawn up at 13:50

Senior Investigator of the Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and City of Sevastopol, Major, [name: ...], in the presence of defence counsel, Aleksandr Nikolaevich Nachinkin (certificate No. [...] of [...], warrant No. 111 of 11 October 2017), in accordance with Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation, detained at 13:50 on 11 October 2017, at office No. 108 of the Federal Security Service Directorate of Russia for the Republic of Crimea and City of Sevastopol, at address: Republic of Crimea, Simferopol, 13 I. Franko B., under the criminal case No. 11707350001427055, as a suspect, the following person:

1.	Full name	Ernes Seyarovich Ametov
2.	Date of birth	30 May 1985
3.	Place of birth	Tashkent, Uzbek Soviet Socialist Republic
4.	Place of residence and (or) registration, phone number	is registered and resides at address: Republic of Crimea, Bakhchisaray, 56 Frunze Str., 130
5.	Citizenship	Russian Federation
6.	Education	higher education
7.	Family status, family members	married, two minor children
8.	Place of employment or studying, phone number	officially unemployed
9.	Military status	non-obliged
10.	Criminal records	none (according to his words)
11.	Passport (or another identifying document)	passport of citizen of the Russian Federation, series [...], No. [...], issued by [...] on [date], subdivision code [...]
12.	Other personal information of the suspect	not a deputy, ethnic Crimean Tatar; by his words, not registered with drug rehabilitation or psychiatric institutions
13.	Grounds for detention and other circumstances	Para 2 of Part 1 of Article 91 of the Criminal Procedural Code of the Russian Federation – eye-witnesses pointed E.S. Ametov out as a perpetrator of a crime envisaged in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

(handwritten)

*True copy /signed/
/signed/ illegible*

Suspect

*/signed/**E.S. Ametov*

I was explained that, in accordance with Part 4 of Article 46 of the Criminal Procedural Code of the Russian Federation, I have rights:

- 1) to know of what I am suspected of, and to get a copy of the resolution on the initiation of a criminal case against me, or a copy of the detention record, or a copy of the ruling on the application of preventive measure against me;
- 2) to give explanations and testimony concerning the suspicion against me or to refuse giving explanations and testimony. I am warned that, if I agree to give testimony, my testimony may be used as proof in a criminal case, and likewise in the event of my subsequent denial of this testimony, save for the instance provided for by Para 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;
- 3) to avail myself of the advice of the defence counsel from the moment stipulated by Paras. 2 – 3¹ of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and confidential visit from him before my first interrogation;
- 4) to furnish proof;
- 5) to enter motions and to file recusals;
- 6) to give the testimony and the explanations in my native tongue or in the language, of which I have a good command;
- 7) to use interpreter's services free of charge;
- 8) to get acquainted with the records of investigative actions carried out with my participation and to submit comments on them;
- 9) to take part, with the permission of the investigator or of the inquiry officer, in the investigative actions carried out at my own motion, at the motion of my counsel for the defence, or of my legal representative;
- 10) to lodge complaints against the actions (the lack of action) and decisions of the court, of the prosecutor or of the investigator;
- 11) to defend myself using the other means and ways, not prohibited by the Criminal Procedural Code of the Russian Federation

Suspect /signed/ E.S. Ametov

In accordance with Article 18 of the Criminal Procedural Code of the Russian Federation, the suspect was explained that he has a right to make statements, to give explanations and testimony, to lodge motions and complaints, to get acquainted with the materials of the criminal case and to take the floor in the court using his native tongue or another language, of which he has a good command, and to use interpreter's services free of charge in accordance with the procedure, established by the Criminal Procedural Code of the Russian Federation.

Suspect E.S. Ametov stated that he has a good command of Russian language and does not need interpreter services.

(Seal)
For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol

(handwritten)
True copy /signed/
/signed/ illegible

Suspect /signed/ E.S. Ametov

Defence counsel /signed/ A.N. Nachinkin

I was explained that, in accordance with Article 51 of the Constitution of the Russian Federation, I am not obliged to give incriminating testimony against myself, my spouse and close relatives the range of whom is determined by Part 4 of Article 5 of the Criminal Procedural Code of the Russian Federation.

Suspect /signed/ E.S. Ametov

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

I was also explained that, in accordance with Article 317.1 of the Criminal Procedural Code of the Russian Federation, I have a right to file a motion for concluding a pre-judicial cooperation agreement.

Article 317.1. Procedure for Filing a Motion for Concluding a Pre-Judicial Cooperation Agreement

1. A motion for concluding a pre-judicial cooperation agreement is filed in writing by a suspect or accused as addressed to a prosecutor. The motion is also signed by a defence counsel. Unless a defence counsel has been invited by the suspect or accused proper or his/her legal representative or other persons on instructions of the suspect or accused, the investigator shall make sure that a defence counsel take part.

2. The suspect or accused is entitled to file a pre-judicial cooperation agreement motion starting from the time of commencement of criminal prosecution until the announcement of termination of the preliminary investigation. In his/her motion the suspect or accused shall indicate what actions he/she is going to undertake to assist the investigation in the identification and investigation of the crime, the exposure and criminal prosecution of the other accomplices in the crime, search for the property received through the crime.

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

3. The pre-judicial cooperation agreement motion shall be presented by the suspect or accused or his/her defence counsel through the investigator. Having received said motion, the investigator shall within three days after receipt thereof either dispatch it to the prosecutor together with a substantiated resolution – approved by the head of the investigation body – on filing a motion with the prosecutor for conclusion of the pre-judicial cooperation agreement with the suspect or accused or shall issue a decision on refusal to uphold the pre-judicial cooperation agreement motion.

4. The suspect or accused or his/her defence counsel may appeal against investigator's resolution on refusal to uphold the pre-judicial cooperation agreement motion to the head of the investigative body.

Suspect */signed/* E.S. Ametov

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

Provisions of Chapter 40.1 on a Special Procedure for Taking a Court's Decision when a Pre-Judicial Cooperation Agreement is Concluded, that is, Articles 317.1 – 317.9 of the Criminal Procedural Code of the Russian Federation, are also clarified and clear to me.

Suspect */signed/* E.S. Ametov

*(Seal) illegible**(handwritten)*

*True copy /signed/
/signed/ illegible*

I was informed that I am suspected in participation in the activities of the organization which, in accordance with the legislation of the Russian Federation, was designated as terrorist, that is, committing crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation.

Suspect	/signed/	E.S. Ametov
Defence counsel	/signed/	A.N. Nachinkin

Regarding the detention, E.S. Ametov stated the following: the rights of suspect and suspicions aroused against me are clarified and clear to me. I disagree with my detention because I consider suspicions against me as unjustified, I have no intention to abscond from investigative bodies and appear at the first request of the investigator and the court. Moreover, I have a permanent residence in the Russian Federation and two minor dependent children.

Suspect	/signed/	E.S. Ametov
Defence counsel	/signed/	A.N. Nachinkin

Personal search of suspect E.S. Ametov was not conducted.

E.S. Ametov, on his own volition, gave the following documents that he had:

1. Passport of the citizen of the Russian Federation in the name of E.S. Ametov, series [...], No. [...], issued by [...] on [...], subdivision code [...]

Suspect	/signed/	E.S. Ametov
Defence counsel	/signed/	A.N. Nachinkin

At the end of the detention of the suspect, the persons involved made no statements.

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Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol

Content of the statements: *none*

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True copy /signed/
/signed/ illegible

Suspect	/signed/	E.S. Ametov
Defence counsel	/signed/	A.N. Nachinkin

At the end of the detention, the record of the investigative action was presented to the participants for reading.

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/signature/

All the participants have read the record personally.

No comments on the record were made /signed/

Senior Investigator of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Major

/signed/ [Name: ...]

Suspect Ametov E.S. was transferred for custody into the Temporary Detention Facility of the Ministry of Internal Affairs Directorate for Simferopol.

The message on detention of Ametov E.S. was sent to the Prosecutor's office of the Republic of Crimea at 13:50 on 11 October 2017.

Senior Investigator of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Major (seal) illegible /signed/ [Name: ...]

Wife of E.S. Ametov, Eleonora Timurovna Ametova, was notified of his detention on suspicion of committing crime at 13:50 on 11 October 2017.

Copy of the record was received on 4 October 2017.

Suspect	/signed/	E.S. Ametov
Defence counsel	/signed/	A.N. Nachinkin

Copy of the record was handed by:

Senior Investigator of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Major (seal) illegible /signed/ [Name: ...]

(Seal)
For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol

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True copy /signed/
/signed/ illegible

Annex 354

Investigative Department of the Federal Security Service Directorate of
Russia for the Republic of Crimea and the City of Sevastopol, Case No.
11707350001427055, Record of a suspect's detention,
11 October 2017

TranslationRECORD
of a suspect's detention

Simferopol

11 October 2017

The record is drawn up at 12:00

[Position: ...] of the Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and City of Sevastopol, [Name: ...], in the presence of defence counsel, Islyam Shevketovich Velilyayev (certificate No. [...] of [...], warrant No. 00506 of 11 October 2017), in accordance with Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation, detained at 9:50 on 11 October 2017, at address: Republic of Crimea, Simferopol, 13 I. Franko B., under the criminal case No. 11707350001427055, as a suspect, the following person:

1.	Full name	Memet Reshatovich Belyalov
2.	Date of birth	2 January 1989
3.	Place of birth	Samarkand, Uzbek Soviet Socialist Republic
4.	Place of residence and (or) registration, phone number	is registered and resides at address: Republic of Crimea, Bakhchisaray, 17 Moiseeva Str.
5.	Citizenship	Russian Federation
6.	Education	incomplete higher education (bachelor degree)
7.	Family status, family members	married, minor child (8 months)
8.	Place of employment or studying, phone number	not employed
9.	Military status	obliged
10.	Criminal records	None (according to his words)
11.	Passport (or another identifying document)	Passport of the citizen of the Russian Federation, series [...], No. [...], issued by [...] on [...], subdivision code [...]
12.	Other personal information of the suspect	Not a deputy, ethnic Crimean Tatar, fluent in Russian language
13.	Grounds for detention and other circumstances	Para 2 of Part 1 of Article 91, there are reasonable grounds to suspect M.R. Belyalov of committing a crime envisaged in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

Suspect

/signed/

M.R. Belyalov

I was explained provisions of Part 3 of Article 46 of the Criminal Procedural Code of the Russian Federation, that is, in case described in Para 2 of Part 1 of this Article suspected person has right for one phone conversation in Russian in the presence of inquiry officer, investigator in order to inform their close relatives, relatives or family members about their detention and

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*(handwritten)
True copy /signed/
/signed/ illegible*

whereabouts, and inquiry officer, investigator must inform about the detention in accordance with Article 96 of the Criminal Procedural Code of the Russian Federation.

I was also explained that, in accordance with Part 4 of Article 46 of the Criminal Procedural Code of the Russian Federation, I have rights:

1) to know of what I am suspected of, and to get a copy of the resolution on the initiation of a criminal case against me, or a copy of the detention record, or a copy of the ruling on the application of preventive measure against me;

2) to give explanations and testimony concerning the suspicion against me or to refuse giving explanations and testimony. I am warned that, if I agree to give testimony, my testimony may be used as proof in a criminal case, and likewise in the event of my subsequent denial of this testimony, save for the instance provided for by Para 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;

3) to avail myself of the advice of the defence counsel from the moment stipulated by Paras 2 – 3¹ of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and confidential visit from him before my first interrogation;

3.1) from the moment of applying a preventive measure in the form of detention or house arrest, to meet the notary with no limit on number of meetings in order to verify proxy for acting on behalf of suspect in business sphere. However, notarial actions are prohibited regarding property, funds and other objects of value which can be seized in cases provided for in this Code.

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

4) to furnish proof;

5) to enter motions and to file recusals;

6) to give the testimony and the explanations in my native tongue or in the language, of which I have a good command;

7) to use interpreter's services free of charge;

8) to get acquainted with the records of investigative actions carried out with my participation and to submit comments on them;

9) to take part, with the permission of the investigator or of the inquiry officer, in the investigative actions carried out at my own motion, at the motion of my counsel for the defence, or of my legal representative;

10) to lodge complaints against the actions (the lack of action) and decisions of the inquiry officer, of the head of an inquiry unit, of the head of an inquiry body, of the inquiry body, of the investigator, of the prosecutor or of the court;

11) to defend myself using the other means and ways, not prohibited by the Criminal Procedural Code of the Russian Federation

Suspect

/signed/

M.R. Belyalov

In accordance with Article 18 of the Criminal Procedural Code of the Russian Federation, the suspect was explained that he has a right to make statements, to give explanations and testimony, to lodge motions and complaints, to get acquainted with the materials of the criminal case and to take the floor in the court using his native tongue or another language, of which he has a good command, and to use interpreter's services free of charge in accordance with the procedure, established by the Criminal Procedural Code of the Russian Federation.

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

(handwritten)

*True copy /signed/
/signed/ illegible*

Suspect Ametov E.S. stated that he has a good command of Russian language, oral and written speech, and does not need interpreter services. He also had no and has no diseases of hearing and vision organs.

Suspect */signed/* *M.R. Belyalov*

I was explained that, in accordance with Article 51 of the Constitution of the Russian Federation, I am not obliged to give incriminating testimony against myself, my spouse and close relatives the range of whom is determined by Part 4 of Article 5 of the Criminal Procedural Code of the Russian Federation.

Suspect */signed/* *M.R. Belyalov*

I was also explained that, in accordance with Article 317.1 of the Criminal Procedural Code of the Russian Federation, I have a right to file a motion for concluding a pre-judicial cooperation agreement.

Article 317.1. Procedure for Filing a Motion for Concluding a Pre-Judicial Cooperation Agreement

1. A motion for concluding a pre-judicial cooperation agreement is filed in writing by a suspect or accused as addressed to a prosecutor. The motion is also signed by a defence counsel. Unless a defence counsel has been invited by the suspect or accused proper or his/her legal representative or other persons on instructions of the suspect or accused, the investigator shall make sure that a defence counsel take part.

2. The suspect or accused is entitled to file a pre-judicial cooperation agreement motion starting from the time of commencement of criminal prosecution until the announcement of termination of the preliminary investigation. In his/her motion the suspect or accused shall indicate what actions he/she is going to undertake to assist the investigation in the identification and investigation of the crime, the exposure and criminal prosecution of the other accomplices in the crime, search for the property received through the crime.

3. The pre-judicial cooperation agreement motion shall be presented by the suspect or accused or his/her defence counsel through the investigator. Having received said motion, the investigator shall within three days after receipt thereof either dispatch it to the prosecutor together with a substantiated resolution – approved by the head of the investigation body – on filing a motion with the prosecutor for conclusion of the pre-judicial cooperation agreement with the suspect or accused or shall issue a decision on refusal to uphold the pre-judicial cooperation agreement motion.

4. The suspect or accused or his/her defence counsel may appeal against investigator's resolution on refusal to uphold the pre-judicial cooperation agreement motion to the head of the investigative body.

/signed/ *M.R. Belyalov*

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

(handwritten)

*True copy /signed/
/signed/ illegible*

(Seal) illegible

Suspect */signed/* *M.R. Belyalov*

Provisions of Chapter 40.1 on a Special Procedure for Taking a Court's Decision when a Pre-Judicial Cooperation Arrangement is Concluded, that is, Articles 317.1 – 317.9 of the Criminal Procedural Code of the Russian Federation, are also clarified and clear to me.

Suspect /signed/ M.R. Belyalov

I was informed that I am suspected in participating in the activities of the organization “Party of Islamic Liberation” (“Hizb ut-Tahrir al-Islami”) which, in accordance with the legally effective decision of the Supreme Court of the Russian Federation of 14 February 2003, was designated as terrorist with prohibition of activities in the Russian Federation, that is, committing crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation.

Suspect /signed/ M.R. Belyalov

Defence counsel /signed/ I.Sh. Velilyayev

Regarding the detention, M.R. Belyalov stated the following: the rights of suspect and suspicions aroused against me are clarified and clear to me. I consider the suspicions aroused against me as unjustified.

I accept the lawyer I.Sh. Velilyayev as my defence counsel.

Suspect /signed/ M.R. Belyalov

Defence counsel /signed/ I.Sh. Velilyayev

Personal search of suspect M.R. Belyalov was not conducted.

Meanwhile, in the course of arrest M.R. Belyalov, on his own volition, gave the

Passport of citizen of the Russian Federation, series [...], No [...], issued by [...] on [date], subdivision code [...].

Suspect /signed/ M.R. Belyalov

Defence counsel /signed/ I.Sh. Velilyayev

At the end of the detention of the suspect, the persons involved made no statements.

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Suspect /signed/ M.R. Belyalov

Defence counsel /signed/ I.Sh. Velilyayev

(Seal)

For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol

(handwritten)

True copy /signed/

/signed/ illegible

At the end of the detention, the record of the investigative action was presented to the participants for reading.

Record was read by: *every participant personally*

Comments on the record: *none*

Suspect

Defence counsel /signed/

Investigator of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,

Captain of Justice

/signed/ [Name: ...]

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Suspect M.R. Belyalov was transferred for custody into the Temporary Detention Facility of the Ministry of Internal Affairs Directorate at Simferopol.

The message on detention of M.R. Belyalov was sent to the Prosecutor's office of the Republic of Crimea at 15:00 on 11 October 2017.

Investigator of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Captain of Justice

/signed/ [Name: ...]

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Brother of M.R. Belyalov, Osman Reshatovich Belyalov residing at address: [...], was notified of his detention on suspicion of committing crime.

O.R. Belyalov was notified by phone number [...].

Right to one phone call has been granted to M.R. Belyalov in order to notify about his detention and whereabouts. He exercised this right and called his brother, Osman Reshatovich Belyalov.

Copy of the record was received on 11 October 2017.

Suspect

/signed/

M.R. Belyalov

Defence counsel

/signed/

I.Sh. Velilyayev

(Seal)

For letters of confirmation and documents

Federal Security Service of the Russian Federation

Directorate for the Republic of Crimea and Sevastopol

Copy of the record was handed by:

Investigator of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Captain of Justice

/signed/ [Name: ...]

(Seal)

For letters of confirmation and documents

Federal Security Service of the Russian Federation

Directorate for the Republic of Crimea and Sevastopol

(handwritten)

True copy /signed/

/signed/ illegible

Annex 355

Investigative Department of the Federal Security Service Directorate of
Russia for the Republic of Crimea and the City of Sevastopol, Case No.
11707350001427055, Record of a suspect's detention,
11 October 2017

TranslationRECORD
of a suspect's detention

Simferopol

11 October 2017

The record is drawn up at 12:30

Senior Investigator of the Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and City of Sevastopol, Captain of Justice, [Name: ...], in the presence of defence counsel, Dzhemil Mesaevich Temishev (certificate No. [...] of [...], warrant No. 51 of 11 October 2017), in accordance with Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation, detained at 11:30 on 11 October 2017, at office No. 107 of the Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and City of Sevastopol, at address: Republic of Crimea, Simferopol, 13 I. Franko B., under the criminal case No. 11707350001427055, as a suspect, the following person:

1.	Full name	Timur Izetovich Ibragimov
2.	Date of birth	26 January 1989
3.	Place of birth	City of Yangiyul, Tashkent region, Uzbek Soviet Socialist Republic
4.	Place of residence and (or) registration, phone number	is registered at address: Republic of Crimea, Bakhchisaray district, Mostovoe village, 35 Pashkevicha Str; Actually resides at address: Republic of Crimea, Bakhchisaray, 16 Mira Str., 25.
5.	Citizenship	Russian Federation
6.	Education	incomplete higher education in philology
7.	Family status, family members	married, four minor children
8.	Place of employment or studying, phone number	disabled pensioner (3rd group)
9.	Military status	non-obliged
10.	Criminal records	none (according to his words)
11.	Passport (or another identifying document)	passport of citizen of the Russian Federation, series [...], issued on [...] by [...], subdivision code [...]
12.	Other personal information of the suspect	not a deputy, ethnic Crimean Tatar; according to his words, not registered with drug rehabilitation or psychiatric institutions
13.	Grounds for detention and other circumstances	Para 2 of Part 1 of Article 91 of the Criminal Procedural Code of the Russian Federation – eye-witnesses pointed T.I. Ibragimov out as a perpetrator of a crime envisaged in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

Suspect

/signed/ T.I. Ibragimov

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(handwritten)
True copy /signed/
/signed/ illegible*

I was explained that, in accordance with Part 4 of Article 46 of the Criminal Procedural Code of the Russian Federation, I have rights:

- 1) *to know of what I am suspected of, and to get a copy of the resolution on the initiation of a criminal case against me, or a copy of the detention record, or a copy of the ruling on the application of preventive measure against me;*
- 2) *to give explanations and testimony concerning the suspicion against me or to refuse giving explanations and testimony. I am warned that, if I agree to give testimony, my testimony may be used as proof in a criminal case, and likewise in the event of my subsequent denial of this testimony, save for the instance provided for by Para 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;*
- 3) *to avail myself of the advice of the defence counsel from the moment stipulated by Paras 2 – 3¹ of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and confidential visit from him before my first interrogation;*
- 4) *to furnish proof;*
- 5) *to enter motions and to file recusals;*
- 6) *to give the testimony and the explanations in my native tongue or in the language, of which I have a good command;*
- 7) *to use interpreter's services free of charge;*
- 8) *to get acquainted with the records of investigative actions carried out with my participation and to submit comments on them;*
- 9) *to take part, with the permission of the investigator or of the inquiry officer, in the investigative actions carried out at my own motion, at the motion of my counsel for the defence, or of my legal representative;*
- 10) *to lodge complaints against the actions (the lack of action) and decisions of the court, of the prosecutor or of the investigator;*
- 11) *to defend myself using the other means and ways, not prohibited by the Criminal Procedural Code of the Russian Federation*

Suspect */signed/* T.I. Ibragimov

In accordance with Article 18 of the Criminal Procedural Code of the Russian Federation, the suspect was explained that he has a right to make statements, to give explanations and testimony, to lodge motions and complaints, to get acquainted with the materials of the criminal case and to take the floor in the court using his native tongue or another language, of which he has a good command, and to use interpreter's services free of charge in accordance with the procedure, established by the Criminal Procedural Code of the Russian Federation

Suspect T.I. Ibragimov stated that he has a good command of Russian language, oral and written speech, and does not need interpreter services.

Suspect */signed/* T.I. Ibragimov

Defence counsel */signed/* Dz.M. Temishev

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

*(handwritten)
True copy /signed/
/signed/ illegible*

I was explained that, in accordance with Article 51 of the Constitution of the Russian Federation, I am not obliged to give incriminating testimony against myself, my spouse and close relatives the range of whom is determined by Part 4 of Article 5 of the Criminal Procedural Code of the Russian Federation.

Suspect /signed/ T.I. Ibragimov

(Seal) illegible

I was also explained that, in accordance with Article 317.1 of the Criminal Procedural Code of the Russian Federation, I have a right to file a motion for concluding a pre-judicial cooperation agreement.

Article 317.1. Procedure for Filing a Motion for Concluding a Pre-Judicial Cooperation Agreement

1. A motion for concluding a pre-judicial cooperation agreement is filed in writing by a suspect or accused as addressed to a prosecutor. The motion is also signed by a defence counsel. Unless a defence counsel has been invited by the suspect or accused proper or his/her legal representative or other persons on instructions of the suspect or accused, the investigator shall make sure that a defence counsel take part.

2. The suspect or accused is entitled to file a pre-judicial cooperation agreement motion starting from the time of commencement of criminal prosecution until the announcement of termination of the preliminary investigation. In his/her motion the suspect or accused shall indicate what actions he/she is going to undertake to assist the investigation in the identification and investigation of the crime, the exposure and criminal prosecution of the other accomplices in the crime, search for the property received through the crime.

3. The pre-judicial cooperation agreement motion shall be presented by the suspect or accused or his/her defence counsel through the investigator. Having received said motion, the investigator shall within three days after receipt thereof either dispatch it to the prosecutor together with a substantiated resolution – approved by the head of the investigation body – on filing a motion with the prosecutor for conclusion of the pre-judicial cooperation agreement with the suspect or accused or shall issue a decision on refusal to uphold the pre-judicial cooperation agreement motion.

4. The suspect or accused or his/her defence counsel may appeal against investigator's resolution on refusal to uphold the pre-judicial cooperation agreement motion to the head of the investigative body.

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

(handwritten)

*True copy /signed/
/signed/ illegible*

Suspect /signed/ T.I. Ibragimov

Provisions of Chapter 40.1 on a Special Procedure for Taking a Court's Decision when a Pre-Judicial Cooperation Agreement is Concluded, that is, Articles 317.1 – 317.9 of the Criminal Procedural Code of the Russian Federation, are also clarified and clear to me.

Suspect /signed/ T.I. Ibragimov

I was informed that I am suspected in participation in the activities of the organization which, in accordance with the legislation of the Russian Federation, was designated as terrorist, that is, committing crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation.

Suspect /signed/ T.I. Ibragimov

Defence counsel /signed/ Dz.M. Temishev

(Seal) illegible

Regarding the detention, T.I. Ibragimov stated the following: the rights of suspect and suspicions aroused against me are clarified and clear to me. I disagree with my detention because I consider suspicions against me as unjustified, I have no intention to abscond from investigative bodies and appear at the first request of the investigator and the court. Moreover, I have a permanent residence in the Russian Federation and four minor dependent children.

Suspect	<i>/signed/</i>	<i>T.I. Ibragimov</i>
Defence counsel	<i>/signed/</i>	<i>Dz.M. Temishev</i>

Personal search of suspect T.I. Ibragimov was not conducted.

T.I. Ibragimov, on his own volition, gave the following documents that he had:

1. Passport of citizen of Ukraine, series [...], issued [...] on [...].
2. Passport of citizen of the Russian Federation for traveling abroad No. [...] issued by [...] on [...].

Suspect	<i>/signed/</i>	<i>T.I. Ibragimov</i>
Defence counsel	<i>/signed/</i>	<i>Dz.M. Temishev</i>

At the end of the detention of the suspect, the persons involved made no statements.

Content of the statements: *none*

(Seal)
For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol

(handwritten)
True copy /signed/
/signed/ illegible

Suspect	<i>/signed/</i>	<i>T.I. Ibragimov</i>
Defence counsel	<i>/signed/</i>	<i>Dz.M. Temishev</i>

At the end of the detention, the record of the investigative action was presented to the participants for reading.

Record was read by every participant personally.

No comments on the record were made.

Senior investigator of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Captain of Justice

/signed/

[Name: ...]

(Seal) illegible

Suspect T.I. Ibragimov was transferred for custody into the Temporary Detention Facility of the Ministry of Internal Affairs Directorate for Simferopol.

The message on detention of T.I. Ibragimov was sent to the Prosecutor's office of the Republic of Crimea at 12:30 on 11 October 2017.

Senior investigator of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Captain of Justice

/signed/

[Name: ...]

(Seal) illegible

Wife of T.I. Ibragimov, Dilyara Yunusovna Ibragimova, was notified of his detention on suspicion of committing crime at 12:30 on (illegible) October 2017.

Copy of the records was received on *11 October 2017*.

Suspect

/signed/

T.I. Ibragimov

Defence counsel

/signed/

Dz.M. Temishev

Copy of the record was handed by:

Senior investigator of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Captain of Justice

/signed/

[Name: ...]

*(Seal) illegible**(Seal)*

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

*(handwritten)**True copy /signed/**/signed/ illegible*

Annex 356

Investigative Department of the Federal Security Service Directorate of
Russia for the Republic of Crimea and the City of Sevastopol, Case No.
11707350001427055, Record of a suspect's detention,
11 October 2017

TranslationRECORD
of a suspect's detention

Simferopol

11 October 2017

The record is drawn up at 12:20

[Position: ...] of the Investigative Department of the Federal Security Service Directorate of Russia for the Republic of Crimea and City of Sevastopol, Lieutenant-Colonel of Justice, [Name: ...], in the presence of defence counsel, Mammet Sayfullaevich Mambetov (certificate No. [...] issued by [...] on [...], warrant No. 14-28/17 dated 11 October 2017), in accordance with Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation, detained at 11:30 on 11 October 2017, at address: Republic of Crimea, Simferopol, 13 I. Franko B., office 132, under the criminal case No. 11707350001427055, as a suspect, the following person:

1.	Full name	Seyran Alimovich Saliev
2.	Date of birth	4 November 1985
3.	Place of birth	City of Abinsk, Abinsk district, Krasnodar Territory
4.	Place of residence and (or) registration, phone number	is registered at address: Republic of Crimea, Bakhchisaray district, 20 Mira Str., apt. 60 <i>(of Bakhchisaray) /signed/</i>
5.	Citizenship	Russian Federation
6.	Education	secondary technical education
7.	Family status, family members	Married, wife – Mumine Anvarovna Salieva (Rasulova), born on [...], four minor children – Salikh Seyran ogly Saliev, born on 17 September 2007; Samia Seyran kyzy Salieva, born on 30 August 2010; Surie Seyran kyzy Salieva, born on 8 August 2013; Safia Seyran kyzy Salieva, born on 29 April 2017
8.	Place of employment or studying, phone number	officially unemployed
9.	Military status	obliged
10.	Criminal records	none (by his words)
11.	Passport (or another identifying document)	passport of citizen of the Russian Federation, series [...], No. [...], issued by [...] on [...], subdivision code [...].
12.	Other personal information of the suspect	not a deputy, has a command of the Russian language
13.	Grounds for detention and other circumstances	Para 2 of Part 1 of Article 91 of the Criminal Procedural Code of the Russian Federation – eye-witnesses pointed S.A. Saliev out as a perpetrator of a crime envisaged in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation

(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

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Suspect

*/signed/**S.A. Saliev*

I was explained provisions of Part 3 of Article 46 of the Criminal Procedural Code of the Russian Federation, that is, in case described in Para 2 of Part 1 of this Article suspected person has right for one phone conversation in Russian in the presence of inquiry officer, investigator in order to inform their close relatives, relatives or family members about their detention and whereabouts, and inquiry officer, investigator must inform about the detention in accordance with Article 96 of the Criminal Procedural Code of the Russian Federation.

I was also explained that, in accordance with Part 4 of Article 46 of the Criminal Procedural Code of the Russian Federation, I have rights:

1) to know of what I am suspected of, and to get a copy of the resolution on the initiation of a criminal case against me, or a copy of the detention record, or a copy of the ruling on the application of preventive measure against me;

2) to give explanations and testimony concerning the suspicion against me or to refuse giving explanations and testimony. I am warned that, if I agree to give testimony, my testimony may be used as proof in a criminal case, and likewise in the event of my subsequent denial of this testimony, save for the instance provided for by Para 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;

3) to avail myself of the advice of the defence counsel from the moment stipulated by Paras 2 – 3¹ of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and confidential visit from him before my first interrogation;

3.1) from the moment of applying a preventive measure in the form of detention or house arrest, to meet the notary with no limit on number of meetings in order to verify proxy for acting on behalf of suspect in business sphere. However, notarial actions are prohibited regarding property, funds and other objects of value which can be seized in cases provided for in this Code.

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4) to furnish proof;

5) to enter motions and to file recusals;

6) to give the testimony and the explanations in my native tongue or in the language, of which I have a good command;

7) to use interpreter's services free of charge;

8) to get acquainted with the records of investigative actions carried out with my participation and to submit comments on them;

9) to take part, with the permission of the investigator or of the inquiry officer, in the investigative actions carried out at my own motion, at the motion of my counsel for the defence, or of my legal representative;

10) to lodge complaints against the actions (the lack of action) and decisions of the inquiry officer, of the head of an inquiry unit, of the head of an inquiry body, of the inquiry body, of the investigator, of the prosecutor or of the court;

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11) to defend myself using the other means and ways, not prohibited by the Criminal Procedural Code of the Russian Federation

Suspect

/signed/

S.A. Saliev

In accordance with Article 18 of the Criminal Procedural Code of the Russian Federation, the suspect was explained that he has a right to make statements, to give explanations and testimony, to lodge motions and complaints, to get acquainted with the materials of the criminal case and to take the floor in the court using his native tongue or another language, of which he has a good command, and to use interpreter's services free of charge in accordance with the procedure, established by the Criminal Procedural Code of the Russian Federation.

Suspect S.A. Saliev stated that he has a good command of the Russian language, oral and written speech, and does not need interpreter services. He also had no and has no diseases of hearing and vision organs.

Suspect /signed/ S.A. Saliev

I was explained that, in accordance with Article 51 of the Constitution of the Russian Federation, I am not obliged to give incriminating testimony against myself, my spouse and close relatives the range of whom is determined by Part 4 of Article 5 of the Criminal Procedural Code of the Russian Federation.

Suspect /signed/ S.A. Saliev

I was also explained that, in accordance with Article 317.1 of the Criminal Procedural Code of the Russian Federation, I have a right to file a motion for concluding a pre-judicial cooperation agreement.

Article 317.1. Procedure for Filing a Motion for Concluding a Pre-Judicial Cooperation Agreement

1. A motion for concluding a pre-judicial cooperation agreement is filed in writing by a suspect or accused as addressed to a prosecutor. The motion is also signed by a defence counsel. Unless a defence counsel has been invited by the suspect or accused proper or his/her legal representative or other persons on instructions of the suspect or accused, the investigator shall make sure that a defence counsel take part.

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Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

2. The suspect or accused is entitled to file a pre-judicial cooperation agreement motion starting from the time of commencement of criminal prosecution until the announcement of termination of the preliminary investigation. In his/her motion the suspect or accused shall indicate what actions he/she is going to undertake to assist the investigation in the identification and investigation of the crime, the exposure and criminal prosecution of the other accomplices in the crime, search for the property received through the crime.

3. The pre-judicial cooperation agreement motion shall be presented by the suspect or accused or his/her defence counsel through the investigator. Having received said motion, the investigator shall within three days after receipt thereof either dispatch it to the prosecutor together with a substantiated resolution – approved by the head of the investigation body – on filing a motion with the prosecutor for conclusion of the pre-judicial cooperation agreement with the suspect or accused or shall issue a decision on refusal to uphold the pre-judicial cooperation agreement motion.

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4. The suspect or accused or his/her defence counsel may appeal against investigator's resolution on refusal to uphold the pre-judicial cooperation agreement motion to the head of the investigative body.

Suspect /signed/ S.A. Saliev

Provisions of Chapter 40.1 on a Special Procedure for Taking a Court's Decision when a Pre-Judicial Cooperation Agreement is Concluded, that is, Articles 317.1 – 317.9 of the Criminal Procedural Code of the Russian Federation, are also clarified and clear to me.

Suspect */signed/* *S.A. Saliev*

I was informed that I am suspected in participating in the activities of the organization “Party of Islamic Liberation” (“Hizb ut-Tahrir al-Islami”) which, in accordance with the legally effective decision of the Supreme Court of the Russian Federation dated 14 February 2003, was designated as terrorist with prohibition on activities in the Russian Federation, that is, committing crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation.

Suspect */signed/* *S.A. Saliev*

Defence counsel */signed/* *M.S. Mambetov*

Regarding the detention, S.A. Saliev stated the following: the rights of suspect and suspicions aroused against me are clarified and clear to me. I consider the suspicions aroused against me as unjustified.

I accept the lawyer M.S Mambetov as my defence counsel.

Suspect */signed/* *S.A. Saliev*

Defence counsel */signed/* *M.S. Mambetov*

Personal search of suspect S.A. Saliev was not conducted.

Suspect */signed/* *S.A. Saliev*

Defence counsel */signed/* *M.S. Mambetov*

At the end of the detention of the suspect, the persons involved made *no* statements.

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Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

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Suspect */signed/* *S.A. Saliev*

Defence counsel */signed/* *M.S. Mambetov*

At the end of the detention, the record of the investigative action was presented to the participants for reading.

Record was read by every participant personally. No comments on the record were made.

Senior investigator for High-Priority Cases of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Lieutenant-colonel of Justice

/signed/

[Name: ...]

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Suspect S.A. Saliev was transferred for custody into the Temporary Detention Facility of the Ministry of Internal Affairs Directorate at Simferopol.

The message on detention of S.A. Saliev was sent to the Prosecutor's office of the Republic of Crimea at 12:20 on 11 October 2017.

Senior investigator for High-Priority Cases of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Lieutenant-colonel of Justice

/signed/ [Name: ...]
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Wife of S.A. Saliev, Mumine Anvarovna Salieva, born on [...], residing at address: [...], was notified of his detention on suspicion of committing crime.

M.A. Salieva was notified by phone number [...].

Copy of the record was received on 11 October 2017

Suspect	<i>/signed/</i>	<i>S.A. Saliev</i>
Defence counsel	<i>/signed/</i>	<i>M.S. Mambetov</i>

Copy of the record was handed by:

Senior investigator for High-Priority Cases of the Investigative Department
of the Federal Security Service Directorate of Russia
for the Republic of Crimea and City of Sevastopol,
Lieutenant-colonel of Justice

/signed/ [Name: ...]

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(Seal)

*For letters of confirmation and documents
Federal Security Service of the Russian Federation
Directorate for the Republic of Crimea and Sevastopol*

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True copy /signed/

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Annex 357

Bakhchisaray District Court of the Republic of Crimea, Case No. 5-354/2017, Decision, 11 October 2017

Translation

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Case No. 5-354/2017

**DECISION
on the administrative offence**

11 October 2017

Bakhchisaray

The Judge of the Bakhchisaray District Court of the Republic of Crimea, located at: 1, Kooperativnaya st., Bakhchisaray, 298400, Republic of Crimea, G.S. Atamanyuk, with the participation of L.I. Gemedzhy, the defence counsel, having considered the administrative offence case against

Elnur Rifatovich Asanov, date of birth 1 September 1986, the native of Bekabad, Uzbek Soviet Socialist Republic, citizen of the Russian Federation, married, individual entrepreneur, registered and residing at address: 17 Internatsionalnaya st., Bakhchisaray, Republic of Crimea,

of committing the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation,

FOUND:

It follows from the materials of the administrative offence case that on 11 October 2017, from 7:00 a.m. to 8:00 a.m., being near the apartment building at 18 Chepurina st., Bakhchisaray, E.R. Asanov took part in mass gathering of a group of more than 20 citizens who were there in order to interfere with the operative and investigation actions taken by law enforcement officials in relation to M.R. Asanov, which entailed mass gathering of citizens and a crowd disrupting the public order, whereby he committed the offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

At the court hearing, E.R. Asanov did not admit his guilt in the offence and explained that in the morning of 11 October 2017, his acquaintances informed him over the telephone that the law enforcement officials had arrived at his brother's home, surrounded the building and were taking some measures. He came to his brother's home in the Chepurina St. There were other people near the building, i.e. their relatives and friends, about 20 people in total. He was ordered not to interfere and not to disturb the work in response to his question about what was happening asked to the law enforcement officials. After the gathered persons began to demand an explanation of what was happening more insistently, the law enforcement officials detained him and some other people.

Having examined the materials of the administrative offence case, the court believes that the actions of E.R. Asanov have a set of all elements of the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, i.e. the participation in mass simultaneous gathering and movement of citizens in public places, if the mass simultaneous gathering and movement of citizens in public places led to public nuisance, except as provided for by Parts 2 and 3.

The guilt of E.R. Asanov in committing the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation is confirmed by written evidence that is available in the materials of the administrative offence case, i.e.:

- administrative offence records No. 188846 of 11 October 2017 (case sheet 2);
- records of detention of E.R. Asanov (case sheet 3);
- video footage (case sheet 8);
- explanations of L.Ye. Alieva, S.S. Sova, the witnesses, from which it appears that on 11 October 2017 at about 07:00 a.m. they were eyewitnesses of mass gathering of citizens at Chepurina st., Bakhchisaray (case sheets 11, 12);
- the reports of S.I. Malinovskiy and S.A. Kashpanov, the law enforcement officials, according to

which on 11 October 2017 at about 07:00 a.m. a group of more than 30 citizens gathered at Chepurina st., Bakhchisaray who did not react to words of the law enforcement officials to disperse and not to create obstacles in the operative and search measures whereby the public order was disrupted (case sheets 13—14).

Coming to the conclusion on the guilt of E.R. Asanov, the court is guided by the following: In its ruling of 24 October 2013 No. 1721-O, the Constitutional Court of the Russian Federation explained that “mass simultaneous gathering or movement in public places” does not include any events held in public places, but does include those mass events only that pursue a predetermined objective, are characterized by the common intent of their participants and by free access of citizens to the participation therein, but are not public events within the meaning of Federal Law On Assemblies, Rallies, Demonstrations, Marches and Picketing of 19 June 2004 No. 54-FZ (Paras 1—6, Article 2 (definitions of: public event, assembly, rally, demonstration, march, picketing)). At that, the incurrance of liability is coupled by this legal provision with the onset of the adverse effects specified therein.

Based on the meaning of the above provisions, the Chepurina st., Bakhchisaray, including the area around the apartment building No. 18, is a public place that is free for access of the public at large.

As it appears from the case materials (the offender did not challenge those circumstances at the court hearing), E.R. Asanov was in Chepurina st., Bakhchisaray in a group of about 20 citizens who arrived at the house of M.R. Asanov due to the fact that the law enforcement officials took investigative actions in the latter’s dwelling, which entailed mass gathering of the citizens in the public place with the common purpose and the common intent, that testifies to the onset of public menace consequences, i.e. the crowd that disrupted the public order.

When imposing an administrative punishment, the court takes into account the nature and the extent of public danger of the offence, the information on the identity of E.R. Asanov, the absence of any aggravating and mitigating circumstances. Taking into account that E.R. Asanov had not been brought to administrative liability before, the court believes it possible to impose on him the punishment in the form of a fine.

Being guided by Articles 20.2.2, 29.9, 29.10, 29.11 of the Code on Administrative Offences of the Russian Federation, the court

DECIDED:

to recognize Elnur Rifatovich Asanov, date of birth 1 September 1986, as guilty of committing the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation and to impose on him the administrative punishment in the form of administrative fine in the amount of 15,000 (fifteen thousand) rubles.

The fine is to be paid to the following details: settlement account No. 40101810335100010001 in the Republic of Crimea Department of the Central Bank of the Russian Federation, customer account No. 04751A92380; BIC (Bank Identification Code) No. 043510001, KPP (Tax Registration Reason Code) No. 910401001, OKTMO (Russian Classifier of Municipal Unit Territories) No. 35604101, INN (Taxpayer Identification Number) No. 9104000072, BCC (Budgetary Classification Code) No. 18811690050056000140, Beneficiary: Federal Treasury Directorate for the Republic of Crimea (Department of the Ministry of Internal Affairs for the Bakhchisaray district).

The receipt of fine payment must be handed over to the registry of the Bakhchisaray District Court of the Republic of Crimea within 60 days from the date this decision enters into force.

If the document confirming the payment of the administrative fine is not available after the expiry of the period specified in Part 1, Article 32.2 of the Code on Administrative Offences of the Russian Federation, the judge, the body, the official who issued the decision will send the respective materials to the court bailiff in order to collect the amount of the administrative fine in the manner prescribed by federal law.

Furthermore, an official of the federal executive body, a structural unit or a territorial body, as well as

any other public authority authorized to administer the proceedings in administrative offences cases will draw up records of the administrative offence provided for by Part 1, Article 20.25 of the Code on Administrative Offences of the Russian Federation in relation to a person who failed to pay the administrative fine.

A copy of the decision is to be sent to the official who drew up the administrative offence records for information, in accordance with Paragraph 2, Part 2, Article 29.11 of the Code on Administrative Offences of the Russian Federation.

The decision may be appealed within ten days from the date of delivery or the receipt of a copy of the decision to the Supreme Court of the Republic of Crimea through the Bakhchisaray District Court of the Republic of Crimea.

Judge

signed

G.S. Atamanyuk

*/Stamp: Bakhchisaray District Court of the Republic
of Crimea*

*Original decision is stored in admin case No. 5-
354/17*

The copy is issued on 30 July 2018

Judge /Signature/

Secretary /Signature//

*/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA/*

/Stamp: TRUE COPY

Judge G.S. Atamanyuk

*The judgement entered into force on 27 October
2017*

True: judge /Signature/

Secretary /signature//

*/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA /*

Annex 358

Bakhchisaray District Court of the Republic of Crimea, Case No. 5-356/2017, Decision, 11 October 2017

Translation

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Case No. 5-356/2017

DECISION**on the administrative offence**

11 October 2017

Bakhchisaray

The Judge of the Bakhchisaray District Court of the Republic of Crimea, located at: 1, Kooperativnaya st., Bakhchisaray, 298400, Republic of Crimea, G.S. Atamanyuk, with the participation of L.I. Gemedzhy, the defence counsel, having considered the administrative offence case against

Rifat Seit-Mamutovich Asanov, date of birth 2 June 1955, the native of Begovat, Tashkent region of the Uzbek Soviet Socialist Republic, citizen of the Russian Federation, married, retired, registered and residing at 46 Titova st., Sokolinoye villiage, Bakhchisaray district, Republic of Crimea,

of committing the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation,

FOUND:

If follows from the materials of the administrative offence case that on 11 October 2017, from 07:00 a.m. to 08:00 a.m., being near the apartment building at Chepurina St., Bakhchisaray, R.S. Asanov took part in mass gathering of a group of more than 20 citizens who were there in order to interfere with the operative and investigation actions taken by law enforcement officials in relation to M.R. Asanov, which entailed mass gathering of citizens and a crowd disrupting the public order, whereby he committed the offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

At the court hearing, R.S. Asanov did not admit his guilt in the offence committed and explained that in the morning of 11 October 2017 he arrived at the town of Bakhchisaray to M.R. Asanov, his son, to visit him and his grandchildren. There were law enforcement officials near his son's house, who forbade him to enter the house without explaining anything. There were also other people near the building, i.e. his youngest son, acquaintances, about 20 people in total. R.S. Asanov refused to answer the questions asked by the court about his further actions and the reasons for his detention.

Having examined the materials of the administrative offence case, the court believes that the actions of R.S. Asanov have a set of all elements of the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, i.e. the participation in mass simultaneous gathering and movement of citizens in public places, if the mass simultaneous gathering and movement of citizens in public places led to public nuisance, except as provided for by Parts 2 and 3.

The guilt of R.S. Asanov in committing the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation is confirmed by written evidence that is available in the materials of the administrative offence case, i.e.:

- administrative offence records No 188846. of 11 October 2017 (case sheet 2);
- records of detention of R.S. Asanov (case sheet 3);
- video footage (case sheet 4);
- explanations of L.Ye. Alieva, S.S. Sova, the witnesses, from which it appears that on 11 October 2017 at about 07:00 a.m. they were eyewitnesses of mass gathering of citizens at Chepurina St., Bakhchisaray (case sheets 10, 11);
- reports of S.I. Malinovskiy and S.A. Kashpanov, the law enforcement officials, according to which on 11 October 2017 at about 07:00 a.m. a group of more than 30 citizens gathered at Chepurina St.,

Bakhchisaray who did not react to words of the law enforcement officials to disperse and not to create obstacles in the operative and search measures whereby the public order was disrupted (case sheets 12, 13).

Coming to the conclusion on the guilt of R.S. Asanov, the court is guided by the following: in its ruling of 24 October 2013 No. 1721-O, the Constitutional Court of the Russian Federation explained that “mass simultaneous gathering or movement in public places” does not include any events held in public places, but does include those mass events only that pursue a predetermined objective, are characterized by the common intent of their participants and by free access of citizens to the participation therein, but are not public events within the meaning of Federal Law On Assemblies, Rallies, Demonstrations, Marches and Picketing No. 54-FZ of 19 June 2004 (Paras 1—6, Article 2 (definitions of: public event, assembly, rally, demonstration, march, picketing)). At that, the incurrance of liability is coupled by this legal provision with the onset of the adverse effects specified therein.

Based on the meaning of the above provisions, Chepurina St., Bakhchisaray, including the area around the apartment building No. 18, is a public place that is free for access of the public at large.

As it appears from the case materials (the offender did not challenge those circumstances at the court hearing), R.S. Asanov was in the street Chepurina St., Bakhchisaray in a group of about 20 citizens who arrived at the house of M.R. Asanov due to the fact that the law enforcement officials took investigative actions in the latter’s dwelling, which entailed mass gathering of the citizens in the public place with the common purpose and the common intent, that testifies to the onset of public menace consequences, i.e. the crowd that disrupted the public order.

When imposing an administrative punishment, the court takes into account the nature and the extent of public danger of the offence, the information on the identity of R.S. Asanov, the absence of any aggravating and mitigating circumstances. Taking into account that E.R. Asanov had not been brought to administrative liability, is 3rd group disabled and retired, the court believes it possible to impose on him the punishment in the form of a fine.

Being guided by Articles 20.2.2, 29.9, 29.10, 29.11 of the Code on Administrative Offences of the Russian Federation, the court

DECIDED:

to recognize Rifat Seit-Mamutovich Asanov, date of birth 2 June 1955, as guilty of committing the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation and to impose on him the administrative punishment in the form of administrative fine in the amount of 15,000 (fifteen thousand) rubles.

The fine is to be paid to the following details: settlement account No. 40101810335100010001 in the Republic of Crimea Department of the Central Bank of the Russian Federation, customer account No. 04751A92380; BIC (Bank Identification Code) No. 043510001, KPP (Tax Registration Reason Code) No. 910401001, OKTMO (Russian Classifier of Municipal Unit Territories) No. 35604101, INN (Taxpayer Identification Number) No. 9104000072, BCC (Budgetary Classification Code) No. 18811690050056000140, Beneficiary: Federal Treasury Directorate for the Republic of Crimea (Department of the Ministry of Internal Affairs for the Bakhchisaray district).

The receipt of fine payment must be handed over to the registry of the Bakhchisaray District Court of the Republic of Crimea within 60 days from the date this decision enters into force.

If the document confirming the payment of the administrative fine is not available after the expiry of the period specified in Part 1, Article 32.2 of the Code on Administrative Offences of the Russian Federation, the judge, the body, the official who issued the decision will send the respective materials to the court bailiff in order to collect the amount of the administrative fine in the manner prescribed by federal law.

Furthermore, an official of the federal executive body, a structural unit or a territorial body, as well as any

Annex 359

Bakhchisaray District Court of the Republic of Crimea, Case No. 5-362/2017, Decision, 11 October 2017

Translation

Case No. 5-362/2017 /STAMP: COPY/

DECISION

Bakhchisaray

11 October 2017

The Judge of the Bakhchisaray District Court of the Republic of Crimea, V.I. Koshelev,

with the participation of R.N. Bilyalov, the person against whom the administrative offence case was initiated,

R.N. Kyamilev, the representative,

having considered the materials of the administrative offence case provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation (hereinafter the Code on Administrative Offences of the Russian Federation) in relation to R.N. Bilyalov, date of birth 20 July 1991, the native of Stariy Krym, Kirovskiy district, Krym Soviet Socialist Republic, citizen of the Russian Federation, having incomplete secondary education, unemployed, registered and residing at: 11 Krestyanskaya St., apt. 2, Stariy Krym, Kirovskiy district, Republic of Crimea, according to him, unemployed, according to his words, not brought to administrative and criminal liability,

FOUND:

on 11 October 2017, from 7:00 a.m. to 8:00 a.m., being near the multi-apartment residential building at 16 Mira St., Bakhchisaray, R.N. Bilyalov took part in mass gathering in the public place of a group who were there in order to interfere with the operative and investigation actions taken by the law enforcement officials, that entailed mass gathering of citizens and a crowd disrupting the public order, whereby he committed the administrative offence provided for by Part 1 of Article 20.2² of the Code on Administrative Offences of the Russian Federation.

At the court hearing, R.N. Bilyalov did not admit his guilt, exercised the right provided for by Article 51 of the Constitution of the Russian Federation and refused to give any explanations.

R.N. Kyamilev, the representative of R.N. Bilyalov, requested to terminate the proceedings on the case against R.N. Bilyalov and release him from administrative liability as there was no set of all elements of the administrative offence in his actions.

Having examined the materials of the administrative offence case, the judge believes that the violations of the requirements of Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation appear from the actions of R.N. Bilyalov, i.e. his taking part in the mass gathering of the group of citizens in the public place who were there in order to interfere with the operative and investigation actions taken by the law enforcement officials, that entailed mass gathering of the citizens and the crowd that disrupted the public order.

Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation provides for administrative liability for arranging for mass simultaneous gathering that is not a public event and/or movement of citizens in public places, public calls for or participation in mass simultaneous gathering and/or movement of citizens in public places, if mass gathering and/or movement of citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article, and entails the imposition of an administrative fine on citizens in the amount of ten thousand to twenty thousand rubles, or compulsory community service for up to one hundred hours, or an administrative

arrest for a period of up to fifteen days.

As it follows from the case materials, the administrative offence records, reports of the law enforcement officials, R.N. Bilyalov was in a residential area of Bakhchisaray near multi-apartment residential buildings in a crowd of citizens that entailed mass gathering of citizens at the location of the latter where the law enforcement officials took operative and investigation actions, that testifies to the onset of public menace consequences, i.e. the crowd that interfered with the free traffic of pedestrians and their passage to social infrastructure facilities and created obstacles to the operative and investigation actions taken by the law enforcement officials.

The objective element of the set of all elements of the administrative offence provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation is the arranging for mass simultaneous gathering that is not a public event and/or movement of citizens in public places, public calls for or participation in mass simultaneous gathering and/or movement of citizens in public places, if mass gathering and/or movement of citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article.

The disposition of Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation provides for administrative liability for the participation in mass events that do not fall within the legal category of public events in the event that any public menace consequences occur. Thus, the specified rule does not recognize a public nature of mass gathering, movement of citizens, as such event is a mass one and implies that the public at large may take part therein.

At that, the concept of “mass simultaneous gathering or movement in public places” does not include any events held in public places, but does include those mass events only that pursue a predetermined objective, are characterized by the common intent of their participants and by free access of citizens to the participation therein, but are not public events within the meaning of Federal Law of 19 June 2004 No. 54-FZ “On Assemblies, Rallies, Demonstrations, Marches and Picketing” (Paras 1—6 of Article 2) that is specified by the Constitutional Court of the Russian Federation in its ruling of 24 October 2013 No. 1721-0.

Based on the meaning of the above provisions, the territory located between the multi-apartment residential buildings at Mira St. in Bakhchisaray, including the pedestrian area located there, is a public place intended for a mass number of people staying thereat and for meeting their various vital needs, that is free for access to the public at large.

The fact that R.N. Bilyalov committed the administrative offence provided for by Part 1 of Article 20.22 of the Administrative Offences Code on the Russian Federation, as he took part in the mass gathering of a group of citizens in the public place who were there in order to interfere with the operative and investigation actions taken by the law enforcement officials, that entailed mass gathering of citizens and the crowd that disrupted the public order, is confirmed by the written materials of the case that are admissible, have been assessed by the court in the aggregate and accepted as evidence of his guilt, i.e.: administrative offence records No. 00288453 dated 11 October 2017 in respect of R.N. Bilyalov that set out the merits of the offence (case sheet 2); the records of the detention of the person who committed the administrative offence (case sheet 3); the law enforcement officials reports which set out that on 11 October 2017 at: Mira St., Bakhchisaray, near house No. 16 more than 20 citizens gathered who did not react to the requests of the law enforcement officials to disperse and not to interfere with the operative and search measures and demanded an explanation of the actions of the law enforcement officials (case sheets 9-11), represented in the case materials by the video footage, which makes it evident that on 11 October 2017 R.N. Bilyalov was among the citizens arriving at Mira St. in Bakhchisaray and conducted video footage while a law enforcement official demanded to disperse and not interfere with the operative and search measures conducted by law enforcement officials (case sheet

12).

Given those circumstances, the actions of R.N. Bilyalov were correctly qualified under Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation, as R.N. Bilyalov, by staying in the residential community at Bakhchisaray, near the multi-apartment residential buildings in the crowd of citizens, entailed mass gathering of citizens at the location of the latter where the law enforcement officials took the operative and investigation actions, interfered with the free traffic of pedestrians and their passage to the social infrastructure facilities, created obstacles to the operative and investigation actions taken by the police, i.e., the onset of public menace consequences.

On this basis, the arguments of R.N. Bilyalov and his representative that there is no set of all elements of the administrative offence in the actions of R.N. Bilyalov are unfounded and may not be taken into account by the court.

Taking into account the nature of the administrative offence committed by R.N. Bilyalov, the identity of the offender, the fact that there are no circumstances mitigating or aggravating the administrative liability, the property status of the offender, I believe it possible to impose a punishment to the extent of the sanction provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation in the form of an administrative fine.

Being guided by Article 20.22, Part 1, Articles 29.9, 29.10, 29.11 of the Code on Administrative Offences of the Russian Federation, the court

DECIDED:

to recognize Ruslan Narimanovich Bilyalov, date of birth 20 July 1991, as guilty of committing the administrative offence provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation and to impose on him the administrative punishment in the form of administrative fine in the amount of 10,000 (ten thousand) rubles.

The fine is to be paid to the following details: Name: Ministry of Internal Affairs Department of Russia for the Bakhchisaray district; Beneficiary: Federal Treasury Directorate for the Republic of Crimea (Department of the Ministry of Internal Affairs for Bakhchisaray district); Beneficiary bank: the Republic of Crimea Department of the Central Bank of the Russian Federation, customer account No. 04751A92380, settlement account No. 40101810335100010001, BCC (Budgetary Classification Code) No. 188 1 16 90050 05 6000 140, BIC (Bank Identification Code) No. 043510001, INN (Taxpayer Identification Number) No. 9104000072, KPP (Tax Registration Reason Code) No. 910401001, OKTMO (Russian Classifier of Municipal Unit Territories) No. 35604000.

The receipt of fine payment must be handed over to the registry of the Bakhchisaray District Court of the Republic of Crimea within 60 days from the date this decision enters into force.

If the document confirming the payment of the administrative fine is not available after the expiry of the period specified in Part 1 of Article 32.2 of the Code on Administrative Offences of the Russian Federation, the judge, the body, the official who issued the decision will send the respective materials to the court bailiff in order to collect the amount of the administrative fine in the manner prescribed by federal law.

Furthermore, an official of the federal executive body, a structural unit or a territorial body, as well as any other public authority authorized to administer the proceedings in administrative offences cases will draw up records of the administrative offence provided for by Part 1 of Article 20.25 of the Code on Administrative Offences of the Russian Federation in relation to a person who failed to pay the administrative fine.

A copy of the decision is to be sent to the official who drew up the administrative offence records for information, in accordance with para 2 of Part 2 of Article 29.11 of the Code on Administrative Offences of the Russian Federation,

The decision may be appealed within ten days from the date of delivery or the receipt of a copy of the decision to the Supreme Court of the Republic of Crimea through the Bakhchisaray District Court of the Republic of Crimea.

Judge: *signed* *V.I. Koshelov*

*/Stamp: Bakhchisaray District Court
of the Republic of Crimea
Original decision is stored in admin case
No. 5-362/17
The copy is issued on 30 July 2018
Judge /Signature/
Secretary /Signature//
/Seal: BAKHCHISARAY DISTRICT
COURT OF THE REPUBLIC OF CRIMEA/*

*/Stamp: TRUE COPY
Judge V.I. Koshelov
Decision entered into force on 7
November 2017
True: judge /Signature/
Secretary /signature//
/Seal: BAKHCHISARAY
DISTRICT COURT OF THE
REPUBLIC OF CRIMEA /*

Annex 360

Bakhchisaray District Court of the Republic of Crimea, Case No. 5-361/2017, Decision, 11 October 2017

Translation

/STAMP: COPY/

Case No. 5-361/2017

**DECISION
on the administrative offence**

11 October 2017

Bakhchisaray

The Judge of the Bakhchisaray District Court of the Republic of Crimea, located at: Kooperativnaya St., 1, Bakhchisaray, Republic of Crimea, 298400, G.S. Atamanyuk, having considered the case of an administrative offence against

Eskender Izetovich Lyumanov, born on 23 January 1964, in Gorskiy villiage, Kirovskiy district, Fergana region, Uzbek Soviet Socialist Republic, citizen of the Russian Federation, living in an unregistered marriage, officially not employed, registered at: 15 Internatsionalnaya St., Bakhchisaray, Republic of Crimea, residing at: 2 Yashlyk St., Bakhchisaray, Republic of Crimea,

for the commission of an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation,

FOUND:

The materials of the case of an administrative offence demonstrate that E.I. Lyumanov in the period from 7:00 am to 8:00 am on 11 October 2017, being near the multi-apartment house No. 16 at Mira St., Bakhchisaray, took part in a mass gathering of a group of citizens in the amount of more than 20 people with the purpose of interfering with the conduct of operative investigative measures by law enforcement officials in relation to T.R. Ibragimov, which entailed a mass presence of citizens, building-up a crowd that disrupt public order, by which he committed an offence under Article 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

At the hearing, E.I. Lyumanov did not admit his guilt in the offence, explaining that on the morning of 11 October 2017, he passed by house No. 16 at Mira St. in Bakhchisaray and saw 5-6 people gathered around the house, as well as law enforcement officials. According to the participants, the law enforcement officials conducted a house search at T.R. Ibragimov apartment. He did not linger and walked into the store, and when he was leaving, he saw that the law enforcement officials had detained Suleymanov, who was videotaping what was happening on his mobile phone. He stood up for Suleymanov, tried to find out why he was detained, after which he himself was detained by the police.

Having examined the materials of the administrative case, the court considers that actions of E.I. Lyumanov are seen as an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, i.e. the participation in mass simultaneous gathering and movement of citizens in public places, if the mass simultaneous gathering and movement of citizens in public places led to public nuisance, except as provided for by Parts 2 and 3.

The guilt of E.I. Lyumanov in committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation is confirmed by written evidence that is available in the case file on the administrative offence, namely:

- Administrative offence record No. 188847 of 11 October 2017 (Case Sheet 2)
- Record on the detention of E.I. Lyumanov (Case Sheet 3);

- Video footage (Case Sheet 8);

- reports of law enforcement officials A.L. Pospelov, A.L. Kosenko, V.A. Babin, which state that around 7 am on 11 October near house No. 16 at Mira St. in Bakhchisaray, a group of citizens gathered in the amount of more than 30 people who did not react to the requests of law enforcement officials to disperse and not create obstacles in the conduct of operational search measures, which disrupted public order (Case Sheet 5, 6, 7).

Coming to the conclusion about the guilt of E.I. Lyumanov, the court is guided by the following: The Constitutional Court of the Russian Federation, in its ruling of 24 October 2013 No. 1721-0 clarified that the “mass simultaneous gathering or movement in public places” does not include any events held in public places, but does include those mass events only that pursue a predetermined objective, are characterized by the common intent of their participants and by free access of citizens to the participation therein, but are not public events within the meaning of Federal Law of 19 June 2004 No. 54-FZ “On Assemblies, Rallies, Demonstrations, Marches and Picketing” (Paras 1—6 of Article 2) (concepts: public event, assembly, rally, demonstration, march, picketing)). Whereby this legal provision associates the onset of liability with the presence of the negative consequences specified in it.

Based on the meaning of the above provisions, Mira St. in Bakhchisaray, including the area near the multi-apartment house No. 16, is a public place, free for access to an indefinite circle of persons.

As follows from the case materials (the offender himself did not dispute these circumstances at the hearing), E.I. Lyumanov was at Mira St. in Bakhchisaray in a group of other citizens who arrived at the house of T.R. Ibragimov due to the fact that law enforcement officials carried out investigative actions in the latter's apartment, which led to the mass gathering of citizens with a single objective and a common intent in a public place, which indicates the onset of socially dangerous consequences, namely building-up a crowd that disrupted public order.

When imposing an administrative penalty, the court takes into account the nature and degree of public danger of the offence, information on the personality of E.I. Lyumanov, the absence of aggravating and mitigating circumstances, and given that A.R. Suleymanov was not previously brought to administrative liability, the court considers it possible to impose a punishment on him in the form of a fine.

Guided by Articles 20.2.2, 29.9, 29.10, 29.11 of the Code on Administrative Offences of the Russian Federation, the court finds

DECIDED:

Eskender Izetovich Lyumanov, born on 13 January 1964 guilty of committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, and imposes an administrative penalty on him in the form of an administrative fine in the amount of 15,000 (fifteen thousand) rubles.

The fine is to be paid to the following details: settlement account No. 40101810335100010001 in the Republic of Crimea Department of the Central Bank of the Russian Federation, customer account No. 04751A92380; BIC (Bank Identification Code) No. 043510001, KPP (Tax Registration Reason Code) No. 910401001, OKTMO (Russian Classifier of Municipal Unit Territories) No. 35604101, INN (Taxpayer Identification Number) No. 9104000072, BCC (Budgetary Classification Code) No. 18811690050056000140, Beneficiary: Federal Treasury Directorate for the Republic of Crimea (Department of the Ministry of Internal Affairs for the Bakhchisaray district).

The receipt of payment of the fine is to be handed over to the office of the Bakhchisaray District Court of the Republic of Crimea within 60 days from the date of entry of this decision into force.

In the absence of a document certifying the payment of the administrative fine, after the expiration of the period specified in Part 1 of Article 32.2 of the Code on Administrative Offences of the Russian Federation,

the judge, body, official who issued the decision, shall send the relevant materials to the enforcement officer to collect the amount of the administrative fine in the manner prescribed by federal law.

In addition, an official of the federal executive body, structural unit or a territorial body, as well as another state body authorized to carry out proceedings on cases of administrative offences, makes a record on an administrative offence under Part 1 of Article 20.25 of the Administrative Code on the Russian Federation, in relation to a person who has not paid the administrative fine.

A copy of the decision is to be sent to the official who drew up the administrative offence record for information, in accordance with Para. 2. Part 2 of Article 29.11 of the Code on Administrative Offences of the Russian Federation.

The decision can be appealed to the Supreme Court of the Republic of Crimea through the Bakhchisaray District Court of the Republic of Crimea within ten days from the date of delivery or receipt of a copy of the decision.

Judge

signed

G.S. Atamanyuk

*/Stamp: Bakhchisaray District Court of the
Republic of Crimea*

*Original decision is stored in admin case No. 5-
361/17*

The copy is issued on 30 July 2018

Judge /Signature/

Secretary /Signature//

*/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA/*

/Stamp: TRUE COPY

Judge G.S. Atamanyuk

*Decision entered into force on 7 November
2017*

True: judge /Signature/

Secretary /signature//

*/Seal: BAKHCHISARAY DISTRICT COURT
OF THE REPUBLIC OF CRIMEA /*

Annex 361

Bakhchisaray District Court of the Republic of Crimea, Case No. 5-359/2017, Decision, 11 October 2017

Translation

/STAMP: COPY/

Case No. 5-359/2017

DECISION

11 October 2017

Bakhchisaray

T.S. Gotovkina, the judge of the Bakhchisaray District Court of the Republic of Crimea located at 1, Kooperativnaya St., Bakhchisaray, Republic of Crimea in the presence of Yu.K. Simonova, the secretary of the court hearing, having considered the materials of the administrative offence case against Rudem Edemovich Nedzhiev, born on 27 September 1991, a native of Kalinovka village, Leninsky District, the Crimean Region, officially unemployed, registered at 6, Shosseynaya St., Kalinovka village, Leninsky District, at the time of proceedings actually residing at 47, Basenko St., Bakhchisaray, for committing an administrative offence under Part 1, Article 20.2.2. of the Code on Administrative Offences of the Russian Federation,

FOUND:

On 11 October 2017 at 7:00 to 8:00 am, Rudem Edemovich Nedzhiev, showing up near house No. 18 on Chepurina Street in Bakhchisaray, took part in a mass simultaneous gathering of a group of more than 20 people in order to preclude law enforcement officials from carrying out investigative and operative activities in relation to M.R. Asanov which resulted in a mass gathering of people in the form of a crowd disturbing the public order.

During the court hearing, R.E. Nedzhiev pleaded not guilty, explained that he was present on Chepurina Street in Bakhchisaray, because he came to support his employer M.R. Asanov whose house was searched. He did not violate anything.

L.I. Gemedzhi, the representative of R.E. Nedzhiev, allowed to attend the court hearing claimed she and her client do not deny that R.E. Nedzhiev spent some time on Chepurina Street, but due to the only reason: he was concerned about the (legality of) measures taken by the law enforcement officials, at the house of his employer, with whom R.E. Nedzhiev was on friendly terms. R.E. Nedzhiev did not make any illegal actions against the law enforcement officials, nor disrupted the public order anyhow, nor he intended to disrupt the order.

In accordance with Part 1 of Article 20.2.2. of the Code on Administrative Offences of the Russian Federation, organization of a mass simultaneous gathering and (or) movement of people in public places that is not a public event, public calls for a mass gathering and (or) movement of people in public places, or involvement in a mass gathering and (or) movement of people in public places, if such mass gathering and (or) movement of people in public places entail public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article, entail the imposition of an administrative fine on citizens in the amount of ten to twenty thousand rubles, or mandatory work for up to one hundred hours, or administrative arrest for up to fifteen days; if imposed on officials - from fifty to one hundred thousand rubles; on legal entities - from two hundred and fifty thousand to five hundred thousand rubles.

The Constitutional Court of the Russian Federation in its ruling of 24 October 2013 No. 1721-0 "On refusal to accept for review the complaint of A.V. Sherstyuk against breach of his constitutional rights by the provisions of Part 1, Article 3.5 and Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation" clarified that not all the events held in public places could be referred to as "mass simultaneous gathering or movement in public places", but only to such mass events that pursue a

predetermined objective, are characterized by the common intent of their participants and offer the free access of people to participate in them, but are not being the public events within the meaning of Federal Law of 19 June 2004 No. 54-FZ “On assemblies, rallies, demonstrations, marches and picketing” (Paras 1-6 of Article 2 (terms: public events, assembly, rallies, demonstrations, marches, picketing)). Whereby this legal provision associates the onset of liability with the presence of the negative consequences specified in it.

Based on the meaning of the above provisions, the street, including the pedestrian and roadway zones located there, refers to a public place intended for allowing space for numerous people and meeting their various life needs, free for access by an indefinite circle of people.

The fact of committing an administrative offence by R.E. Nedzhiev and his guilt is proved by a set of evidence examined by the court, that are undoubtedly reliable and acceptable, namely: an administrative offence record of 11 October 2017 RK00188340 (case file sheet 2), the record of detention of R.E. Nedzhiev of 11 October 2017 (case file sheet 3), the testimony of witnesses L. Alieva and S.S. Sova of 11 October 2017, who, being warned about administrative liability for giving deliberately false testimony, in particular, explained that on 11 October 2017 a lot of people of Crimean Tatar nationality gathered in Chepurina street in Bakhchisaray (cfs 8-9), the report of the operative officer of the Center for Countering Extremism S. I. Malinovsky (cfs 10), the report of the operative officer of the Center for Countering Extremism S.A. Kashpanov (cfs 11) who reported that a group of more than 30 people of Crimean Tatar nationality gathered at: 1a, Chepurina St., Bakhchisaray and ignored the attempts of the law enforcement officials to break up the gathering and their requests not to infringe with operative search measures being carried out, and demanded explanations of the actions of the law enforcement officials; video footage and photographic materials (cfs 12).

According to Part 1 and Part 2 of Article 26.2 of the Code on Administrative Offences of the Russian Federation, evidence in the administrative offence case are recognized any facts serving as the basis for the judge, authority, official proceeding the case to find out the presence or absence of an event of administrative offence, if the person being held administratively liable is guilty or not, as well as other circumstances having significance for correct consideration of the case.

These facts are evidenced, among other things, by documents which subject to Part 1, Article 26.7 of the Code on Administrative Offences of the Russian Federation are recognized as evidence if the information provided or certified in them by organizations, their associations, officials and individuals relates to the proceedings on an administrative offence.

The court has no grounds not to accept the mentioned written evidence, since they were obtained without violating the Code on Administrative Offences of the Russian Federation, serve as evidence on the case under Article 26.2 of the Code on Administrative Offences of the Russian Federation, and fairly prove that R.E. Nedzhiev committed an administrative offence.

In particular, the administrative offence protocol of R.E. Nedzhiev was made in compliance with Article 28.2 of the Code on Administrative Offences of the Russian Federation, contains the full information required for consideration of the case, including full description of the event of an imputed administrative offence provided for in part 1 of Article 20.2.2. of Code on Administrative Offences of the Russian Federation, so it qualifies for admissibility of evidence on the case.

The reports of the law enforcement officials were made within the framework of their official duties in compliance with the law, the reports contain the information significant for identification of the actual circumstances of the case, they serve as an acceptable and reliable evidence confirming the guilt of R.E. Nedzhiev. There are no grounds to consider the information provided in the reports of the law enforcement officials as unreliable as the law enforcement officials were performing their official duties, the fact that the law enforcement officials have the powers of a governmental authority cannot be a reason not to trust the documents compiled by them, the judge evaluates the documents according to his/her inner conviction in accordance with Article 26.11 of the Code on Administrative Offences of the Russian Federation.

Concerning the testimonies of the witnesses L.E. Alieva, S.S. Sova who were also questioned as witnesses during the court hearing at the court initiative, they confirmed that on 11 October 2017 apart from the law enforcement officials and riot police there was a crowd of Crimean Tatars civilians gathered in

Chepurina street in Bakhchisaray. The witnesses also explained that they knew the law enforcement officials were holding certain activities so in the site both the law enforcement officials and a large group of civilians were present.

The evidence available in the case materials, in particular the reports of the law enforcement officials attached to the case materials, the testimony of witnesses, including those questioned at the court hearing, reliably proved that on 11 October 2017 at least 15 people gathered together in a public place, namely in Chepurina Street in Bakhchisaray, and stayed there for a long time, so this can be classified as “mass simultaneous gathering of people in a public place with a single objective, intention”.

According to the words of R.E. Nedzhiev and his representative L.I. Gemedzhi allowed to attend the hearing, the people gathered there to support their compatriot while his house was searched.

It should also be noted that the video footage examined at the court hearing proved that the people were required to stop holding an event and disrupting the public order.

When setting an administrative punishment, the nature of the administrative offence committed by R.E. Nedzhiev, the identity of the offender, his family and property status are taken into account.

Neither mitigating, nor aggravating circumstances have been found by the court.

In view of the foregoing, the court considers it necessary to impose an administrative punishment on R.E. Nedzhiev in the form of a fine of 10 thousand rubles, according to Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

L.I. Gemedzhi allowed to attend the hearing as the defense counsel claimed that she counted the people who gathered in Chepurina Street in Bakhchisaray on 11 October 2017 and there were hardly 15 people there, but this argument does not impact on the nature of the administrative offence committed as the law does not specify any minimum number of people present in any place simultaneously to qualify it as a mass event, and therefore no quantitative criterion is mandatory as open places may be visited by an indefinite number of people.

The court also cannot take into account the arguments of L.I. Gemedzhi allowed to attend the hearing as the defender, that R.E. Nedzhiev had not committed any illegal actions against the law enforcement officials, because in that case R.E. Nedzhiev would be charged with the other nature of the administrative offence; committing illegal actions against law enforcement officers is not charged under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

Based on the actual circumstances found by the court on the case, the court does not see any grounds to apply Para 2.2 of Article 4.1 of the Code on Administrative Offences of the Russian Federation requested by the defender L.I. Gemedzhi.

According to Part 1 Article 20.2.2., Articles 29.9, 29.10 of the Code on Administrative Offences of the Russian Federation, the court

DECIDED:

Find Rudem Edemovich Nedzhiev, born on 27 September 1991, a native of Kalinovka village, Leninsky District of the Crimean Region, officially unemployed, registered at 6, Shosseynaya St., Kalinovka village, Leninsky District, actually living at the time of the case at 47, Basenko St., Bakhchisaray, guilty of committing an administrative offence provided for in Part 1 Article 20.2.2. of the Code on Administrative Offences of the Russian Federation and impose on Rudem Edemovich Nedzhiev the administrative punishment in the form of an administrative fine in the amount of 10 thousand rubles.

In accordance with Part 1 Article 32.2 of the Code on Administrative Offences of the Russian Federation, the administrative fine must be paid by the person held administratively liable within sixty days following the date the decision on imposition of an administrative fine comes into legal force, by the following payment details:

Name: Department of the Ministry of Internal Affairs of Russia in Bakhchisaray District,

Recipient: Federal Treasury Department (Department of the Ministry of Internal Affairs of Russia in Bakhchisaray District)

Recipient Bank: branch of the Republic of Crimea of the Russian Central Bank, account: 04751A92380, current account: 40101810335100010001, BIC (Bank Identification Code) 043510001, INN (Taxpayer Identification Number) 9104000072, KPP (Tax Registration Reason Code) 910401001, OKTMO (Russian Classifier of Municipal Unit Territories) 35604101, BCC (Budgetary Classification Code) 188 1 16 90050 05 6000 140. Other proceeds from financial penalties (fines) and other sums in damages payable to the budgets of municipal districts; the income code name part 1 of article 20.2.2. of Code on Administrative Offences of the Russian Federation, Penalty of 10,000.00 rubles.

The decision may be appealed to the Supreme Court of the Republic of Crimea via the Bakhchisaray District Court of the Republic of Crimea within ten days from the date of service or receipt of a copy of the decision.

Judge: (Signed) **T.S. Gotovkina**

*/STAMP: Bakhchisaray District Court of the Republic of Crimea,
original decision is stored in the
administrative case file No. 5-359/2017.
Copy was issued on 30 July 2018.
Judge (Signed)
Court Secretary (Signed)/*

/SEAL: Bakhchisaray District Court of the Republic of Crimea/

*/STAMP: True copy
Judge T.S. Gotovkina
The decision was not appealed, came into force on 27 October 2017
True: Judge (Signed)
Secretary (Signed)/*

/SEAL: Bakhchisaray District Court of the Republic of Crimea/

Annex 362

Bakhchisaray District Court of the Republic of Crimea, Case No. 5-355/2017, Decision, 11 October 2017

Translation

/STAMP: COPY/

Case No. 5-355/2017

**DECISION
on the administrative offence**

11 October 2017

Bakhchisaray

The Judge of the Bakhchisaray District Court of the Republic of Crimea, located at: Kooperativnaya St., 1, Bakhchisaray, Republic of Crimea, 298400, G.S. Atamanyuk, having considered the case of an administrative offence against

Amet Refatovich Suleimanov born on 25 October 1984, in Urgut, Uzbek Soviet Socialist Republic, citizen of the Russian Federation, married, employed as trader at "Mamutov" individual entrepreneur, registered at: 1a Mira St., Kholmovka villiage, Bakhchisaray district, Republic of Crimea, residing at: 3 Istoricheskiy lane, Bakhchisaray, Republic of Crimea,

for the commission of an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation,

FOUND:

The materials of the case of an administrative offence demonstrate that A.R. Suleimanov in the period from 7:00 am to 8:00 am on 11 October 2017, being near the multi-apartment house No. 16 at Mira St. in the city of Bakhchisaray, took part in a mass simultaneous gathering of a group of citizens in the amount of more than 20 people with the purpose of interfering with the conduct of operative investigative measures by law enforcement officials in relation to G.R. Ibragimov, which entailed a mass gathering of citizens, building-up a crowd that disrupted public order, by which he committed an offence under Article 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

At the hearing, A.R. Suleimanov did not admit his guilt in the offence, explaining that in the morning of 11 October 2017, he learned from the Internet that police was carrying out searches in the city of Bakhchisaray at homes of persons of Tatar nationality. Driving to work along Mira St., he stopped near the house No. 16, where he saw about five people and law enforcement officials who did not let them go to the house. He began to videotape what was happening, and then one of the law enforcement officials demanded from the crowd to disperse. He was about to leave, but one of the masked law enforcement officials pointed at him, apparently he did not like the fact that he was filming, for which he was detained.

Having examined the materials of the administrative case, the court considers that actions of A.R. Suleimanov are seen as an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, i.e. the participation in mass simultaneous gathering and (or) movement of citizens in public places, if the mass simultaneous gathering and (or) movement of citizens in public places led to public nuisance, except as provided for by Parts 2 and 3.

The guilt of A.R. Suleimanov in committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation is confirmed by written evidence that is available in the case file on the administrative offence, namely:

- Administrative offence record No. 188857 of 11 October 2017 (Case Sheet 2)
- Record on the detention of A.R. Suleimanov (Case Sheet 3);
- Video footage (Case Sheet 11).

- Reports of law enforcement officials A.L. Pospelov, A.L. Kosenko, V.A. Babin, which state that around 7 am on 11 October 2017 near the house No. 16 at Mira St. in the city of Bakhchisaray, a group of citizens gathered in the amount of more than 30 people who did not react to the requests of law enforcement officials to disperse and not create obstacles in the conduct of operational search measures, which disrupted public order (Case Sheet 8, 9, 10).

Coming to the conclusion about the guilt of A.R. Suleimanov, the court is guided by the following: The Constitutional Court of the Russian Federation, in its ruling of 24 October 2013 N 1721-0 clarified that the “mass simultaneous gathering or movement in public places” does not include any events held in public places, but only those mass events that pursue a predetermined objective, are characterized by a common intent of their participants and free access of citizens to participate in them, but are not public events within the meaning of Federal Law of 19 June 2004 No. 54-FZ “On Assemblies, Rallies, Demonstrations, Marches and Picketing” (Paras 1-6 of Article 2 (concepts: public event, assembly, rally, demonstration, march, picketing)). Whereby this legal provision associates the onset of liability with the presence of the negative consequences specified in it.

Based on the meaning of the above provisions, Mira St. in the city of Bakhchisaray, including the area near the multi-apartment house No. 16, is a public place, free for access to an indefinite circle of persons.

As follows from the case materials (the offender himself did not dispute these circumstances at the hearing), A.R. Suleimanov was at Mira St. in the city of Bakhchisaray in a group of other citizens who arrived at the house of G.R. Ibragimov due to the fact that law enforcement officials carried out investigative actions in the latter's apartment, which led to the mass gathering of citizens with a single goal and a single plan in a public place, which indicates the onset of socially dangerous consequences, namely building-up a crowd that disrupted public order.

When imposing an administrative penalty, the court takes into account the nature and degree of public danger of the offence, information on the personality of A.R. Suleimanov, the absence of aggravating and mitigating circumstances, and given that A.R. Suleimanov was not previously brought to administrative liability, the court considers it possible to impose a punishment on him in the form of a fine.

Guided by Articles 20.2.2, 29.9, 29.10, 29.11 of the Code on Administrative Offences of the Russian Federation, the court finds

DECIDED:

Amet Refatovich Suleimanov born on 25 October 1984 guilty of committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, and imposes an administrative penalty on him in the form of an administrative fine in the amount of RUB 15,000 (Fifteen Thousand).

The fine is to be paid to the following details: settlement account No. 40101810335100010001 in the Republic of Crimea Department of the Central Bank of the Russian Federation, customer account No. 04751A92380; BIC (Bank Identification Code) No. 043510001, KPP (Tax Registration Reason Code) No. 910401001, OKTMO (Russian Classifier of Municipal Unit Territories) No. 35604101, INN (Taxpayer Identification Number) No. 9104000072, BCC (Budgetary Classification Code) No. 18811690050056000140, Beneficiary: Federal Treasury Directorate for the Republic of Crimea (Department of the Ministry of Internal Affairs for Bakhchisaray district).

The receipt of payment of the fine is to be handed over to the office of the Bakhchisaray District Court of the Republic of Crimea within 60 days from the date of entry of this decision into force.

In the absence of a document certifying the payment of the administrative fine, after the expiration of the period specified in Part 1 of Article 32.2 of the Code on Administrative Offences of the Russian Federation, the judge, body, official who issued the decision, shall send the relevant materials to the enforcement officer

to collect the amount of the administrative fine in the manner prescribed by federal law.

In addition, an official of the federal executive body, structural unit or a territorial body, as well as another state body authorized to carry out proceedings on cases of administrative offences, makes a record on an administrative offence under Part 1 of Article 20.25 of the Administrative Code on the Russian Federation, in relation to a person who has not paid the administrative fine.

A copy of the decision is to be sent to the official who drew up the administrative offence record for information, in accordance with Paragraph 2, Part 2 of Article 29.11 of the Code on Administrative Offences of the Russian Federation.

The decision can be appealed to the Supreme Court of the Republic of Crimea through the Bakhchisaray District Court of the Republic of Crimea within ten days from the date of delivery or receipt of a copy of the decision.

Judge

signed

G.S. Atamanyuk

*/Stamp: Bakhchisaray District Court of the
Republic of Crimea*

*Original decision is stored in admin case No. 5-
355/17*

The copy is issued on 30 July 2018

Judge /Signature/

Secretary /Signature//

*/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA/*

/Stamp: TRUE COPY

Judge /illegible/

*Decision entered into force on 27 October
2017*

True: judge /Signature/

Secretary /signature//

*/Seal: BAKHCHISARAY DISTRICT COURT
OF THE REPUBLIC OF CRIMEA /*

Annex 363

Bakhchisaray District Court of the Republic of Crimea, Case No. 5-358/2017, Decision, 11 October 2017

Translation

Case No. 5-358/ 2017

DECISION*/illegible/*1 October 2017

Bakhchisaray

The Judge of the Bakhchisaray District Court of the Republic of Crimea, located at: 1 Kooperativnaya St., Bakhchisaray, Republic of Crimea, 298400, Aleksander Evgenievich Skisov, having examined the materials of the administrative offence case in relation to:

Asan Abduramanovich Ismailov born on 14 March 1969, in Kuyichirchikskiy district, Tashkent region, unemployed, registered and residing at: 37 Gordienko, Bakhchisaray, Republic of Crimea,

- for the commission of an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation,

FOUND:

on 11 October 2017 in the period from 7:00 to 8:00 am A.A. Ismailov, being at: 18 Chepurina St., Bakhchisaray, Republic of Crimea, took part in a mass simultaneous gathering of a group of citizens in the amount of more than 20 people who were at this address in order to prevent the law enforcement officials from carrying out operative investigative measures in relation to N.R. Asanov, which entailed a mass gathering of citizens in a public place and building-up a crowd disrupting public order. By his actions A.A. Ismailov violated Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

At the hearing on 11 October 2017, A.A. Ismailov explained that in the morning of 11 October 2017 he received a call from his wife who said that at Chepurina St., place of residence of his relatives, there were clashes and noise. He went there with his in-laws. They just stood there when the law enforcement officials ran into them, knocked them down, hit them.

The defence counsel of A.A. Ismailov, E.S. Smedlyayev, asked to terminate the proceedings due to the lack of A.A. Ismailov's intent to commit an offence.

Having examined the materials of the administrative case, the court considers that actions of A.A. Ismailov shall be regarded as a violation of the requirements under Part 1 of Article 20.2.2 of the Code on Administrative Offences, which is confirmed by the written materials of the case, which were assessed by the court in their totality and are accepted as evidence of his guilt, namely:

- Administrative offence record series RK No. 188427 of 11 October 2017 (Case Sheet 2);
- Record of detention of A.A. Ismailov of 11 October 2017 (Case Sheet 3);
- Explanations by L. Alieva, who explained that on 11 October 2017, in the morning, she went out into the yard and saw that the area was locked down by the police. She also saw about seven civilians, then more people began to approach, but she could not see more. Then the law enforcement officials took four people away. It was noisy when they were taken away (Case Sheet 11);
- Explanations by S.S. Sova, who explained that on 11 October 2017, in the morning, she saw the police near her house. Then she heard screams in Tatar, noise, as if there was a fight. She saw someone being carried. There were more than 30 civilians, men and women (Case Sheet 12);
- Reports of law enforcement officials of 11 October 2017, which state that on 11 October 2017 around at: 18 Chepurina St., Bakhchisaray, Republic of Crimea, a group of Crimean Tatar civilians gathered in an amount of more than 30 people. These persons did not react to the law enforcement officials' requests to disperse and not interfere with the conduct of operative search measures, which led to a disruption of public order (Case Sheets 13-14);

- Photo materials and video footage of the offence on 11 October 2017 (Case Sheet 8).

The administrative offence record was drawn up by an authorized official, in accordance with the requirements of Article 28.2 of the Code on Administrative Offences of the Russian Federation, the law enforcement officials' reports were drawn up within the framework of their official duties, in accordance with the requirements of the law, the reason for their preparation was the identification of an administrative offence, in connection with which they are considered admissible evidence. The evidence in the materials of the administrative offence case is recognized by the court as relevant, admissible, reliable and sufficient for considering the case on the merits.

When imposing an administrative penalty, the court takes into account the nature of the administrative offence committed by A.A. Ismailov, the personality of the perpetrator, his property status.

The court also takes into account that A.A. Ismailov committed the offence for the first time, and considers it sufficient and necessary to apply a penalty in the form of an administrative fine.

Guided by Part 1 of Article 20.2.2, Articles 29.9, 29.10 of the Code on Administrative Offences of the Russian Federation, the court

DECIDED:

to find **Asan Abdurmanovich Ismailov** guilty of committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, and to impose an administrative penalty on him in the form of an administrative fine in the amount of 20 000 (twenty thousands) RUB.

In accordance with Part 1 of Article 32.2 of the Code on Administrative Offences of the Russian Federation, the administrative fine must be paid by a person brought to administrative liability no later than sixty days from the date of entry of the decision on the imposition of an administrative fine into force, to the current account No. 40101810335100010001, Beneficiary: Federal Treasury Directorate for the Republic of Crimea (Department of the Ministry of Internal Affairs for Bakhchisaray district), Beneficiary bank: the Republic of Crimea Department of the Central Bank of the Russian Federation, BIC (Bank Identification Code) No. 043510001, customer account No. 04751A92380, KPP (Tax Registration Reason Code) No. 910401001, OKTMO (Russian Classifier of Municipal Unit Territories) No. 35604101, INN (Taxpayer Identification Number) No. 9104000072, BCC (Budgetary Classification Code) No. 188 1 16 09000 01 6000 140.

The decision can be appealed to the Supreme Court of the Republic of Crimea through the Bakhchisaray District Court of the Republic of Crimea within ten days from the date of delivery or receipt of a copy of the decision.

Judge *signed* A.E. Skisov

*/Stamp: Bakhchisaray District Court of the
Republic of Crimea
Original decision is stored in admin case
No. 5-358/17
The copy is issued on 20 May 2020
Judge /Signature/
Secretary /Signature//
/Seal: BAKHCHISARAY DISTRICT COURT
OF THE REPUBLIC OF CRIMEA/*

*/Stamp: TRUE COPY
Judge A.E. Skisov
Decision entered into force on 1 November 2017
True: judge /Signature/
Secretary /signature//
/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA /*

Annex 364

Bakhchisaray District Court of the Republic of Crimea, Case No. 5-360/2017, Decision, 11 October 2017

Translation

Case No. 5-360/ 2017

DECISION

11 October 2017

Bakhchisaray

The Judge of the Bakhchisaray District Court of the Republic of Crimea, located at: 1 Kooperativnaya St., Bakhchisaray, Republic of Crimea, 298400, Alexander Evgenievich Skisov, having examined the materials of the administrative offence case in relation to:

Eldar Ruslanovich Ishnazarov born on 8 July 1975, in Urgut, Urgut district, Samarcand region, Uzbekistan, unemployed, registered at: 76, 7th microdistrict, Bakhchisaray, Republic of Crimea, residing at: 13/1 Kooperativnaya St., Bakhchisaray, Republic of Crimea,

- for the commission of an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation,

FOUND:

on 11 October 2017 in the period from 7:00 to 8:00, E.R. Ishnazarov, being at: 18 Chepurina St., Bakhchisaray, Republic of Crimea, took part in a mass simultaneous gathering of a group of citizens in the amount of more than 20 people who were at this address in order to prevent the law enforcement officials from carrying out operative investigative measures in relation to N.R. Asanov, which entailed a mass gathering of citizens in a public place and building-up a crowd disrupting public order. By his actions E.R. Ishnazarov violated Part of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

At the hearing on 11 October 2017, E.R. Ishnazarov explained that in the morning of 11 October 2017 he was going to work. Passing Suleiman's house, he saw a cordon of law enforcement officials. He stood with the men, talked with (illegible). Then a fight broke out, and the officers of the Special Purpose Mobile Unit grabbed him and began to beat him for no reason.

The defence counsel of E.R. Ishnazarov, E.S. Semedlyaev, asked to terminate the proceedings due to the lack of E.R. Ishnazarov's intent to commit an offence. The defence counsel asked to take into account that E.R. Ishnazarov is on file with a psychiatrist, he needs to constantly take medications, as well as that he has two minor children.

S.S. Sova, interrogated as a witness, explained that on 11 October 2017, in the morning, she saw the police near her house. Then she heard screams in Tatar, noise, as if there was a fight. She saw someone being carried. There were more than 30 civilians, men and women.

L. Alieva, interrogated as a witness explained that on 11 October 2017, in the morning, she went out into the yard and saw that the area was locked down by the police. She also saw civilians, 3 women and 4 men, then more people began to approach, but she could not see more. Then the law enforcement officials took 4 people away. It was noisy when they were taken away.

Having examined the materials of the administrative case, the court considers that actions of E.R. Ishnazarov are seen as a violation of the requirements under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, which is confirmed by the written materials of the case, which were assessed by the court in their totality and are accepted as evidence of his guilt, namely:

- Administrative offence record series RK No. 188292 of 11 October 2017 (Case Sheet 2);
- Record on detention of E.R. Ishnazarov of 11 October 2017 (Case Sheet 3);
- Explanations of L. Alieva and S.S. Sova of 11 October 2017, according to which they gave explanations similar to those given in court (Case Sheets 9-10);
- Reports of law enforcement officials of 11 October 2017, which state that on 11 October 2017 around 7:30 at 18 Chepurina St., Bakhchisaray, Republic of Crimea, a group of citizens of Crimean Tatar nationality gathered in an amount of more than 30 people. These persons did not react to the law enforcement officials' requests to disperse and not interfere with the conduct of operational search measures, which led to a disruption of public order (Case Sheet 11-12).

- Photo materials and video footage of the offence on 11 October 2017 (Case Sheet 17).

The administrative offence record was drawn up by an authorized official, in accordance with the requirements of Article 28.2 of the Code on Administrative Offences of the Russian Federation, the law enforcement officials' reports were drawn up within the framework of their official duties, in accordance with the requirements of the law, the reason for their preparation was the identification of an administrative offence, in connection with which they are considered admissible evidence. The evidence in the materials of the administrative offence case is recognized by the court as relevant, admissible, reliable and sufficient for considering the case on the merits.

When imposing an administrative penalty, the court takes into account the nature of the administrative offence committed by E.R. Ishnazarov, the personality of the perpetrator having with two minor children, his mental illness, his property status.

The court also takes into account that E.R. Ishnazarov committed the offence for the first time, and considers it sufficient and necessary to apply a penalty in the form of an administrative fine.

Guided by Part 1 of Article 20.2.2, Articles 29.9, 29.10 of the Code on Administrative Offences of the Russian Federation, the court

DECIDED:

to find **Eldar Ruslanovich Ishnazarov** guilty of committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, and to impose an administrative penalty on him in the form of an administrative fine in the amount of 20,000 (twenty thousand) rubles.

In accordance with Part 1 of Article 32.2 of the Code on Administrative Offences of the Russian Federation, the administrative fine must be paid by a person brought to administrative liability no later than sixty days from the date of entry of the decision on the imposition of an administrative fine into force, to the current account No. 40101810335100010001, Beneficiary: Federal Treasury Directorate for the Republic of Crimea (Department of the Ministry of Internal Affairs for Bakhchisaray district), Beneficiary bank: the Republic of Crimea Department of the Central Bank of the Russian Federation, BIC (Bank Identification Code) No. 043510001, customer account No. 04751A92380, KPP (Tax Registration Reason Code) No. 910401001, OKTMO (Russian Classifier of Municipal Unit Territories) No. 35604000, INN (Taxpayer Identification Number) No. 9104000072, BCC (Budgetary Classification Code) No. 188 1 16 09000 01 6000 140.

The decision can be appealed to the Supreme Court of the Republic of Crimea through the Bakhchisaray District Court of the Republic of Crimea within ten days from the date of delivery or receipt of a copy of the decision.

Judge: *signed* A.E. Skisov

*/Stamp: Bakhchisaray District Court of
the Republic of Crimea
Original decision is stored in admin
case No. 5-360/17
The copy is issued on 20 May 2020
Judge /Signature/
Secretary /Signature//
/Seal: BAKHCHISARAY DISTRICT
COURT OF THE REPUBLIC OF
CRIMEA/*

*/Stamp: TRUE COPY
Judge A.E. Skisov
Decision entered into force on 7
November 2017
True: judge /Signature/
Secretary /signature//
/Seal: BAKHCHISARAY DISTRICT
COURT OF THE REPUBLIC OF
CRIMEA /*

Annex 365

Kievskiy District Court of Simferopol, Case No. 3/1-274/2017, Ruling,
12 October 2017

Translation

3/1-274/2017

RULING

on measure of restriction in the form of taking into custody

12 October 2017

Simferopol

Kievskiy District Court of Simferopol of the Republic of Crimea composed of: presiding judge – V.A. Mozhelyansky, in the presence of the secretary of the court hearing – D.V. Artyushenko, with the participation of interpreter – G.Sh. Chantalova, prosecutor – S.V. Korneev, investigator of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Senior Lieutenant of Justice, [Name:], the suspect – M.R. Asanov and his defence counsel – attorney E.S. Semedlyaev, who presented an attorney’s certificate No. [...] of [...] and warrant of attorney No. AK-118 of 12 October 2017, having considered in an open court hearing the resolution of the senior criminal investigator of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Captain of Justice, [Name:], to file a motion before the court for measure of restriction in the form of taking into custody in respect of:

Marlen Rifatovich Asanov, born on 2 March 1977, native of City of Bekabad, Tashkent region, Uzbek Soviet Socialist Republic, a citizen of the Russian Federation and a citizen of Ukraine, with higher education, an individual entrepreneur, married, with minor dependent children born in 2005, 2007, 2010, 2013, registered at address: Republic of Crimea, Bakhchisaray, 18 Chepurina Str.; with no criminal records, a person suspected in committing a crime provided for in Part 1 of Article 205.5 of the Criminal Code of the Russian Federation,

Found:

In the proceedings of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea, there is a criminal case No. 11707350001427055 against E.S. Ametov, T.I. Ibragimov, S.A. Saliev, M.R. Belyalov and S.Z. Zekiryaev who are suspects in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, and M.R. Asanov who is suspect in committing a crime provided for in Part 1 of Article 205.5 of the Criminal Code of the Russian Federation.

According to the resolution of the investigator, the preliminary investigation body found that M.R. Asanov is suspected that he, from an unspecified time, but no later than 18 November 2016, organized a cell of the terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami) in the territory of Bakhchisaray of the Republic of Crimea and actively participates in its activities.

According to the resolution of the investigator, the following citizens of the Russian Federation, from an unspecified time, but no later than 18 November 2016, and through the present, participate in activities of specified local cell of the international terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami), acting in Bakhchisaray in the Republic of Crimea, under the leadership of M.R. Asanov: S.A. Saliev, T.I. Ibragimov, E.S. Ametov, M.R. Belyalov, S.Z. Zekiryaev.

M.R. Asanov, being the head of local cell of the international terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami), intentionally, using the special knowledge and propaganda skills he acquired for this, from an unspecified time, but no later than 18 November 2016, and through the present, carries out on the specified territory secret anti-Russian, anti-constitutional activities in the form of propaganda work among the population, persuading local residents to participate in the activities of the specified terrorist organization, while influencing their religious feelings, directs the activities of the specified cell, organizes and conducts conspiratorial meetings of members of this terrorist organization: S.A. Saliev, T.I. Ibragimov, E.S. Ametov, M.R. Belyalov, S.Z. Zekiryaev, during which he teaches them the ideology of the terrorist organization Hizb ut-Tahrir al-Islami, organizes their recruitment of new members, develops and adjusts plans, goals and objectives of activity of the specified cell in the region.

Being members of local cell of the international terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami), M.R. Asanov, S.A. Saliev, T.I. Ibragimov, E.S. Ametov, M.R. Belyalov, S.Z. Zekiryayev, from an unspecified time, but no later than 18 November 2016, and through the present, on the specified territory, intentionally participate in conspiratorial meetings of members of the specified cell during which they study the ideology of this terrorist organization, develop and correct further plans, goals and objectives of the cell’s activities in the region, and also carry out secret anti-Russian, anti-constitutional activities in the form of propaganda work among the population, persuading local residents to participate in the activities of this terrorist organization.

On 9 October 2017, Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol initiated a criminal case against E.S. Ametov, T.I. Ibragimov, S.A. Saliev, M.R. Belyalov and S.Z. Zekiryayev who are suspects in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, and M.R. Asanov who is suspect in committing a crime provided for in Part 1 of Article 205.5 of the Criminal Code of the Russian Federation.

On 11 October 2017, at 12:40, M.R. Asanov was detained as provided for in Articles 91, 92 of the Criminal Procedural Code of the Russian Federation on suspicion of having committed a crime provided for in Part 1 of Article 205.5 of the Criminal Code of the Russian Federation.

Senior investigator of the Investigative Department of Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Captain of Justice, [Name:] appealed to the court with resolution on initiating a motion before the court for measure of restriction in the form of taking into custody in respect of M.R. Asanov, reasoning that he is suspect in committing an especially grave crime and, being at liberty, he will be able to abscond from the preliminary investigation or from the court, continue to participate in criminal activities and threaten the participants of the criminal proceedings, destroy the evidence or interfere the criminal proceedings in some other manner.

At the hearing, prosecutor and investigator partially supported the motion and asked to satisfy it with term for restriction measure of two months up to 9 December 2017, within the terms of the preliminary investigation.

At the hearing, suspect and his defence counsel objected against satisfaction of the motion and asked for restriction measure in the form of house arrest.

Having listened to the participants of the hearing, having examined the materials provided, the court found that the preliminary investigation body provided enough data to comprehensively and fully consider the motion for measure of restriction in the form of taking into custody, without extending the time of detention of the suspect M.R. Asanov.

The motion for measure of restriction in the form of taking into custody of M.R. Asanov, filed by the investigator, is justified and shall be satisfied and the motion filed by the defence shall not be satisfied given the following.

Having examined the materials provided, the court found that the suspicion of committing the crime, which M.R. Asanov is charged with, was reasonable, so there were reasons to detain him in accordance with Article 91 of the Criminal Procedural Code of the Russian Federation. The procedure for detention, as set out in Article 92 of the Criminal Procedural Code of the Russian Federation, was observed.

When considering the investigator’s appeal, the court considers that M.R. Asanov is suspected in committing an especially grave crime against the fundamental principles of the constitutional system and national security, for which a punishment in the form of life imprisonment is provided. Being at liberty and under the strain of possible punishment, M.R. Asanov will be able to abscond from the preliminary investigation and from the court, threaten the witnesses and other participants of the criminal proceedings, destroy the evidence or interfere the criminal proceedings in some other manner.

When considering the investigator’s motion, the court considers the circumstance that, by the resolution of the Bakhchisaray District Court of 23 August 2016, M.R. Asanov was penalized under administrative law for committing an offence provided for in Part 6.1 of Article 20.2 of the Code on Administrative Offences of the Russian Federation, that pointed at the active role of M.R. Asanov in activities of the international terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami), and believes

that, being at liberty, he will be able to continue to participate in criminal activities that threaten the fundamental principles of the constitutional system and security of the Russian Federation.

Involvement of M.R. Asanov in a crime he is charged with is confirmed by: records of a suspect's detention, records of a suspect's interrogation, report on discovery of indicia of crime, resolution on reporting results of operative search activities, reports on results of operative search activities, reports on results of operative search measure "Observation", resolution on declassification of information constituting State secret, reports on results of operative search measure "Making inquiries", act of linguistic and religious expert finding No. 66 of 14 September 2017.

There is no information in the case file that suspect M.R. Asanov has any diseases, which are included in the list approved by the Resolution of the Government of the Russian Federation of 14 January 2011 No. 3. No medical report that M.R. Asanov has any diseases that prevent him from being kept in the conditions of a pre-trial detention center was provided to the court.

Considering the foregoing, the court believes that preliminary investigation body has provided sufficient data to select taking into custody as a form of restriction measure against M.R. Asanov, within the period of the preliminary investigation of the case, and there are no grounds for choosing a milder measure of restriction against him.

In accordance with Articles 97, 99, 108 of the Criminal Procedural Code of the Russian Federation, the court

RULED:

To select taking into custody as a form of restriction measure against Marlen Rifatovich Asanov, born on 2 March 1973, who is suspected of committing a crime provided for in Part 1 of Article 205.5 of the Criminal Code of the Russian Federation, for a period of 1 month and 28 days, that is, until 9 December 2017.

To dismiss a motion of the defence party on selection of restriction measure in the form of house arrest.

To oblige the person who proceeds the criminal case to immediately notify someone of suspect's close relatives or, if there are no close relatives, other relatives on place of suspect's detention or on change of such place.

An appeal on the ruling may be filed to the Supreme Court of the Republic of Crimea within three days of the ruling being issued.

Presiding judge: (Signed)

V.A. Mozhelyansky

Annex 366

Kievskiy District Court of Simferopol, Case No. 3/1-271/2017, Ruling,
12 October 2017

Translation

3/1-271/2017

RULING

on measure of restriction in the form of taking into custody

12 October 2017

Simferopol

Kievskiy District Court of Simferopol of the Republic of Crimea composed of: presiding judge – V.A. Mozhelyansky, in the presence of the secretary of the court hearing – D.V. Artyushenko, with the participation of prosecutor – S.V. Korneev, investigator of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Senior Lieutenant of Justice [Name:], the suspect – E.S. Ametov and his defence counsel – attorney A.B. Azamatov who presented an attorney's certificate No. [...] of [...] and Warrant of Attorney No. 62 of 12 October 2017, having considered in an open court hearing the resolution of the senior criminal investigator of the Investigative Department of Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Captain of Justice, [Name:], to file a motion before the court for measure of restriction in the form of taking into custody in respect of:

Ernes Seyarovich Ametov, born on 30 May 1985, native of City of Tashkent, Uzbek Soviet Socialist Republic, a citizen of the Russian Federation, with higher education, married, with two minor dependent children, an individual entrepreneur, registered and residing at address: Republic of Crimea, Bakhchisaray, 56 Frunze Str., 130; with no criminal records,

a person suspected in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation,

Found:

In the proceedings of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, there is a criminal case No. 11707350001427055 initiated on 9 October 2017 by the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol against E.S. Ametov, T.I. Ibragimov, S.A. Saliev, M.R. Belyalov and S.Z. Zekiryaev, involving a crime under Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, and M.R. Asanov, involving a crime under Part 1 of Article 205.5 of the Criminal Code of the Russian Federation.

According to the resolution of the investigator, the preliminary investigation body found that E.S. Ametov is suspected that he, from an unspecified time, but no later than 18 November 2016, and through the present, participates in activities of a cell of the terrorist organization, "Party of Islamic Liberation" ("Hizb ut-Tahrir al-Islami") acting on the territory of Bakhchisaray of the Republic of Crimea under the leadership of M.R. Asanov. Being the member of the specified local cell of the international terrorist organization, "Party of Islamic Liberation" ("Hizb ut-Tahrir al-Islami"), E.S. Ametov, from an unspecified time, but no later than 18 November 2016, and through the present, on the specified territory, intentionally participate in conspiratorial meetings of members of the specified cell during which he studies the ideology of this terrorist organization, develops and corrects further plans, goals and objectives of the cell's activities in the region, and also carries out secret anti-Russian, anti-constitutional activities in the form of propaganda work among the population, persuading local residents to participate in the activities of this terrorist organization.

On 9 October 2017, Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol initiated a criminal case No. 11707350001427055 against E.S. Ametov, T.I. Ibragimov, S.A. Saliev, M.R. Belyalov and S.Z. Zekiryaev, involving a crime under Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, and M.R. Asanov, involving a crime under Part 1 of Article 205.5 of the Criminal Code of the Russian Federation.

On 11 October 2017, at 13:50, E.S. Ametov was detained as provided for in Articles 91, 92 of the Criminal Procedural Code of the Russian Federation on suspicion of having committed a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation.

Senior investigator of the Investigative Department of Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Captain of Justice, [Name:] appealed to the court with resolution on initiating a motion before the court for measure of restriction in the form of taking into custody in respect of E.S. Ametov, reasoning that he is suspect in committing an especially grave crime for which a punishment in the form of imprisonment for a period up to twenty years is provided. According to the resolution of the investigator, being at liberty and under the strain of possible punishment, E.S. Ametov will be able to abscond from the preliminary investigation and from the court, threaten the witnesses and other participants of the criminal proceedings, destroy the evidence or interfere the criminal proceedings in some other manner.

At the hearing, prosecutor and investigator partially supported the motion and asked to satisfy it.

At the hearing, suspect and his defence counsel objected against satisfaction of the motion and asked for restriction measure in the form of house arrest or another which is not related to isolation from society.

Having listened to the participants of the hearing, having examined the materials provided, the court found that the preliminary investigation body provided enough data to comprehensively and fully consider the motion for measure of restriction in the form of taking into custody, without extending the time of detention of the suspect E.S. Ametov.

The motion for measure of restriction in the form of taking into custody of E.S. Ametov, filed by the investigator, is justified and shall be satisfied and the motion filed by the defence shall not be satisfied given the following.

Having examined the materials provided, the court found that the suspicion of committing the crime, which E.S. Ametov is charged with, was reasonable, so there were reasons to detain him in accordance with Article 91 of the Criminal Procedural Code of the Russian Federation. The procedure for detention, as set out in Article 92 of the Criminal Procedural Code of the Russian Federation, was observed.

When considering the investigator's appeal, the court considers that E.S. Ametov is suspected in committing an especially grave crime against the fundamental principles of the constitutional system and national security, for which a punishment in the form of imprisonment for a period up to twenty years is provided. Being at liberty and under the strain of possible punishment, E.S. Ametov will be able to abscond from the preliminary investigation and from the court, threaten the witnesses and other participants of the criminal proceedings, destroy the evidence or interfere the criminal proceedings in some other manner.

Implication of E.S. Ametov in a crime he is charged with is confirmed by: report on discovery of indicia of crime of 9 October 2017, resolution on reporting results of operative search activities of 9 October 2017, report memorandum No. 1171/28/1502 of 11 April 2017, report memorandum No. 1171/28/1501 of 11 April 2017, report memorandum No. 1171/28/1500 of 11 April 2017, report memorandum No. 1171/28/3508 of 21 September 2017, resolution on declassification of 13 April 2017, reports on results of operative search measure "Making of inquiries" No. 171/28/3507 of 21 September 2017, act of expert finding No. 66 of 14 September 2017.

There is no information in the case file that suspect E.S. Ametov has any diseases, which are included in the list approved by the Resolution of the Government of the Russian Federation of 14 January 2011 No. 3. No medical report that E.S. Ametov has any diseases that prevent him from being kept in the conditions of a pre-trial detention center was provided to the court.

Considering the foregoing, the court believes that preliminary investigation body has provided sufficient data to select taking into custody as a form of restriction measure against E.S. Ametov, within the period of the preliminary investigation of the case, and there are no grounds for choosing a milder measure of restriction against him.

In accordance with Articles 97, 99, 108 of the Criminal Procedural Code of the Russian Federation, the court

RULED:

To select taking into custody as a form of restriction measure against Ernes Seyarovich Ametov, born on 30 May 1985, who is suspect in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, for a period of 1 month and 28 days, that is, until 9 December 2017.

To dismiss a motion of the defence party on selection of restriction measure in the form of house arrest.

To oblige the person who proceeds the criminal case to immediately notify someone of suspect's close relatives or, if there are no close relatives, other relatives on place of suspect's detention or on change of such place.

An appeal on the ruling may be filed to the Supreme Court of the Republic of Crimea within three days of the ruling being issued.

Presiding judge:

(Signed)

V.A. Mozhelyansky

Annex 367

Kievskiy District Court of Simferopol, Case No. 3/1-273/2017, Ruling,
12 October 2017

Translation

3/1-273/2017

RULING

on measure of restriction in the form of taking into custody

12 October 2017

Simferopol

Kievskiy District Court of Simferopol of the Republic of Crimea composed of: presiding judge – V.A. Mozhelyansky, in the presence of the secretary of the court session – D.V. Artyushenko, with the participation of interpreter – G.Sh. Chantalova, prosecutor – S.V. Korneev, investigator of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Senior Lieutenant of Justice, [Name:], the suspect – M.R. Belyalov and his defence counsel – attorney E.S. Semedlyayev who presented an attorney’s certificate No. [...] of [...] and Warrant of Attorney No. AK-119 of 12 October 2017, having considered in an open court the resolution of the senior criminal investigator of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Captain of Justice, [Name:], to file a motion before the court for measure of restriction in the form of taking into custody in respect of:

Memet Reshatovich Belyalov, born on 2 January 1989, native of City of Samarkand, Uzbek Soviet Socialist Republic, registered at address: Republic of Crimea, Bakhchisaray, 17 Moiseeva Str., with no criminal records, a citizen of the Russian Federation and a citizen of Ukraine, with higher education, employed as a salesman at IP (Individual entrepreneur) “Mamutova”, married, with a minor dependent child born in 2017,

a person suspected in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation,

Found:

In the proceedings of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, there is a criminal case No. 11707350001427055 initiated on 9 October 2017 by the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol against E.S. Ametov, T.I. Ibragimov, S.A. Saliev, M.R. Belyalov and S.Z. Zekiryayev, who are suspects in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, and M.R. Asanov, who is suspect in committing a crime provided for in Part 1 of Article 205.5 of the Criminal Code of the Russian Federation.

According to the resolution of the investigator, the preliminary investigation body found that M.R. Belyalov is suspected that he, from an unspecified time, but no later than 18 November 2016 and through the present, participates in activities of a cell of the terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami) acting on the territory of Bakhchisaray of the Republic of Crimea under the leadership of M.R. Asanov.

Being the member of the specified local cell of the international terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami), M.R. Belyalov, from an unspecified time, but no later than 18 November 2016, and through the present, on the specified territory, intentionally participate in conspiratorial meetings of members of the specified cell during which he studies the ideology of this terrorist organization and, together with other members, develops and corrects further plans, goals and objectives of the activities in the region, and also carries out secret anti-Russian and anti-constitutional activities in the form of propaganda work among the population, persuading local residents to participate in the activities of this terrorist organization.

On 9 October 2017, Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol initiated a criminal case against E.S. Ametov, T.I. Ibragimov, S.A. Saliev, M.R. Belyalov and S.Z. Zekiryayev, who are suspects in committing a crime provided

for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, and M.R. Asanov, who is suspect in committing a crime provided for Part 1 of Article 205.5 of the Criminal Code of the Russian Federation.

On 11 October 2017, at 9:50, M.R. Belyalov was detained as provided for in Articles 91, 92 of the Criminal Procedural Code of the Russian Federation on suspicion of having committed a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation.

Senior investigator of the Investigative Department of The Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Captain of Justice, [Name:] appealed to the court with resolution on initiating a motion before the court for measure of restriction in the form of taking into custody in respect of M.R. Belyalov, reasoning that he is suspect in committing an especially grave crime, and, being at liberty, he will be able to abscond from the preliminary investigation or from the court, continue to participate in criminal activities, threaten participants of the criminal proceedings, destroy the evidence or interfere the criminal proceedings in some other manner.

At the hearing, prosecutor and investigator partially supported the motion and asked to satisfy it with term for restriction measure of two months up to 9 December 2017, within the terms of the preliminary investigation.

At the hearing, suspect and his defence counsel objected against satisfaction of the motion and asked for restriction measure in the form of house arrest.

Having listened to the participants of the hearing, having examined the materials provided, the court found that the preliminary investigation body provided enough data to comprehensively and fully consider the motion for measure of restriction in the form of taking into custody, without extending the time of detention of the suspect M.R. Belyalov.

The motion for measure of restriction in the form of taking into custody of M.R. Belyalov, filed by the investigator, is justified and shall be satisfied and the motion filed by the defence shall not be satisfied given the following.

Having examined the materials provided, the court found that the suspicion of committing the crime, which M.R. Belyalov is charged with, was reasonable, so there were reasons to detain him in accordance with Article 91 of the Criminal Procedural Code of the Russian Federation. The procedure for detention, as set out in Article 92 of the Criminal Procedural Code of the Russian Federation, was observed.

When considering the investigator's appeal, the court considers that M.R. Belyalov is suspected in committing an especially grave crime against the fundamental principles of the constitutional system and national security, for which a punishment in the form of imprisonment for a period up to twenty years is provided. Being at liberty and under the strain of possible punishment, M.R. Belyalov will be able to abscond from the preliminary investigation and from the court, threaten the witnesses and other participants of the criminal proceedings, destroy the evidence or interfere the criminal proceedings in some other manner. When considering the investigator's motion, the court considers the active role of M.R. Belyalov in activities of the international terrorist organization, "Party of Islamic Liberation" (Hizb ut-Tahrir al-Islami), and believes that, being at liberty, he will be able to continue to participate in criminal activities that threaten the fundamental principles of the constitutional system and security of the Russian Federation.

Involvement of M.R. Belyalov in a crime he is charged with is confirmed by: records of a suspect's detention, records of a suspect's interrogation, report on discovery of indicia of crime, resolution on reporting results of operative search activities, report on results of operative search activities, reports on results of operative search measure "Observation", resolution on declassification of information constituting State secret, reports on results of operative search measure "Making of inquiries", act of linguistic and religious expert finding No. 66 of 14 September 2017.

There is no information in the case file that suspect M.R. Belyalov has any diseases, which are included in the list approved by the Resolution of the Government of the Russian Federation of 14 January 2011 No. 3. No medical report that M.R. Belyalov has any diseases that prevent him from being kept in the conditions of a pre-trial detention center was provided to the court.

Considering the foregoing, the court believes that preliminary investigation body has provided sufficient data to select taking into custody as a form of restriction measure against M.R. Belyalov, within the

period of the preliminary investigation of the case, and there are no grounds for choosing a milder measure of restriction against him.

In accordance with Articles 97, 99, 108 of the Criminal Procedural Code of the Russian Federation, the court

RULED:

To select taking into custody as a form of restriction measure against Memet Reshatovich Belyalov, born on 2 January 1989, who is suspect in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, for a period of 1 month and 28 days, that is, until 9 December 2017.

To dismiss a motion of the defence party on selection of restriction measure in the form of house arrest.

To oblige the person who proceeds the criminal case to immediately notify someone of suspect's close relatives or, if there are no close relatives, other relatives on place of suspect's detention or on change of such place.

An appeal on the ruling may be filed to the Supreme Court of the Republic of Crimea within three days of the ruling being issued.

Presiding judge: (Signed)

V.A. Mozhelyansky

Annex 368

Kievskiy District Court of Simferopol, Case No. 3/1-275/2017, Ruling,
12 October 2017

Translation

Case No. 3/1-275/2017

RULING

12 October 2017

Simferopol

Kievskiy District Court of Simferopol composed of:

presiding judge –D.A. Didenko

in the presence of the secretary –V.V. Eryomkina

with the participation of prosecutor – A.R. Pakula, the suspect – T.I. Ibragimov and his defence counsel – attorney D.M. Temishev who presented a Warrant of Attorney No. 51 of 11 October 2017, interpreter G.Sh. Chantalova, having considered in an open court hearing the motion of the senior criminal investigator of the Investigative Department of Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Captain of Justice, [Name:], on selecting the measure of restriction in the form of taking in custody against Timur Izetovich Ibragimov, born on 26 January 1985, native of City of Yangiyul, Tashkent region, Uzbek Soviet Socialist Republic, registered at address: Republic of Crimea, Bakhchisarai district, Mostovoe village, 35 Pashkevicha Str., and actually residing at address: Republic of Crimea, Bakhchisarai, 16 Mira Str., 25, a person suspected in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation,

FOUND:

In the proceedings of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, there is a criminal case No. 11707350001427055 initiated on 9 October 2017 against E.S. Ametov, T.I. Ibragimov, S.A. Saliev, M.R. Belyalov and S.Z. Zekiryayev, for a crime under Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, and M.R. Asanov, for a crime under Part 1 of Article 205.5 of the Criminal Code of the Russian Federation.

According to the resolution on initiation of criminal case, T.I. Ibragimov, from an unspecified time, but no later than 18 November 2016, and through the present, participates in activities of a cell of the terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami) acting on the territory of Bakhchisaray of the Republic of Crimea under the leadership of M.R. Asanov. Being the member of the specified local cell of the international terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami), T.I. Ibragimov, from an unspecified time, but no later than 18 November 2016, and through the present, on the specified territory, intentionally participate in conspiratorial meetings of members of the specified cell during which he studies the ideology of this terrorist organization, develops and corrects further plans, goals and objectives of the cell's activities in the region, and also carries out secret anti-Russian, anti-constitutional activities in the form of propaganda work among the population, persuading local residents to participate in the activities of this terrorist organization.

On 11 October 2017, T.I. Ibragimov was detained as provided for in Articles 91, 92 of the Criminal Procedural Code of Russian Federation on suspicion of having committed a specified crime.

On 12 October 2017, senior criminal investigator of the Investigative Department of Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, [Name:] appealed to the court with a motion for selecting a measure of restriction in the form of taking in custody against the suspect for the period of 2 months until 9 December 2017, reasoning that T.I. Ibragimov is suspect in committing an especially grave crime, in regard of which, the investigative body has sufficient reason to believe that, being at liberty, T.I. Ibragimov will be able to abscond from the preliminary investigation or from the court, continue to participate in criminal activities, threaten participants of the criminal proceedings, destroy the evidence or interfere the criminal proceedings in some other manner.

At the hearing, prosecutor and investigator partially supported the reasons stated in the resolution and asked to select restriction measure within the terms up to 9 December 2017.

At the hearing, the suspect T.I. Ibragimov asked to apply restriction measure not related to deprivation of freedom reasoning that he is disabled pensioner, has four minor dependent children and is not involved into crimes.

At the hearing, suspect's defence counsel, D.M. Temishev., asked to dismiss the investigator's motion and to select restriction measure for the suspect in the form of house arrest reasoning that grounds of the prosecution are based on suggestions and not confirmed by evidence. According to defence counsel's

opinion, there are no reasons to select such a severe restriction measure, evidence of misbehaviour risk of T.I. Ibragimov was not supplied to the court. D.M. Temishev also asked to consider the suspect's personality and absence of evidence that T.I. Ibragimov was involved in the crime.

Having examined the materials provided, having listened to the participants of the hearing, the court found that the motion for measure of restriction in the form of taking in custody against T.I. Ibragimov shall be satisfied on the following grounds.

According to Part 1 of Article 108 of the Criminal Procedural Code of Russian Federation, taking in custody as a form of restriction measure shall be applied through a court decision towards the suspect or the accused of committing crimes for which the criminal law provides for the punishment in the form of the deprivation of freedom for a term of over three years, if it is impossible to apply a different, milder measure of restriction.

Court, in deciding the question of selecting the most severe measure of restriction, considers information on suspect's personality, his health condition and family membership, nevertheless, the court considers that T.I. Ibragimov is suspected in committing an especially grave crime against the national security, participation in the activities of the organization which, in accordance with the legislation of the Russian Federation, was designated as terrorist, for which, a punishment in the form of imprisonment for a period up to twenty years is provided. On this, initial, stage of the investigation, before all the circumstances are found, according to the opinion of the court, selecting the milder measure of restriction will not ensure its aims and objectives.

Nature of the crime T.I. Ibragimov is charged with, that is, participation in the activities of the terrorist organization, gives reason to believe that even under house arrest he will be able to interfere with the investigation and continue to participate in criminal activities.

Arguments of defence counsel that grounds of the prosecution are based on suggestions cannot be considered, because this stage of the criminal proceedings does not prove guilt of the suspect and validity of suspicions is confirmed by the materials provided.

Considering the foregoing, the defence counsel's motion on selecting the milder measure of restriction shall not be satisfied.

No medical report that T.I. Ibragimov has any diseases that prevent him from being kept in the conditions of a pre-trial detention center was provided to the court.

The procedure for detention of T.I. Ibragimov, provided for in Article 92 of the Criminal Procedural Code of Russian Federation, was observed.

Considering the foregoing, in accordance with Article 108 of the Criminal Procedural Code of Russian Federation, the court

RULED:

To satisfy the investigator's motion on selecting the measure of restriction in the form of taking in custody against Ibragimov Timur Izetovich.

To select taking in custody as a form of restriction measure against Timur Izetovich Ibragimov, born on 26 January 1985, who is suspect in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, for a period of 1 month and 28 days, that is, until 9 December 2017.

To oblige the person who proceeds the criminal case to immediately notify someone of suspect's close relatives or, if there are no close relatives, other relatives on place of suspect's detention or on change of such place.

To dismiss a motion of the defence party on selection of another restriction measure.

An appeal on the ruling may be filed to the Supreme Court of the Republic of Crimea within three days of the ruling being issued.

Presiding judge:

(signature)

D.A. Didenko

Annex 369

Kievskiy District Court of Simferopol, Case No. 3/1-272/2017, Ruling,
12 October 2017

Translation

Case No. 3/1-272/2017

RULING

12 October 2017

Simferopol

Kievskiy District Court of Simferopol composed of:
presiding judge – D.A. Didenko,
in the presence of the secretary – V.V. Eryomkina,
with the participation of prosecutor – A.R. Pakula, the suspect – S.A. Saliev and his defence counsel – attorney M.S. Mambetov who presented a Warrant of Attorney No. 14-28/18 of 12 October 2017, having considered in an open court hearing the motion of the senior criminal investigator of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, Captain of Justice, [Name: ...], on selecting the measure of restriction in the form of taking in custody against Seyran Alimovich Saliev, born on 4 November 1985, native of City of Abinsk, Abinsk district, Krasnodar Krai, registered at address: Republic of Crimea, Bakhchisaray, 20 Mira Str., 60, a person suspected in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation,

FOUND:

In the proceedings of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, there is a criminal case No. 11707350001427055 initiated on 9 October 2017 against E.S. Ametov, T.I. Ibragimov, S.A. Saliev, M.R. Belyalov and S.Z. Zekiryayev, for a crime under Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, and M.R. Asanov, for a crime under Part 1 of Article 205.5 of the Criminal Code of the Russian Federation.

According to the resolution on initiation of the criminal case, S.A. Saliev, from an unspecified time, but no later than 18 November 2016, and through the present, participates in activities of a cell of the terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami) acting on the territory of Bakhchisaray of the Republic of Crimea under the leadership of M.R. Asanov. Being the member of the specified local cell of the international terrorist organization, “Party of Islamic Liberation” (Hizb ut-Tahrir al-Islami), S.A. Saliev, from an unspecified time, but no later than 18 November 2016, and through the present, on the specified territory, intentionally participate in conspiratorial meetings of members of the specified cell during which he studies the ideology of this terrorist organization, develops and corrects further plans, goals and objectives of the cell’s activities in the region, and also carries out secret anti-Russian, anti-constitutional activities in the form of propaganda work among the population, persuading local residents to participate in the activities of this terrorist organization.

On 11 October 2017, S.A. Saliev was detained as provided for in Articles 91, 92 of the Criminal Procedural Code of the Russian Federation on suspicion of having committed a specified crime.

On 12 October 2017, senior criminal investigator of the Investigative Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and city of Sevastopol, [Name: ...] appealed to the court with a motion for selecting a measure of restriction in the form of taking in custody against the suspect for the period of 2 months until 9 December 2017, reasoning that S.A. Saliev is suspect in committing an especially grave crime, in regard of which, the investigative body has sufficient reason to believe that, being at liberty, S.A. Saliev will be able to abscond from the preliminary investigation or from the court, continue to participate in criminal activities, threaten participants of the criminal proceedings, destroy the evidence or interfere the criminal proceedings in some other manner.

At the hearing, prosecutor and investigator partially supported the reasons stated in the decree and asked to select restriction measure within the terms of preliminary investigation up to 9 December 2017.

At the hearing, the suspect S.A. Saliev asked to dismiss the investigator’s motion reasoning that all the charges against him (S.A. Saliev) are false.

At the hearing, suspect’s defence counsel, M.S. Mambetov, asked to select milder restriction measure for the suspect reasoning that the suspect is characterized as well-behaved person, has four minor dependent children and has no intention to abscond from the investigation. Moreover, according to defence counsel’s opinion, prosecution of S.A. Saliev is related to his civic position and political views, and there is no evidence of his participation in terroristic organization.

Having examined the materials provided, having listened to the participants of the hearing, the court found that the motion for measure of restriction in the form of taking in custody against S.A. Saliev shall be satisfied given the following.

According to Part 1 of Article 108 of the Criminal Procedural Code of the Russian Federation, taking in custody as a form of restriction measure shall be applied through a court decision towards the suspect or the accused of committing crimes for which the criminal law provides for the punishment in the form of the deprivation of freedom for a term of over three years, if it is impossible to apply a different, milder measure of restriction.

Court, in deciding the question of selecting the most severe measure of restriction, considers information on suspect's personality, his health condition and family membership, nevertheless, the court considers that S.A. Saliev is suspected in committing an especially grave crime against the national security, participation in the activities of the organization which, in accordance with the legislation of the Russian Federation, was designated as terrorist, for which, a punishment in the form of imprisonment for a period up to twenty years is provided. On this, initial, stage of the investigation, before all the circumstances are found, according to the opinion of the court, selecting the milder measure of restriction will not ensure its aims and objectives.

Nature if the crime S.A. Saliev is charged with, that is, participation in the activities of the terrorist organization, gives reason to believe that even under house arrest he will be able to interfere the investigation and continue to participate in criminal activities.

Arguments of defence counsel that there is no evidence of participation of S.A. Saliev in activities of the terroristic organization cannot be considered, because this stage of the criminal proceedings does not prove guilt of the suspect and validity of suspicions is confirmed by the materials provided.

Considering the foregoing, the defence counsel's motion on selecting the milder measure of restriction shall not be satisfied.

No medical report that S.A. Saliev has any diseases that prevent him from being kept in the conditions of a pre-trial detention center was provided to the court.

The procedure for detention of S.A. Saliev, provided for in Article 92 of the Criminal Procedural Code of the Russian Federation, was observed.

Considering the foregoing, in accordance with Article 108 of the Criminal Procedural Code of the Russian Federation, the court

RULED:

To satisfy the investigator's motion on selecting the measure of restriction in the form of taking in custody against Seyran Alimovich Saliev.

To select taking in custody as a form of restriction measure against Seyran Alimovich Saliev, born on 3 November 1985, who is suspect in committing a crime provided for in Part 2 of Article 205.5 of the Criminal Code of the Russian Federation, for a period of 1 month and 28 days, that is, until 9 December 2017.

To oblige the person who proceeds the criminal case to immediately notify someone of suspect's close relatives or, if there are no close relatives, other relatives on place of suspect's detention or on change of such place.

To dismiss a motion of the defence counsel on selection of another restriction measure.

An appeal on the ruling may be filed to the Supreme Court of the Republic of Crimea within three days of the ruling being issued.

Presiding judge:

(Signed)

D.A. Didenko

Annex 370

Bakhchisaray District Court of the Republic of Crimea, Case No. 5-357/2017, Decision, 12 October 2017

Translation

/STAMP: COPY/

Case No. 5-357/2017

DECISION

Bakhchisaray

12 October 2017

Judge of the Bakhchisaray District Court of the Republic of Crimea, V.I. Koshelev,

with the participation of E.I. Ibragimov, the person against whom the administrative offence case was initiated, L.I. Gemedzhy, the representative, with O.G. Kosilova, the secretary of the court hearing, having considered the materials of the administrative offence case provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation (hereinafter the Code on Administrative Offences of the Russian Federation) in relation to Ernest Ilyasovich Ibragimov, date of birth 25 January 1981 the native of Samarkand, Samarkand region, Uzbek Soviet Socialist Republic, citizen of the Russian Federation, having secondary education, according to his words, employed as a farmer - individual entrepreneur, registered and residing at: 54 Alminskaya St., Bakhchisaray, Republic of Crimea, according to his words, not brought to administrative and criminal liability,

FOUND:

on 11 October 2017, from 7:00 a.m. to 8:00 a.m., being near the residential building at 18 Chepurina St., Bakhchisaray, E.I. Ibragimov took part in mass gathering in the public place of a group of more than 20 citizens who were there in order to interfere with the operative and investigation actions taken by law enforcement officials, that entailed mass gathering of citizens and a crowd disrupting the public order, whereby he committed the administrative offence provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation.

At the court hearing, E.I. Ibragimov did not admit his guilt and explained that he arrived at Chepurina St., Bakhchisaray, at the specified place, as he became aware from social networks that Asanov, who was his relative, was detained. E.I. Ibragimov wished to find out the reasons for his detention and was there for that purpose. He began to ask law enforcement officials of the occurring events, but did not disrupt the public order, thereafter he was detained by law enforcement officials.

L.I. Gemedzhy, the representative of E.I. Ibragimov, requested to terminate the proceedings on the case against E.I. Ibragimov and release him from administrative liability as there was no set of all elements of the administrative offence in his actions.

Having examined the materials of the administrative offence case, the judge believes that the violations of the requirements of Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation appear from the actions of E.I. Ibragimov, i.e. his taking part in the mass gathering of the group of citizens in the public place who were there in order to interfere with the operative and investigation actions taken by law enforcement officials, that entailed mass gathering of the citizens and the crowd that disrupted the public order.

Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation provides for administrative liability for arranging for mass simultaneous gathering that is not a public event and/or movement of citizens in public places, public calls for or participation in mass simultaneous gathering and/or movement of citizens in public places, if mass gathering and/or movement of citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article, and entails the imposition of an administrative fine on citizens in the amount of ten thousand

to twenty thousand rubles, or compulsory community service for up to one hundred hours, or an administrative arrest for a period of up to fifteen days.

As it follows from the case materials, E.I. Ibragimov was in the street in the residential community of Bakhchisaray, near the residential buildings in the crowd of citizens, that entailed mass gathering of citizens at the location of the latter, where law enforcement officials took the operative and investigation actions, that testified to the onset of public menace consequences, i.e., the crowd which aim was to interfere with the operative and investigation actions taken by law enforcement officials and the disruption of the public order.

The objective element of the set of all elements of the administrative offence provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation is the arranging for mass simultaneous gathering that is not a public event and/or movement of citizens in public places, public calls for or participation in mass simultaneous gathering and/or movement of citizens in public places, if mass gathering and/or movement of citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article.

The disposition of Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation provides for administrative liability for the participation in mass events that do not fall within the legal category of public events in the event that any public menace consequences occur. Thus, the specified rule does not recognize a public nature of mass gathering, movement of citizens, as such event is a mass one and implies that the public at large may take part therein.

At that, the concept of “mass simultaneous gathering in public places” does not include any events held in public places, but does include those mass events only that pursue a predetermined objective, are characterized by the common intent of their participants and by free access of citizens to the participation therein, but are not public events within the meaning of Federal Law of 19 June 2004 No. 54-FZ “On Assemblies, Rallies, Demonstrations, Marches and Picketing” (Paras 1—6 of Article 2) that is specified by the Constitutional Court of the Russian Federation in its ruling of 24 October 2013 No. 1721-0.

Based on the meaning of the above provisions, the street located between the residential buildings at Chepurina St., Bakhchisaray, including the pedestrian area located there, is a public place intended for a mass number of people staying thereat and for meeting their various vital needs, that is free for access to the public at large.

The fact that E.I. Ibragimov committed the administrative offence provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation, as he took part in the mass gathering of a group of citizens in the public place who were there in order to interfere with the operative and investigation actions taken by law enforcement officials, that entailed mass gathering of citizens and the crowd that disrupted the public order, is confirmed by the written materials of the administrative offence case, the testimony of S.S. Sova and L. Alieva, the witnesses who were interrogated at the court hearing, that are admissible, have been assessed by the court in the aggregate and accepted as evidence of his guilt, i.e.: administrative offence records No. 00288659 of 11 October 2017 in respect of E.I. Ibragimov that set out the merits of the offence (case sheet 2); the records of the detention of the person who committed the administrative offence (case sheet 3); law enforcement officials reports which set out that on 11 October 2017 at Chepurina St., Bakhchisaray, near the house No. 1-a more than 30 citizens gathered who did not react to the requests of law enforcement officials to disperse and not to interfere with the operative and search measures and demanded an explanation of the actions of law enforcement officials. As a result, the public order was disrupted at Chepurina St., Bakhchisaray, near the house No. 1-a (case sheets 7—8); by the video footage available in the case materials from which it appears that on 11 October 2017, E.I. Ibragimov was in the group of citizens staying at Chepurina St., Bakhchisaray at the time when law enforcement officials ensured the operative and

investigation actions in one of the residential buildings located at Chepurina St., Bakhchisaray. The citizens in that group, including E.I. Ibragimov, made claims against law enforcement officials and demanded to explain their actions, at that the crowd shouted and insulted law enforcement officials. After law enforcement officials demanded not to disrupt the public order, those citizens, including E.I. Ibragimov, continued to stay there and to demand from law enforcement officials to explain the actions they took (case sheet 13); by the testimony of S.S. Sova, the witness, who confirmed that she resided at [address] and, having answered a call from her neighbour in the morning of 11 October 2017, saw law enforcement officials who were at: Chepurina St., there was a group of civilians in the street as well. She did not go out into the street as she was busy with the housekeeping, later she heard that a man shouted one or two words, she looked out and saw how law enforcement officials detained someone; of L. Alieva, the witness who explained that in the morning of 11 October 2017 she went out into the yard of her house that was located at the corner of [address] and saw the cordon by law enforcement officials and civilians, men and a woman, who stood along the perimeter of the street and talked, but she did not observe them on a continuous basis, as she entered the house. She heard some noise in the street and saw thereafter how law enforcement officials detained young guys, one of whom was detained near her gate.

All submitted evidence is admissible and reliable, as the circumstances set out therein are consistent with each other and with the events of the administrative offence set out in the administrative offence records.

The body of the examined evidence fully and objectively describes the event of the administrative offence and confirms the guilt of E.I. Ibragimov in committing the administrative offence provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation.

Given those circumstances, the actions of E.I. Ibragimov were correctly qualified under Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation, as E.I. Ibragimov acted deliberately and knowingly; having received the information from the social networks, he arrived at the residential community at Chepurina St., Bakhchisaray. According to him, he arrived thereat in order to establish the reasons for the detention of Asanov and to receive explanations of law enforcement officials of their actions, at that he stayed in the residential community at Bakhchisaray, near the residential buildings in the crowd of citizens, that entailed mass gathering of citizens at the location of the latter where law enforcement officials took the operative and investigation actions, whereby he interfered with the free traffic of pedestrians and their passage to the social infrastructure facilities and the residential buildings, created obstacles to the operative and investigation actions taken by law enforcement officials, that resulted in the disruption of the public order in that street, i.e., the onset of public menace consequences.

On this basis, the arguments of E.I. Ibragimov and his representative that there is no set of all elements of the administrative offence provided for by Part 1 of Article 20.22 in the actions of E.I. Ibragimov are unfounded and may not be taken into account by the court.

Taking into account the nature of the administrative offence committed by E.I. Ibragimov and his role therein, the identity of the offender, the fact that there are no circumstances aggravating the administrative liability, circumstances mitigating the liability, four young children depending on him, the property status of the offender, I believe it possible to impose a punishment to the extent of the sanction provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the Russian Federation in the form of an administrative fine.

Being guided by Article 20.22, Part 1, Articles 29.9, 29.10, 29.11 of the Code on Administrative Offences of the Russian Federation, the court

DECIDED:

to recognize Ernest Ilyasovich Ibragimov, date of birth 25 January 1981, as guilty of committing the administrative offence provided for by Part 1 of Article 20.22 of the Code on Administrative Offences of the

Russian Federation and to impose on him the administrative punishment in the form of administrative fine in the amount of 15,000 (fifteen thousand) rubles.

The fine is to be paid to the following details: Ministry of Internal Affairs Department of Russia for Bakhchisaray district; Beneficiary: Federal Treasury Directorate for the Republic of Crimea (Department of the Ministry of Internal Affairs for Bakhchisaray district): Beneficiary bank: the Republic of Crimea Department of the Central Bank of the Russian Federation, customer account No. 04751A92380, settlement account No. 40101810335100010001, BCC (Budgetary Classification Code) No. 188 1 16 90050 05 6000 140, BIC (Bank Identification Code) No. 043510001, INN (Taxpayer Identification Number) No. 9104000072, KPP (Tax Registration Reason Code) No. 910401001, OKTMO (Russian Classifier of Municipal Unit Territories) No. 35604000,

The receipt of fine payment must be handed over to the registry of the Bakhchisaray District Court of the Republic of Crimea within 60 days from the date this decision enters into force.

If the document confirming the payment of the administrative fine is not available after the expiry of the period specified in Part 1 of Article 32.2 of the Code on Administrative Offences of the Russian Federation, the judge, the body, the official who issued the decision will send the respective materials to the court bailiff in order to collect the amount of the administrative fine in the manner prescribed by federal law.

Furthermore, an official of the federal executive body, a structural unit or a territorial body, as well as any other public authority authorized to administer the proceedings in administrative offences cases will draw up records of the administrative offence provided for by Part 1 of Article 20.25 of the Code on Administrative Offences of the Russian Federation in relation to a person who failed to pay the administrative fine.

A copy of the decision is to be sent to the official who drew up the administrative offence records for information, in accordance with para 2 of Part 2 of Article 29.11 of the Code on Administrative Offences of the Russian Federation,

The decision may be appealed within ten days from the date of delivery or the receipt of a copy of the decision to the Supreme Court of the Republic of Crimea through the Bakhchisaray District Court of the Republic of Crimea.

Judge: */signed/*

V.I. Koshelev

*/Stamp: Bakhchisaray District Court
of the Republic of Crimea*

*/Stamp: TRUE COPY
Judge V.I. Koshelev*

*Original decision is stored in admin
case No. 5-357/17*

*Decision entered into force on 7
November 2017*

*The copy is issued on 30 July 2018
Judge /Signature/*

*True: judge /Signature/
Secretary /signature//*

Secretary /Signature//

*/Seal: BAKHCHISARAY DISTRICT
COURT OF THE REPUBLIC OF
CRIMEA /*

*/Seal: BAKHCHISARAY DISTRICT
COURT OF THE REPUBLIC OF
CRIMEA/*

Annex 371

534th Military Investigative Department of the Investigative
Committee of the Russian Federation, Resolution on the refusal to
initiate a criminal case, 27 October 2017

Translation**RESOLUTION
on the refusal to initiate a criminal case**Simferopol
(place)27 October 20178:50 p.m.

Lieutenant Colonel of Justice I.Yu. Moseychuk, a senior investigator of the 534th Military Investigative Department of the Investigative Committee of Russia, having examined crime report verification materials concerning a crime upon R.R. Paralamov's application regarding actions of unidentified officers of the Directorate of the Federal Security Service for the Republic of Crimea and the city of Sevastopol, registered with the Crime Records Registration Book on 28 September 2017 under No. 277 on elements of a crime under Part 1 of Article 286 of the Criminal Code of the Russian Federation, and the materials of the verification,

ESTABLISHED:

As it follows from the crime report – R.R. Paralamov's application regarding actions of unidentified officers of the Directorate of the Federal Security Service for the Republic of Crimea and the city of Sevastopol, registered with the Crime Report Log Book on 28 September 2017 under No. 277 into elements of a crime under Part 1 of Article 286 of the Criminal Code of the Russian Federation – on 13 September 2017, in the urban settlement of Nizhnegorsky of the Republic of Crimea at the place of R.R. Paralamov's residence, unidentified persons, who introduced themselves as officers of the Federal Security Service, presented their documents and a warrant for a search in his house property, after which they put him in a car and drove him in an unknown direction after handcuffing him and placing a bag over his head. After that, in an unknown place, they duct taped him to a chair and started hitting him on the head and chest, using electric shocks as a method of torture, threatening him with sexual violence, and forcing him to sign some record. After he agreed to do that and signed the record without reading it, a video was made featuring him admitting his involvement in the terrorist organisation Hizb ut-Tahrir al-Islami and illegally keeping TNT. As he was tortured, he dislocated his jaw and was not able to close his mouth on his own. At first, some man in camouflage pants was invited to provide medical assistance to him but he was not able to help him. Afterwards, a female medical worker in a white coat came, set his jaw, and gave him an anaesthetic injection. He was therefore illegally detained in an unknown place between 13 and 14 September 2017.

Besides, on 17 October 2017, the 534th Military Investigative Department received complaints from the attorneys E.M. Kurbedinov and E.S. Semedlyaev concerning what they deemed to be unlawful actions of the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol associated with the illegal deprivation of freedom of R.R. Paralamov whom they represent and, on 24 October 2017, the above Department received applications from R.R. Paralamov's relatives – A.E. Kurtmalaeva, A.R. Islyamov, L.F. Meshchryakova, T.R. Adilshaeva, A.A. Kadyrov, P.F. Paralamova, D.A. Bodurov, R.R. Paralamov concerning R.R. Paralamov's abduction on 13 September 2017 by unidentified persons wearing chevrons of officers of the Federal Security Service of Russia, with the same materials enclosed to the verification materials.

During the inquiry, R.R. Paralamov's arguments that he had been abducted by officers of the Federal Security Service of Russia and subjected to violence and other unlawful actions were examined, were not objectively proved to have a basis in fact, and were refuted by explanations given by the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city Sevastopol [Name 1: ...], [Name 2: ...], [Name 3: ...], [Name 4: ...], as well as E.I. Alekseev and N.A. Plotnikov who took part in operative search activities involving R.R. Paralamov, and materials of the operative search activities.

The verification revealed that, on 13 September 2017, Captain [Name 1: ...], an operative of the Directorate of the Federal Security Service for the Republic of Crimea and the city of Sevastopol, acting under Resolution of 12 September 2017 No. 444/2017 of the Kievskiy District Court of Simferopol, conducted an operative search measure at the place of R.R. Paralamov's residence, namely "an inspection of premises, buildings, structures, terrain, and transport vehicles", during which he found and seized a brochure titled "Fortress of the Muslim" and a laptop with text files containing materials of the international terrorist organisation "Hizb ut-Tahrir al-Islami". R.R. Paralamov was not subjected to any psychological and physical coercion during the operative and search activity. Once the operative search measure was over, R.R. Paralamov was invited to the Directorate of the Federal Security Service for the Republic of Crimea and the city of Sevastopol for an operative search measure – "a questioning".

On 13 September 2017, in the course of the questioning, R.R. Paralamov testified that when he was at university in the Republic of Kazakhstan, he began studying the ideology of the international terrorist organisation Hizb ut-Tahrir al-Islami, and spoke about his future activity in the interests of the terrorist organisation after which R.R. Paralamov was released at around 5 p.m. on 13 September 2017. Besides, he was preliminarily invited to a further questioning scheduled at 9 a.m. on 14 September 2017, with relevant entries made in the record of questioning.

At 9 a.m. on 14 September 2017, R.R. Paralamov came to the Directorate of the Federal Security Service for the Republic of Crimea and the city of Sevastopol, and his questioning continued. During his questioning, R.R. Paralamov said that he had created an arms cache in the area of the Simferopol Reservoir in early August 2017 wherein he had hidden a TNT demolition slab, two electronic detonators, and some 15 bullets.

At 10:30 a.m. on 14 September 2017, "an inspection of premises, buildings, structures, terrain, and transport vehicles" was conducted near a wood line of the Simferopol Reservoir involving R.R. Paralamov, during which he showed the place where he had created the arms cache and where he had hidden the above items. The following items were found in the arms cache and seized: a TNT demolition slab, 15 5.45-mm bullets, and two electronic detonators.

At around 12:30 p.m. on the same day, once the operative search measure was over, R.R. Paralamov was taken to the Vostochny bus station of Simferopol from which he was to go home.

The operative search findings relating to R.R. Paramonov were subsequently sent to the Department of Inquiry of the Directorate of the Ministry of Internal Affairs of Russia for the Republic of Crimea, where, on 28 September 2017, a criminal case was opened against R.R. Paralamov into elements of a crime under Part 1 of Article 222, Part 1 of Article 222.1 of the Criminal Code of the Russian Federation.

As explained by Captain [Name 1: ...], an operative of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol, on 13 September 2017, acting under Ruling of 12 September 2017 No. 444/2017 of the Kievskiy District Court of Simferopol, he conducted "an inspection of premises, buildings, structures, terrain, and transport vehicles" at the place of R.R. Paralamov's residence in the presence of witnesses, during which he found and seized a brochure titled "Fortress of the Muslim" and a laptop with text files containing materials of the international terrorist organisation "Hizb ut-Tahrir al-Islami". R.R. Paralamov was not subjected to any psychological and physical coercion during the operative search activity. Once the operative search measure was over, R.R. Paralamov was invited to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol for an operative search measure – "a questioning".

On 13 September 2017, in the course of the questioning, R.R. Paralamov testified that when he was at university in the Republic of Kazakhstan, he began studying the ideology of the international terrorist organisation Hizb ut-Tahrir al-Islami, and told about his future activity in the interests of the terrorist organisation after which R.R. Paralamov was released at around 5 p.m. on 13 September 2017. Besides, he was preliminarily invited to a further questioning scheduled at 9 a.m. on 14 September 2017, with relevant entries made in the record of questioning. During the questioning, [Name 2: ...] and [Name 3: ...], officers of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, repeatedly visited the room on their work issues.

At 9:00 a.m. on 14 September 2017, R.R. Paralamov came to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol, and his questioning continued. In the course of the questioning, R.R. Paralamov said that he had created an arms cache in the area of the Simferopol Reservoir in early August 2017 wherein he had hidden a TNT demolition slab, two electronic detonators, and some 15 bullets. Moreover, in the course of the questioning, R.R. Paralamov explained that once his questioning of 13 September 2017 was over, he did not go home but spent a night in the Gagarinsky Park in Simferopol. R.R. Paralamov personally wrote in the records of questioning of 13 September 2017 and 14 September 2017 that he was not subjected to any psychological and physical coercion and that he had no complaints against the officers of the Federal Security Service of Russia.

At around 10:30 a.m. on 14 September 2017, “an inspection of premises, buildings, structures, terrain, and transport vehicles” was conducted near a wood line of the Simferopol Reservoir involving R.R. Paralamov and two witnesses, during which he showed the place where he had created the arms cache and where he had hidden the above items. The following items were found in the arms cache and seized: a TNT demolition slab, 15 5.45-mm bullets, and two electronic detonators.

At around 12:30 p.m. on the same day, once the operative search measure was over, R.R. Paralamov was taken to the Vostochny bus station of Simferopol from which he was to go home.

In the course of the questioning, R.R. Paralamov was not subjected to any physical violence, no one duct taped him to a chair or hit him on the head and chest, used electric shocks as a method of torture, threatened him with sexual violence, or forced him to sign the record. He believes that R.R. Paralamov falsely accuses the officers of the Directorate of the Federal Security Service of Russia in order to escape criminal liability.

[Name 3: ...], a senior operative of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol, gave similar testimony in terms of its content and essence, explaining that his workplace is in the same room with [Name 1: ...] and that, on 13 September 2017, he saw [Name 1: ...] questioning R.R. Paralamov whom he had not previously known. He was not personally involved in the questioning since he was busy with his own tasks. At around 5 p.m. on 13 September 2017, R.R. Paralamov was released. A day later, at around 9 a.m., R.R. Paralamov came to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol, and his questioning continued. In the course of the questioning, R.R. Paralamov was not subjected to any physical violence, no one taped him to a chair or hit him on the head and chest, used electric shocks as a method of torture, threatened him with sexual violence, or forced him to sign the record.

Lieutenant Colonel [Name 2: ...], Head of Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol, fully corroborated the testimony of [Name 1: ...] and testified that [Name 1: ...], acting under Ruling of 12 September 2017 No. 444/2017 of the Kievskiy District Court of Simferopol, was instructed to conduct “an inspection of premises, buildings, structures, terrain, and transport vehicles” at the place of R.R. Paralamov’s residence on 13 September 2017, after which R.R. Paralamov was invited to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol for “a questioning”. On the same day, R.R. Paralamov testified during the questioning that when he was at university in the Republic of Kazakhstan, he began studying the ideology of the international terrorist organisation “Hizb ut-Tahrir al-Islami”, and spoke about his future activity in the interests of the terrorist organisation after which R.R. Paralamov was released at around 5 p.m. on 13 September 2017. In the course of the questioning, he repeatedly visited the room, where R.R. Paralamov was being interrogated, to resolve his own outstanding work issues.

At 9 a.m. on 14 September 2017, R.R. Paralamov came to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol, and his questioning continued. According to [Name 1: ...]’s report, R.R. Paralamov said during the questioning that he had created an arms cache in the area of the Simferopol Reservoir in early August 2017 wherein he had hidden explosives and ammunition.

Thus, at around 10:30 a.m. on 14 September 2017, “an inspection of premises, buildings, structures, terrain, and transport vehicles” was conducted by [Name 1: ...] near a wood line of the Simferopol Reservoir involving R.R. Paralamov and two witnesses, during which he showed the place where he had created the arms

cache and where he had hidden the abovementioned items. The following items were found in the arms cache and seized: a TNT demolition slab, 15 5.45-mm bullets, and two electronic detonators.

At around 12:30 p.m. on the same day, once the operative search measure was over, R.R. Paralamov was taken to the Vostochny bus station of Simferopol from which he was to go home.

In the course of the questioning, R.R. Paralamov was not subjected to any physical violence, no one taped him to a chair or hit him on the head and chest, used electric shocks as a method of torture, threatened him with sexual violence, or forced him to sign the record. He believes that R.R. Paralamov falsely accuses the officers of the Directorate of the Federal Security Service of Russia in order to escape criminal liability.

As [Name 4: ...] testified, he was the leader of an operational and tactical escort group and ensured security during the operative search measure conducted by the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol at the place of R.R. Paralamov's residence on 13 September 2017 in accordance with Ruling No. 444/2017 of 12 September 2017 of the Kievskiy District Court of Simferopol. No physical force or special equipment was used in the course of the questioning. R.R. Paralamov agreed to the invitation of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol and voluntarily followed them. No one handcuffed him or placed a bag over his head on their way there.

The witnesses K.P. Alekseev and N.A. Plotnikov, each separately, testified that they had been involved in "the inspection of premises, buildings, structures, terrain, and transport vehicles" together with R.R. Paralamov. Thus, on 13 September 2017, they were present at the place of R.R. Paralamov's residence in the urban settlement of Nizhnegorsky during the above operative search activity, and on 14 September 2017 – in the wood line of the Simferopol Reservoir when R.R. Paralamov showed the place where he had created the arms cache and where he had hidden the above items. The following items were found in the arms cache and seized: a TNT demolition slab, 15 5.45-mm bullets, and two electronic detonators. In the course of the above operative search measure, R.R. Paralamov was not subjected to any physical or psychological violence.

According to the record of questioning of R.R. Paralamov of 13 September 2017, the questioning lasted from 12:05 p.m. to 3:25 p.m. In the course of that questioning, R.R. Paralamov testified that when he was at university in the Republic of Kazakhstan, he began studying the ideology of the international terrorist organisation "Hizb ut-Tahrir al-Islami", and spoke about his future activity in the interests of this terrorist organisation. There are signatures of R.R. Paralamov at the close of the record of questioning and a sentence in his handwriting to the effect that he personally read it aloud, that the above was an accurate record of his statement, and that he had no remarks or additions, and a sentence "I was not subjected to any psychological or physical coercion. I have no complaints against the officials". Besides, there is an entry that R.R. Paralamov was invited for a further questioning at 9:00 a.m. on 14 September 2017, which he signed and dated – "3:25 p.m., 13 September 2017".

According to the record of questioning of R.R. Paralamov of 14 September 2017, the questioning lasted from 9:00 a.m. to 10:30 a.m. In the course of that questioning, R.R. Paralamov testified that he had created an arms cache in the area of the Simferopol Reservoir in early August 2017 wherein he had hidden explosives and ammunition for potential self-defence purposes and indicated that, once the questioning of 13 September 2017 was over, he did not go home but spent a night in the Gagarinsky Park in Simferopol because he felt guilty towards his relatives. There are signatures of R.R. Paralamov at the close of the record of questioning and a sentence in his handwriting to the effect that he personally read it aloud, that the above was an accurate record of his statement, and that he had no remarks or additions, and a sentence "I was not subjected to any psychological or physical coercion. I have no complaints against the officials".

In view of the above, during the verification of the crime report no objective information was revealed to the effect that the officers of the Federal Security Service of Russia committed any unlawful actions as alleged by R.R. Paralamov.

On analysing the circumstances revealed in the course of the verification, it is necessary to conclude that R.R. Paralamov's arguments that he was illegally detained in the building of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol between 13 and 14 September

2017 where he was subjected to violence, do not objectively prove to have a basis in fact and most likely follow a pattern of defence that he chose to escape criminal liability.

Besides, as R.R. Paralamov was questioned in the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol and as “the inspection of premises, buildings, structures, terrain, and transport vehicles” was conducted, he had a real opportunity to report the unlawful actions of the officers of the Federal Security Service of Russia but he did not do that. It is only after R.R. Paralamov sought legal advice, he made the relevant allegations concerning the actions of the officers of the Federal Security Service of Russia.

In view of the above, it is necessary to refuse to initiate a criminal case upon R.R. Paralamov’s application concerning an abuse of power by the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol into elements of a crime under para. “a” of Part 3 of Article 286 of the Criminal Code of the Russian Federation in accordance with para. 1 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation for the absence of a crime event.

Further, R.R. Paralamov’s actions relating to the application concerning an abuse of power by the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol are not criminally punishable acts under Article 306 of the Criminal Code of the Russian Federation since that application was not intended to provide a knowingly false report of a crime but follows a pattern of defence that he chose, in view of which no criminal case may be instituted against R.R. Paralamov into a knowingly false report, i.e. elements of a crime under Part 1 of Article 306 of the Criminal Code of the Russian Federation, in accordance with para. 2 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation for the absence of a crime event,

Relying upon Part 1 of Article 24, Articles 144, 145, and 148 of the Criminal Procedural Code of the Russian Federation,

RESOLVED

1. to refuse to initiate a criminal case upon R.R. Paralamov’s application concerning an abuse of power by the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and the city of Sevastopol into elements of a crime under para. “a” of Part 3 of Article 286 of the Criminal Code of the Russian Federation in accordance with para. 1 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation for the absence of a crime event.

3. to refuse to initiate a criminal case against Rinat Rasimovich Paralamov into elements of a crime under Part 1 of Article 306 of the Criminal Code of the Russian Federation in accordance with para. 2 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation for the absence of a crime event.

4. a copy of this resolution is to be forwarded to the Military Prosecutor of the 309th Military Prosecutor’s Office of the Garrison and other parties concerned – R.R. Paralamov.

This resolution may be challenged before the Head of the 534th Military Investigative Department of the Investigative Committee of Russia or the Military Prosecutor of the 309th Military Prosecutor’s Office of the Garrison or the Crimean Garrison Military Court as provided for by Chapter 16 of the Criminal Procedural Code of the Russian Federation.

Senior investigator of the 534th Military Investigative
Department of the Investigative Committee of Russia
Lieutenant Colonel of Justice

/Signature/

I.Yu. Moseychuk

At 10:10 a.m. on 28 October 2017, a copy of this resolution was forwarded to the 309th Military Prosecutor’s Office of the Garrison and other parties concerned – R.R. Paralamov.

Senior investigator of the 534th Military Investigative
Department of the Investigative Committee of Russia
Lieutenant Colonel of Justice

/Signature/

I.Yu. Moseychuk

Annex 372

Supreme Court of the Republic of Crimea, Case No. 12-1243/2017,
Decision, 27 October 2017

Translation

/STAMP: COPY/

SUPREME COURT OF THE REPUBLIC OF CRIMEA

DECISION

of 27 October 2017 in case No. 12-1243/2017

Judge G.S. Atamanyuk

Judge of the Supreme Court of the Republic of Crimea V.V. Agin,

with the participation of E.R. Asanov, the person against whom the administrative offence proceedings are administered and

his defence counsel, L.I. Gemedzhy,

having examined at the open court hearing in the city of Simferopol on

27 October 2017

the complaint of the defence counsel Edem Serverovich Semedlyaev against the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in the administrative offence case under Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation (hereinafter the Code on Administrative Offences of the Russian Federation) in relation to Elnur Refatovich Asanov,

found:

that by the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, E.R. Asanov was found guilty of committing the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation and was imposed an administrative punishment in the form of a fine in the amount of Fifteen thousand rubles (RUB 15,000).

Disagreeing with the decision of the judge of the district court, E.S. Semedlyaev, the defence counsel, filed a complaint with the Supreme Court of the Republic of Crimea in which he requested to overturn the above-mentioned decision as unlawful and unsubstantiated, to terminate the proceedings in the case due to the fact that there was no set of all elements of the offence in E.R. Asanov's actions. In support, it was specified that the judge of the district court incorrectly assessed the established circumstances.

Having heard E.R. Asanov and L.I. Gemedzhy, his defence counsel, who supported the complaint, having reviewed the case materials in full, having examined the complaint arguments, I come to the following conclusion.

According to Part 1, Article 2.1 of the Code on Administrative Offences of the Russian Federation, the administrative offence is an unlawful, guilty act (inaction) of an individual or a legal entity, for which administrative liability is established by this Code or the administrative offence laws of the constituent entities of the Russian Federation.

As it appears from the case materials, on 11 October 2017 from 7:00 a.m. to 8:00 a.m., being at Chepurina St., Bakhchisaray, the Republic of Crimea, near the apartment building No.18, i.e. in the public place, E.R. Asanov took part in mass simultaneous gathering of a group of more than 20 citizens, that entailed a violation of the public order.

The disposition of Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation provides for administrative liability for arranging for mass simultaneous gathering that is not a public event and/or movement of citizens in public places, public calls for or participation in mass simultaneous gathering and/or movement of citizens in public places, if mass gathering and/or movement of

citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article.

In its Ruling “On Refusal to Accept for Consideration the Complaint of Citizen Alexey Vitalievich Sherstuk on Violation of his Constitutional Rights by the Provisions of Part 1, Article 3.5 and Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation” No. 1721-0 of 24 October 2013, the Constitutional Court of the Russian Federation explained that the concept of “mass simultaneous gathering or movement in public places” does not include any events held in public places, but does include those mass events only that pursue a predetermined objective, are characterized by the common intent of their participants and by free access of citizens to the participation therein, but are not public events within the meaning of Federal Law of 19 June 2004 No. 54-FZ “On Assemblies, Rallies, Demonstrations, Marches and Picketing” (Paras 1—6 of Article 2) definitions of: public event, assembly, rally, demonstration, march, picketing). At that, the incurrance of liability is coupled by this legal provision with the onset of the adverse effects specified therein.

Based on the meaning of the above provisions, Chepurina St., Bakhchisaray, the Republic of Crimea is a public place intended for a mass number of people staying thereat and for meeting their various vital needs, that is free for access to the public at large.

At that, as it appears from the administrative offence records, the reports of the law enforcement officials (case sheets 2, 10, 11), the video footage, as well as E.R. Asanov, the person in respect of whom the proceedings in the administrative offence case are administered, who did not challenge his staying in the above public place, the staying of a group of citizens in the sufficient number who arrived at the house of M.R. Asanov, in order to prevent the law enforcement officials from taking operating and investigation actions in relation to the latter, entailed mass stay of citizens in the public place with the common objective and the common intent, which testifies to the onset of public menace consequences, i.e. gathering of a crowd that disrupts the public order.

Giving his explanations at the court hearing of the court of the second instance, E.R. Asanov, the person in respect of whom the proceedings in the administrative offence case are administered, did not challenge that he was in the group of citizens on 11 October 2017 from 7:00 a.m. to 8:00 a.m. at the address above and that the purpose of his being in that group, like others, was to protect the interests of M.R. Asanov, who was his brother, when the law enforcement officials took actions against the latter.

Furthermore, the above circumstances are confirmed by the video footage available in the case materials.

Under those circumstances, the actions of E.R. Asanov were correctly qualified by the judge of the district court under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The complaint arguments that there was not a set of all elements of the offence in the actions of E.R. Asanov are unfounded and refuted by the body of the above evidence.

Based on the provisions of Article 26.11 of the Code on Administrative Offences of the Russian Federation, the judge administering the proceedings in the administrative offence case is entitled to assess the evidence according to his/her inner conviction based on a comprehensive, full and unbiased examination of all facts of the case in the aggregate.

Contrary to the complaint, the actual participation in a non-public event that disrupts the public order and interferes with the traffic of pedestrians, vehicles and entails mass gathering of citizens in the public place that is not a public event constitutes the event and the set of all elements of the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

In this regard, the complaint arguments are not based on the law.

Taking the foregoing into consideration, taking into account the established circumstances, I come to the conclusion that the court of the first instance came to the correct conclusion that E.R. Asanov was guilty of the offence alleged to him.

The administrative offence records in relation to E.R. Asanov was drawn up in compliance with the requirements of Article 28.2 of the Code on Administrative Offences of the Russian Federation, contains all information required to consider the case, including the full description of the event of the administrative offence alleged to him and provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, and therefore it meets the criteria of admissibility of evidence in the case as well.

The body of the evidence above fully and objectively describes the administrative offence event and the guilt of E.R. Asanov in committing the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The law does not define the minimum number of citizens for qualifying an event as a mass one and therefore such quantitative criterion is not compulsory, as open places may be visited by the public at large.

The evidence available in the case materials, in particular, the law enforcement officials reports, the video footage attached to the case materials, reliably confirm the simultaneous stay of at least 20 citizens in the public place, i.e. at Chepurina St., Bakhchisaray, the Republic of Crimea, next to the house No. 18, on 11 October 2017 from 7:00 a.m. to 8:00 a.m. that falls within the concept of mass gathering of citizens in the public place with the common objective and the common intent.

Other arguments of the complaint are based on other interpretation of the law, are aimed at re-assessing the evidence examined by the judge to the advantage of the applicant and are refuted by the body of the above evidence that testifies reliably to committing by E.R. Asanov of the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

In accordance with the general rules for imposing the administrative punishment, the administrative punishment for committing the administrative offence is imposed to the extent established by the law providing for liability for that administrative offence in accordance with the Code on Administrative Offences of the Russian Federation (Part 1, Article 4.1 of the Code on Administrative Offences of the Russian Federation). When imposing the administrative punishment on an individual, the nature of the administrative offence committed by him/her, the identity of the guilty person, his/her property status, any circumstances mitigating the administrative liability and any circumstances aggravating the administrative liability are taken into account (Part 2, Article 4.1 of the Code on Administrative Offences of the Russian Federation).

At that, the administrative punishment was imposed on the applicant to the extent established by the sanction of Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, but without regard to the provisions of Part 2, Article 4.1 of the Code on Administrative Offences of the Russian Federation.

The sanction of Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation provides for the administrative punishment in the form of imposing the administrative fine on citizens in the amount of ten thousand to twenty thousand rubles, or compulsory community service for up to one hundred hours, or an administrative arrest for a period of up to fifteen days; on officials, in the amount of fifty thousand to one hundred thousand rubles; on legal entities, in the amount of two hundred and fifty thousand to five hundred thousand rubles.

The judge did not establish any circumstances aggravating the administrative liability of E.R. Asanov. In such circumstances, there were no sufficient grounds for imposing the administrative punishment in the form of the administrative fine in the amount of RUB 15,000 rubles.

Thus, there are grounds for reducing the administrative fine to the minimum amount.

Based on the foregoing, being guided by Articles 30.2—30.7 of the Code on Administrative Offences of the Russian Federation, the judge

DECIDED:

to dismiss the complaint of the defence counsel Edem Serverovich Semedlyayev,

to change the decision of the judge of Bakchisaray District Court of the Republic of Crimea of 11 October 2017 in the case of the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation with respect to Elnur Refatovich Asanov by reducing the amount of the administrative fine to Ten thousand rubles (RUB 10,000), to uphold the remaining part of the decision.

Judge

signed

V.V. Agin

*/Stamp: Bakchisaray District Court of the
Republic of Crimea*

*Original decision is stored in admin case No. 5-
354/17*

The copy is issued on 30 July 2018

Judge /Signature/

Secretary /Signature//

*/Seal: BAKCHISARAY DISTRICT COURT OF THE
REPUBLIC OF CRIMEA/*

/Stamp: TRUE COPY

Judge G.S. Atamanyuk

*Decision entered into force on 27 October
2017*

True: judge /Signature/

Secretary /signature//

*/Seal: BAKCHISARAY DISTRICT COURT
OF THE REPUBLIC OF CRIMEA /*

Annex 373

Supreme Court of the Republic of Crimea, Case No. 12-1241/2017,
Decision, 27 October 2017

Translation

/STAMP: COPY/

SUPREME COURT OF THE REPUBLIC OF CRIMEA

DECISION

of 27 October 2017 in case No. 12-1241/2017

Judge T.S. Gotovkina

Judge of the Supreme Court of the Republic of Crimea V.V. Agin,

with the participation of the person in respect of whom the proceedings on the case on an administrative offence are underway, R.E. Nedzhiev, and

his defense counsel, L.I. Gemedzhi,

with the secretary Lomzina M.V.,

having considered in open court in Simferopol

On 27 October 2017

the complaint of the defense counsel Edem Serverovich Semedlyayev against the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in a case on an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation (hereinafter the Code on Administrative Offences), in relation to Rudem Edomovich Nedzhiev,

FOUND:

by the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, R.E. Nedzhiev was found guilty of committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences, and imposed an administrative penalty in the form of a fine in the amount of RUB 10,000.

Disagreeing with the decision of the judge of the district court, the defense counsel, E.S. Semedlyayev, filed a complaint with the Supreme Court of the Republic of Crimea, in which he asked to cancel the above-mentioned decision as illegal and unfounded, to terminate the proceedings on the case due to the absence of elements of offence in the actions of R.E. Nedzhiev. In support, it is indicated that the judge of the district court gave an incorrect assessment of the established circumstances, and violated the norms of substantive and procedural law.

Having heard R.E. Nedzhiev and his defense counsel, L.I. Gemedzhi, who supported the complaint, having checked in full the case materials, having studied the arguments of the complaint, I come to the following.

According to Part 1 of Article 2.1 of the Code on Administrative Offences, an administrative offence is an unlawful, guilty action (inaction) of an individual or legal entity, for which this Code or the laws of the constituent entities of the Russian Federation on administrative offences establish administrative liability.

As follows from the case materials, on 11 October 2017 in the period from 7:00 am to 8:00 am, R.E. Nedzhiev, being at Chepurina St., Bakhchisaray, the Republic of Crimea, next to the house No. 18, that is, in a public place, took part in a mass simultaneous gathering of a group of citizens in the amount of more than 20 people, which entailed a disruption of public order.

Disposition of Part 1 of Article 20.2.2 of the Code on Administrative Offences provides for administrative liability for organizing a mass simultaneous gathering and (or) movement of citizens in public places, which is not a public event, public calls for mass simultaneous gathering and (or) movement of citizens in public places or participation in mass simultaneous gathering and (or) movement of citizens in public places,

if the mass simultaneous gathering and (or) movement of citizens in public places entail public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article.

The Constitutional Court of the Russian Federation in its ruling of 24 October 2013 No. 1721-0 "On the refusal to accept for consideration the complaint of Alexei Vitalievich Sherstyuk on violation of his constitutional rights by the provisions of Part 1 of Article 3.5 and Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation" clarified that not all the events held in public places could be referred to as "mass simultaneous gathering or movement in public places", but only to such mass events that pursue a predetermined objective, are characterized by the common intent of their participants and offer the free access of people to participate in them, but are not being the public events within the meaning of Federal Law of 19 June 2004 No. 54-FZ "On assemblies, rallies, demonstrations, marches and picketing" (Paras 1-6 of Article 2 (terms: public events, assemblies, rallies, demonstrations, marches, picketing)). Whereby this legal provision associates the onset of liability with the presence of the negative consequences specified in it.

Based on the meaning of the above provisions, Chepurina St., Bakhchisaray, the Republic of Crimea is a public place intended for the presence of a mass number people in it and meeting their various vital needs, free for access to an indefinite circle of people.

At the same time, as follows from the administrative offence record, reports of law enforcement officials (Case Sheets 2, 10, 11), explanations of witnesses L.E. Aliyeva and S.S. Sova, as well as the person in respect of whom the proceedings on the case on an administrative offence are underway, R.E. Nedzhiev, who did not dispute his presence in the above-mentioned public place, the presence of a group of citizens in sufficient numbers who arrived at the house of M.R. Asanov in order to prevent the law enforcement officials from conducting operative investigative measures in relation to the latter, entailed a mass gathering of citizens with a single objective and a single intent in a public place, which indicates the onset of socially dangerous consequences, namely building-up a crowd that disrupted public order.

The person in respect of whom the proceedings on the case on an administrative offence are underway, R.E. Nedzhiev, giving explanations at the district court hearing, did not dispute his presence in the group of citizens on 11 October 2017 in the period from 7:00 am to 8:00 am at the above address and did not dispute that he was in this group, like others, in order to protect the interests of M.R. Asanov when the law enforcement officials conducted operative investigative actions against the latter.

In addition, the above circumstances are confirmed by the video footage in the case file.

Under these circumstances, the actions of R.E. Nedzhiev were correctly qualified by the judge of the district court under Part 1 of Article 20.2.2 of the Code on Administrative Offences.

The arguments of the complaint that the actions of R.E. Nedzhiev had no elements of offence, are untenable and refuted by the combination of the above evidence.

Based on the provisions of Article 26.11 of the Code on Administrative Offences, a judge conducting proceedings on an administrative offence case is entitled to evaluate evidence according to his/her inner conviction, based on a comprehensive, complete and objective study of all the circumstances of the case in their totality.

Contrary to the complaint, the actual participation in a non-public event that disrupts public order and interferes with the movement of pedestrians, vehicles and entails a mass simultaneous gathering of citizens in a public place that is not a public event already forms an event of an administrative offence provided for in Part 1 of Article 20.2.2 of the Code on Administrative Offences.

In this regard, the arguments of the complaint are not based on the law.

Taking into account the above and the established circumstances, I come to the conclusion that the court of first instance came to the correct conclusion about the guilt of R.E. Nedzhiev in the offence imputed to him.

The administrative offence record in relation to R.E. Nedzhiev was drawn up in accordance with the requirements of Article 28.2 of the Code on Administrative Offences, contains all the necessary information for the consideration of the case, it fully describes the event of an administrative offence imputed to him, provided for in Part 1 of Article 20.2.2 of the Code on Administrative Offences. In this connection, it also meets the criteria of admissibility of evidence in the case.

The totality of the above evidence fully and objectively reflects the event of the administrative offence and the guilt of R.E. Nedzhiev in the commission of the administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences.

The minimum number of citizens for qualifying an event as a mass event is not defined by the law, and therefore such a quantitative criterion is not mandatory, since open places are available for visiting by an indefinite circle of people.

The evidence available in the case materials, in particular the reports of the law enforcement officials attached to the case materials and the testimony of witnesses, reliably confirmed the simultaneous presence of citizens in an amount of at least 20 people in a public place, namely at Chepurina St., Bakhchisaray, the Republic of Crimea, next to the house No. 18, in the period from 7:00 am to 8:00 am on 11 October 2017, which falls under the concept of “mass simultaneous gathering of citizens in a public place with a single goal and plan”.

Other arguments in the complaint are based on a different interpretation of the law, are aimed at re-evaluating the evidence examined by the judge in a light favorable to the applicant, and are refuted by the totality of the above evidence, which reliably testifies to the commission by R.E. Nedzhiev of the administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences.

In accordance with the general rules for imposing administrative penalties, an administrative penalty for committing an administrative offence is imposed within the limits established by the law providing for liability for this administrative offence in accordance with the Code on Administrative Offences (Part 1 of Article 4.1). When imposing an administrative penalty on an individual, the judge takes into account the nature of the administrative offence committed, the personality of the perpetrator, his/her property status, circumstances mitigating administrative liability, and circumstances aggravating administrative liability (Part 2 of Article 4.1 of the Code on Administrative Offences).

When imposing penalty, the judge of the district court took into account the nature of the administrative offence, the personality of the perpetrator, the absence of aggravating and mitigating circumstances for administrative liability.

The amount of the penalty imposed corresponds to the sanction of Part 1 of Article 20.2.2 of the Code on Administrative Offences and is fair.

In the case on the administrative offence, the procedure and the limitation period for bringing to administrative liability, the principle of the presumption of innocence were not violated, the burden of proof was distributed correctly.

There are no significant violations of the norms of substantive and procedural law, entailing the cancellation or change of the contested decision.

Based on the aforesaid and guided by Articles 30.2 - 30.7 of the Code on Administrative Offences of the Russian Federation, the judge

DECIDED:

to dismiss the complaint of the defence counsel Edem Serverovich Semedlyayev,

to leave the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 on the case on an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, in relation to Rudem Edomovich Nedzhiev, unchanged.

Judge

/signed/

V.V. Agin

*/Stamp: Bakhchisaray District Court of the
Republic of Crimea*

*Original decision is stored in admin case No. 5-
359/17*

The copy is issued on 30 July 2018

Judge /Signature/

Secretary /Signature//

*/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA/*

*/Stamp: TRUE COPY
Judge /illegible/*

*Decision entered into force on 27 October
2017*

True: judge /Signature/

Secretary /signature//

*/Seal: BAKHCHISARAY DISTRICT COURT
OF THE REPUBLIC OF CRIMEA /*

Annex 374

Supreme Court of the Republic of Crimea, Case No. 12-1246/2017,
Decision, 27 October 2017

Translation

/STAMP: COPY/

SUPREME COURT OF THE REPUBLIC OF CRIMEA

DECISION

of 27 October 2017 in case No. 12-1246/2017

Judge G.S. Atamanyuk

Judge of the Supreme Court of the Republic of Crimea V.V. Agin,

with the participation of the person in respect of whom the proceedings on the case on an administrative offence are underway, A.R. Suleimanov, and

his defence counsel, L.I. Gemedzhi,

a police officer - a district police officer of the Department of the Ministry of Internal Affairs of Russia for the Bakhchisaray district M.A. Lysenko,

with the secretary Lomzina M.V.,

having considered at the open court hearing in Simferopol

On 27 October 2017

the complaint of the defence counsel Edem Serverovich Semedlyaev against the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in a case on an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation (hereinafter the Code on Administrative Offences), in relation to Amet Refatovich Suleimanov,

FOUND:

by the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, A.R. Suleimanov was found guilty of committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences, and imposed an administrative penalty in the form of a fine in the amount of 15,000 rubles.

Disagreeing with the decision of the judge of the district court, the defence counsel, E.S. Semedlyaev, filed a complaint with the Supreme Court of the Republic of Crimea, in which he asked to cancel the above-mentioned decision as illegal and unfounded, to terminate the proceedings on the case due to the absence of elements of offence in the actions of A.R. Suleimanov. In support, it is indicated that the judge of the district court gave an incorrect assessment of the established circumstances, and violated the norms of substantive and procedural law.

Having heard A.R. Suleimanov and his defence counsel, L.I. Gemedzhi, who supported the complaint, police officer, M.A. Lysenko, who objected to the satisfaction of the complaint, having checked in full the case materials, having studied the arguments of the complaint, I come to the following.

According to Part 1 of Article 2.1 of the Code on Administrative Offences, an administrative offence is an unlawful, guilty action (inaction) of an individual or legal entity, for which this Code or the laws of the constituent entities of the Russian Federation on administrative offences establish administrative liability.

As follows from the case materials, on 11 October 2017 in the period from 7:00 am to 8:00 am, A.R. Suleimanov, being at Mira St., Bakhchisaray, the Republic of Crimea, next to the house No. 16, that is, in a public place, took part in a mass simultaneous gathering of a group of citizens in the amount of more than 20 people, which entailed a disruption of public order.

Disposition of Part 1 of Article 20.2.2 of the Code on Administrative Offences provides for administrative liability for organizing a mass simultaneous gathering and (or) movement of citizens in public places, which is not a public event, public calls for mass simultaneous gathering and (or) movement of citizens in public places or participation in mass simultaneous gathering and (or) movement of citizens in public places, if the mass simultaneous gathering and (or) movement of citizens in public places entail public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article.

The Constitutional Court of the Russian Federation in its ruling of 24 October 2013 No. 1721-0 "On refusal to accept for consideration the complaint of Alexey Vitalyevich Sherstuk on violation of his constitutional rights by the provisions of Part 1 of Article 3.5 and Part 1 of Article 20.2.2 of the Code on Administrative Offences" clarified that that not all the events held in public places could be referred to as "mass simultaneous gathering or movement in public places", but only to such mass events that pursue a predetermined objective, are characterized by the common intent of their participants and offer the free access of people to participate in them, but are not being the public events within the meaning of Federal Law of 19 June 2004 No. 54-FZ "On assemblies, rallies, demonstrations, marches and picketing" (Paras 1-6 of Article 2 (terms: public events, assemblies, rallies, demonstrations, marches, picketing)). Whereby this legal provision associates the onset of liability with the presence of the negative consequences specified in it.

Based on the meaning of the above provisions, Mira St., Bakhchisaray, the Republic of Crimea is a public place intended for the presence of a mass number people in it and meeting their various vital needs, free for access to an indefinite circle of people.

At the same time, as follows from the administrative offence record, reports of law enforcement officials (Case Sheets 2, 8, 9, 10), explanations of the person in respect of whom the proceedings on the case on an administrative offence are underway, A.R. Suleimanov, who did not dispute his presence in the above public place, the presence of a group of citizens in sufficient numbers who arrived at the house of G.R. Ibragimov in order to prevent the law enforcement officials from carrying out operative investigative measures in relation to the latter, entailed a mass gathering of citizens with a single objective and a single intent in a public place, which indicates the onset of socially dangerous consequences, namely building-up a crowd that disrupted public order.

The person in respect of whom the proceedings on the case on an administrative offence are underway, A.R. Suleimanov, giving explanations at the district court hearing, did not dispute his presence in the group of citizens on 11 October 2017 in the period from 7:00 am to 8:00 am at the above address and did not dispute that he was in this group, like others, in order to protect the interests of G.R. Ibragimov when the law enforcement officials conducted actions against the latter.

In addition, the above circumstances are confirmed by the video footage in the case file.

Under these circumstances, the actions of A.R. Suleimanov were correctly qualified by the judge of the district court under Part 1 of Article 20.2.2 of the Code on Administrative Offences.

The arguments of the complaint that the actions of A.R. Suleimanov had no elements of offence, are untenable and refuted by the combination of the above evidence.

Based on the provisions of Article 26.11 of the Code on Administrative Offences, a judge conducting proceedings on an administrative offence case is entitled to evaluate evidence according to his/her inner conviction, based on a comprehensive, complete and objective study of all the circumstances of the case in their totality.

Contrary to the complaint, the actual participation in a non-public event that disrupts public order and

interferes with the movement of pedestrians, vehicles and entails a mass simultaneous gathering of citizens in a public place that is not a public event already forms an event of an administrative offence provided for in Part 1 of Article 20.2.2 of the Code on Administrative Offences.

In this regard, the arguments of the complaint are not based on the law.

Taking into account the above and the established circumstances, I come to the conclusion that the court of first instance came to the correct conclusion about the guilt of A.R. Suleimanov in the offence imputed to him.

The administrative offence record in relation to A.R. Suleimanov was drawn up in accordance with the requirements of Article 28.2 of the Code on Administrative Offences, contains all the necessary information for the consideration of the case, it fully describes the event of an administrative offence imputed to him, provided for in Part 1 of Article 20.2.2 of the Code on Administrative Offences. In this connection, it also meets the criteria of admissibility of evidence in the case.

The totality of the above evidence fully and objectively reflects the event of the administrative offence and the guilt of A.R. Suleimanov in the commission of the administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences.

The minimum number of citizens for qualifying an event as a mass event is not defined by the law, and therefore such a quantitative criterion is not mandatory, since open places are available for visiting by an indefinite circle of people.

The evidence available in the case materials, in particular the reports of the law enforcement officials attached to the case materials and the video material, reliably confirmed the simultaneous presence of citizens in an amount of at least 20 people in a public place, namely at Mira St., Bakhchisaray, the Republic of Crimea, next to the house No. 16, in the period from 7:00 am to 8:00 am on 11 October 2017, which falls under the concept of “mass simultaneous gathering of citizens in a public place with a single goal and plan”.

Other arguments in the complaint are based on a different interpretation of the law, are aimed at re-evaluating the evidence examined by the judge in a light favorable to the applicant, and are refuted by the totality of the above evidence, which reliably testifies to the commission by A.R. Suleimanov of the administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences.

In accordance with the general rules for imposing administrative penalties, an administrative penalty for committing an administrative offence is imposed within the limits established by the law providing for liability for this administrative offence in accordance with the Code on Administrative Offences (Part 1 of Article 4.1). When imposing an administrative penalty on an individual, the judge takes into account the nature of the administrative offence committed, the personality of the perpetrator, his/her property status, circumstances mitigating administrative liability, and circumstances aggravating administrative liability (Part 2 of Article 4.1 of the Code on Administrative Offences).

The applicant was imposed an administrative penalty within the limits and sanctions established by Part 1 of Article 20.2.2 of the Code on Administrative Offences, but without taking into account the provisions under Part 2 of Article 4.1 of the Code on Administrative Offences.

The sanction under Part 1 of Article 20.2.2 of the Code on Administrative Offences provides for the imposition of an administrative penalty in the form of an administrative fine on citizens in the amount of ten thousand to twenty thousand rubles, or compulsory work for up to one hundred hours, or administrative arrest for up to fifteen days; on officials - from five thousand to ten thousand rubles; on legal entities - from thirty thousand to fifty thousand rubles.

The judge did not establish the circumstances aggravating the administrative liability of A.R. Suleimanov. In such circumstances, there were no sufficient grounds for imposing an administrative penalty in the form of an administrative fine in the amount of RUB 15,000.

Thus, there are grounds for reducing the amount of the administrative fine to the minimum amount.

Based on the aforesaid and guided by Articles 30.2 - 30.7 of the Code on Administrative Offences of the Russian Federation, the judge

DECIDED:

to dismiss the complaint of the defence counsel Edem Serverovich Semedlyayev,

to change the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 on the case on an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation (hereinafter the Code on Administrative Offences), in relation to Amet Refatovich Suleymanov, by reducing the amount of the administrative fine to RUB 10,000 (Ten Thousand). The rest of the decision is to be left unchanged.

Judge

signed

V.V. Agin

*/Stamp: Bakhchisaray District Court of the
Republic of Crimea*

*Original decision is stored in admin case No.
5-355/17*

The copy is issued on 30 July 2018

Judge /Signature/

Secretary /Signature//

*/Seal: BAKHCHISARAY DISTRICT COURT
OF THE REPUBLIC OF CRIMEA/*

/Stamp: TRUE COPY

Judge /illegible/

Decision entered into force on 27 October 2017

True: judge /Signature/

Secretary /signature//

*/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA /*

Annex 375

Supreme Court of the Republic of Crimea, Case No. 12-1242/2017,
Decision, 1 November 2017

Translation

/STAMP: COPY/

Case No. 12-1242/2017

DECISION

1 November 2017

Simferopol

Judge of the Supreme Court of the Republic of Crimea S.V. Yakovlev, with A.O. Yona, the secretary, having considered the complaint of Edem Serverovich Semedlyaev, the attorney of Ernest Ilyasovich Ibragimov, against the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 12 October 2017 in case No. 5-357/2017 whereby

Ernest Ilyasovich Ibragimov, date of birth 25 January 1981, the native of Samarkand, Samarkand region, Uzbek Soviet Socialist Republic, registered and residing at: 54 Alminskaya St., Bakhchisaray, the Republic of Crimea

was brought to administrative liability under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation (hereinafter the Code on Administrative Offences of the Russian Federation),

FOUND:

on 11 October 2017, G.V. Levykh, Police Mayor, Senior Inspector of the Administrative Regulations Enforcement Group of the Department of the Ministry of Internal Affairs of Russia for the Bakhchisaray District, drew up records No. 00188659 of the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation in relation to Ernest Ilyasovich Ibragimov (hereinafter E.I. Ibragimov).

The case was referred to the Bakhchisaray District Court of the Republic of Crimea.

By the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 12 October 2017 in case No. 5-357/2017 (the judge V.I. Koshelev), E.I. Ibragimov was found guilty of committing the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation and was brought to an administrative punishment in the form of an administrative fine of RUB 15,000.

Disagreeing with that decision, E.S. Semedlyaev, the attorney of E.I. Ibragimov, filed a complaint in which he requested to revoke that decision and to terminate the proceedings on the case due to the fact that there was no set of all elements of the administrative offence.

At the court hearing that took place on 1 November 2017, E.I. Ibragimov and his representative insisted on satisfying the complaint and specified that being in Chepurina street in the town of Bakhchisaray on 11 October 2017, the former did not seek to disrupt the public order and to interfere with the operative and investigation actions taken by the law enforcement officers.

In accordance with Article 24.1 of the Code on Administrative Offences of the Russian Federation, the tasks of proceedings in administrative offence cases are comprehensive, full, unbiased and timely clarification of the circumstances of each case, its solution in accordance with the law, the enforcement of the decision issued and identifying the reasons and conditions that contributed to committing the administrative offences.

According to Part 3 of Article 30.6 of the Code on Administrative Offences of the Russian Federation, when considering a complaint against a decision in an administrative offence case, the judge must review the case in full.

Para. 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation provides for administrative liability for arranging for mass gathering that is not a public event and/or movement of citizens in public places, public calls for or participation in mass gathering and/or movement of citizens in public places, if mass gathering and/or movement of citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Part 2 of this Article.

The object of the encroachment of the respective administrative offences is public relations in the area of public order and public safety. Under this Article, the subjects of administrative offences may be citizens, officials and legal entities.

As it follows from the case materials and was established by the judge of the Bakhchisaray District Court of the Republic of Crimea while considering case No.5-357/2017, on 11 October 2017 from 07:00 a.m. to 08:00 a.m., E.I. Ibragimov was near residential building no. 18 in Chepurina street in the town of Bakhchisaray and took part in mass gathering of the group of more than 20 citizens who arrived at the house where M.R. Asanov resided in order to prevent the law enforcement officials from taking the operative and investigation actions in relation to the latter, interfered with the traffic of pedestrians and vehicles whereby they disrupted the public order, which proves that he committed the administrative offence the liability for which is provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

According to Article 26.2 of the Code on Administrative Offences of the Russian Federation, evidence in the administrative offence case is any factual data on the basis whereof the judge, body, official that handles the case establishes whether or not there is an administrative offence event, the guilt of the person brought to administrative liability and any other circumstances that are relevant for the proper resolution of the case.

The fact of committing the administrative offence and the guilt of E.I. Ibragimov are confirmed by the written materials of the administrative offence case, i.e., by administrative offence records No. 00188659 of 11 October 2017 that sets out the merits of the offence (case sheet 2), the records of the person detention (case sheet 3); the law enforcement officials reports stating that on 11 October 2017 at the address: Chepurina str., Bakhchisaray, more than 30 citizens gathered near house No. 1-A who did not react to the requests of the law enforcement officials to disperse and not to interfere with the operative and search measures and demanded an explanation of the actions taken (case sheets 7—8), by the video footage available in the case materials (case sheet 13), the examination whereof established that on 11 October 2017 E.I. Ibragimov was in the group of citizens who stayed in Chepurina street in the town of Bakhchisaray at the time when the operative and investigation actions were taken by the law enforcement officials in one of the residential buildings in Chepurina street in the town of Bakhchisaray. Those citizens, including E.I. Ibragimov, demanded explanations of the actions taken by the law enforcement officials, insulted them and did not react to their requests to disperse.

While considering case No. 5-357/2017, the judge of the Bakhchisaray District Court of the Republic of Crimea interrogated S.S. Sova. and L. Alieva, the witnesses. The former explained that she resided at [address]. Having answered a call from her neighbour in the morning of 11 October 2017, she saw the law enforcement officials who were in Chepurina street, there was a group of civilians in the street as well. She did not go out into the street as she was busy with the housekeeping, later she heard that a man shouted one or two words, she looked out and saw how the law enforcement officials detained someone. L. Alieva, the witness, explained that in the morning of 11 October 2017 she went out into the yard of her house that was located at the corner of [address], and saw the cordon by the law enforcement officials and civilians, men and women, who stood along the perimeter of the street and talked. Having heard some noise in the street, she saw how the law enforcement officials detained young guys, one of whom was detained near her gate.

The administrative offence records and any other case materials were drawn up in compliance with the

requirements of the law, by a proper official, there are no grounds not to trust the information specified therein, and therefore when considering case No. 5-358/2017, the judge of the Bakhchisaray District Court correctly recognized them as the admissible evidence and took them as a basis for the challenged decision, having assessed them according to the rules of Article 26.11 of the Code on Administrative Offences of the Russian Federation.

Having examined the above documents, having heard the explanations of the witnesses, the judge of the Bakhchisaray District Court of the Republic of Crimea came to a reasonable conclusion that on 11 October 2017, E.I. Ibragimov was in the group of citizens who arrived at Chepurina street in the town of Bakhchisaray at the time when the law enforcement officials took the operative and investigation actions in one of the residential buildings, made claims against the law enforcement officials and demanded to explain their actions, shouted and insulted the law enforcement officials, did not want to disperse after the law enforcement officials had demanded not to disrupt the public order, and E.I. Ibragimov took part in mass gathering and movement of citizens in the public place that was not a public event, as that stay was not scheduled in advance, did not have any particular purpose of free expression and forming an opinion and of making demands on issues of political, economic, social and cultural life of the country, that proves that there was an event and a set of all elements of the administrative offence in his actions the liability therefor is provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The argument that there is no set of all elements of the administrative offence attributed to E. I. Imbragimov in his actions him was reasonably recognized as unfounded by the judge of the Bakhchisaray District Court of the Republic of Crimea.

The evidence available in the case clearly shows that the actions of E.I. Ibragimov include events and elements of the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The administrative punishment was imposed on E.I. Ibragimov to the extent established by the sanction of Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, but without regard to the provisions of Article 4.1 of the Code on Administrative Offences of the Russian Federation.

Paragraph 23.1 of Plenary Decision of the Supreme Court of the Russian Federation “On Some Issues Arising in Courts when Applying the Code on Administrative Offences of the Russian Federation” No. 5 of 24 March 2005, it is stated that particular circumstances related to committing the administrative offence are to be assessed in accordance with the general rules for imposing punishment based on the principles of justice, proportionality and individualization of liability.

In accordance with the general rules for imposing the administrative punishment, the administrative punishment for committing the administrative offence is imposed to the extent established by the law providing for liability for that administrative offence in accordance with Part 1 of Article 4.1 of the Code on Administrative Offences of the Russian Federation. When imposing the administrative punishment on an individual, the nature of the administrative offence committed by him/her, the identity of the guilty person, his/her property status, any circumstances mitigating the administrative liability and any circumstances aggravating the administrative liability are taken into account (Part 2 of Article 4.1 of the Code on Administrative Offences of the Russian Federation).

The sanction of Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation establishes the imposition of an administrative fine on citizens in the amount of ten thousand to twenty thousand rubles, or compulsory community service for up to one hundred hours, or an administrative arrest for a period of up to fifteen days.

The examination of the decision of the Bakhchisaray District Court of the Republic of Crimea of 12 October 2017 in case No. 5-357/2017 made it clear that the judge imposed on E.I. Ibragimov the administrative punishment in the form of the fine in the amount of RUB 15,000, but failed to specified the circumstances that

were the basis for such decision, to establish whether or not there was any evidence testifying to the need to apply the administrative punishment in the form of the administrative fine which amount was higher than the minimum one.

At that, the disagreement of E.I. Ibragimov with the administrative offence attributed to him may not be the basis for imposing on him the administrative fine which amount is higher than the minimum one established by the sanction of Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

In view of the foregoing, there are grounds for changing the decision of the Bakhchisaray District Court of the Republic of Crimea of 12 October 2017 in case No. 5-357/2017.

Being guided by Articles 30.6, 30.7 of the Code on Administrative Offences of the Russian Federation, the court

DECIDED:

to change the decision of the Bakhchisaray District Court of the Republic of Crimea of 12 October 2017 in case No. 5-357/2017 by which Ernest Ilyasovich Ibragimov was found guilty of committing the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation by decreasing the amount of the punishment imposed on him in the form of the fine to Ten thousand rubles (RUB 10,000).

To uphold the remaining part of the decision of the Bakhchisaray District Court of the Republic of Crimea of 12 October 2017 in case No. 5-357/2017.

To dismiss the complaint of the attorney of Ernest Ilyasovich Ibragimov.

The decision is to enter into force immediately and may be appealed in accordance with Article 30.12 of the Code on Administrative Offences of the Russian Federation.

Judge

signature

C.V. Yakovlev

*/Stamp: Bakhchisaray District Court of the
Republic of Crimea*

*/Stamp: TRUE COPY
Judge V.I. Koshelev*

*Original decision is stored in admin case No.
5-357/17*

Decision entered into force on 7 November 2017

The copy is issued on 30 July 2018

True: judge /Signature/

Judge /Signature/

Secretary /signature//

Secretary /Signature//

*/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA /*

*/Seal: BAKHCHISARAY DISTRICT COURT
OF THE REPUBLIC OF CRIMEA/*

Annex 376

Supreme Court of the Republic of Crimea, Case No. 12-1245/2017,
Decision, 1 November 2017

Translation

/STAMP: COPY/
Case No. 12- 1245/2017

DECISION

1 November 2017

Simferopol

Judge of the Supreme Court of the Republic of Crimea S.V. Yakovlev, with the secretary of Yona A.O., having considered the complaint by the attorney of Eskander Izetovich Lyumanov, Edem Serverovich Semedlyaev, against the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in case No. 5-361/2017, in which

Eskander Izetovich Lyumanov born on 23 January 1964, in Gorskiy villiage, Kirovskiy district, Fergana region, Uzbek Soviet Socialist Republic, registered at: 15 Internatsionalnaya St., Bakhchisaray, Republic of Crimea, residing at: 2 Yashlyk St., Bakhchisaray, Republic of Crimea,

was brought to administrative liability under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation (hereinafter the Code on Administrative Offences),

FOUND:

Senior officer of the Department of the Ministry of Internal Affairs of Russia in the Bakhchisaray District, police lieutenant P.V. Utkin, on 11 October 2017, made a record on an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences in relation to Eskander Izetovich Lyumanov (hereinafter E.I. Lyumanov).

The case was referred to the Bakhchisaray District Court of the Republic of Crimea.

By the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in case No. 5-361/2017 (judge G.S. Atamanyuk), E.I. Lyumanov was found guilty of an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences. He was sentenced to an administrative penalty in the form of an administrative fine in the amount of 15,000 rubles.

Disagreeing with said decision, the attorney of E.I. Lyumanov, E.S. Semedlyaev, filed a complaint in which he asked to cancel said decision, to terminate the proceedings on the case due to the absence of an administrative offence.

At the hearing, which took place on 1 November 2017, E.I. Lyumanov and his representative insisted that the materials of the case did not confirm the commission by the former of an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences.

In accordance with Article 24.1 of the Code on Administrative Offences, the tasks of proceedings on cases of administrative offences are a comprehensive, complete, objective and timely clarification of the circumstances of each case, its resolution in accordance with the law, ensuring the execution of the adopted decision, as well as identifying the reasons and conditions that contributed to the commission of administrative offences.

According to Part 3 of Article 30.6 of the Code on Administrative Offences, when considering a complaint against a decision in a case on an administrative offence, the judge must review the case in full.

Part 1 of Article 20.2.2 of the Code on Administrative Offences provides for administrative liability for organizing a mass gathering and (or) movement of citizens in public places, which is not a public event, public calls for mass gathering and (or) movement of citizens in public places or participation in mass gathering and (or) movement of citizens in public places, if the mass gathering and (or) movement of citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Part 2 of

this Article.

The object of the encroachment of the respective administrative offences is public relations in the area of public order and public safety. Citizens, officials and legal entities could be the subjects of administrative offences under this Article.

As follows from the case materials and established by the judge of the Bakhchisaray District Court of the Republic of Crimea, when considering case No. 5-361/2017, E.I. Lyumanov, on 11 October 2017, being near the multi-apartment building at 16, Mira St. in the city of Bakhchisaray, took part in a mass gathering of a group of citizens in the amount of more than 20 people, who, being in a public place, on Mira St. in the city of Bakhchisaray, arrived at the house where T.R. Ibragimov resided, in order to prevent the law enforcement officials from carrying out operative investigation measures in relation to the latter, by which he disrupted public order, that is, committed an administrative offence, the liability for which is provided for in Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

According to Article 26.2 of the Code on Administrative Offences, evidence in a case on an administrative offence is any factual data based on which the judge, body, or official considering the case establishes the presence or absence of an event of an administrative offence, the guilt of the person brought to administrative liability, as well as other circumstances that are important for the proper resolution of the case.

When considering a case on an administrative offence, the evidence collected in the case must be assessed in accordance with Article 26.11 of the Code on Administrative Offences, as well as with regard to compliance with the requirements of the law during its collection (Part 3. Article 26.2 of the Code on Administrative Offences of the Russian Federation).

The fact of committing an administrative offence and E.I. Lyumanov's guilt are confirmed by the written materials of the case on the administrative offence, namely, administrative offence record No. 00188847 of 11 October 2017, which sets out the merits of the offence (case sheet 2); record on the detention of the person who committed the administrative offence (Case Sheet 3); reports of law enforcement officials which state that on 11 October 2017, on Mira St. in the city of Bakhchisaray, near the house No. 16, a group of citizens gathered in the amount of more than 20 people. These persons did not react to the law enforcement officials' requests to disperse and not interfere with the conduct of operative search measures, and demanded an explanation of the law enforcement officials' actions, which led to a disruption of public order (Case Sheets 5-7). When studying the video footage presented in the case file (Case Sheet 8), it was established that E.I. Lyumanov, being among the citizens in the amount of more than 20 people gathered on 11 October 2017, on Mira St. in the city of Bakhchisaray, near the house No. 16, disagreeing with the actions of the law enforcement officials who took part in the conduct of operational search measures, made offensive statements against them, which led to a disruption of public order.

The administrative offence record and other materials of the case were drawn up in accordance with the requirements of the law, by a proper official, and there is no reason not to trust the information specified in them. In this connection, the judge of the Bakhchisaray District Court of the Republic of Crimea, when considering case No. 5-361/2017, correctly recognized them as admissible evidence and made the basis of the contested decision.

The above materials indicate that E.I. Lyumanov took part in the mass gathering and movement of citizens in a public place that was not a public event, since their indicated presence was not planned in advance, did not have a specific goal of free expression and formation of opinions, as well as the advancement of demands on the political, economic, social and cultural life of the country.

Having assessed the evidence presented in the case comprehensively, fully, objectively, in their totality, in accordance with the requirements of Article 26.11 of the Code on Administrative Offences, the judge of the Bakhchisaray District Court of the Republic of Crimea, when considering case No. 5-361/2017, came to the correct conclusion about the guilt of E.I. Lyumanov in the commission of an administrative offence under Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation).

E.I. Lyumanov was imposed an administrative penalty within the limits and sanctions established by Part 1 of Article 20.2.2 of the Code on Administrative Offences, but without taking into account the provisions of Article 4.1 of the Code on Administrative Offences.

Paragraph 23.1 of the Plenary Decision of the Supreme Court of the Russian Federation No. 5 of 24 March 2005 “On Some Issues Arising in Courts when Applying the Code on Administrative Offences of the Russian Federation” indicates that the particular circumstances related to committing the administrative offence are to be assessed in accordance with the general rules for imposing punishment based on the principles of justice, proportionality and individualization of liability.

In accordance with the general rules for imposing administrative penalties, an administrative penalty for committing an administrative offence is imposed within the limits established by the law providing for liability for this administrative offence in accordance with Part 1 of Article 4.1 of the Code on Administrative Offences. When imposing an administrative penalty on an individual, the judge takes into account the nature of the administrative offence committed, the personality of the perpetrator, his/her property status, circumstances mitigating administrative liability, and circumstances aggravating administrative liability (Part 2 of Article 4.1 of the Code on Administrative Offences of the Russian Federation).

The sanction of Part 1 of Article 20.2.2 of the Code on Administrative Offences establishes the imposition of an administrative fine on citizens in the amount of ten thousand to twenty thousand rubles, or compulsory work for up to one hundred hours, or administrative arrest for up to fifteen days.

When examining the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in case No. 5-361/2017, it became obvious that when imposing on E.I. Lyumanov an administrative penalty in the form of a fine in the amount of 15,000 rubles, the judge did not indicate the circumstances that served as the basis for such a decision, did not establish the presence of any evidence indicating the need to apply an administrative penalty higher than the minimum amount established by the sanction of Part 1 of Article 20.2.2 of the Code on Administrative Offences.

In view of the foregoing, there are grounds for changing the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in case No. 5-361/2017.

Following Articles 30.6, 30.7 of the Code on Administrative Offences of the Russian Federation,

DECIDED:

The court ruled to change the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in Case No. 5-361/2017, by which Eskander Izetovich Lyumanov was found guilty of committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences, reducing the amount of the penalty imposed on him in the form of a fine to 10,000 (Ten Thousand) rubles.

The rest of the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in Case No. 5-361/2017 is to be left unchanged.

The complaint by the attorney of Eskander Izetovich Lyumanov, Edem Serverovich Semedlyaev, shall be dismissed.

The decision comes into force immediately and can be appealed in accordance with Article 30.12 of the Code on Administrative Offences.

Judge (signed) S.V. Yakovlev

*/Stamp: Bakhchisaray District Court of the
Republic of Crimea*

*Original decision is stored in admin case No. 5-
361/17*

The copy is issued on 30 July 2018

Judge /Signature/

Secretary /Signature//

*/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA/*

/Stamp: TRUE COPY

Judge G.S. Atamanyuk

*Decision entered into force on 7 November
2017*

True: judge /Signature/

Secretary /signature//

*/Seal: BAKHCHISARAY DISTRICT COURT
OF THE REPUBLIC OF CRIMEA /*

Annex 377

Supreme Court of the Republic of Crimea, Case No. 12-1239/2017,
Decision, 1 November 2017

Translation

Case No. 12-1239/2017

DECISION

1 November 2017

Simferopol

Judge of the Supreme Court of the Republic of Crimea S.V. Yakovlev, with the secretary of Yona A.O., having considered the complaint by the attorney of Asan Abduramanovich Ismailov, Edem Serverovich Semedlyaev, against the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in case No. 5-358/2017, in which

Asan Abduramanovich Ismailov born on 14 March 1969, in Kuyichikskiy district, Tashkent region, Uzbek Soviet Socialist Republic, registered and residing at: 37 Gordienko St., Bakhchisaray, Republic of Crimea,

was brought to administrative liability under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation (hereinafter the Code on Administrative Offences),

FOUND:

The district police officer of the Department of the Ministry of Internal Affairs of Russia in the Bakhchisaray District, police captain A.A. Savitsky, on 11 October 2017, made a record No. 00188427 on an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences, in relation to Asan Abduramanovich Ismailov (hereinafter A.A. Ismailov).

The case was referred to the Bakhchisaray District Court of the Republic of Crimea.

By the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in case No. 5-358/2017 (judge A.E. Skisov) A.A. Ismailov was found guilty of an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences, and imposed an administrative penalty in the form of an administrative fine in the amount of RUB 20,000.

Disagreeing with the said decision, the attorney of A.A. Ismailov, E.S. Semedlyaev, filed a complaint in which he asked to cancel the said decision, to terminate the proceedings on the case due to the absence of an administrative offence.

At the hearing, which took place on 1 November 2017, A.A. Ismailov and his representative insisted on satisfying the complaint, pointing out that on 11 October 2017, the former did not commit any actions to disrupt public order, and that the Bakhchisaray District Court of the Republic of Crimea, when considering case No. 5-358/2017, gave an incorrect assessment of the events that took place at Chepurin St. in the city of Bakhchisaray.

In accordance with Article 24.1 of the Code on Administrative Offences, the tasks of proceedings on cases of administrative offences are a comprehensive, complete, objective and timely clarification of the circumstances of each case, its resolution in accordance with the law, ensuring the execution of the adopted decision, as well as identifying the reasons and conditions that contributed to the commission of administrative offences.

According to Part 3 of Article 30.6 of the Code on Administrative Offences, when considering a complaint against a decision in a case on an administrative offence, the judge must review the case in full.

After examining the case materials, the arguments of the complaint, the explanations of A.A. Ismailov and his representative, it becomes obvious that the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in case No. 5-358/2017 is legal, reasonable and not subject to cancellation on the following grounds.

Part 1 of Article 20.2.2 of the Code on Administrative Offences provides for administrative liability for organizing a mass simultaneous gathering and (or) movement of citizens in public places, which is not a public event, public calls for mass simultaneous gathering and (or) movement of citizens in public places or participation in mass simultaneous gathering and (or) movement of citizens in public places, if the mass simultaneous gathering and (or) movement of citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Part 2 of this Article.

The object of the encroachment of the respective administrative offences is public relations in the area of public order and public safety. Citizens, officials and legal entities could be the subjects of administrative offences under this Article.

As follows from the case materials and established by the judge of the Bakhchisaray District Court of the Republic of Crimea, when considering case No. 5-358/2017, A.A. Ismailov, on 11 October 2017, being near the residential building No. 18 on Chepurina St. in the city of Bakhchisaray, took part in a mass simultaneous gathering of a group of citizens in the amount of more than 30 people, who, being in a public place, on Chepurina St. in the city of Bakhchisaray, near the house where M.R. Asanov resided, in order to prevent the law enforcement officials from carrying out operative investigative measures in relation to the latter, interfered with the movement of pedestrians and vehicles, thereby disrupting public order, which indicates that he had committed an administrative offence, the liability for which is provided for in Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

According to Article 26.2 of the Code on Administrative Offences, evidence in a case on an administrative offence is any factual data based on which the judge, body, or official considering the case establishes the presence or absence of an event of an administrative offence, the guilt of the person brought to administrative liability, as well as other circumstances that are important for the correct resolution of the case.

The fact of committing an administrative offence and A.A. Ismailov's guilt are confirmed by the written materials of the case on the administrative offence, namely, administrative offence record No. 00188427 of 11 October 2017, which sets out the merits of the offence (Case Sheet 2); record on the detention of the person who committed the administrative offence (Case Sheet 3); reports of law enforcement officials which state that on 11 October 2017, on Chepurina St. in the city of Bakhchisaray, near house No. 1-a, a group of citizens gathered in the amount of more than 30 people. These persons did not react to the law enforcement officials' requests to disperse and not interfere with the conduct of operational search measures, and demanded an explanation of the law enforcement officials' actions, which led to a disruption of public order (Case Sheets 13-14). A video footage present in the case materials (Case Sheet 8), the examination of which revealed that A.A. Ismailov on 11 October 2017, was in a group of citizens who were present on Chepurina St. in the city of Bakhchisaray at the time of operative and investigative measures carried out by law enforcement officials in one of the residential buildings located on Chepurina St. in the city of Bakhchisaray, who argued with the law enforcement officials and demanded an explanation of their actions, whereby there were shouts and insults to the law enforcement officials, and after the law enforcement officials' demands not to disrupt public order, these citizens, among whom was A.A. Ismailov, remained in place, insisting on giving explanations on the actions taken by them at the indicated address; explanations of L. Alieva (Case Sheet 11) who indicated that in the morning of 11 October 2017, being in the courtyard of her household located at the corner of [address], she saw that the area was locked down by the police, civilians around the perimeter, who were standing and talking, but she did not observe them all the time, because she went back to the house. Having heard noise in the street, she saw how law enforcement officials detained four civilians; explanations of S.S. Sova (Case Sheet 12), which indicated that in the morning of 11 October 2017, she saw law enforcement officials who were on Chepurina St., there was also a group of civilians on the street. Later, she heard a scream in the Crimean Tatar language, a noise resembling a fight, saw how the law enforcement officials detained someone.

When studying the materials of the case, it becomes obvious that the administrative offence record and other materials of the case were drawn up in accordance with the requirements of the law, by a proper official, there is no reason not to trust the information specified in them. In this connection, the judge of the Bakhchisaray District Court of the Republic of Crimea, when considering case No. 5-358/2017, rightfully recognized them as admissible evidence and made the basis of the contested decision, having assessed them according to the rules of Article 26.11 of the Code on Administrative Offences.

The above materials indicate that A.A. Ismailov, on 11 October 2017, took part in a mass simultaneous gathering and movement of citizens in a public place that was not a public event, since their indicated presence was not planned in advance, did not have a specific goal of free expression and formation of opinions, as well as the advancement of demands on the political, economic, social and cultural life of the country.

Under such circumstances, it becomes obvious that A.A. Ismailov's actions present an event of an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The argument about the absence in the A.A. Ismailov's actions of elements of an administrative offence imputed to him was reasonably recognized by the court as insolvent.

Having assessed the evidence presented in the case comprehensively, fully, objectively, in their totality, in accordance with the requirements of Article 26.11 of the Code on Administrative Offences, the judge of the Bakhchisaray District Court of the Republic of Crimea, when considering case No. 5-358/2017, came to the correct conclusion about the guilt of A.A. Ismailov in the commission of an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

A.A. Ismailov was imposed an administrative penalty within the limits established by the sanction under Part 1 of Article 20.2.2 of the Code on Administrative Offences, but without taking into account the provisions of Article 4.1 of the Code on Administrative Offences.

Para 23.1 of Plenary Decision of the Supreme Court of the Russian Federation No. 5 of 24 March 2005 "On Some Issues Arising in Courts when Applying the Code on Administrative Offences of the Russian Federation" indicates that the specific circumstances associated with the commission of an administrative offence are subject to assessment in accordance with the general rules for imposing punishment, based on the principles of justice, proportionality and individualization of liability.

In accordance with the general rules for imposing administrative penalties, an administrative penalty for committing an administrative offence is imposed within the limits established by the law providing for liability for this administrative offence in accordance with Part 1 of Article 4.1 of the Code on Administrative Offences. When imposing an administrative penalty on an individual, the judge takes into account the nature of the administrative offence committed, the personality of the perpetrator, his/her property status, circumstances mitigating administrative liability, and circumstances aggravating administrative liability (Part 2 of Article 4.1 of the Code on Administrative Offences of the Russian Federation).

The sanction of Part 1 of Article 20.2.2 of the Code on Administrative Offences establishes the imposition of an administrative fine on citizens in the amount of ten thousand to twenty thousand rubles, or compulsory work for up to one hundred hours, or administrative arrest for up to fifteen days.

When examining the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in case No. 5-358/2017, it became obvious that when imposing on A.A. Ismailov an administrative penalty in the form of a fine in the amount of RUB 20,000, the judge did not indicate the circumstances that served as the basis for such a decision, did not establish the presence of any evidence indicating the need to apply an administrative penalty in the form of an administrative fine in the maximum amount.

At the same time, the disagreement of A.A. Ismailov with an administrative offence imputed to him cannot be the basis for imposing on him an administrative penalty in the maximum amount established by the

sanction under Part 1 of Article 20.2.2 of the Code on Administrative Offences.

In view of the foregoing, there are grounds for changing the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in Case No. 5-358/2017.

Following Articles 30.6, 30.7 of the Code on Administrative Offences of the Russian Federation,

DECIDED:

To change the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in Case No. 5-358/2017, by which Asan Abduramanovich Ismailov was found guilty of committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences, reducing the amount of the penalty imposed on him in the form of a fine to RUB 10,000 (Ten Thousand).

The rest of the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in Case No. 5-358/2017 is to be left unchanged.

The complaint by the attorney of Asan Abduramanovich Ismailov, Edem Serverovich Semedlyayev, shall be dismissed.

The decision comes into force immediately and can be appealed in accordance with Article 30.12 of the Code on Administrative Offences.

Judge (signed) S.V. Yakovlev

*/Stamp: Bakhchisaray District Court of the
Republic of Crimea
Original decision is stored in admin case No. 5-
358/17
The copy is issued on 20 May 2020
Judge /Signature/
Secretary /Signature//
/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA/*

*/Stamp: TRUE COPY
Judge A.E. Skisov
Decision entered into force on /illegible/
4 November 2017
True: judge /Signature/
Secretary /signature//
/Seal: BAKHCHISARAY DISTRICT COURT
OF THE REPUBLIC OF CRIMEA /*

Annex 378

Supreme Court of the Republic of Crimea, Case No. 12-1240/2017,
Decision, 7 November 2017

Translation

/STAMP: COPY/

Judge G.S. Atamanyuk

Case No. 12-1240/2017

DECISION

7 November 2017

Simferopol

Judge of the Supreme Court of the Republic of Crimea N.A. Terentyeva, having considered at the open court hearing the complaint of Edem Serverovich Semedlyayev, the defence counsel of Rifat Seyt-Mamutovich Asanov, against the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in administrative offence case No. 5-356/2017 provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation regarding the administrative offences in relation to Rifat Seyt-Mamutovich Asanov,

FOUND:

That by the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, Rifat Seyt-Mamutovich Asanov was found guilty of committing the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation and was imposed an administrative punishment in the form of a fine in the amount of Fifteen thousand rubles (RUB 15,000).

In the complaint filed with the Supreme Court of the Republic of Crimea, the applicant requests to overturn the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, to terminate the proceedings in the case due to the absence of a set of all elements of the administrative offence, referring to the fact that the court did not examine fully and unbiasedly the case materials that contain fundamental contradictions and specifies that the meeting near house No. 18 at Chepurina St. in Bakhchisaray was of a peaceful nature, did not violate the rights of any third parties and holding liable of the persons who were there is an administrative prosecution of public actions. He believes that the principle of free speech of the proceedings was violated in the course of consideration of the case, no public was allowed to the court hearing and the prosecutor was absent. The court did not assess the guilt of the person brought to liability either.

At the court hearing, Rifat Seyt-Mamutovich Asanov and L.I. Gemedzhy, his defence counsel, supported the complaint arguments and requested to satisfy it.

Having checked the arguments set out in the complaint, having examined the case materials, having heard the explanations of the parties to the proceedings, the court comes to the following conclusion.

According to Part 2, Article 30.6 of the Code on Administrative Offences of the Russian Federation, when considering a complaint against a decision in an administrative offence case, the lawfulness and the reasonableness of the decision issued are checked on the basis of the materials that are available in the case and submitted additionally.

In accordance with Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, arranging for mass gathering that is not a public event and/or movement of citizens in public places, public calls for or participation in mass gathering and/or movement of citizens in public places, if mass gathering and/or movement of citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article, entail the imposition of a fine

on citizens in the amount of Ten thousand to Twenty thousand rubles, or compulsory community service for up to One hundred hours, or an administrative arrest for a period of up to Fifteen days; on officials, in the amount of Fifty thousand to One hundred thousand rubles; on legal entities, in the amount of Two hundred and fifty thousand to Five hundred thousand rubles.

At that, the concept of “mass gathering or movement in public places” does not include any events held in public places, but does include those mass events only that pursue a predetermined objective, are characterized by the common intent of their participants and by free access of citizens to the participation therein, but are not public events within the meaning of Federal Law On Assemblies, Rallies, Demonstrations, Marches and Picketing No. 54-FZ of 19 June 2004 (Clauses 1—6, Article 2) that is specified by the Constitutional Court of the Russian Federation in its ruling No. 1721-O of October 24, 2013.

Based on the meaning of the above provisions, the street is a public place that is free for access of the public at large.

As it follows from the administrative offence records, the reports of the law enforcement officials, on 11 October 2017, from 07:00 a.m. to 08:00 a.m., being near <address> in <address>, Rifat Seyt-Mamutovich Asanov took part in mass gathering of a group of more than 20 citizens who were there in order to interfere with the operative and investigation actions taken by the law enforcement officials in relation to M.R. Asanov, which entailed mass gathering of citizens and a crowd disrupting the public order, that testifies to the onset of public menace consequences, i.e. the crowd that interfered with the free traffic and passage of pedestrians.

The foregoing refutes the complaint arguments that the guilt of Rifat Seyt-Mamutovich Asanov in committing the alleged administrative offence was not proved.

Under those circumstances, the actions of Rifat Seyt-Mamutovich Asanov were correctly qualified by the judge of the district court under Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The fact of committing the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation is confirmed by the following: administrative offence records No. PK 00188846 of 11 October 2017 (case sheet 2), the explanations by L.E. Aliyeva, S.S. Sova (case sheets 10—11), the reports of employees of the Ministry of Internal Affairs (case sheets 12—13), the video footage.

The circumstances of the committed administrative offence were clarified in a comprehensive, full, unbiased and timely manner in the course of consideration of that administrative offence case in compliance with the requirements of Article 24.1 of the Code on Administrative Offences of the Russian Federation.

The fact of the administrative offence event, the person who took part in the meeting of citizens, the guilt of that person in committing the administrative offence, any other circumstances that were relevant for the correct solution of the case, were established by virtue of the requirements of Article 26.1 of the Code on Administrative Offences of the Russian Federation.

By virtue of the provisions of Article 26.2 of the Code on Administrative Offences of the Russian Federation, evidence in the administrative offence case is any factual data on the basis whereof the judge, body, official that handles the case establishes whether or not there is an administrative offence event, the guilt of the person brought to administrative liability and any other circumstances that are relevant for the correct solution of the case.

The administrative offence records and any other case materials were drawn up in compliance with the requirements of the law, by a proper official, there is no reason not to trust the information specified therein, and therefore the judge of the district court correctly recognized them as the admissible evidence and took them as a basis for the challenged decision, having assessed them according to the rules of Article 26.11 of the Code on Administrative Offences of the Russian Federation.

The body of the evidence above fully and objectively describes the set of all elements and the event of the administrative offence and the guilt of Rifat Seyt-Mamutovich Asanov in committing the administrative offence provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The applicant's disagreement with the assessment of the evidence available in the case is not a basis for revoking the judicial act that was drawn up in compliance with the requirements of the Code on Administrative Offences of the Russian Federation.

The case materials do not contain any discrepancies or insurmountable doubts affecting the correctness of the conclusion of the judge of the district court on the proof of guilt of R.S.-M. Asanov in committing the above administrative offence.

The applicant's argument that there was no public and no prosecutor at the court hearing who are not parties to the proceedings by virtue of Article 25.1 of the Code on Administrative Offences of the Russian Federation does not entail the revocation of the decision.

The case materials do not include a written petition for considering the case with the participation of L.I. Gemedzhy, the defence counsel.

Any other complaint arguments are reduced on the merits to a reassessment of evidence, do not refute the circumstances established by the court and do not affect the lawfulness of the decision.

The decision on bringing to administrative liability was made within the limitation period for bringing to administrative liability established for this category of cases by Part 1, Article 4.5 of the Code on Administrative Offences of the Russian Federation.

There are no grounds for revoking the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, but there are grounds for changing it by virtue of the following.

In accordance with Part 1, Article 4.1 of the Code on Administrative Offences of the Russian Federation, the administrative punishment for committing the administrative offence is imposed to the extent established by the law providing for liability for that administrative offence in accordance with this Code.

According to Part 2 of that Article, when imposing the administrative punishment on an individual, the nature of the administrative offence committed by him/her, the identity of the guilty person, his/her property status, any circumstances mitigating the administrative liability and any circumstances aggravating the administrative liability are taken into account.

According to the positions contained in Para. 23.1 of Plenary Decision No. 5 of the Supreme Court of the Russian Federation "On Some Issues Arising in Courts when Applying the Code on Administrative Offences of the Russian Federation" of 24 March 2005, it is stated that particular circumstances related to committing the administrative offence are to be assessed in accordance with the general rules for imposing punishment based on the principles of justice, proportionality and individualization of liability.

Imposing on R.S.-M. Asanov the administrative punishment in the form of a fine in the amount of RUB 15,000, the judge did not specify the circumstances that were the basis for such decision, did not establish at the same time the availability of any evidence proving the need to apply the administrative punishment that exceeds the minimum amount established by the sanction of Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

Thus, taking into account that R.S.-M. Asanov was not brought to administrative liability earlier and is retired, there are no circumstances aggravating the administrative liability, I come to the conclusion that the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 is to be changed in terms of imposing the administrative punishment in the form of the administrative fine in the amount of RUB 15,000.

Being guided by Article 30.7 of the Code on Administrative Offences of the Russian Federation, the court

DECIDED:

to change the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in administrative offence case No. 5-356/2017 provided for by Part 1, Article 20.2.2 of the Code on Administrative Offences of the Russian Federation with respect to Rifat Seyt-Mamutovich Asanov by reducing the amount of the punishment imposed on him in the form of the fine to Ten thousand rubles (RUB 10,000), the remaining part of the decision is to be left unchanged.

A complaint may be filed against the decision.

Judge of the Supreme Court

of the Republic of Crimea

signature

N.A. Terentyeva

*/Stamp: Bakhchisaray District
Court of the Republic of Crimea
Original decision is stored in admin case
No. 5-356/17
The copy is issued on 30 July 2018
Judge /Signature/*

*Secretary /Signature//
/Seal: BAKHCHISARAY DISTRICT
COURT OF THE REPUBLIC OF
CRIMEA/*

*/Stamp: TRUE COPY
Judge G.S. Atamanyuk
Decision entered into force on
7 November 2017
True: judge /Signature/
Secretary /signature//
/Seal: BAKHCHISARAY DISTRICT
COURT OF THE REPUBLIC OF CRIMEA
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Annex 379

Supreme Court of the Republic of Crimea, Case No. 12-1247/2017,
Decision, 7 November 2017

Translation

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Judge V.I. Koshelev

Case No. 12-1247/2017

DECISION

7 November 2017

Simferopol

Judge of the Supreme Court of the Republic of Crimea N.A. Terentyeva, having considered at the open court hearing the complaint of Edem Serverovich Semyadlyayev, the defence counsel of Ruslan Narimanovich Bilyalov, against the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in administrative offence case No. 5-362/2017 provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation regarding the administrative offences in relation to Ruslan Narimanovich Bilyalov,

FOUND:

That by the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, Ruslan Narimanovich Bilyalov was found guilty of committing the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation and was sentenced to an administrative punishment in the form of a fine in the amount of RUB 10,000.

In the complaint filed with the Supreme Court of the Republic of Crimea, the defence counsel E.S. Semyadlyayev requests in the interests of R.N. Bilyalov to revoke the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, to terminate the proceedings in the case due to the absence of a set of all elements of the administrative offence, referring to the fact that the court did not examine fully and unbiasedly the case materials that contain fundamental contradictions. The principle of publicity of the proceedings was violated in the course of consideration of the case, no public was allowed to the court hearing and the prosecutor was absent. The court did not assess the guilt of the person brought to liability either. He stated that the meeting near house No. 16 at Mira St. in Bakhchisaray was of a peaceful nature, did not violate the rights of any third parties and the bringing of the persons who were there to liability was the administrative prosecution of public actions.

R.N. Bilyalov did not appear at the court hearing, he had been duly notified of its time and place.

Having checked the arguments set out in the complaint, having examined the case materials, the court comes to the following conclusion.

According to Part 2 of Article 30.6 of the Code on Administrative Offences of the Russian Federation, when considering a complaint against a decision in an administrative offence case, the lawfulness and the reasonableness of the decision issued are checked on the basis of the materials that are available in the case and submitted additionally.

In accordance with Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, arranging for mass gathering that is not a public event and/or movement of citizens in public places, public calls for or participation in mass gathering and/or movement of citizens in public places, if mass gathering and/or movement of citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article, entail the imposition of a fine on citizens in the amount of Ten thousand to Twenty thousand rubles, or compulsory community service for up to One hundred hours, or an administrative arrest for a period of up to Fifteen days; on officials, in the amount of Fifty thousand to One hundred thousand rubles; on legal entities, in the amount of Two hundred and fifty thousand to Five hundred thousand rubles.

At that, the concept of “mass gathering or movement in public places” does not include any events held in public places, but does include those mass events only that pursue a predetermined objective, are characterized by the common intent of their participants and by free access of citizens to the participation therein, but are not public events within the meaning of Federal Law On Assemblies, Rallies, Demonstrations, Marches and Picketing No. 54-FZ of 19 June 2004 (Clauses 1—6 of Article 2 that is specified by the Constitutional Court of the Russian Federation in its ruling No. 1721-0 of 24 October 2013.

Based on the meaning of the above provisions, the street is a public place that is free for access of the public at large.

As it appears from the administrative offence records, the reports of the law enforcement officials, on 11 October 2017, from 07:00 a.m. to 08:00 a.m., Ruslan Narimanovich Bilyalov being near the multiapartment <address> in <address>, Ruslan Narimanovich Bilyalov took part in mass gathering of a group of more than 20 citizens who were there in order to interfere with the operative and investigation actions taken by the law enforcement officials in relation to T.R. Ibragimov, which entailed mass gathering of citizens and a crowd disrupting the public order.

The foregoing refutes the complaint arguments that the guilt of R. N. Bilyalov in committing the alleged administrative offence was not proved.

Under those circumstances, the actions of R. N. Bilyalov were correctly qualified by the judge of the district court under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The fact of committing the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation is confirmed by the following: administrative offence records No. PK 00188453 of 11 October 2017 (case sheet 2), the reports of employees of the Ministry of Internal Affairs (case sheets 9—11), the video footage.

The circumstances of the committed administrative offence were clarified in a comprehensive, full, unbiased and timely manner in the course of consideration of that administrative offence case in compliance with the requirements of Article 24.1 of the Code on Administrative Offences of the Russian Federation.

The fact of the administrative offence event, the person who took part in the meeting of citizens, the guilt of that person in committing the administrative offence, any other circumstances that were relevant for the proper resolution of the case, were established by virtue of the requirements of Article 26.1 of the Code on Administrative Offences of the Russian Federation.

By virtue of the provisions of Article 26.2 of the Code on Administrative Offences of the Russian Federation, evidence in the administrative offence case is any factual data on the basis whereof the judge, body, official that handles the case establishes whether or not there is an administrative offence event, the guilt of the person brought to administrative liability and any other circumstances that are relevant for the proper resolution of the case.

The administrative offence records and any other case materials were drawn up in compliance with the requirements of the law, by a proper official, there is no reason not to trust the information specified therein, and therefore the judge of the district court correctly recognized them as the admissible evidence and took them as a basis for the challenged decision, having assessed them according to the rules of Article 26.11 of the Code on Administrative Offences of the Russian Federation.

The body of the evidence above fully and objectively describes the set of all elements and the event of the administrative offence and the guilt of R. N. Bilyalov in committing the administrative offence provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The applicant’s disagreement with the assessment of the evidence available in the case is not a basis for revoking the judicial act that was drawn up in compliance with the requirements of the Code on Administrative Offences of the Russian Federation.

The case materials do not contain any discrepancies or insurmountable doubts affecting the correctness of the conclusion of the judge of the district court on the proof of guilt of R. N. Bilyalov in committing the above administrative offence

The applicant's point that there was no public and no prosecutor at the court hearing who are not parties to the proceedings by virtue of Article 25.1 of the Code on Administrative Offences of the Russian Federation does not entail the revocation of the decision.

Any other complaint arguments are reduced on the merits to a reassessment of evidence that was examined by the district court, do not refute the circumstances established by the court and do not affect the lawfulness of the decision.

The decision on bringing to administrative liability was made within the limitation period for bringing to administrative liability established for this category of cases by Part 1 of Article 4.5 of the Code on Administrative Offences of the Russian Federation.

The administrative punishment is imposed on R. N. Bilyalov subject to the provisions of Articles 3.1, 3.5, 4.1 of the Code on Administrative Offences of the Russian Federation to the extent of the sanction of Part 1 of Article 20.2.2 of that Code.

The judge did not commit any material violations of procedural and substantive rules when considering the administrative offence case and passing the decision therein.

Under those circumstances, no grounds appear for revoking or changing the court decision made in the case.

Being guided by Article 30.7 of the Code on Administrative Offences of the Russian Federation, the court

DECIDED:

to uphold the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in administrative offence case No. 5-362/2017 provided for by Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation in relation to Ruslan Narimanovich Bilyalov, to dismiss the complaint of Edem Serverovich Semydyaev, the defence counsel of Ruslan Narimanovich Bilyalov.

A complaint may be filed against the decision.

Judge of the Supreme Court

of the Republic of Crimea

signature

N.A. Terentyeva

*/Stamp: Bakhchisaray District Court of
the Republic of Crimea*

*Original decision is stored in admin case No. 5-
362/17*

The copy is issued on 30 July 2018

Judge /Signature/

Secretary /Signature//

*/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA/*

/Stamp: TRUE COPY

Judge V.I. Koshelov

The judgement entered into force on

7 November 2017

True: judge /Signature/

Secretary /signature//

*/Seal: BAKHCHISARAY DISTRICT
COURT OF THE REPUBLIC OF CRIMEA /*

Annex 380

Supreme Court of the Republic of Crimea, Case No. 12-1244/2017,
Decision, 7 November 2017

Translation

Judge A.E. Skisov

Case No. 12-1244/2017

DECISION

7 November 2017

Simferopol

The judge of the Supreme Court of the Republic of Crimea, N.A. Terentyeva, having considered in court the complaint of the defence counsel of Eldar Ruslanovich Ishnazarov, Edem Serverovich Semedlyaev, against the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in case No. 5-360/2017 on an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, in relation to Eldar Ruslanovich Ishnazarov,

FOUND:

By the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, Eldar Ruslanovich Ishnazarov was found guilty of committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, and imposed an administrative penalty in the form of a fine in the amount of RUB 20,000.

In the complaint filed with the Supreme Court of the Republic of Crimea, the applicant asks to cancel the decision of the judge of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, to terminate the proceedings on the case due to absence of an administrative offence, referring to the fact that the court incompletely and biasedly examined the materials of the case, which contain irreparable contradictions, indicating that the meeting near house No. 18 in Chepurin St., Bakhchisaray was peaceful, did not violate the rights of third parties, and the prosecution of those who were there is administrative prosecution of public actions. The applicant believes that during the consideration of the case, the court violated the principle of publicity of the proceedings, no public was admitted to the hearing, and the prosecutor was absent. Also, the court did not assess the guilt of the person brought to liability.

At the hearing, E.R. Ishnazarov, his defence counsel, E.S. Semedlyaev, supported the arguments of the complaint, asked to satisfy it.

The representative of E.R. Ishnazarov, L.I. Gemedzhi, explained that E.R. Ishnazarov, on 11 October 2017, together with other relatives arrived to the house of M.R. Asanov whose apartment was searched. The gathered crowd of people tried to find out what the charge was. There were no disruptions of public order. M.R. Asanov spoke emotionally about law enforcement officers, because he was worried about his son and his family.

After checking the arguments set out in the complaint, examining the case materials, hearing the explanations of the participants in the process, the court comes to the following.

According to Part 2, Article 30.6 of the Code on Administrative Offences of the Russian Federation, when considering an appeal against a decision on an administrative offence case, the legality and validity of the decision shall be checked on the basis of the materials available in the case and additionally submitted materials.

In accordance with Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation, organization of a mass simultaneous gathering and (or) movement of citizens in public places, which is not a public event, public calls for mass simultaneous gathering and (or) movement of citizens in public places or participation in mass simultaneous gathering and (or) movement of citizens in public places, if the mass simultaneous gathering and (or) movement of citizens in public places entails public order disturbance or violation of sanitary norms and rules, violation of the functioning and safety of critical infrastructure or communication facilities, or has caused damage to greenery, or hindrance to the movement of pedestrians or vehicles, or prevented citizens' access to residential premises or transportation infrastructure

facilities, or to social infrastructure facilities, except for the situations provided for in Parts 2 and 3 of this Article, entails the imposition of an administrative fine on citizens in the amount of ten thousand to twenty thousand rubles, or compulsory work for up to one hundred hours, or administrative arrest for up to fifteen days; on officials - from five thousand to ten thousand rubles; on legal entities - from thirty thousand to fifty thousand rubles.

Whereby the concept of “mass simultaneous gathering or movement in public places” does not include any events held in public places, but only those mass events that pursue a predetermined objective, are characterized by a single intent of their participants and free access of citizens to participate in them, but are not public events within the meaning of Federal Law of 19 June 2004 No. 54-FZ “On Assemblies, Rallies, Demonstrations, Marches and Picketing” (Cl. 1-6 of Article 2), which is indicated by the Constitutional Court of the Russian Federation in its ruling of 24 October 2013 No. 1721-0.

Based on the meaning of the above provisions, the street is a public place intended for access by the indefinite circle of people.

As follows from the administrative offence record, reports of law enforcement officials, on 11 October 2017, in the period from 7: 00 am to 8:00 am, Eldar Ruslanovich Ishnazarov, being near house No. 18 in Chepurin St., Bakhchisaray, took part in a mass simultaneous gathering of a group of citizens in the amount of more than 20 people who arrived in order to prevent the law enforcement officials from carrying out operative investigative measures in relation to M.R. Asanov, which entailed a mass gathering of citizens, building-up a crowd that disrupted public order.

The foregoing refutes the arguments of the complaint about the lack of evidence of E.R. Ishnazarov’ guilt in the commission of the imputed administrative offence.

Under these circumstances, the actions of E.R. Ishnazarov were correctly qualified by the judge of the district court in accordance with Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The fact of committing an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation is confirmed by: administrative offence record series No. PK 00188292 of 11 October 2017 (Case Sheet 2), explanations of L.E. Alieva, S.S. Sova (Case Sheets 9-10), reports of law enforcement officials (Case Sheets 11-12), the video footage.

The consideration of this administrative offence case in accordance with the requirements of Article 24.1 of the Code on Administrative Offences of the Russian Federation included a comprehensive, full, objective and timely establishment of the circumstances of the committed administrative offence.

By virtue of the requirements of Article 26.1 of the Code on Administrative Offences of the Russian Federation, the following was established: occurrence of an event of an administrative offence, a person who is a participant in a meeting of citizens, the guilt of said person in committing the administrative offence, other circumstances that are important for the proper resolution of the case.

By virtue of the provisions of Article 26.2 of the Code on Administrative Offences of the Russian Federation, evidence in a case on an administrative offence is any factual data based on which the judge, body, or official considering the case establishes the presence or absence of an event of an administrative offence, the guilt of the person brought to administrative liability, as well as other circumstances that are important for the proper resolution of the case.

The administrative offence record and other materials of the case were drawn up in accordance with the requirements of the law, by a proper official, and there is no reason not to trust the information specified in them. In this connection, the judge of the district court correctly recognized them as admissible evidence and made the basis of the contested decision, having assessed them according to the rules of Article 26.11 of the Code on Administrative Offences of the Russian Federation.

The totality of the above evidence fully and objectively reflects the elements of offence and the event of the administrative offence and the guilt of E.R. Ishnazarov in the commission of the administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

The applicant's disagreement with the assessment given to the evidence collected in the case does not constitute grounds for canceling the court decision, which was issued in compliance with the requirements of the Code on Administrative Offences of the Russian Federation.

The case materials do not contain any contradictions or irreparable doubts affecting the correctness of the conclusion of the district court with regard to the evidence of E.R. Ishnazarov' guilt in committing the above-described administrative offence.

The applicant's indication of the absence of the public and the prosecutor at the hearing who are not participants in the process does not entail the cancellation of the decision by virtue of Article 25.1 of the Code on Administrative Offences of the Russian Federation.

Other arguments of the complaint essentially come down to a reassessment of the evidence that was the subject of investigation by the district court, and do not refute the circumstances established by the court and do not affect the legality of the decision.

The decision on bringing to administrative liability was issued within the limitation period for bringing to administrative liability established by Part 1 of Article 4.5 of the Code on Administrative Offences of the Russian Federation, for this category of cases.

There are no grounds for canceling the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017, however there are grounds for changing it by virtue of the following.

In accordance with Part 1 of Article 4.1 of the Code on Administrative Offences of the Russian Federation, administrative penalty for committing an administrative offence is imposed within the limits established by the law providing for liability for this administrative offence in accordance with this Code.

According to Part 2 of this article, when imposing an administrative penalty on an individual, the judge takes into account the nature of the administrative offence committed, the personality of the perpetrator, his/her property status, circumstances mitigating administrative liability, and circumstances aggravating administrative liability.

The clarifications contained in clause 23.1 of the Resolution of the Plenum of the Supreme Court of the Russian Federation No. 5 of 24 March 2005 "On Some Issues Arising in the Courts when Applying the Code on Administrative Offences of the Russian Federation" indicate that the specific circumstances associated with the commission of an administrative offence are subject to assessment in accordance with the general rules for imposing punishment, based on the principles of justice, proportionality and individualization of liability.

When imposing on E.R. Ishnazarov an administrative penalty in the form of a fine in the amount of 20,000 rubles, the judge did not indicate the circumstances that served as the basis for such a decision, did not establish the presence of any evidence indicating the need to apply an administrative penalty in the form of an administrative fine in the maximum amount in accordance with Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation.

Thus, given that E.R. Ishnazarov has minor children born in 2008 and 2011, the absence of circumstances aggravating administrative liability, I come to the conclusion about changing the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 as it pertains to the imposition of an administrative penalty in the form of an administrative fine in the amount of RUB 20,000.

Following Article 30.7 of the Code on Administrative Offences of the Russian Federation,

DECIDED:

to change the decision of the Bakhchisaray District Court of the Republic of Crimea of 11 October 2017 in case No. 5-360/2017 on an administrative offence under Part 1 of Article 20.2.2 of the Code on Administrative Offences of the Russian Federation in relation to Eldar Ruslanovich Ishnazarov, reducing the amount of the penalty imposed on him in the form of a fine to RUB 10,000 (Ten Thousand). The rest of the decision is to be left unchanged.

The Decision can be appealed against.

Judge of the Supreme Court
of the Republic of Crimea

(signed)

N.A. Terentieva

*/Stamp: Bakhchisaray District Court of the
Republic of Crimea
Original decision is stored in admin case No. 5-
360/17
The copy is issued on 20 May 2020
Judge /Signature/
Secretary /Signature//
/Seal: BAKHCHISARAY DISTRICT COURT OF
THE REPUBLIC OF CRIMEA/*

*/Stamp: TRUE COPY
Judge A.E. Skisov
Decision entered into force on
7 November 2017
True: judge /Signature/
Secretary /signature//
/Seal: BAKHCHISARAY DISTRICT COURT
OF THE REPUBLIC OF CRIMEA /*

Annex 381

Investigative Directorate of the Ministry of Internal Affairs for the
Republic of Crimea, Record of a suspect's detention,
23 November 2017

Translation**RECORD
of a suspect's detention**

Simferopol

23 November 2017

Start time: 6:00 p.m.

End time: 6:35 p.m.

Major of Justice O.A. Tys, a high-priority cases investigator of the Investigative Unit of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea, while conducting a preliminary investigation into criminal case No. 11701350035007216 on suspicion of K.A. Ametov's involvement in a crime under paras. "a", "d" of Part 2 of Article 163 of the Criminal Code of the Russian Federation, in accordance with Articles 91, 92 of the Criminal Procedural Code of the Russian Federation, detained the following suspect in office No. 14 of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea (Republic of Crimea, Simferopol, 19 Dekabristov Street) at 1:45 p.m. on 23 November 2017:

1. Full name:	Kazim Abilvapovich Ametov
2. Date of birth:	10 April 1957
3. Place of birth:	Bekabad District, Tashkent Region
4. Place of residence and (or) registration:	Republic of Crimea, Sudak, 31 Sovetskaya Street
5. Citizenship:	Russian Federation
6. Education:	secondary
7. Family status, family members:	married, three dependent children born in 1990, 1992, and 2007
8. Place of employment or studying:	old-age pensioner
9. Military status:	non-eligible for military duty
10. Criminal records:	none
11. Passport or other identifying document of the witness (sic):	passport of citizen of the Russian Federation [series, No.] issued on [...] by [...]
12. Other information:	N/A

Grounds and reasons for detention: para. 2 of Part 1 of Article 91 of the Criminal Procedural Code of the Russian Federation.

It was explained to me that under Part 4 of Article 46 of the Criminal Procedural Code of the Russian Federation I am entitled:

- 1) to know what I am suspected of and to receive a copy of a resolution on the institution of criminal proceedings against me, or a copy of a record of detention, or a copy of a resolution concerning the measure of restraint against me;
- 2) to give explanations and testimony concerning the suspicion brought against me or to refuse to give explanations and testify. If I agree to testify, I am warned that my testimony may be used as evidence in criminal proceedings, including if I decide to retract it afterwards, except as provided for by para. 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;
- 3) to use the services of a defence counsel starting from the moment set out in paras. 2–3.1 of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and confidential conference with the defence counsel prior to the first interrogation;
- 4) to provide evidence;
- 5) to file petitions and motions for disqualification;
- 6) to give explanations and testify in my native tongue or in a language I have a command of;
- 7) to use interpreting services free of charge;
- 8) to read investigation reports relating to investigative activities I was involved in and to give comments on them;
- 9) when permitted by the investigator or inquiry officer, to be involved in investigative activities carried out upon my petition or that of my defence counsel or legal representative;

- 10) to appeal against actions (omission) and decisions of the court, prosecutor, head of the investigation body, investigator, body of inquiry, and inquiry officer as provided for by Chapter 16 of the Criminal Procedural Code of the Russian Federation;
- 11) to defend myself by other means and methods not prohibited by the Criminal Procedural Code of the Russian Federation.

Besides, it was explained to me that under Article 51 of the Constitution of the Russian Federation, I am not obliged to incriminate myself, to testify against my spouse, and other close relatives listed in para. 4 of Article 5 of the Criminal Procedural Code of the Russian Federation.

My rights were explained to me. /Signature/

It was explained to me that I am suspected of committing a crime under paras. “a”, “d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation.

Suspect: */Signature/*

At 6:10 p.m. on 28 November 2017.

There was no personal search of the suspect K.A. Ametov.

The suspect K.A. Ametov said the following in respect of the detention:

I do not agree with it.

Suspect: */Signature/*

The suspect K.A. Ametov was afforded an opportunity to have one telephone call in Russian in the presence of the investigator so that the former could notify his close relatives, family members, or close ones about his detention and place of location under Part 1 of Article 96 of the Criminal Procedural Code of the Russian Federation

The suspect K.A. Ametov refused to take this opportunity.

After the detention was over, there were *no statements* from the parties involved, the suspect K.A. Ametov.

(their procedural status, last name, initials)

Content of the statements: *none*

(content or none)

Suspect

/Signature/
(signature)

Once drawn up, in accordance with Articles 91, 92, 164 of the Criminal Procedural Code of the Russian Federation, the record of K.A. Ametov’s detention was shown to all the parties involved for examination. Besides, the above parties were told that they were entitled to have additional and clarifying remarks entered into the record, with the same stated and certified by signatures of the above parties. Having personally read the record, the parties had no statements, comments, additions, or motions.

Suspect

/Signature/
(signature)

Investigator (inquiry officer)

/Signature/
(signature)

The suspect K.A. Ametov was sent to be placed in custody to the Temporary Detention Facility of the Directorate of the Ministry of Internal Affairs of Russia for Simferopol.

(name of the custodial facility)

The report about K.A. Ametov’s detention was sent to the Prosecutor of the Republic of Crimea at 6:40 pm on 23 November 2017.

(name of the prosecution authority)

Investigator (inquiry officer)

/Signature/
(signature)

The following persons were notified about the detention of K.A. Ametov: *no one*

(who) (last name, initials of the suspect)

I received a copy of the record on 22 November 2017.

Suspect

/Signature/
(signature)

I delivered a copy of the record.

Investigator (inquiry officer)

/Signature/
(signature)

Annex 382

Investigative Directorate of the Ministry of Internal Affairs for the
Republic of Crimea, Record of a suspect's detention,
23 November 2017

Translation**RECORD
of a suspect's detention**

Simferopol

23 November 2017

Start time: 5:45 p.m.

End time: 7:23 p.m.

Captain of Justice D.N. Nazarov, an investigator of the Investigative Unit of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea, while in office No. 68 of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea (Simferopol, 19 Dekabristov Street), in the presence of the defence counsel Edem Serverovich Semedlyaev who presented certificate No. [...] issued on [...] and order No. AK-146 of 23 November 2017, while conducting a preliminary investigation into criminal case No. 11701350035007216 initiated on 15 November 2017 into elements of a crime under paras. "a", "d" of Part 2 of Article 163 of the Criminal Code of the Russian Federation, in accordance with Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation, has conducted this record to the effect that the following person was detained in Simferopol at 1:45 p.m. on 23 November 2017 and then delivered to an administrative building of the Investigative Unit of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea (Simferopol, 19 Dekabristov Street) at 4:45 p.m. on 23 November 2017) for the purposes of drawing up this record and directly recording the above investigative activity:

- | | |
|--|---|
| 1. Full name: | Bekir Appazovich DEGERMENDZHI |
| 2. Date of birth: | 31 October 1960; |
| 3. Place of birth: | village of Dalverzin-2, Bekabad District, Tashkent Region; |
| 4. Place of residence and (or) registration: | Republic of Crimea, Sudak, village of Grushevka, 9 Efeane Street; |
| 5. Citizenship: | He is a citizen of the Russian Federation; he did not renounce his citizenship of Ukraine as provided for by Russian law; |
| 6. Education: | secondary technical; |
| 7. Family status, family members: | married; |
| 8. Place of employment or studying: | pensioner, disabled of the third-degree; |
| 9. Military status: | non-eligible for military duty; |
| 10. Criminal records: | none according to him; |
| 11. Passport or other identifying document of the witness (sic): | passport series [...] No. [...] issued on [...] by [...]. |
| 12. See other identity information in the case files | |

Grounds, reasons and other circumstances of detention: paras. 1, 2 of Part 1 of Article 91 of the Criminal Procedural Code of the Russian Federation – when a person is caught in the course of, or immediately after, the commission of a crime; when victims or witnesses can identify this person as the perpetrator of the crime.

/Signature/

Between mid-August 2017 and 6 September 2017, R.Sh. Trubach, together with K.A. Ametov, A.E. Chapukh, B.A. Degermendzhi, and other persons whose identities the preliminary investigation could not establish, having a criminal intent aimed at taking possession of property of another by extortion, while in the

territory of house and grounds No. 52 at Molodezhnaya Street in the village of Novoklenovka of the Belogorsk District of the Republic of Crimea and in the Marakand Restaurant (Simferopol, 17 Vorovskogo Street), threatening with violence that posed danger to life and health, started unreasonably demanding from the victim Yu. Aytan monetary funds amounting to USD 7,000 (406,608.3 Rubles as per the rate of the Central Bank of the Russian Federation), thereby committing a crime under paras. “a”, “d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation – extortion, i.e. a demand that property of another be transferred under the threat of violence, with the said crime committed by a group of persons by previous concert on a large scale.

It was explained to the suspect B.A. Degermendzhi that under Part 4 of Article 46 of the Criminal Procedural Code of the Russian Federation he is entitled:

- 1) *to know what I am suspected of and to receive a copy of a resolution on the institution of criminal proceedings against me, or a copy of a record of detention, or a copy of a resolution concerning the measure of restraint against me;*
- 2) *to give explanations and testimony concerning the suspicion brought against me or to refuse to give explanations and testify. If I agree to testify, I am warned that my testimony may be used as evidence in criminal proceedings, including if I decide to retract it afterwards, except as provided for by para. 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;*
- 3) *to use the services of a defence counsel starting from the moment set out in paras. 2–3¹ of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and confidential conference with the defence counsel prior to the first interrogation;*
3.1) Once a measure of restraint in the form of remand in custody or home arrest is selected, to have an unlimited number of visits by a notary public without any limitation as to their duration for the purposes of certifying powers of attorney issued by the suspect authorising one to represent the suspect’s interests in the area of entrepreneurial activities. However, it is prohibited to perform any notarial acts related to property, monetary funds, and other valuables that may be subject to seizure as provided for this Code;
- 4) *to provide evidence;*
- 5) *to file petitions and motions for disqualification;*
- 6) *to give explanations and testify in my native tongue or in a language I have a command of;*
- 7) *to use interpreting services free of charge;*
- 8) *to read investigation reports relating to investigative activities I was involved in and to give comments on them;*
- 9) *when permitted by the investigator or inquiry officer, to be involved in investigative activities carried out upon my petition or that of my defence counsel or legal representative;*
/Signature/
- 10) *to appeal against actions (omission) and decisions of the court, prosecutor, head of the investigation body, investigator, body of inquiry, and inquiry officer as provided for by Chapter 16 of the Criminal Procedural Code of the Russian Federation;*
- 11) *to defend myself by other means and methods not prohibited by the Criminal Procedural Code of the Russian Federation.*

Besides, it was explained to me that under Article 51 of the Constitution of the Russian Federation I am not obliged to incriminate myself, to testify against my spouse, and other close relatives listed in para. 4 of Article 5 of the Criminal Procedural Code of the Russian Federation.

It was explained to me that I am suspected of committing a crime under paras. “a”, “d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation – extortion, i.e. a demand that property of another be transferred under the threat of violence, with the said crime committed by a group of persons by previous concert on a large scale.

Suspect

Defence counsel /Signature/ E.S. Smedlyayev

The suspect B.A. Degermendzhi said the following in respect of the detention: *I do not agree with the detention since in fact there is no basis for it.*

Suspect

Defence counsel /Signature/ E.S. Smedlyayev

There was no personal search of the suspect B.A. Degermendzhi.

Investigator of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea /Signature/ D.N. Nazarov
Captain of Justice

The suspect B.A. Degermendzhi was afforded an opportunity to have one telephone call in Russian in the presence of the investigator so that the former could notify his close relatives or close ones about his detention and place of location under Part 3 of Article 46 of the Criminal Procedural Code of the Russian Federation.

The suspect B.A. Degermendzhi exercised his right and, using a mobile telephone of his lawyer [...], telephoned his wife Alie Yunusovna Degermendzhi [...].

After the detention of B.A. Degermendzhi, there were no statements, comments, additions, or motions from the parties involved.

Suspect

Defence counsel /Signature/ E.S. Smedlyayev

Once drawn up, in accordance with Articles 91, 92, 164 of the Criminal Procedural Code of the Russian Federation, the record of B.A. Degermendzhi's detention was shown to all the parties involved for examination. Besides, the above parties were told that they were entitled to have additional and clarifying remarks entered into the record, with the same stated and certified by signatures of the above parties.

Having personally read the record, the parties involved had the following statements, comments, additions, or motions.

B.A. Degermendzhi refused to sign this record since no interpreter was provided. The investigator breached para. 1 of Article 92 of the Criminal Procedural Code because B.A. Degermendzhi was delivered to the Investigative Unit of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea at 3:00 p.m, but the record started to be prepared only at 7:25 p.m. since the parties had been waiting for an interpreter for a long time. The end time is 7:40 p.m. Further, the investigator breached para. 1 of Article 96 of the Criminal Procedural Code since he allowed notifying relatives at 7:31 p.m.

Suspect

Defence counsel /Signature/ E.S. Smedlyayev

The rights and obligations and the nature of the suspicion brought against him were explained to the suspect B.A. Degermendzhi in the presence of his lawyer. The suspect refused to sign the record.

Investigator of the Investigation Directorate of the Ministry of Internal Affairs for the Republic of Crimea /Signature/ D.N. Nazarov
Captain of Justice

/Seal: Ministry of Internal Affairs of the Russian Federation for the Republic of Crimea. Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea/

The suspect B.A. Degermendzhi was sent to be placed in custody to the Temporary Detention Facility of the Directorate of the Ministry of Internal Affairs of Russia for Simferopol.

The report about B.A. Degermendzhi's detention was sent to the Prosecutor of the Republic of Crimea on 23 November 2017.

Investigator of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea /Signature/ D.N. Nazarov
Captain of Justice

His wife A.Yu. Degermendzhi was notified about B.A. Degermendzhi's detention on suspicion of committing a crime.

I received a copy of the record:
at 8:14 p.m. on 23 November 2017.

Suspect /Signature/ E.S. Smedlyayev

The suspect refused to receive a copy of the record. The copy was given to the defence counsel E.S. Smedlyayev.

/Signature/

I delivered a copy of the record:

Investigator of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea /Signature/ D.N. Nazarov
Captain of Justice

Annex 383

Investigative Directorate of the Ministry of Internal Affairs for the
Republic of Crimea, Record of a suspect's detention,
23 November 2017

Translation**RECORD
of a suspect's detention**

Simferopol

23 November 2017

Drawn up at 4:30 p.m.

Captain of Justice I.G. Sidiropulo, an investigator of the Investigative Unit of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea, while in office No. 63 of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea, having examined case files under criminal case No. 11701350035007216 initiated on 15 November 2017 into elements of a crime under paras. "a", "d" of Part 2 of Article 163 of the Criminal Code of the Russian Federation, in accordance with Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation, has drawn up this record to the effect that the following person was detained at an international vehicular checkpoint at the Russian state border in Armyansk at 12:45 p.m. on 23 November 2017 and delivered to an administrative building of the Investigative Unit of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea (Simferopol, 19 Dekabristov Street) at 4:00 p.m. on 23 November 2017 for the purposes of drawing up this record and directly recording the above investigative activity:

- | | |
|--|--|
| 1. Full name: | Ruslan Shavkatovich Trubach |
| 2. Date of birth: | 2 May 1966 |
| 3. Place of birth: | Bekabad, Uzbek Soviet Socialist Republic |
| 4. Place of residence and (or) registration: | Feodosia, village of Blizhnee, 75 Sadovaya Street |
| 5. Citizenship: | He is a Russian national; he did not renounce his Ukrainian citizenship as provided for by Russian law |
| 6. Education: | higher |
| 7. Family status, family members: | married, two dependent minor children |
| 8. Place of employment or studying: | officially unemployed |
| 9. Military status: | non-eligible for military duty |
| 10. Criminal records: | none according to him |
| 11. Passport or other identity document | passport series [...] No. [...] issued on [...] by [...]. |
| 12. See other identity information in the case files | |

Grounds, reasons and other circumstances of detention: para 2 of Part 1 of Article 91 of the Criminal Procedural Code of the Russian Federation – when victims or witnesses can identify this person as the perpetrator of the crime.

/Signature/

Between mid-August 2017 and 23 November 2017, R.Sh. Trubach, together with K.A. Ametov, A.E. Chapukh, B.A. Degermendzhi, and other persons whose identities the preliminary investigation could not establish, having a criminal intent aimed at taking possession of property of another by extortion, while in the territory of house and grounds No. 52 at Molodezhnaya Street in the village of Novoklenovka of the Belogorsk District of the Republic of Crimea and in the Marakand Restaurant (Simferopol, 17 Vorovskogo Street), threatening with violence that posed danger to life and health, started unreasonably demanding from the victim Yu. Aytan monetary funds amounting to USD 7,000 (406,608.3 Rubles as per the rate of the Central Bank of the Russian Federation), thereby committing a crime under paras. "a", "d" of Part 2 of Article 163 of the Criminal Code of the Russian Federation – extortion, i.e. a demand that property of another be transferred

under the threat of violence, with the said crime committed by a group of persons by previous concert on a large scale.

/Signature/

It was explained to me that under Part 4 of Article 46 of the Criminal Procedural Code of the Russian Federation I am entitled:

- 1) to know what I am suspected of and to receive a copy of a resolution on the institution of criminal proceedings against me, or a copy of a record of detention, or a copy of a resolution concerning the measure of restraint against me;
- 2) to give explanations and testimony concerning the suspicion brought against me or to refuse to give explanations and testify. If I agree to testify, I am warned that my testimony may be used as evidence in criminal proceedings, including if I decide to retract it afterwards, except as provided for by para. 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;
- 3) to use the services of a defence counsel starting from the moment set out in paras. 2–3¹ of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and confidential conference with the defence counsel prior to the first interrogation;
- 3.1) Once a measure of restraint in the form of remand in custody or home arrest is selected, to have an unlimited number of visits by a notary public without any limitation as to their duration for the purposes of certifying powers of attorney issued by the suspect authorising one to represent the suspect's interests in the area of entrepreneurial activities. However, it is prohibited to perform any notarial acts related to property, monetary funds, and other valuables that may be subject to seizure as provided for this Code;
- 4) to provide evidence;
- 5) to file petitions and motions for disqualification;
- 6) to give explanations and testify in my native tongue or in a language I have a command of;
- 7) to use interpreting services free of charge;
- 8) to read investigation reports relating to investigative activities I was involved in and to give comments on them;
- 9) when permitted by the investigator or inquirer, to be involved in investigative activities carried out upon my petition or that of my defence counsel or legal representative;
- 10) to appeal against actions (omission) and decisions of the court, prosecutor, head of the investigation body, investigator, body of inquiry, and inquirer as provided for by Chapter 16 of the Criminal Procedural Code of the Russian Federation;
- 11) to defend myself by other means and methods not prohibited by the Criminal Procedural Code of the Russian Federation.

Besides, it was explained to me that under Article 51 of the Constitution of the Russian Federation I am not obliged to incriminate myself, to testify against my spouse, and other close relatives listed in para. 4 of Article 5 of the Criminal Procedural Code of the Russian Federation.

Suspect */Signature/* 23 November 2017

It was explained to me that I am suspected of committing a crime under paras. “a”, “d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation.

Suspect */Signature/* 23 November 2017

The suspect R.Sh. Trubach said the following in respect of the detention: *I do not agree with it.*

Suspect */Signature/* *R.Sh. Trubach* 23 November 2017

A personal search of the suspect R.Sh. Trubach was performed in accordance with Articles 93, 170, and 184 of the Criminal Procedural Code of the Russian Federation since 4:05 p.m. on 23 November 2017 in the above office No. 63 involving N.N. Belashov, an officer of the Centre for Combating Extremism of the Ministry of Internal Affairs for the Republic of Crimea, who directly performed the search, and the following witnesses:

1. *Evgeny Igorevich Alexeev, d.o.b. [...],*

residing at the address: [...];

2. *Oleg Olegovich Gukovich, d.o.b. [...],*

residing at the address: [...].

Before the suspect was personally searched, the search procedure set out in Articles 170 and 184 of the Criminal Procedural Code of the Russian Federation was explained to the parties involved.

Further, the rights, obligations, and liability under Article 60 of the Criminal Procedural Code of the Russian Federation were explained to the witnesses.

Suspect	<i>/Signature/</i>	23 November 2017
Witnesses	<i>/Signature/</i>	<i>/Signature/</i>

The following was found and seized during the personal search of the suspect R.Sh. Trubach: an LG mobile telephone, imei A: 357134-07-015018-6, imei B: 357134-07-015019-4, with an MTS SIM-card inside; a Nokia mobile telephone, imei: 358607/04/255115/0, with an MTS SIM-card inside; monetary funds (two 1,000 Rubles bank notes, series: xx5814926, lb0097015; three 500 Rubles banknotes, series: nt3930514, nz0174869, nch0418288; two 100 Rubles banknotes, series iA4995302, bCh2122181; seven 50 Rubles banknotes, series: XM0511006, ChZ2646549, ST4402988, YaA2658540, KhCh9135576, ChI0659364, ECh2264574); Ukrainian passport series [...], issued on [...] by [...], in the name of R.Sh. Trubach.

The above items and money were found in the personal clothes of the suspect R.Sh. Trubach (namely the left pocket of the jeans he was wearing) and voluntarily handed over.

After the same was seized, the Ukrainian passport was put in a polymer bag (punched pocket) whose neck was bound with black thread and glued over with a piece of paper having an impression of seal No. 6 “For bags” and signed by the parties involved. Once seized, the monetary funds were put in a polymer bag (punched pocket) whose neck was bound with black thread and glued over with a piece of paper having an impression of seal No. 6 “For bags” and signed by the parties involved. Once seized, the two mobile telephones were put in a polymer bag (punched pocket) whose neck was bound with black thread and glued over with a piece of paper having an impression of seal No. 6 “For bags” and signed by the parties involved.

The personal search of the suspect was performed by:

Senior operative of the Centre for Combating Extremism of the Ministry of Internal Affairs for the Republic of Crimea	<i>/Signature/</i>	N.N. Belashov
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Major of Police

After the detention was over, there were no statements, comments, additions, or motions from the parties involved.

Suspect	<i>/Signature/</i>
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Having personally read the record, the parties involved had no comments, additions, statements, or motions.

Suspect */Signature/*

Investigator of the Investigative Unit of the Investigative Directorate of */Signature/* I.G. Sidiropulo
the Ministry of Internal Affairs for the Republic of Crimea

Captain of Justice

According to Article 96 of the Criminal Procedural Code of the Russian Federation, the suspect **R.Sh. Trubach** detained under Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation was afforded an opportunity to have one telephone call so that he could notify his relatives about his detention. The suspect **R.Sh. Trubach** said that he did not wish to exercise his right, but the investigator notified A.R. Trubach [phone No.] in writing and by telephone about the detention.

The suspect **R.Sh. Trubach** was sent to be placed in custody to the Temporary Detention Facility of the Directorate of the Ministry of Internal Affairs of Russia for Simferopol.

The report about **R.Sh. Trubach**'s detention and a copy of this record were sent to the Prosecutor of the Republic of Crimea at 4:30 p.m. on 23 November 2017.

Investigator of the Investigative Unit of the Investigative Directorate of */Signature/* I.G. Sidiropulo
the Ministry of Internal Affairs for the Republic of Crimea

Captain of Justice

At 4:30 p.m. on 23 November 2017, **R.Sh. Trubach**'s son was notified in writing about **R.Sh. Trubach**'s detention on suspicion of committing a crime.

Investigator of the Investigative Unit of the Investigative Directorate of */Signature/* I.G. Sidiropulo
the Ministry of Internal Affairs for the Republic of Crimea

Captain of Justice

I received a copy of the record at 4:35 p.m. on 23 November 2017.

Suspect */Signature/*

I delivered a copy of the record:

Investigator of the Investigative Unit of the Investigative Directorate of */Signature/* I.G. Sidiropulo
the Ministry of Internal Affairs for the Republic of Crimea

Captain of Justice

Annex 384

Investigative Directorate of the Ministry of Internal Affairs for the
Republic of Crimea, Record of a suspect's detention,
23 November 2017

Translation**RECORD
of a suspect's detention**

Simferopol

23 November 2017

Drawn up on 4:00 p.m.

Lieutenant Colonel of Justice S.V. Pogorelov, a senior investigator of the Investigative Unit of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea, having examined case files under criminal case No. 11701350035007216 initiated on 15 November 2017 into elements of a crime under paras. "a", "d" of Part 2 of Article 163 of the Criminal Code of the Russian Federation, in accordance with Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation, and detained the following person at 2:10 p.m. on 23 November 2017:

1. Full name:	Asan Enverovich Chapukh
2. Date of birth:	12 August 1953
3. Place of birth:	Uzbekistan, Begabad
4. Place of residence and (or) registration:	Yalta, Koreiz, Chelibidzhikhan Street (land lot 35)
5. Citizenship:	Russian Federation
6. Education:	secondary technical
7. Family status, family members:	married, no minor dependent children
8. Place of employment or studying:	pensioner
9. Military status:	non-eligible for military duty
10. Criminal records:	none
11. Passport or other identity document	passport series [...] issued on [...] by [...].
12. See other identity information in the case files	

Grounds, reasons and other circumstances of detention: para. 1, para. 2 of Part 1 of Article 91 of the Criminal Procedural Code of the Russian Federation – when a person is caught in the course of, or immediately after, the commission of a crime; when victims or witnesses can identify this person as the perpetrator of the crime.

Between mid-August 2017 and 6 September 2017, R.Sh. Trubach, together with K.A. Ametov, A.E. Chapukh, B.A. Degermendzhi, and other persons whose identities the preliminary investigation could not establish, having a criminal intent aimed at taking possession of property of another by extortion, while in the territory of house and grounds No. 52 at Molodezhnaya Street in the village of Novoklenovka of the Belogorsk District of the Republic of Crimea, threatening with violence that posed danger to life and health, started unreasonably demanding from the victim Yu. Aytan monetary funds amounting to USD 7,000 (406,608.3 Rubles as per the rate of the Central Bank of the Russian Federation), thereby committing a crime under paras. "a", "d" of Part 2 of Article 163 of the Criminal Code of the Russian Federation – extortion, i.e. a demand that property of another be transferred under the threat of violence, with the said crime committed by a group of persons by previous concert on a large scale.

/Signature/

/Signature/

It was explained to me that under Part 4 of Article 46 of the Criminal Procedural Code of the Russian Federation I am entitled:

- 1) to know what I am suspected of and to receive a copy of a resolution on the institution of criminal proceedings against me, or a copy of a record of detention, or a copy of a resolution concerning the measure of restraint against me;
- 2) to give explanations and testimony concerning the suspicion brought against me or to refuse to give explanations and testify. If I agree to testify, I am warned that my testimony may be used as evidence in criminal proceedings, including if I decide to retract it afterwards, except as provided for by para. 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;
- 3) to use the services of a defence counsel starting from the moment set out in paras. 2–3¹ of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and confidential conference with the defence counsel prior to the first interrogation;
3.1) Once a measure of restraint in the form of remand in custody or home arrest is selected, to have an unlimited number of visits by a notary public without any limitation as to their duration for the purposes of certifying powers of attorney issued by the suspect authorising one to represent the suspect's interests in the area of entrepreneurial activities. However, it is prohibited to perform any notarial acts related to property, monetary funds, and other valuables that may be subject to seizure as provided for this Code;
- 4) to provide evidence;
- 5) to file petitions and motions for disqualification;
- 6) to give explanations and testify in my native tongue or in a language I have a command of;
- 7) to use interpreting services free of charge;
- 8) to read investigation reports relating to investigative activities I was involved in and to give comments on them;
- 9) when permitted by the investigator or inquirer, to be involved in investigative activities carried out upon my petition or that of my defence counsel or legal representative;
- 10) to appeal against actions (omission) and decisions of the court, prosecutor, head of the investigation body, investigator, body of inquiry, and inquirer as provided for by Chapter 16 of the Criminal Procedural Code of the Russian Federation;
- 11) to defend myself by other means and methods not prohibited by the Criminal Procedural Code of the Russian Federation.

Besides, it was explained to me that under Article 51 of the Constitution of the Russian Federation I am not obliged to incriminate myself, to testify against my spouse, and other close relatives listed in para. 4 of Article 5 of the Criminal Procedural Code of the Russian Federation.

Suspect /Signature/

23 November 2017

It was explained to me that I am suspected of committing a crime under paras. “a”, “d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation.

Suspect /Signature/

23 November 2017

The suspect E.A. Chapukh said the following in respect of the detention: *I do not agree with the detention and find it to be unlawful.*

/Signature/ 23 November 2017

Suspect E.A. Chapukh /Signature/

Defence counsel /Signature/ A.B. Azamatov

There was no personal search of the suspect.

After the detention was over, there were no statements from the parties involved.

Suspect	<i>E.A. Chapukh</i>	<i>/Signature/</i>
Defence counsel	<i>/Signature/</i>	<i>A.B. Azamatov</i>

All the parties to the investigative activity read individually the record. They had no comments, additions, or statements.

Suspect	<i>E.A. Chapukh</i>	<i>/Signature/</i>
Defence counsel	<i>/Signature/</i>	<i>A.B. Azamatov</i>

Senior investigator of the Investigative Unit of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea */Signature/* S.V. Pogorelov

/Seal: Ministry of Internal Affairs of the Russian Federation for the Republic of Crimea, (illegible)/

/Seal: Ministry of Internal Affairs of the Russian Federation for the Republic of Crimea, (illegible)/

According to Article 96 of the Criminal Procedural Code of the Russian Federation, the suspect **A.E. Chapukh** detained under Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation was afforded an opportunity to have one telephone call so that he could notify his relatives about his detention. The suspect A.E. Chapukh said that he wished to exercise his right and in pursuance of that he telephoned number [...] which, as he said, belonged to his sister Alime Ebueeva.

The suspect **A.E. Chapukh** was sent to be placed in custody to the Temporary Detention Facility of the Directorate of the Ministry of Internal Affairs of Russia for Simferopol.

The report about A.E. Chapukh's detention and a copy of this record were sent to the Prosecutor of the Republic of Crimea at 4:45 p.m. on 23 November 2017.

On 23 November 2017, his sister Alime Ebueeva was notified in writing about A.E. Chapukh's detention on suspicion of committing a crime.

I received a copy of the record on 23 November 2017.

Suspect	<i>E.A. Chapukh</i>	<i>/Signature/</i>
Defence counsel	<i>/Signature/</i>	<i>A.B. Azamatov</i>

I delivered a copy of the record:

Senior investigator of the Investigative Unit of the Investigative Directorate of the Ministry of Internal Affairs for the Republic of Crimea */Signature/* S.V. Pogorelov

Annex 385

Kievskiy District Court of Simferopol, Resolution No. 735,
16 January 2018

Translation**RESOLUTION No. 735**

16 January 2018

Simferopol

The judge of Kievskiy District Court of Simferopol M.N. Belousov, having considered the resolution on operative search activities of the Deputy Minister of Internal Affairs of the Republic of Crimea, Police Major General P.L. Karanda,

ESTABLISHED:

In accordance with Article 9 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws), the Deputy Minister of Internal Affairs of the Republic of Crimea, Police Major General P.L. Karanda applied to the Kievskiy District Court of Simferopol with a reasoned resolution to conduct operative search activities.

The information that has become known to the authorities carrying out operative search activities, in support of the need for operative search activities, is set out in the resolution in accordance with Article 7 of the said law.

Based on Part 2 of Article 8 of the Federal Law “On the operative search activities”, the operative search activities that restrict the constitutional rights of citizens to privacy of correspondence, telephone conversations, postal, telegraph and other messages transmitted via electrical and postal networks, as well as the right to respect of home, are allowed on the basis of a court decision and if there is information:

- On the signs of an unlawful act, prepared, being committed or committed, on which the preliminary investigation is mandatory.

- On the persons preparing, committing or having committed an unlawful act for which the preliminary investigation is mandatory.

- On events or actions (omission) that pose a threat to the state, military, economic, informational or environmental security of the Russian Federation.

The circumstances specified in the resolution indicate the need for operative search activities to verify information about the involvement of identified persons in the crimes under Part 2 of Article 205.2, Part 2 of Article 205.5 and Part 1 of Article 282 of the Criminal Code of the Russian Federation.

Having checked the documents provided, I believe that the resolution is in accordance with the provisions of the Constitution of the Russian Federation, the requirements of Articles 1, 2.3, 5 Part 1.6, 7, 8 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws) contains the grounds for conducting operative search activities and conditions thereof.

In view of the above, I consider it necessary to allow the conduct of operative search activities.

Based on Article 9 of the Federal Law of 12 August 1995 “On the operative and search activities” (as amended by federal laws).

RESOLVED:

Allow officers of the Ministry of Internal Affairs for the Republic of Crimea to conduct operative search activities “inspection of premises, buildings, structures, terrain and vehicles” at: 45 Oktyabrskaya Street, Stary Krym, Kirovsky District, the Republic of Crimea, within 30 days.

Judge: */Signature/* M.N. Belousov
*/Seal: /illegible/, KIEVSKIY DISTRICT COURT OF SIMFEROPOL OF THE
REPUBLIC OF CRIMEA* RUSSIAN FEDERATION/*

/Hand lettering: Geray Zekievich Kulametov, born on 25 January 1991, refused to sign the document in the presence of public representatives:

Familiarization time: 18 January 2018 6:50

1) */Signature/*

2) */Signature//*

Annex 386

Kievskiy District Court of Simferopol, Resolution No. 738,
16 January 2018

Translation**RESOLUTION No. 738**

16 January 2018

Simferopol

Judge of the Kievskiy District Court of Simferopol, M.N. Belousov, having considered the resolution on operative search activities of the Deputy Minister of Internal Affairs of the Republic of Crimea, Police Major General P.L. Karanda,

ESTABLISHED:

In accordance with Article 9 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws), the Deputy Minister of Internal Affairs of the Republic of Crimea, Chief of the Police, Major General P.L. Karanda applied to the Kievskiy District Court of Simferopol with a reasoned resolution to conduct operative search activities.

The information that has become known to the authorities carrying out operative search activities, in support of the need for operative search activities, is set out in the resolution in accordance with Article 7 of the said law.

Based on Part 2 of Article 8 of the Federal Law “On the operative search activities”, the operative search activities that restrict the constitutional rights of citizens to privacy of correspondence, telephone conversations, postal, telegraph and other messages transmitted via electrical and postal networks, as well as the right to respect of home, are allowed on the basis of a court decision and if there is information:

- On the signs of an unlawful act, prepared, being committed or committed, on which the preliminary investigation is mandatory.
- On the persons preparing, committing or having committed an unlawful act for which the preliminary investigation is mandatory.
- On events or actions (omission) that pose a threat to the state, military, economic, informational or environmental security of the Russian Federation.

The circumstances specified in the resolution indicate the need for operative search activities to verify information about the involvement of identified persons in the crimes under Part 2 of Article 205.2, Part 2 of Article 205.5 and Part 1 of Article 282 of the Criminal Code of the Russian Federation.

Having checked the documents provided, I believe that the resolution is in accordance with the provisions of the Constitution of the Russian Federation, the requirements of Articles 1, 2, 3, 5 Part 1, 6, 7, 8 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws) contains the grounds for conducting operative search activities and conditions thereof.

In view of the above, I consider it necessary to allow the conduct of operative search activities.

Based on Article 9 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws).

/Hand lettering: Ref. No. 160 of 16 January 2018

RESOLVED:

Allow officers of the Ministry of Internal Affairs for the Republic of Crimea to conduct operative search activities “Inspection of premises, buildings, structures, terrain and vehicles” at: 6 Sadovaya St., Blizhnegorodskoe Settlement, Dzhankoy District, the Republic of Crimea, within 30 days.

Judge: */Signature/* M.N. Belousov
*/Seal: /illegible/, KIEVSKIY DISTRICT COURT OF
SIMFEROPOL OF THE REPUBLIC OF CRIMEA* RUSSIAN
FEDERATION/*

/Hand lettering: refused to sign the resolution in the presence of witnesses,

Witnesses:

1 /Signature/

2 /Signature//

Annex 387

Kievskiy District Court of Simferopol, Resolution No. 736,
16 January 2018

Translation**RESOLUTION No. 736**

16 January 2018

Simferopol

The judge of Kievskiy District Court of Simferopol M.N. Belousov, having considered the resolution on operative search activities of the Deputy Minister of Internal Affairs of the Republic of Crimea, Police Major General P.L. Karanda,

ESTABLISHED:

In accordance with Article 9 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws), the Deputy Minister of Internal Affairs of the Republic of Crimea, Police Major General P.L. Karanda applied to the Kievskiy District Court of Simferopol with a reasoned resolution to conduct operative search activities.

The information that has become known to the authorities carrying out operative search activities, in support of the need for operative search activities, is set out in the resolution in accordance with Article 7 of the said law.

Based on Part 2 of Article 8 of the Federal Law of 12 August 1995 “On the operative search activities”, the operative search activities that restrict the constitutional rights of citizens to privacy of correspondence, telephone conversations, postal, telegraph and other messages transmitted via electrical and postal networks, as well as the right to respect of home, are allowed on the basis of a court decision and if there is information:

- On the signs of an unlawful act, prepared, being committed or committed, on which the preliminary investigation is mandatory.
- On the persons preparing, committing or having committed an unlawful act for which the preliminary investigation is mandatory.
- On events or actions (omission) that pose a threat to the state, military, economic, informational or environmental security of the Russian Federation.

The circumstances specified in the resolution indicate the need for operative search activities to verify information about the involvement of identified persons in the crimes under Part 2 of Article 205.2, Part 2 of Article 205.5 and Part 1 of Article 282 of the Criminal Code of the Russian Federation.

Having checked the documents provided, I believe that the resolution is in accordance with the provisions of the Constitution of the Russian Federation, the requirements of Articles 1, 2.3, 5 Part 1.6, 7, 8 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws) contains the grounds for conducting operative search activities and conditions thereof.

In view of the above, I consider it necessary to allow the conduct of operative search activities.

Based on Article 9 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws).

/Hand lettering: Ref. No. 158 of 16 January 2018

Annex 388

Kievskiy District Court of Simferopol, Resolution No. 739,
16 January 2018

Translation**RESOLUTION No. 739**

16 January 2018

Simferopol

The judge of Kievskiy District Court of Simferopol M.N. Belousov, having considered the resolution on operative search activities of the Deputy Minister of Internal Affairs of the Republic of Crimea, Police Major General P.L. Karanda,

ESTABLISHED:

In accordance with Article 9 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws), the Deputy Minister of Internal Affairs of the Republic of Crimea, Police Major General P.L. Karanda applied to the Kievskiy District Court of Simferopol with a reasoned resolution to conduct operative search activities.

The information that has become known to the authorities carrying out operative search activities, in support of the need for operative search activities, is set out in the resolution in accordance with Article 7 of the said law.

Based on Part 2 of Article 8 of the Federal Law “On the operative search activities”, the operative search activities that restrict the constitutional rights of citizens to privacy of correspondence, telephone conversations, postal, telegraph and other messages transmitted via electrical and postal networks, as well as the right to respect of home, are allowed on the basis of a court decision and if there is information:

- On the signs of an unlawful act, prepared, being committed or committed, on which the preliminary investigation is mandatory.
- On the persons preparing, committing or having committed an unlawful act for which the preliminary investigation is mandatory.
- On events or actions (omission) that pose a threat to the state, military, economic, informational or environmental security of the Russian Federation.

The circumstances specified in the resolution indicate the need for operative search activities to verify information about the involvement of identified persons in the crimes under Part 2 of Article 205.2, Part 2 of Article 205.5 and Part 1 of Article 282 of the Criminal Code of the Russian Federation.

Having checked the documents provided, I believe that the resolution is in accordance with the provisions of the Constitution of the Russian Federation, the requirements of Articles 1, 2.3, 5 Part 1.6, 7, 8 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws) contains the grounds for conducting operative search activities and conditions thereof.

In view of the above, I consider it necessary to allow the conduct of operative search activities.

Based on Article 9 of the Federal Law of 12 August 1995 “On the operative search activities” (as amended by federal laws).

RESOLVED:

Allow officers of the Ministry of Internal Affairs for the Republic of Crimea to conduct operative search activities “inspection of premises, buildings, structures, terrain and vehicles” at: 7 Razlivy Str., Razlivy Village, Nizhnegorsky District, the Republic of Crimea.

/Hand lettering: Ref. No. illegible of 16 January 2018

Judge:

/Signature/

M.N. Belousov

*/Seal: /illegible/, KIEVSKIY DISTRICT COURT OF
SIMFEROPOL OF THE REPUBLIC OF CRIMEA* RUSSIAN
FEDERATION/*

*(Handwritten) I have read /Signature/ E.V. Islyamov
25 January 2018
07.15*

Annex 389

Kirovskoe District Court of the Republic of Crimea, Case No. 5-11/18,
Decision, 18 January 2018

Translation

Case No. 5-11/18

DECISION

18 January 2018

Urban settlement Kirovskoe

Judge R.V. Mikhailov of the Kirovskoe District Court of the Republic of Crimea, with participating of G.Ya. Kulametov, the individual subjected to the proceedings on an administrative offense case, to whom the rights provided for by Article 25.1 of the Code of Administrative Offenses of the Russian Federation are explained, and his representatives N.N. Sheikhmambetov, Ae.R. Alimov, R.I. Adzhiev, M.A. Seidaliev, official of the administrative body R.R. Shambazov who conducted the administrative offense records, having heard the administrative offense case received from the Kirovskiy District Department of the Ministry of Internal Affairs of Russia against: Girai Zekievich Kulametov, date of birth 25 January 1991, native of city of Stary Krym of Kirovskiy District, Crimean region, resided at address: 45 Oktyabrskaya Str., City of Stary Krym, the Republic of Crimea, under Part 1, Article 20.3 of the Code of Administrative Offenses of the Russian Federation.

ESTABLISHED:

On 26 October 2017 at 9:30 am it was detected that Girai Zekievich Kulametov, in V Kontakte social network under the account name "Girai Kulametov" (the user name at the address of the page <https://vk.com/islamgiray>), posted on his page the photographs displaying the symbols of terrorist organization Hizb ut-Tahrir prohibited on the territory of the Russian Federation and thereby committed the administrative offense under Part 1, Article 20.3 of the Code of Administrative Offenses of the Russian Federation.

G.Z. Kulametov refused to plead guilty of the offense, refused to testify. Confirmed the position of the defense agreed with the representatives and pointed out that he himself posted the page in V Kontakte social network under the name Girai Kulametov and the specified information on the social network, but did so back in 2011.

G.Z. Kulametov's guilt of the offense under Part 1, Article 20.3 of the Code of Administrative Offenses of the Russian Federation is confirmed by the materials of the administrative case examined during court hearing: record on administrative offense case No. RK171710 of 18 January 2018, administrative detention records, the report of an operative employee of the Ministry of Internal Affairs of 24 October 2017, the Internet resource examination records of 26 October 2017, the explanations, the premise search records of 18 January 2018, the report of the specialist of 16 January 2018, according to which the presented photographic materials No. 1 and No. 2 contained the image of the crossed Hizb ut-Tahrir flags accompanied by sign "The world needs the Caliphate", a group photo against the background of Hizb ut-Tahrir symbols, are the symbols of terrorist organization Hizb ut-Tahrir al-Islami prohibited in the Russian Federation according to Ruling of the Supreme Court of the Russian Federation of 14 February 2003 No. GKPI 03-116. The demonstration of the symbols and the activity of party Hizb ut-Tahrir al-Islami in the cited materials is clearly of a propagandistic nature. The same nature is inherent in the textual materials "Statement of Hizb ut-Tahrir in Ukraine in connection with the recent events in the Autonomous Republic of Crimea" and an article about Hizb-ut-Tahrir organization illustrated with a photo displaying two flags of white and

black colors and sign “Flag and banner of the prophet (Sallallahou Alayhe Wasallam) The Symbols of Islam”,

According to Part 1, Article 20.3 of the Code of Administrative Offenses of the Russian Federation, propaganda or public demonstration of Nazi attributes or symbols, or attributes or symbols similar to Nazi attributes or symbols to the point of confusion, or attributes or symbols of extremist organizations, or other attributes or symbols prohibited to be propagandized or publicly displayed subject to the federal laws - entails the imposition of an administrative fine on citizens in the amount from one thousand to two thousand rubles with confiscation of the administrative offense tool, or administrative arrest for up to fifteen days with confiscation of the administrative offense tool; on officials from one thousand to four thousand rubles with confiscation of the administrative offense tool; on legal entities from ten thousand to fifty thousand rubles with confiscation of the administrative offense tool.

Actus reus of the aforementioned administrative offence is propaganda or public demonstration of Nazi attributes or symbols, or attributes or symbols similar to Nazi attributes or symbols to the point of confusion or attributes or symbols of extremist organizations, or other attributes and symbols prohibited for propaganda or public demonstration subject to federal laws, i.e. public display, demonstration, hanging, depiction of Nazi attributes and symbols similar to them to the point of confusion, reproduction of Nazi or confusingly similar to Nazi greetings and salutatory gestures, and also any other action that makes the attributes and symbols in question available for the perception of other persons particularly through publication in the media.

According to Article 1 of Federal Law of 27 July 2002 No. 114-FZ “On counteracting extremist activity”, extremist activity (extremism), particularly propaganda and public display of Nazi attributes or symbols, or attributes or symbols similar to Nazi attributes or symbols to the point of confusion, or public display of attributes or symbols of extremist organizations.

In the context of the unlawful act under Article 20.3 of the Code of Administrative Offenses of the Russian Federation, the symbols of an extremist organization mean symbols and other distinguishing signs used by organizations and aimed at creating an associative identification of symbols with a certain organization recognized as extremist on the basis of a court ruling that entered into full force and effect.

According to the Ruling of the Supreme Court of the Russian Federation of 14 February 2003 that entered into force, the Party of Islamic Liberation (Hizb ut-Tahrir al-Islami) is recognized as a terrorist organization and its activity is prohibited on the territory of the Russian Federation.

Actus reus of the offense set forth in the disposition of Part 1, Article 20.3 of the Code of Administrative Offenses of the Russian Federation, could be formed by a public display, demonstration, hanging, depiction of the symbols of an extremist organization, reproduction of greetings and salutatory gestures of members of an extremist organization, and also by any other action that makes the symbols in question available for the perception of other persons, including publications in the media and the Internet.

Thus, G.Z. Kulametov committed the administrative offense under Part 1, Article 20.3 of the Code of Administrative Offenses of the Russian Federation, i.e. publicly demonstrated the symbols of an extremist organization.

Relying on the above, the Court believes that G.Z. Kulametov’s actions contained administrative corpus delicti under Part 1, Article 20.3 of the Code of Administrative Offenses of the Russian Federation since he publicly demonstrated the symbols of an extremist organization the public display of which is prohibited by federal law.

The arguments of G.Z. Kulametov's representatives that the report of the specialist is not evidence are considered untenable by the Judge since they are refuted by the evidence examined during court hearing. The opinion was prepared by the candidate of historical sciences, associate professor of the Department of Political Science and International Relations of the Vernadsky Crimean Federal University, not interested in the outcome of the case, i.e. by the individual possessing sufficient expertise required to provide said opinion.

The argument of G.Z. Kulametov's representative that the applicant posted said materials in 2011 without violating the legislation then in force in the Crimea does not by itself testify to the absence of G.Z. Kulametov's guilt of the offense incriminated to him and is based on an erroneous interpretation of the law.

According to Part 3, Article 1 of Federal Constitutional Law of 21 March 2014 No. 6-FKZ "On the admission of the Republic of Crimea into the Russian Federation and the formation of new constituent entities within the Russian Federation - the Republic of Crimea and the federal city of Sevastopol", the Republic of Crimea is considered admitted to the Russian Federation starting from the date of signing of the Treaty between the Russian Federation and the Republic of Crimea on the Accession of the Republic of Crimea to the Russian Federation and formation of new constituent entities within the Russian Federation.

18 March 2014 is the date of signing of the Treaty between the Russian Federation and the Republic of Crimea on the Accession of the Republic of Crimea to the Russian Federation and formation of new constituent entities within the Russian Federation.

According to Part 1, Article 23 of Law No. 6-FKZ, statutory and other legal instruments of the Russian Federation shall be applicable on the territory of the Republic of Crimea and the federal city of Sevastopol starting from the date of admission of the Republic of Crimea into the Russian Federation and formation of new constituent entities within the Russian Federation, unless otherwise specified in this Federal Constitutional Law.

Therefore, the legislation of the Russian Federation is applicable on the territory of the Republic of Crimea starting from the aforesaid date.

The limitation periods established under Article 4.5 of the Code of Administrative Offenses of the Russian Federation for the purpose of imposition of administrative liability have not expired since the offense was detected on 26 October 2017.

According to the Decision of 18 December 2017, issued by the Judge of the Kirovskoe District Court, the Republic of Crimea, the administrative liability was imposed on G.Z. Kulametov under Part 5, Article 20.2 of the Code of Administrative Offenses of the Russian Federation in the form of the fine equal to RUB 10,000.

The Court acknowledges minor children of G.Z. Kulametov as the circumstance that mitigates the sentence.

The Court acknowledges the repeated commission of a homogeneous offense by G.Z. Kulametov as the circumstance that aggravates the sentence.

When imposing the sanction, the Judge shall take into account the severity of the committed offense, the personality of the individual subjected to the administrative liability, their attitude to the doing.

Taking into account the personality of the defendant and the severity of the offense, the presence of circumstances that mitigate and aggravate administrative liability, the Court considers it appropriate to impose on G.Z. Kulametov the administrative punishment in the form of administrative arrest to the extent of the sanction of Part 1, Article 20.3 of the Code of Administrative Offenses of

Annex 390

Belogorsk District Court of the Republic of Crimea, Case No. 5-32/2018, Decision, 18 January 2018

Translation

Case No. 5-32/2018

DECISION

18 January 2018

Belogorsk

Judge N.A. Grebennikova of the Belogorsk District Court of the Republic of Crimea, with secretary Pfaf I.S., having examined the materials of the administrative offense case received from Belogorsk District Department of the Ministry of Internal Affairs of Russia against Kemal Rustemovich Saityaev date of birth 25 April 1992, place of birth Belogorsk, the Republic of Crimea, unemployed, unmarried, registered address: Belogorsk, Topolevaya Str., 7a, Republic of Crimea, under Article 20.29 of the Code of Administrative Offenses of the Russian Federation

ESTABLISHED:

On 25 October 2017, at roughly 10 am, it was detected that K.R. Saityaev, residence address: Belogorsk, Topolevaya Str., 7a, Republic of Crimea, posted on his page "Kemal Saityaev" in Vkontakte social network publicly available song "Islamic Ummah" by Timur Mutsurayev, which was included in the published federal list of extremist materials of the Ministry of Justice of the Russian Federation.

During court hearing, K.R. Saityaev refused to plead guilty, but explained that on his page in Vkontakte social network there actually were audio recordings, among which there were audio recordings of performer Timur Mutsurayev, particularly song "Islamic Ummah". However, he did not know that this song was included in the published federal list of extremist materials of the Ministry of Justice of the Russian Federation.

During court hearing, Defenders G.Z. Ablyakimov, S.R. Tabylov and R.M. Izetov requested termination of the proceedings due to absence of administrative corpus delicti since the specified audio recording "Islamic Ummah" by Timur Mutsurayev was publicly available in Vkontakte social network, and their principal was not aware of the fact that this song was prohibited.

Having announced the administrative offense records, heard said persons, examined the materials of the administrative offense case, the Judge comes to the following conclusions.

Actus reus of the offense under Article 20.29 of the Code of Administrative Offenses of the Russian Federation consists in mass distribution of extremist materials included in the published list of extremist materials, and also their production or storage for the purpose of mass distribution.

According to Clause 3, Article 1 of Federal Law of 25 February 2002 No. 114-FZ "On counteracting extremist activity", extremist materials mean the documents intended for publication, or information on other media, calling for extremist activity, or substantiating or justifying the need for such activity, particularly the works by the leaders of the National Socialist Workers' Party of Germany, the Fascist Party of Italy, publications substantiating or justifying national and/or racial superiority or justifying the practice of committing war or other crimes aimed at the complete or partial elimination of any ethnic, social, racial, national or religious group.

According to Part 1, Article 13 of said Federal Law (as amended by Federal Law of 24 July 2007 No. 211-FZ) the distribution of extremist materials, and also their production or storage for distribution purposes was prohibited on the territory of the Russian Federation. In the events stipulated in the legislation of the Russian Federation, production, storage or distribution of extremist

materials is a crime resulting in imposition of a liability.

As can be seen from the materials of the administrative offense case, an Internet resource inspection certificate revealed a user of resource “vk.com” registered under the nickname “Kemal Saityaev” <http://vk.com/id265569658> of the page “<http://vk.com/id265569658>”). On the page of said user at the address: <http://vk.com/audios265569658>, there was a list of audio recordings, i.e. 228 pieces, among which the inspection revealed the audio recordings included in the Federal List of Extremist Materials, namely the audio recording and text of Timur Mutsurayev's song “Islamic Ummah”.

The text and video recording of Timur Mutsurayev's song “Islamic Ummah”, length about 5 minutes 40 seconds are included in the Federal List of Extremist Materials under No. on the basis of the Decision of the Pervomaisky District Court of Rostov-On-Don of 8 December 2014.

Therefore, K.R. Saityaev, being a user of Vkontakte Internet social network, posted an audio recording “Islamic Ummah” by Timur Mutsurayev on his public page on the social network thereby violating the requirements of Part 1, Article 13 of Federal Law of 25 July 2002 No. 114-FZ “On counteracting extremist activity”.

These actions of K.R. Saityaev form *actus reus* of administrative corpus delicti provided for in Article 20.29 of the Code of Administrative Offenses of the Russian Federation.

This circumstance is confirmed by case evidence: Protocol of 18 January 2018 No. RK170699, the administrative detention record of 18 October 2018, the delivery records of 18 January 2018, written explanations of K.R. Saityaev, the report of A.A. Moseichuk, senior operative of the Counter-Extremism Center of the Ministry of Internal Affairs of the Republic of Crimea, the Internet resource inspection records of 25 October 2017, with a photo table.

There is no reason to doubt the validity of the presented evidence.

A.G. Pospelov, Operative investigator of the Ministry of Internal Affairs of the Republic of Crimea, interrogated during court hearing as a witness in the case, explained that on 25 October 2017, the Internet resource Vkontakte was inspected, which resulted in detection of the fact that on the page of K.R. Saityaev there was a publicly available audio recording and the text of Timur Mutsurayev's song “Islamic Ummah”, which was included in the Federal List of Extremist Materials.

V.V. Pakhomenko, interrogated as a witness during court hearing, explained that he was engaged by the officers of the Ministry of Internal Affairs as an attesting witness during the preparation of the administrative offense records against K.R. Saityaev. In addition to him, there was another attesting witness A.V. Makarenko. In their presence, K.R. Saityaev refused to give explanations and sign the administrative offense records.

Analyzing and evaluating the evidence collected and assessed in aggregate during the court hearing according to Article 26.11 of the Code of Administrative Offenses of the Russian Federation, I come to the conclusion that K.R. Saityaev is guilty of the administrative offense under Article 20.29 of the Code of Administrative Offenses of the Russian Federation, namely: mass distribution of extremist materials included in the published federal list of extremist materials.

According to Articles 4.2, 4.3 of the Code of Administrative Offenses of the Russian Federation, the Court finds no circumstances mitigating and aggravating the liability of K.R. Saityaev.

When imposing an administrative punishment, the court, according to Article 4.1 of the Code of Administrative Offenses of the Russian Federation, takes into account the nature of the committed administrative offense; at the same time, the court takes into account specific circumstances of the case, the personality of the defendant, and therefore the Court considers it possible to impose a

sanction provided for by the sanction of the article incriminated to him, which will be a sufficient measure of liability for the committed offense as the most appropriate one to prevent the commission of new offenses.

Relying on the above, guided by Articles 29.9-29.10 of the Code of Administrative Offenses of the Russian Federation,

DECIDED:

To find K.R. Saityaev, date of birth 25 April 1992, guilty of the administrative offense under Article 20.29 of the Code of Administrative Offenses of the Russian Federation and to impose on him the administrative punishment in the form of administrative fine equal to RUB 1,000 (One Thousand).

To return the material evidence: one transparent package with a white-gray body mobile phone Nokia and a black body mobile phone iPhone stored in the material evidence storage room of the Office of the Ministry of Internal Affairs of Russia for the Republic of Crimea according to receipt No., to its owner K.R. Saityaev.

The administrative fine shall be transferred within sixty days from the date of entry into force and effect of the Decision on the imposition of the administrative fine to account No. 40101810335100010001, Budget Classification Code No. 18811690050056000140, TIN 9109000478, KPP 910901001, Russian National Classifier of Municipal Formation Territories (OKTMO) 35607000, the Administration of the Federal Treasury (Belogorsk District Department of the Ministry of Internal Affairs of Russia), BIC 043510001, Identifier No. 18880391180851706999.

To explain K.R. Saityaev that the administrative fine must be paid by the person subjected to the administrative liability within sixty days after the date of entry into force and effect of the Decision or after the date of expiry of the grace period or the term of payment by installments provided for by Article 31.5 of the Code of Administrative Offenses of the Russian Federation. Should there be no document certifying the payment of the administrative fine, after the specified period the decision to impose the administrative fine with a note of non-payment will be sent to the bailiff for execution.

According to Part 1, Article 20.25 of the Code of Administrative Offenses of the Russian Federation, a failure to pay an administrative fine within the term stipulated by the law entails the imposition of an administrative fine in the amount of double the amount of the unpaid administrative fine, but anyway one thousand or more rubles, or administrative arrest for a term of up to fifteen days, or community work for up to 50 hours.

The Decision can be appealed against before the Supreme Court of the Republic of Crimea through the Belogorsk District Court, the Republic of Crimea, within ten days upon delivery or receipt of a copy thereof.

Judge (Signed) True copy.

The Decision has not entered into force.

Judge: *signed* N.A. Grebennikova, the Secretary: *signed*

/SEAL: illegible/

Annex 391

Directorate for written appeals of Citizens and Organisations of the
Administration of the President of the Russian Federation, Letter No.
A26-16-7216411, 24 January 2018

Translation

[The Coat of Arms of the Russian Federation]

Barcode

THE ADMINISTRATION
OF THE PRESIDENT
OF THE RUSSIAN FEDERATION

**DIRECTORATE FOR WRITTEN APPEALS OF
CITIZENS AND ORGANISATIONS
OF THE PRESIDENT
OF THE RUSSIAN FEDERATION**

Ministry of Internal Affairs
of the Russian Federation

23, Ilyinka Street, Moscow, Russia, 103132
tel. (495) 606-48-53, fax. (495) 606-18-01

“24” January 2018

No. A26-16-7216411

A written appeal addressed to the President of the Russian Federation was received from U.O. Ibragimov (address: [...]) regarding the following issue: “0004.0016.0159.0978 Tracing of citizens, which falls within the responsibility of internal affairs bodies” (the citizen’s report of a violation of the laws (321)) and registered with number 72164 on 24 January 2018.

In accordance with Part 3 of Article 8 of Federal Law of 2 May 2006 No. 59-FZ “On the procedure for handling appeals of citizens of the Russian Federation”, hereby we are sending the original appeal for consideration in order to prepare a reply letter to Mr. U.O. Ibragimov.

In accordance with Paragraph 1 of Part 1 of Article 10 of Federal Law of 2 May 2006 No. 59-FZ “On the procedure for handling appeals of citizens of the Russian Federation”, we kindly ask you to ensure an objective, comprehensive and timely consideration of the appeal and to explain to the author of the appeal in accessible terms the possibility or impossibility of solving the issue raised in the appeal (providing the reasons and legal justification).

Attachment: Appeal No. 72164 of 24 January 2018 (“IMG_18_72164_1.tif” – 386054 byte).

Advisor of the Department
for Written Appeals from Citizens
and Organisations

/Signature/

D. Maksimov

Dmitriy Mikhailovich Maksimov
[phone number]

To the President of the Russian Federation
Vladimir Vladimirovich Putin
23, Ilyinka Street, Moscow, Russia, 103132

Umar Osmanovich Ibragimov
Date of birth: [...], registered at: [...]
[phone number]

Appeal

Hereby is the appeal of the parents of Ervin Ibragimov, date of birth: 17 July 1985, born in Namangan, Uzbekistan, registered and residing at: 18-78, Mira Street, Bakhchisaray, Bakhchisaray Region, Republic of Crimea, 298400, who was kidnapped by unidentified persons dressed in the uniforms of specialized police and traffic police patrol in a white FORD TRANSIT vehicle or a GAZ SOBOL vehicle on a bypass road along the Mira Street, Bakhchisaray (between the TES Petrol Station and Arpat restaurant located near the building 9 on Mira Street) on 24 May 2016, approximately at 10:30 p.m.

*/Stamp: THE INVESTIGATIVE COMMITTEE
OF THE RUSSIAN FEDERATION
THE MAIN INVESTIGATIVE DIRECTORATE
FOR THE NORTH CAUCASUS FEDERAL DISTRICT*

*Incoming No. 1464(3815)
" 26 " 02 2018/"*

Outgoing No. 11937_18 09.0218

We ask for your assistance in tracing our son.

We have appealed to all agencies:

1. Office of the Council of Ministers of the Republic of Crimea
1) 27 May 2016 No. K0-29; 2) 10 June 2016 No. K0-21/13777/; 3) 10 June 2016 No. 21/1797/2;
4) 11 July 2017 No. I-21/15260/; 5) 28 July 2017 No. K0-21/16584/2; 6) 21 June 2017 No. I-21/1361/2.
2. Directorate for written appeals of Citizens and Organisations of the President of the Russian Federation
1) 19 June 2017 No. A26-16-60491571; 2) 9 June 2016 No. A26-16-62885671; 3) 11 June 2016 No. A61-1508; 4) 17 June 2016 No. A26-16-65064671; 5) 22 June 2016 No. A80-1944; 6) 7 June 2017 No. A26-16-55769571; 7) 1 August 2016 No. A80-2338

Department of the Ministry of Internal Affairs of Russia for the Bakhchisaray Region
(21 June 2016 No. 57/13827)

(23 June 2016 No. 57/14128)

(23 June 2016 No. 57/14134)

(24 June 2016 No. 57/4233)

(24 June 2016 No. 57/14235)

(29 June 2016 No. 3/168201659325

No. I-10, No. 3/168201569464)

(5 July 2016 No. 3/168201816384)

Ministry of Internal Affairs for the Republic of Crimea

(15 August 2016 No. 3/168202285578)

(22 August 2016 No. 3/168202445781)

Department of the Ministry of Internal Affairs of Russia for the Bakhchisaray Region

(25 August 2016 No.57/194112)

Ministry of Internal Affairs for the Republic of Crimea

(28 June 2016 No. 25/I-4,5,6,7,8)

Department of the Ministry of Internal Affairs of Russia for the Bakhchisaray Region

(29 August 2016 No. 57/19722)

Main Criminal Investigative Directorate of the Ministry of Internal Affairs of Russia

(6 July 2017 No. 3/177709109850

No. 3/177708472191)

Ministry of Internal Affairs for the Republic of Crimea

(17 July 2017 No. 3/178201771569)

(3 August 2017 No. 3/178201889219)

Prosecutor's Office of the Bakhchisaray Region

(15 June 2016 No. 1r-2016)

Prosecutor's Office of the Republic of Crimea

(24 June 2016 No. Response-15/4-451-2016/12654)

(4 July 2016 No. 15/1-382-2016/On3362-2016)

(14 July 2016 No. Response-15/4-506-2016/14522)

(10 August 2016 No. 15/1-382-2016/ON4001-2016)

(2 September 2016 No. Response-15/4-641-2016/18201)

Prosecutor's Office of the Bakhchisaray Region

(4 July 2017 No. 1r-2017)

(10 July 2017 No. 1r-2017)

Prosecutor's Office of the Republic of Crimea
(19 July 2017 No. 15/1-382-2016/ON3530-2017)
(23 June 2017 No. 25-r-7691-2017/13277)

(27 June 2017 No. 25-r-7866-2017/13500)

Prosecutor's Office of Bakhchisaray Region
(30 June 2017 No. 1r-2017)

Prosecutor's Office of the Republic of Crimea
(27 October 2017 No. 15/1-382-2016/ON5211-2017)

Directorate of the Federal Security Service for the Republic of Crimea and Sevastopol
(2 June 2016 No. I-1390)

3. Office of the Human Rights Commissioner for the Russian Federation

1) 12 August 2016 No. 26823-24; 2) 11 September 2017 No. 34717-24.

4. Main Investigative Directorate of the Investigative Committee of Russia for the Republic of Crimea

1) 30 May 2016 No. 216-31-2016/7856; 2) 12 July 2016 No. 213-130-2016/10498; 3) 20 July 2016 No. 213-05-2015/10950; 4) 14 July 2016 No. 213-15-2015/10706; 5) 14 July 2016 No. 213-15-2015/10711; 19 July 2017 No. Otsp 201-08-2017/13581; 7) 27 July 2017 No. Otsp 201-15-2015/13891

Main Investigative Directorate of the Investigative Committee of Russia for the North Caucasus Federal District

1) 4 July 2017 No. 301/7-4343-17
2) 29 June 2017 No. 301/7-4343-17

5. Prosecutor's Office of the Bakhchisaray Region

(31 May 2016 No. 1r-2016)

Prosecutor's Office of the Republic of Crimea

(1 June 2016 No. 25-r-6892-2016/11661)
(3 June 2016 No. 25-r-7081-2016/11898)

Department of the Ministry of Internal Affairs of Russia for the Bakhchisaray Region

27 May 2016 No. 57/11854

28 May 2016 No. 57/12006

7 June 2016 No. 7/5332

(Ministry of Internal Affairs for the Republic of Crimea)

8 June 2016 No. 7/168201659813

9 June 2016 No. 7/5428

Department of the Ministry of Internal Affairs of Russia for the Bakhchisaray Region

10 June 2016 No. 57/13149

Ministry of Internal Affairs for the Republic of Crimea

(14 June 2016 No. 7/16820165-9929)

(14 June 2016 No. 7/168201431365)

(14 June 2016 No. 7/5481)

(16 June 2016 No. 7/168201659493)

(16 June 2016 No. 7/168201659301)

(16 June 2016 No. 7/167706348895)

(17 June 2016 No. 7/5690)

(17 June 2016 No. 7/5677)

(17 June 2016 No. 7/5673)

Department of the Ministry of Internal Affairs of Russia for the Bakhchisaray Region

(17 June 2016 No. 57/13686)

(17 June 2016 No. 57/13683)

Ministry of Internal Affairs for the Republic of Crimea

(20 June 2016 No. 7/5751)

(20 June 2016 No. 7/168201816612)

(21 June 2016 No. 7/168201659325)

(illegible) for the Republic of Crimea

(3 June 2016 No. I-1415)

(6 June 2016 No. I-1405)

(10 June 2016 No. I-1478)

(24 June 2016 No. I-1404)

(2 August 2016 No. KL-1945)

Every minute and every second we are waiting for any news of our son being alive and healthy. Our appeal is supported by hundreds of those who also have children and family members and are concerned about their lives and well-being.

Umar Osmanovich Ibragimov, War in Afghanistan disabled veteran of group II, father of Ervin Ibragimov.

Lilya Izzetovna Alieva, disabled person of group III, mother of Ervin Ibragimov.

(illegible) War in Afghanistan disabled veteran of group II, [address]

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Bakhchisaray/]

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*To the President of
the Russian Federation
Vladimir Vladimirovich Putin.
Moscow, 23 Ilyinka Street, 103132*

Annex 392

Nizhnegorskiy District Court of the Republic of Crimea, Case No.
5-12/2018, Decision, 25 January 2018

Translation

Case No. 5-12/2018

DECISION

25 January 2018

Nizhnegorskiy village

Nizhnegorskiy District Court of the Republic of Crimea, comprised of:

Presiding Judge A.M. Avakyan,

with the participation of the secretary T.V. Solovey, the individual subjected to the administrative offense case E.R. Islyamov,

the representatives of the individual subjected to the administrative offense case E.A. Alimov, M.A. Seydaliev,

having considered in an open court hearing the materials of the administrative offense case under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation against Ebazer Ravilevich Islyamov, date of birth 16 October 1985, a native of the city of Samarkand, Uzbek Soviet Socialist Republic, a citizen of the Russian Federation, no previous administrative liability, married, unemployed, group 3 disabled individual, having three minors children, registered and residing at: 7 Razlivy Street, Razlivy village, Nizhnegorskiy District, Republic of Crimea,

ESTABLISHED:

On 30 October 2017, at 5:35 p.m., the fact was revealed that E.R. Islyamov publicly demonstrated the symbols of terrorist organization “Hizb ut-Tahrir” classified as a terrorist organization on the territory of the Russian Federation by posting it on user page “Ebazer Ravilovil oqli Islamov” with the electronic address “VK./com/islamov” in “Vkontakte” social network. Therefore, E.R. Islyamov committed an administrative offence under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation.

During the court hearing, E.R. Islyamov refused to testify referring to Article 51 of the Constitution of the Russian Federation; in the meantime, he explained that he had his own page in “Vkontakte” social network and did not remember whether he had previously posted there any symbols of a terrorist organization. Also, he explained that on 25 January 2018, a search of the apartment where he lived was conducted, during which law enforcement authorities employees identified his Asus phone in a black case. At the request of law enforcement authorities employees, he unblocked it, went to his “Vkontakte” page explaining that it was his page, and thereafter he handed the phone over to the latter and went to another room, what happened next he did not know.

The representatives of the individual subjected to administrative liability explained during the court hearing that even if E.R. Islyamov posted the symbols of a terrorist organization on his page, then he had done it before 2012, i.e. when the legislation of Ukraine was applicable on the territory of the Republic of Crimea, which did not provide for a sanction for this, and he could not believe that this action could be regarded as an offense in the future under the legislation of the Russian Federation. Furthermore, E.R. Islyamov had no intention to propagandize it or demonstrate it publicly. They also explained that the expert opinion had been prepared by an incompetent individual since no document confirming that A.R. Nikiforov has the authority to prepare this opinion is available, the witnesses are acquaintances since they go to the same university and they believe them to be interested. Therefore, they requested the court to terminate the proceedings.

V.V. Parkhomenko and A.A. Filimonchik, interrogated during the court hearing explained that on 25 January 2018, they attended the search of the apartment located at the address 7 Razlivy Street, Razlivy Village, Nizhnegorskiy District, Republic of Crimea. The search of the residence did not reveal anything prohibited, rather a black Asus smartphone was detected. E.R. Islyamov explained that the specified smartphone belonged to him and he used it to access the Internet, particularly his personal page in “Vkontakte” social network. At the request of the police, E.R. Islyamov unlocked his smartphone and authorized to his page in “Vkontakte” social network explaining that it was his page and he used it, and thereafter he handed the phone to the police officer who showed them that this page contained photographs of E.R. Islyamov, and also the symbols of the globe with a black flag where Arabic letters were depicted.

Having examined the administrative offense case materials, I consider that the actions of E.R. Islyamov breached the requirements of Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation being a public display of the signs and symbols of extremist organizations prohibited to be propagandized and displayed publicly subject to the federal laws.

The objective side of the offense under consideration could be formed by public display, demonstration, hanging, depiction of Nazi attributes and symbols, attributes and symbols similar to them to the point of

confusion, reproduction of Nazi greetings and salutatory gestures or those similar to Nazi greeting and salutatory gestures to the point of confusion, and also any other action that makes the attributes and symbols under consideration available for the perception of other persons particularly through publication on the Internet media.

In order to protect human and civil rights and freedoms, the foundations of the constitutional order, and ensure the integrity and security of the Russian Federation, Federal Law No. 114-FZ “On Counteracting Extremist Activities” (the “Law No. 114-FZ”) defines the legal and organizational framework for countering extremist activity, introduces the liability for its performance.

Subject to Part 1 of Article 1 of Federal Law No. 114-FZ, extremist activity (extremism) is, in particular, propaganda and public display of Nazi attributes or symbols, or attributes or symbols similar to Nazi attributes or symbols to the point of confusion, or public display of attributes or symbols of extremist organizations.

Subject to Article 12 of Federal Law No. 114-FZ, it is prohibited to use public communication networks to perform extremist activity.

The citizens of the Russian Federation, foreign citizens and stateless persons performing extremist activities incur criminal, administrative and civil liability in accordance with the procedure established by the legislation of the Russian Federation (Article 15 of Law No. 114-FZ).

Subject to the Decision of the Supreme Court of the Russian Federation of 14 February 2003 No. GKPI 03-116, the Party of Islamic Liberation (Hizb ut-Tahrir al-Islami) is recognized as a terrorist organization, and its activity is prohibited in the Russian Federation.

E.R. Islyamov’s guilt of the administrative offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation is confirmed by the written case materials evaluated by the court as an aggregate and accepted as evidence of his guilt, namely the administrative offense record series RK No. 194553 (case file sheet 1); the Internet resource inspection certificate dated 30 October 2017, with the accompanying photo table, according to which a user page was found in “Vkontakte” social network under the nickname “Ebazer Ravilovli ogli Islamov” with the electronic address “https://vk./com/islamov”, there were videos with meetings including a video that depicts a globe with a black flag with Arabic letters (case file sheets 5-14), the explanation and opinion of an expert, according to which the symbols provided in the inspection reports are the symbols of Hizb ut-Tahrir al-Islami party (case file sheets 15-23); information from “Vkontakte” LLC security service (case file sheets 24-26); a screenshot of the website of the Federal Security Service of the Russian Federation, according to which the Party of Islamic Liberation “Hizb ut-Tahrir al-Islami” is included in the unified federal list of organizations, including foreign and international organizations, recognized as terrorist organizations subject to the legislation of the Russian Federation (case record sheets 33-34); the administrative detention record of 25 January 2018, according to which a black body mobile phone Asus in a black case without a SIM-card was seized from E.R. Islyamov (case file sheets 39-42);

The administrative offense records were prepared by an authorized official, subject to the requirements of Article 28.2 of the Code of Administrative Offenses of the Russian Federation, the evidence available in the case materials about the administrative offense, the court recognizes as relevant, admissible, reliable and sufficient to consider the case on the merits.

The Court does not take into account the arguments of the representatives of the person subjected to the administrative liability that E.R. Islyamov had no intention to distribute these symbols since the objective side of this offense is formed by any action that makes attributes and symbols available for consumption by third parties, including publishing them on the Internet. As could be seen from the case materials, on E.R. Islyamov’s page, there were 178 subscribers and 173 friends, who had free access to that information found on E.R. Islyamov’s page and the ownership of which the latter did not dispute.

In such circumstances, there is no doubt as to the fact that E.R. Islyamov publicly demonstrated on his social network page the symbols of the Party of Islamic Liberation “Hizb ut-Tahrir al-Islami”, which is recognized on the territory of the Russian Federation as a terrorist organization, since it is confirmed by the evidence presented and examined during the court hearing.

The arguments of the representatives of the person subjected to the administrative liability that information was posted by E.R. Islyamov in 2010, when the Republic of Crimea was a part of Ukraine, and therefore, in their opinion, the provisions of the Code of Administrative Offenses of the Russian Federation do not apply to the said relations are untenable since on 20 March 2014, the State Duma of the Russian Federation and the Federation Council – on 21 March 2014, approved Federal Constitutional Law No. 6-FKZ “On the admission of the Republic of Crimea into the Russian Federation and the formation of new constituent entities within the Russian Federation - the Republic of Crimea and the Federal City of Sevastopol.” Starting from that moment, on the territory of the Republic of Crimea, the legislation of the Russian Federation is applicable including Federal Law of 25 July 2002 No. 114-FZ “On Counteracting Extremist Activities”.

Therefore, previously posted information not authorized for publication was subject to removal from the Internet resource. Considering that the said Internet resource page was actually administered by E.R. Islyamov (i.e., only he was entitled to post and remove information), he had to remove the information in question.

The sanction of Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation provides for an administrative punishment for citizens in the form of an administrative fine in the amount from one thousand to two thousand rubles with confiscation of the administrative offense tool or administrative arrest for the term of up to fifteen days with confiscation of the administrative offense tool.

When imposing an administrative punishment, the court shall take into account the nature of the administrative offense committed by E.R. Islyamov, the personality of the offender, who has not previously been brought to administrative responsibility, is a disabled person of group 3, has three dependent minor children, his characteristic data and property status, as well as the absence of circumstances mitigating and aggravating administrative responsibility.

In such circumstances, the court concludes that the achievement of the goals of administrative punishment provided for by Article 3.1 of the Code of Administrative Offenses of the Russian Federation, in this case, could be ensured by the application of a type of administrative punishment not related to administrative arrest, and finds it possible to impose on E.R. Islyamov an administrative punishment in the form of an administrative fine within the maximum limits of the sanction provided for in Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation without confiscating the administrative offense tool.

The black Asus telephone shall be returned to its owner E.R. Islyamov.

Being guided by Part 1 of Articles 20.3, 29.9, 29.10, 29.11 of the Code of Administrative Offenses of

DECIDED:

To find Islyamov Ebazer Ravilevich guilty of the administrative offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation, and to impose on him an administrative punishment in the form of the administrative fine equal to RUB 2,000 (Two Thousand) without confiscating the administrative offense tool.

The black Asus telephone shall be returned to its owner E.R. Islyamov.

The fine shall be paid to the following details: Recipient: The Administration of the Federal Treasury (Nizhnegorskiy District Office of the Ministry of Internal Affairs of Russia), personal account 04751A92490, settlement account 40101810335100010001, Individual Taxpayer Number 9105000195, Tax registration reason code 910501001, BIC 043510001, Russian National Classifier of Municipal Formation Territories 35631401, Budgetary Classification Code 18811607000016000140, Unique identifier of charges 18880491180001945533.

The person subjected to administrative liability shall send a copy of the document certifying the payment of the administrative fine to the Judge, the body, the official, which issued the decision.

To explain that, subject to Articles 20.25, 32.2 of the Code of Administrative Offenses of the Russian Federation, a failure to pay an administrative fine within the term stipulated by the Code of Administrative Offenses of the Russian Federation entails the imposition of an administrative fine in the amount of double the amount of the unpaid administrative fine, but anyway one thousand or more rubles, or administrative arrest for a term of up to 15 days, or community work for up to fifty hours.

The decision can be appealed before the Supreme Court of the Republic of Crimea through the Nizhnegorskiy District Court of the Republic of Crimea within ten days after the date of delivery or receipt of a copy of the decision.

Judge (Signed)

[Seal: Nizhnegorskiy District Court of Simferopol of the Republic of Crimea]

True copy

Judge (Signed) A.M. Avakyan
/illegible

Annex 393

Dzhankoy District Court of the Republic of Crimea, Case No.
5-49/2018, Decision, 25 January 2018

Translation

Case No. 5-49/2018
 UID91R9 0008-012018-000-252-71

DECISION

25 January 2018

Dzhankoy

Judge S.V. Yurchenko of the Dzhankoy District Court of the Republic of Crimea, with the participation of the secretary G.I. Sitmambetova, the official who prepared the administrative offense record S.A. Gorbova, the individual against whom the administrative offense record were prepared E.U. Krosh, the representatives of the applicant L.R. Zudieva, S.R. Talyboev, having considered in an open court hearing the administrative offense case under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation against

Enver Umerovich Krosh, date of birth 14 November 1991, a native of Bliznegorskoye Village, Dzhankoyskiy District, Republic of Crimea, registered and residing at 6 Sadovaya, Bliznegorskoye Village, Dzhankoyskiy District, Republic of Crimea, unemployed, having three minor children,

ESTABLISHED:

On 31 October 2017, it was established that E.U. Krosh, at the residence address: 6 Sadovaya, Bliznegorskoye Village, Dzhankoyskiy District, Republic of Crimea, posted on the administrative page under the nickname "Enver Krosh" in "Vkontakte" social network the graphic files containing propaganda and attributes of terrorist organization "Hizb ut-Tahrir", whose activity was banned on the territory of the Russian Federation, and thereby E.U. Krosh committed an administrative offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation.

During the court hearing, E.U. Krosh refused to plead guilty, explained that on 31 October 2017, he did not go to the network page, forgot his password and login and did not use it.

The representative S.R. Talyboev supported the legal stance of his client and explained that the last visit E.U. Krosh made to the page in "Vkontakte" social network happened in 2013 as confirmed by the case materials. Therefore, there is no elements of an administrative offense.

Representative L.R. Zudieva supported the legal stance of her client and explained that the case materials contain no evidence of E.U. Krosh's guilt of the administrative offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation, there was also no evidence that his actions contained propaganda of attributes or symbols, which is mandatory to impose administrative liability on an individual under this article, and also there was no evidence that the Internet page in "Vkontakte" belongs to E.U. Krosh. At the time of 2013, the Republic of Crimea was under the jurisdiction of another country, therefore, administrative liability cannot be imposed on E.U. Krosh under the legislation of the Russian Federation. Notifications that E.U. Krosh may be held liable due to the actions that were imputed to him, were not given to him. The ruling on the transfer of the case specifies Part 5 of Article 20.2 of the Code of Administrative Offenses of the Russian Federation, therefore, this ruling was inadmissible evidence and cannot be taken into account by the court considering the administrative offense case.

The official who prepared the administrative offense record explained that on 31 October 2017, he revealed the fact that E.U. Krosh posted in "Vkontakte" social network the graphic files containing propaganda and attributes of the banned organization "Hizb ut-Tahrir".

Having heard the explanations of E.U. Krosh, his representatives, and also the official who prepared the administrative offense records, having examined the presented case materials, I believe that despite E.U. Krosh's refusal to plead guilty, it is established completely and confirmed by the evidence collected for the case, namely:

- Administrative offense records series RK 170700/127 of 25 January 2018 (case file sheet 2).

The record was prepared by the authorized person. The record contain no defects that could entail its invalidity.

- The records of delivery of the individual who committed the administrative offense dated 25 January 2018 (case file sheet 3).

- The records of administrative detention of E.U. Krosh of 25 January 2018 (case file sheet 4).

- The explanations of N.S. Alekseev of 25 January 2018, according to which he explained that on 25 January 2018, he was invited by the police officers to the Dzhankoyskiy Inter-municipal Department of the Ministry of Internal Affairs of Russia where in his presence the administrative records in relation to E.U. Krosh, date of birth 14 November 1991 were prepared under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation. He was also present when the records were prepared against the said citizen about his delivery to the Dzhankoyskiy Inter-municipal Department of the Ministry of Internal Affairs of Russia and his detention. In his presence, E.U. Krosh was familiarized with the rights provided by the Constitution of the Russian Federation, the Code of Administrative Offenses of the Russian Federation, and the materials in the administrative records. During preparation of the records, the said citizen refused to sign any documents including the prepared records. No applications and remarks were received from E.U. Krosh (case file sheets 6-7).

- Similar explanations of N.E. Belyaev of 25 January 2018 (case file sheets 8-9).

- The report of 28 October 2017 of the Senior Operative Officer of the Third Department of the Center for Countering Extremism of the Ministry of Internal Affairs of the Russian Federation for the Republic of Crimea S.A. Gorbov of 28 October 2017, according to which the monitoring of the Internet social networks revealed the user of the resource "vk.com" registered under nickname "Enver Krosh" (the address of the page: <https://vk.com/id33952566>). On the page of said user at the address: <https://vk.com/id33952566>, there were graphic files, containing propaganda and attributes of terrorist organization Hizb ut-Tahrir. That page and materials were open and any interested individual could view, listen and, if necessary, copy the posted extremist materials (case file sheet 10).

- The Internet resource inspection certificate of 31 October 2017, and the accompanying photo table, according to which the inspection of "vk.com" website page at the Internet address <https://vk.com/id33952566> under the title "Enver Krosh" revealed graphic images containing propaganda and attributes of terrorist organization Hizb ut-Tahrir (case record sheets 11-23).

- The disk attached to the inspection certificate (case file sheet 24).

- The extract of a visit to the Internet pages, according to which the last visit to the page <https://vk.com/id33952566> happened on 17 November 2013 (case record sheet 25).

- The opinion of an expert, associate professor A.R. Nikiforov from the Department of Political Science and International Relations of the Vernadsky Crimean Federal University, according to which the question "whether the submitted inspection certificates contained the symbols of some specific group or organization" was answered "yes, they did. It was party Hizb ut-Tahrir al-Islami;" the question "if they do, which one exactly?" was answered "yes, they did". It was party Hizb ut-Tahrir al-Islami" (case file sheets 27-29).

- The record of the explanation from A.R. Nikiforov dated 17 January 2018, according to which he explained that since 2014 he had been holding the position of associate professor of the Department of Political Science and International Relations of the Vernadsky Crimean Federal University. He has a candidate of historical science diploma, and also the political science associate professor degree. He had special knowledge that allowed him to determine the affiliation of a particular symbol to various groups, organizations, communities. On 21 December 2017, the Center for Countering Extremism of the Ministry of Internal Affairs for the Republic of Crimea sent him the materials of Internet resource inspections in "Vkontakte" social network, where, as believed by the police officers, the symbols of the terrorist organization "Hizb ut-Tahrir" were posted. In the course of the examination, he concluded that the materials provided for the examination contained the symbols of organization Hizb-ut-Tahrir al-Islami. This conclusion was made on the basis of the reference materials about party Hizb-ut-Tahrir al-Islam, which uses attributes in the form of black and white flags with Arabic inscription of the Islamic faith symbols during its events. In addition, the party's logo is a black banner waving at the top with a white inscription of the Islam faith symbol against the background of the globe (more precisely, the colored outlines of Africa and a part of Eurasia); in the middle of the logo, "Hizb ut-Tahrir" is written in Arabic. Based on the above data, he concluded that the symbols previously sent to him for examination by the police officers belonged to the symbols of terrorist organization "Hizb-ut-Tahrir al-Islami", which were sent to the Center for Countering Extremism of the Ministry of Internal Affairs of the Russian Federation for the Republic of Crimea (case file sheets 30-32).

The aggregate of the above mentioned evidence in the case does not raise doubts in the court, they are consistent, non-contradictory and fully match each other. The court finds them relevant, admissible, reliable and sufficient to resolve the case, and therefore believes it possible to use them as the basis of the decision.

E.U. Krosh's arguments that he did not use "Vkontakte" network page, and that the last time he visited it was in 2013, as believed by the court, cannot indicate the absence of his guilt since this page was active at the time of detection of the administrative offense and was available on the Internet network as confirmed by the Internet resource inspection certificate dated 31 October 2017, and in this regard, the court cannot agree

with the arguments of the representative that there are no legal grounds to apply the legislation of the Russian Federation to E.U. Krosh.

The reference made by the representative to the absence of E.U. Krosh's intent to commit the administrative offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation, and also to propagandize attributes or symbols prohibited to be propagandized or publicly displayed on the territory of the Russian Federation, is refuted by the photo table attached to the Internet resource inspection certificate in conjunction with the opinion of expert A.R. Nikiforov (case file sheet 12-23, 27-320).

Regarding the arguments of the representative about the absence of evidence that the "Vkontakte" Internet page belonged to E.U. Krosh specifically, they are refuted by the explanations of E.U. Krosh himself, who explained that on 31 October 2017, he did not visit the network page and forgot the password and login.

The error in the official's ruling on the transfer of the administrative offense case to the court cannot indicate the absence of guilt in E.U. Krosh's actions since it was confirmed by the aggregate of evidence examined by the court and available in the case materials.

As for the lack of notification of E.U. Krosh about the potential imposition of liability on him, the court notes that subject to Part 1 of Article 1.8 of the Code of Administrative Offenses of the Russian Federation, a person who committed an administrative offense on the territory of the Russian Federation shall be subjected to administrative liability under this Code or the law of a constituent entity of the Russian Federation on administrative offenses, exclusive of the circumstances provided for by an international treaty of the Russian Federation.

The representative's reference to other court rulings on administrative offenses committed by other persons has no legal significance for this case.

Therefore, the fact that E.U. Krosh committed the offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation, is established and proven completely.

The determination of a sanction includes consideration of the nature of the committed offense, the personality of E.U. Krosh, who is married and has three minor children.

The court finds no circumstances to mitigate and aggravate the administrative liability of E.U. Krosh.

Taking into account specific circumstances of the case, details of the personality of the offender, given the increased danger of the offense and that the offense committed by E.U. Krosh encroaches on public order and public safety, I consider it necessary to impose a sanction on him in the form of arrest.

The court finds no circumstances precluding the use of this type of sanction against the offender subject to Article 3.9 of the Code of Administrative Offenses of the Russian Federation.

The court finds no grounds for applying such additional sanction as confiscation of the administrative offense tool taking into account the nature thereof, namely, graphic files in "Vkontakte" social network.

Based on the foregoing, being guided by Articles 29.9, 29.10, 29.11, 32.7 of the Code of Administrative Offenses of the Russian Federation,

DECIDED:

To find E.U. Krosh guilty of the administrative offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation and to impose on him the administrative punishment in the form of the administrative arrest for the term of 10 (ten) days without confiscation.

To include the term of administrative detention from 25 January 2018, 8:50 a.m., in the term of E.U. Krosh's sentence.

To instruct the Dzhankoyskiy Inter-municipal Department of the Ministry of Internal Affairs of the Russian Federation to enforce the decision.

The decision can be appealed against before the Supreme Court of the Republic of Crimea through the Dzhankoyskiy District Court of the Republic of Crimea within 10 days from the date of delivery or receipt of a copy of the decision.

Judge:

personal signature

S.V. Yurchenko

The decision was appealed and upheld. The decision entered into force on 31 January 2018.

[STAMP: Dzhankoy District Court of the Republic of Crimea

Original of the decision is stored within the administrative case No. 5-49/2018; The copy is issued on 21 May 2019 Judge (Signed) Secretary (Signed)

[Seal: Dzhankoy District Court of the Republic of Crimea]

Annex 394

Supreme Court of the Republic of Crimea, Case No. 12-202/2018,
Decision, 31 January 2018

Translation

Judge S.V. Yurchenko

case No. 12-202/2018

DECISION

31 January 2018

Simferopol

Judge N.A. Terentieva of the Supreme Court of the Republic of Crimea, having considered in the court hearing the appeal submitted by defense counsel Emil Makhsudovich Kurbedinov in the interests of Enver Umerovich Krosh against the decision issued on 25 January 2018 by the judge of the Dzhankoyskiy District Court of the Republic of Crimea against Enver Umerovich Krosh in case No. 5-49/2018 in relation to the administrative offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation,

ESTABLISHED:

By the decision of 25 January 2018 issued by the judge of the Dzhankoyskiy District Court of the Republic of Crimea, Enver Umerovich Krosh was found guilty of the administrative offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation and was sentenced to the administrative punishment in the form of administrative arrest for the period of 10 days without confiscation.

In the appeal filed by attorney E.M. Kurbedinov in defense of E.U. Krosh, the applicant requests reversal of the decision of 25 January 2018 and issued by the judge of the Dzhankoyskiy District Court of the Republic of Crimea, termination of the proceedings in the case due to the lack of the administrative offense, by referring to the fact that E.U. Krosh had no intention to commit an illegal act. E.U. Krosh had not received prior notifications about the allegedly extremist nature of the materials, reminders of the existence of such materials on a page possibly owned by him, and requests to remove them. He pointed out that public demonstration without propaganda purposes was not a manifestation of extremism. He believed that the right to spread information without the interference of the state, which is guaranteed by Article 10 of the European Convention on Human Rights, had been breached. He believed that the court of the first instance imposed a disproportionate sanction in relation to the committed act.

During the court hearing, E.U. Krosh supported the arguments of the appeal, requested granting thereof by referring to the fact that his posting of the specified information in 2012 was not an offense while the laws of Ukraine were applicable. He believes that the materials he posted are not extremist.

The defense counsel E.M. Kurbedinov did not attend the court hearing and submitted a motion to postpone the trial due to him being engaged in another trial, which was refused.

Having reviewed the arguments set out in the appeal, examined the case materials, heard the explanations of E.U. Krosh, the court comes to the following.

According to Part 2 of Article 30.6 of the Code of Administrative Offenses of the Russian Federation, when considering an appeal against a decision on an administrative offense case, the legality and validity of the decision shall be checked on the basis of the materials available in the case and additionally submitted materials.

According to Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation, propaganda or public demonstration of Nazi attributes or symbols, or attributes or symbols similar to Nazi attributes or symbols to the point of confusion, or attributes or symbols of extremist organizations, or other attributes or symbols prohibited to be propagandized or publicly displayed by federal laws - entails the imposition of an administrative fine on citizens in the amount from one thousand to two thousand rubles with confiscation of the administrative offense tool, or administrative arrest for up to fifteen days with confiscation of the administrative offense tool.

The objective side of the offense under consideration could be formed by propaganda or public demonstration of Nazi attributes or symbols, or attributes or symbols similar to Nazi attributes or symbols to the point of confusion, or attributes or symbols of extremist organizations, or other attributes and symbols prohibited to be propagandized or publicly displayed by federal laws, i.e. public display, demonstration, hanging, depiction of Nazi attributes and symbols similar to them to the point of confusion, reproduction of Nazi or confusingly similar to Nazi greetings and salutatory gestures, and also any other action that makes the attributes and symbols in question available for the perception of other persons particularly through publication in the media.

According to Article 1 of Federal Law of 25 July 2002 No. 114-FZ "On Counteracting Extremist Activity" extremist activity (extremism), particularly propaganda and public display of Nazi attributes or

symbols, or attributes or symbols similar to Nazi attributes or symbols to the point of confusion, or public display of attributes or symbols of extremist organizations.

As can be seen from the case materials, E.U. Krosh posted in “Vkontakte” social network on the administrative page under the nickname “Enver Krosh” graphic files containing propaganda and attributes of terrorist organization “Hizb ut-Tahrir”, whose activity was prohibited on the territory of the Russian Federation.

These circumstances served as the basis for imposing on E.U. Krosh of the administrative liability under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation.

Commission of the administrative offense and E.U. Krosh’s guilt are confirmed by the evidence collected for the case and evaluated according to the rules established by Article 26.11 of the Code of Administrative Offenses of the Russian Federation in terms of their relevance, admissibility, reliability, and sufficiency.

The court of the first instance reasonably concluded that the fact of public demonstration by E.U. Krosh of symbols of terrorist organization “Hizb ut-Tahrir” formed administrative corpus delicti under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation.

The consideration of this administrative offense case in accordance with the requirements of Article 24.1 of the Code of Administrative Offenses of the Russian Federation included a comprehensive, full, objective and timely detection of the circumstances of the committed administrative offense. According to the requirements of Article 26.1 of the Code of Administrative Offenses of the Russian Federation, it is established as follows: the act of an administrative offense, the person who committed it, the guilt of said person of the administrative offense, other circumstances important for correct resolution of the case, and also the reasons and conditions for the commission of the administrative offense.

The arguments of the appeal aimed at re-evaluation of the evidence that was the subject of judicial examination, do not refute the established circumstances and do not affect the legality of the decision issued in the case.

The court critically evaluates the argument of the appeal that E.U. Krosh had no intention to commit an administrative offense.

The argument of the appeal that the court interfered with the right to freedom of expression cannot be considered valid. According to Part 3 of Article 55 of the Constitution of the Russian Federation, the rights and freedoms of man and citizen may be limited by federal law only to the extent necessary for the protection of the fundamental principles of the constitutional system, morality, health, the rights and lawful interests of other people, for ensuring defense of the country and security of the State.

The applicant’s reference to the fact that the information on his page in Vkontakte social network was posted by E.U. Krosh while the laws of Ukraine were applicable, he received no notifications of the allegedly extremist nature of the materials and requests for their removal, has no legal significance.

Public demonstration by E.U. Krosh on his page in Vkontakte social network of the images of symbols of “Hizb ut-Tahrir al-Islami”, the organization prohibited in the Russian Federation, continued uninterruptedly for a long period of time, was characterized by prolonged illegal behavior and therefore was a continuing administrative offense.

By the decision of the Supreme Court of the Russian Federation of 14 February 2003 No. GKPI 03-116, the “Party of Islamic Liberation” (“Hizb ut-Tahrir al-Islami”) is classified as a terrorist organization and prohibited in the Russian Federation.

Therefore, by posting the symbols of “Hizbut-Tahrir al-Islami” organization prohibited in the Russian Federation on his page in “VKontakte” social network, E.U. Krosh organized public access to make said information available for the perception of other persons on the Internet.

The arguments of the appeal that the administrative liability was imposed on the applicant under the law that was never published on the territory of the Republic of Crimea are based on erroneous interpretation of the rules of the law.

According to Part 3 of Article 1 of Federal Constitutional Law No. 6-FKZ “On the admission of the Republic of Crimea into the Russian Federation and the formation of new constituent entities within the Russian Federation - the Republic of Crimea and the Federal City of Sevastopol”, the Republic of Crimea is considered admitted to the Russian Federation starting from the date of signing of the Treaty between the Russian Federation and the Republic of Crimea on the Accession of the Republic of Crimea into the Russian Federation and the formation of new constituent entities within the Russian Federation.

The Treaty between the Russian Federation and the Republic of Crimea on the Accession of the Republic of Crimea into the Russian Federation and the formation of new constituent entities within the Russian Federation was signed on 18 March 2014.

According to Part 1 of Article 23 of Law No. 6-FKZ, legislative and other legal acts of the Russian Federation shall be valid in the territories of the Republic of Crimea and the federal city of Sevastopol from the day of admission of the Republic of Crimea into the Russian Federation and formation of new constituent entities of the Russian Federation, unless otherwise provided for by this Federal Constitutional Law.

Therefore, the legislation of the Russian Federation is applicable on the territory of the Republic of Crimea starting from the aforesaid date.

The argument that the guarantees provided in Article 10 of the European Convention for the Protection of Human Rights were breached is unfounded. The imposition of administrative liability on an individual for the fact of committing a corresponding administrative offense detected and proven in the manner prescribed by the Code of Administrative Offenses of the Russian Federation does not entail a breach of the aforesaid rights of this individual, and does not interfere with their implementation in compliance with the requirements of the law.

The procedure and term for the imposition of administrative liability on E.U. Krosh were observed when issuing the decision in the administrative offense case.

According to the general rules for the imposition of administrative punishments, an administrative punishment for committing an administrative offense is imposed within the limits established by the law providing for the liability for this administrative offense under the Code of Administrative Offenses of the Russian Federation (Part 1 of Article 4.1 of the Code of Administrative Offenses of the Russian Federation).

When imposing an administrative punishment on an individual, the nature of the administrative offense committed by them, the personality of the defendant, their property status, circumstances to mitigate the administrative liability and circumstances to aggravate the administrative liability are taken into account, the list of which is exhaustive (Part 2 of Article 4.1 of the Code of Administrative Offenses of the Russian Federation).

The imposition of the administrative punishment should be based on the data confirming the actual need to apply to the person against whom the proceedings in the administrative offense case are being conducted, to the extent of the rule providing for liability for the administrative offense, just that measure of state coercion that would most efficiently achieve the administrative punishment objectives and its proportionality as the only possible way to achieve a fair balance of public and private interests within the administrative proceedings.

In this regard, the judge, body or official considering the administrative offense case must provide the reasons for imposing on the individual subjected to the administrative offense proceedings on an appropriate administrative punishment within the sanction of the article to be applied.

The administrative punishment in the form of administrative arrest was imposed on E.U. Krosh according to the requirements of Articles 3.1, 3.9 and Article 4.1 of the Code of Administrative Offenses of the Russian Federation within the scope of the sanction of Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation, taking into account the personality of the defendant, and also the circumstances and nature of the committed administrative offense, and therefore it is fair. The imposed sanction relies on the actual data revealed in the case and confirming the actual need to apply such liability to E.U. Krosh as the only possible way to achieve a fair balance between public and private interests in the framework of administrative proceeding.

As can be seen, the administrative punishment was imposed on E.U. Krosh within the sanction provided by the law, subject to which he was found guilty; in the meantime, the Court correctly took into account the nature of the offense committed by him and his personality.

The conclusion of the court to impose an administrative punishment is sufficiently motivated taking into account all circumstances of the case.

The circumstances referred to by the applicant in the appeal about minor children do not entail the cancellation or modification of the issued decision.

During the consideration of the administrative offense case, there were no breaches of the norms of the material and procedural law, entailing the reversal of the decision.

Being guided by Article 30.7 of the Code of Administrative Offenses of the Russian Federation,

DECIDED:

To uphold the decision of the judge of the Dzhankoyskiy District Court of the Republic of Crimea of 25 January 2018 in case No. 5-49/2018 on an administrative offense under Part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation against Enver Umerovich Krosh, to dismiss the appeal of the defense counsel Emil Makhsudovich Kurbedinov submitted in the interests of Enver Umerovich Krosh.

The decision can be challenged.

Judge of the Supreme Court
of the Republic of Crimea

(Signed)

N.A. Terentieva

*[Stamp: TRUE COPY
Judge E.A. Pikula*

*The decision was not challenged, entered into
force on 31 January 2018*

True: Judge (Signed)

Secretary (Signed) E.R. Minasova]

*[Seal: Dzhankoyskiy District Court of the
Republic of Crimea]*

*[Seal: Dzhankoyskiy District Court of the
Republic of Crimea]*

*[Stamp: Dzhankoyskiy District Court of the
Republic of Crimea
numbered and sealed 5 sheets
Chairman of the Court (signed) E.A. Pikula]*

*[Stamp: Dzhankoyskiy District Court of the
Republic of Crimea*

*The original of the decision is archived in the
administrative case No. 5-49/ 2018*

Copy issued on 21 May 2019

Judge (Signed) E.A. Pikula

Court Secretary E.R. Minasova]

Annex 395

Military Prosecutor of the 309th Military Prosecutor's Office of the Garrison, Report on the examination of the legality of the decision to refuse to initiate criminal proceedings, 20 February 2018

Translation

(illegible) To the Military Prosecutor of the Black Sea Fleet
/Signature/ Major General of Justice
(illegible) E.A. Bykov
enclosed to the materials */Signature/ 1 March 2018*
(for a complaint)
/Signature/
20 February 2018

20 February 2018 12/02

To ref. No. VP ChF No. 5/1000-18 of 15 February 2018

I hereby report that, having received documents from the 534th Military Investigative Department of the Military Investigative Directorate of the Investigative Committee of Russia for the Black Sea Fleet, the 309th Military Prosecutor's Office of the Garrison examined the legality and reasonableness of a procedural decision of 22 October 2017 on the refusal to initiate a criminal case under para. 1 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation in respect of officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol into elements of a crime under para. "a" of Part 3 of Article 286 of the Criminal Code of the Russian Federation in respect of the applicant R.R. Paralamov in accordance with para. 2 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation into elements of a crime under Part 1 of Article 306 of the Criminal Code of the Russian Federation.

Having examined the legality and reasonableness of the procedural decision, it was established that the inspection was complete and comprehensive, the investigator's findings were confirmed by available materials, and his ruling was legal, well-founded, reasoned, and there was no basis for revoking it.

Annex: a copy of the report concerning the legality and reasonableness of the procedural decision on eight pages.

Military Prosecutor of the 309th Military
 Prosecutor's Office of the Garrison
 Colonel of Justice

/Signature/

A.V. Mazurov

Reg. No. 2427-18

28 February 2018

Military Prosecutor's Office of
 the Black Sea Fleet

APPROVED

Military Prosecutor of the 309th Military
Prosecutor's Office of the Garrison
Colonel of Justice
/Signature/ A.V. Mazurov
20 February 2018

(illegible)
/Signature/ 20 February 2018

REPORT

on the Examination of the Legality of the Resolution on Refusal to Initiate a Criminal Case in Respect of Officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol into Elements of a Crime under para. "a" of Part 3 of Article 286 of the Criminal Code of the Russian Federation

20 February 2018

Simferopol

Captain of Justice K.V. Zakhovaev, Senior Assistant to the Military Prosecutor of the 309th Military Prosecutor's Office of the Garrison, having examined the materials of the inspection conducted by the 534th Military Investigative Department of the Investigative Committee of Russia of the Military Investigative Directorate for the Black Sea Fleet under Articles 144–145 of the Criminal Procedural Code of the Russian Federation upon R.R. Paralamov's application concerning an abuse of office on the part of officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol into elements of a crime under para. "a" of Part 3 of Article 286 of the Criminal Code of the Russian Federation,

HAS ESTABLISHED THE FOLLOWING:

The pre-trial inspection was conducted based on and occasioned by R.R. Paralamov's application concerning an abuse of office on the part of officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol registered in the Crime Records Registration Book of the 534th Military Investigative Department of the Investigative Committee of Russia of the Military Investigative Directorate for the Black Sea Fleet under No. 277 into elements of a crime under para. "a" of Part 3 of Article 286 of the Criminal Code of the Russian Federation.

Besides, on 17 October 2017, the 534th Military Investigative Department received complaints from the lawyers E.M. Kurbedinov and E.S. Semydyaev concerning what they deemed to be unlawful actions of the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol associated with the unlawful deprivation of freedom of R.R. Paralamov whom they represent and, on 24 October 2017, the above Department received applications from R.R. Paralamov's relatives – A.E. Kurtmalaeva, A.R. Islyamov, L.F. Meshchryakova, T.R. Adilshaeva, A.A. Kadyrov, P.F. Paralamova, D.A. Bodurov, R.R. Paralamov concerning R.R. Paralamov's abduction on 13 September 2019 by unidentified persons wearing insignia of officers of the Federal Security Service of Russia, that are enclosed to the inspection materials.

As it follows from the crime report, on 13 September 2017, in the urban settlement of Nizhnegorsky of the Republic of Crimea, at the place of R.R. Paralamov's residence, unidentified persons, who introduced themselves as officers of the Federal Security Service of Russia, presented their documents and a warrant for a search of his house property, after which they put him in a car and drove him in an unknown direction after handcuffing him and placing a bag on his head. After that, in an unknown place, they duck taped him to a chair and started hitting him on the head and chest, using electric shocks as a method of torture, threatening him with sexual violence, and forcing him to sign some record.

After he agreed to do that and signed the record without reading it, a video was made of him admitting his involvement in the terrorist organisation Hizb ut-Tahrir al-Islami and illegally keeping TNT. As he was tortured, his jaw was dislocated and he was unable to close his mouth on his own. At first, he was treated by a man in camouflage trousers who was not able to help him. Afterwards, a female medical worker in a white robe came, set his jaw, and gave him an anaesthetic injection.

In light of the above, he was illegally detained at unknown premises between 13 and 14 September 2017.

The Head of the 534th Military Investigative Department of the Investigative Committee of Russia of the Military Investigative Directorate for the Black Sea Fleet duly extended the pre-trial inspection deadline upon the investigator's motion from 10 to 30 days respectively. The extension was granted since it was necessary to examine documents and to identify the perpetrators.

On 27 October 2017, Lieutenant Colonel of Justice I.Yu. Moseychuk, Senior Investigator of the 534th Military Investigative Department of the Investigative Committee of Russia of the Military Investigative Directorate for the Black Sea Fleet, issued a ruling refusing to initiate criminal proceedings under a crime report into a crime under para. 1 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation due to the absence of a crime event under para. "a" of Part 3 of Article 286 of the Criminal Code of the Russian Federation.

Following the pre-trial inspection, R.R. Paralamov's arguments that he had been abducted by officers of the Federal Security Service of Russia and subjected to violence and other unlawful actions were examined, were not objectively proven and were refuted by the explanations of the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol [...], [...], [...], [...], as well as E.I. Alexeev and N.A. Plotnikov who took part in operative search activities involving R.R. Paralamov, and materials of the operative search activities.

The inspection revealed that on 13 September 2017, Captain [...], Operative of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, acting under Ruling No. 444/2017 of Kievskiy District Court of Simferopol of 12 September 2017, conducted an operative search activity at the place of R.R. Paralamov's residence, namely "an inspection of premises, buildings, structures, areas, and transport vehicles", during which he found and seized a brochure titled "Fortress of the Muslim" and a laptop with text files containing materials of the international terrorist organisation Hizb ut-Tahrir al-Islami. However, R.R. Paralamov was not subjected to any psychological and physical coercion during the operative search activity. Once the operative search activity was over, R.R. Paralamov was invited to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol for an operative search activity – "questioning".

In the course of the questioning, R.R. Paralamov testified that when he was at university in the Republic of Kazakhstan, he began studying the ideology of the international terrorist organisation Hizb ut-Tahrir al-Islami, and spoke about his further activity in the interests of the said terrorist organisation, after which R.R. Paralamov was released on 13 September 2017 at around 5 p.m. Besides, he was preliminarily invited to a further questioning scheduled on 14 September 2017 at 9 a.m., with relevant entries made in the record of questioning.

On 14 September 2017, at 9 a.m., R.R. Paralamov came to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, and his questioning continued. During his questioning, R.R. Paralamov said that he had created an arms cache in the area of the Simferopol Reservoir wherein he had hidden a TNT demolition slab, two electronic detonators, and some 15 rounds.

On the same day, at 10:30 a.m., an operative search activity "an inspection of premises, buildings, structures, areas, and transport vehicles" was conducted near a wood line of the Simferopol Reservoir involving R.R. Paralamov, during which he showed the place where he had created the arms cache and where he had hidden the above items. The following items were found in the arms cache and seized: a TNT demolition slab, 15 5.45-mm rounds, and two electronic detonators.

On 14 September 2017, at around 12:30 p.m., once the operative search activity was over, R.R. Paralamov was taken to Vostochny bus station of Simferopol from which he was to go home.

The operative search findings relating to R.R. Paralamov were subsequently sent to the Department of Inquiry of the Directorate of the Ministry of Internal Affairs of Russia for the Republic of Crimea, where, on 28 September 2017, a criminal case was initiated against R.R. Paralamov into elements of a crime under Part 1 of Article 222, Part 3 of Article 222.3 of the Criminal Code of the Russian Federation.

As explained by Captain [...], Operative of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, on 13 September 2017, acting under the ruling of Kievskiy District Court of Simferopol, he conducted "an inspection of premises, buildings, structures, areas, and transport

vehicles” at the place of R.R. Paralamov’s residence in the presence of witnesses, during which he found and seized a brochure titled “Fortress of the Muslim” and a laptop with text files containing materials of the international terrorist organisation Hizb ut-Tahrir al-Islami. Moreover, R.R. Paralamov was not subjected to any psychological and physical coercion during the operative search activity. Once the operative search activity was over, R.R. Paralamov was invited to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol for an operative search activity – “questioning”.

In the course of the questioning, R.R. Paralamov testified that when he was at university in the Republic of Kazakhstan, he began studying the ideology of the international terrorist organisation Hizb ut-Tahrir al-Islami, and spoke about his further activity in the interests of the terrorist organisation after which R.R. Paralamov was released on 13 September 2017, at around 5 p.m. Besides, he was preliminarily invited to a further questioning scheduled on 14 September 2017 at 9 a.m., with relevant entries made in the record of questioning.

During the questioning, [...] and [...], officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, repeatedly entered the room on their work related issues.

On 14 September 2017, at around 9 a.m., R.R. Paralamov came to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, and his questioning continued. During his questioning, R.R. Paralamov said that he had created an arms cache in the area of the Simferopol Reservoir wherein he had hidden a TNT demolition slab, two electronic detonators, and some 15 rounds. Moreover, in the course of the questioning, R.R. Paralamov explained that once his questioning of 13 September 2017 was over, he did not go home but spent a night in Gagarinsky Park in Simferopol. R.R. Paralamov personally wrote in the records of questioning of 13 September 2017 and 14 September 2017 that he was not subjected to any psychological and physical coercion and that he had no complaints against the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol.

At about 10:30 a.m., “an inspection of premises, buildings, structures, areas, and transport vehicles” was conducted near a wood line of the Simferopol Reservoir involving R.R. Paralamov and two witnesses, during which he showed the place where he had created the arms cache and where he had hidden the above items. The following items were found in the arms cache and seized: a TNT demolition slab, 15 5.45-mm rounds, and two electronic detonators.

On the same day, at around 12:30 p.m., once the operative search activity was over, R.R. Paralamov was taken to Vostochny bus station of Simferopol from which he was to go home.

In the course of the questioning, R.R. Paralamov was not subjected to any physical violence, no one duck taped him to a chair or hit him on the head and chest, used electric shocks as a method of torture, threatened him with sexual violence, or forced him to sign the record. He believes that R.R. Paralamov gives such testimony in order to avoid criminal liability.

[...], Senior Operative of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, gave similar testimony in terms of its content and essence, explaining that his workplace is in the same room with [...] and that, on 13 September 2017, he saw [...] questioning R.R. Paralamov whom he had not previously met. [...] was not involved in the questioning since he was busy with his own tasks. On 13 September 2017, at around 5 p.m., R.R. Paralamov was released. A day later, at around 9 a.m., R.R. Paralamov came to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, and his questioning continued. In the course of the questioning, R.R. Paralamov was not subjected to any physical violence, no one duck taped him to a chair or hit him on the head and chest, used electric shocks as a method of torture, threatened him with sexual violence, or forced him to sign the record.

Lieutenant Colonel [...], Head of Department of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, fully supported the testimony of [...] and testified that [...], acting under Ruling No. 444/2017 of Kievskiy District Court of Simferopol of 12 September 2017, was instructed to conduct “an inspection of premises, buildings, structures, areas, and transport vehicles” at the place of R.R. Paralamov’s residence on 13 September 2017, after which R.R. Paralamov was invited to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol for “a questioning”. On the same day, R.R. Paralamov testified during the questioning that when he was at university in the Republic of Kazakhstan, he began studying the ideology of the international terrorist organisation Hizb ut-Tahrir al-Islami, and spoke about his further activity in the interests of the terrorist organisation, after which R.R. Paralamov was released on 13 September 2017, at around 5 p.m.

In the course of the questioning, he repeatedly entered the room, in which R.R. Paralamov was being questioned, on his work related issues.

On 14 September 2017, at 9 a.m., R.R. Paralamov came to the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, and his questioning continued.

According to [...]’s report, R.R. Paralamov said during the questioning that he had created an arms cache in the area of the Simferopol Reservoir in early August 2017 wherein he had hidden explosives and ammunition.

Thus, at around 10:30 a.m., an operative search activity – “an inspection of premises, buildings, structures, areas, and transport vehicles” – was conducted near a wood line of the Simferopol Reservoir by [...] involving R.R. Paralamov and two witnesses, during which he showed the place where he had created the arms cache and where he had hidden the above items. The following items were found in the arms cache and seized: a TNT demolition slab, 15 5.45-mm rounds, and two electronic detonators.

On the same day, at around 12:30 p.m., once the operative search activity was over, R.R. Paralamov was taken to Vostochny bus station of Simferopol from which he was to go home.

In the course of the questioning, R.R. Paralamov was not subjected to any physical violence, no one duck taped him to a chair or hit him on the head and chest, used electric shocks as a method of torture, threatened him with sexual violence, or forced him to sign the record. He believes that R.R. Paralamov falsely accuses the officers of the Directorate of the Federal Security Service of Russia in order to avoid criminal liability.

As [...] testified, he was the leader of the operational and combat support group and ensured security during the operative search activity conducted by the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol at the place of R.R. Paralamov’s residence on 13 September 2017 in accordance with Ruling No. 444/2017 of Kievskiy District Court of Simferopol of 12 September 2017. No physical force or special equipment was used in the course of the questioning. R.R. Paralamov agreed to the invitation of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol and voluntarily followed them. No one handcuffed him or placed a bag on his head on their way there.

The witnesses K.P. Alexeev and N.A. Plotnikov, each separately, testified that they had been involved in “the inspection of premises, buildings, structures, areas, and transport vehicles” together with R.R. Paralamov.

Thus, on 13 September 2017, they were present at the place of R.R. Paralamov’s residence in the urban settlement of Nizhnegorsky during the above operative search activity, and on 14 September 2017 – in the wood line of the Simferopol Reservoir when R.R. Paralamov showed the place where he had created the arms cache and where he had hidden the above items. The following items were found in the arms cache and seized: a TNT demolition slab, 15 5.45-mm rounds, and two electronic detonators. In the course of the said operative search activity, R.R. Paralamov was not subjected to any physical or psychological violence.

According to the record of questioning of R.R. Paralamov of 13 September 2017, the questioning lasted from 12:05 p.m. to 3:25 p.m. In the course of that questioning, R.R. Paralamov testified that when he was at university in the Republic of Kazakhstan, he began studying the ideology of the international terrorist organisation Hizb ut-Tahrir al-Islami, and spoke about his further activity in the interests of the terrorist organisation, and that there were signatures of R.R. Paralamov at the close of the record of questioning and a sentence in his handwriting to the effect that he personally read it aloud, that the above was an accurate record of his statement, and that he had no remarks or additions, and a sentence “I was not subjected to any psychological or physical coercion. I have no complaints against the officials”. Besides, there is an entry that R.R. Paralamov was invited for a further questioning at 9:00 a.m., which he signed and dated – “3:25 p.m., 13 September 2017”.

According to the record of questioning of R.R. Paralamov of 14 September 2017, the questioning lasted from 9:00 a.m. to 10:30 a.m. In the course of that questioning, R.R. Paralamov testified that he had created an arms cache in the area of the Simferopol Reservoir in early August 2017 wherein he had hidden explosives and ammunition for potential self-defence purposes and indicated that, once the questioning of 13 September 2017 was over, he did not go home but spent a night in Gagarinsky Park in Simferopol because he felt his guilt before his relatives. There are signatures of R.R. Paralamov at the close of the record of

questioning and a sentence in his handwriting to the effect that he personally read it aloud, that the above was an accurate record of his statement, and that he had no remarks or additions, and a sentence “I was not subjected to any psychological or physical coercion. I have no complaints against the officials”.

In view of the above, there is no objective information that the officials of the Federal Security Service of Russia committed any unlawful actions during the inspection into the crime event as alleged by R.R. Paralamov.

As it is evident from the above, the applicant’s argument that he had been subjected to physical violence by the officers of the Federal Security Service of Russia was comprehensively and completely inspected and did not objectively prove to have a basis in fact and was fully refuted by available evidence.

The investigator’s procedural decision is based on that R.R. Paralamov’s statements that he was subjected to physical violence and torture by the officers of the Federal Security Service of Russia are subjective, are aimed at discrediting the officers of the Federal Security Service of Russia, and constitute an attempt to justify his confession of guilt in the mass media in the eyes of his accomplices in crimes, and to avoid liability.

Further, R.R. Paralamov’s actions relating to the application for prosecution are not criminally punishable acts since that application was not intended to provide a knowingly false report of a crime but serves as a remedy.

Given the above circumstances, Lieutenant Colonel of Justice I.Yu. Moseychuk, Senior Investigator of the 534th Military Investigative Department of the Investigative Committee of Russia of the Military Investigative Directorate for the Black Sea Fleet, in examining the circumstances of how the applicant was allegedly subjected to violence on the part of the officers of the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, reasonably concluded that there was no crime event under para. “a” of Part 3 of Article 286 of the Criminal Code of the Russian Federation and that there were no elements of a crime under Part 1 of Article 306 of the Criminal Code of the Russian Federation in the actions of the applicant R.R. Paralamov, for which reason, on 27 October 2017, he issued a resolution on refusal to initiate a criminal case under para. “a” of Part 3 of Article 286 of the Criminal Code of the Russian Federation in accordance with para. 1 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation and in respect of the applicant R.R. Paralamov – based on the elements of the crime envisaged by Part 1 of Article 306 of the Criminal Code of the Russian Federation in accordance with para. 2 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation.

Having examined the preliminary inspection materials, I conclude that the inspection was complete and comprehensive, the investigator’s findings were confirmed by available materials, and his resolution was legal, well-founded, and reasoned.

R.R. Paralamov and other applicants are informed about this decision and the appeal procedure; there were no complaints or objections from the above persons.

Thus, given that there were no breaches of the Criminal Procedural Code of the Russian Federation in the course of the inspection into the refusal to initiate a criminal case,

I HEREBY PROPOSE:

1. that the ruling of Lieutenant Colonel of Justice I.Yu. Moseychuk, Senior Investigator of the 534th Military Investigative Department of the Investigative Committee of Russia of the Military Investigative Directorate for the Black Sea Fleet on the refusal to initiate a criminal case under para. “a” of Part 3 of Article 286 of the Criminal Code of the Russian Federation in accordance with para. 1 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation, due to the absence of a crime event, in respect of the applicant R.R. Paralamov – into elements of a crime under Part 1 of Article 306 of the Criminal Code of the Russian Federation in accordance with para. 2 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation, due to the absence of a crime event – is to be declared legal and reasoned.

2. to agree with the above procedural decision.

Senior Assistant to the Military Prosecutor of the 309th Military /Signature/
Prosecutor’s Office of the Garrison
Captain of Justice

K.V. Zakhovaev

Annex 396

Zheleznodorozhny District Court of Barnaul of the Altai Krai, Case
No. 1-112/2018, Decision, 21 February 2018

Translation

Case No. 1-112/2018

DECISION

In the name of the Russian Federation

21 February 2018

Barnaul

The Zheleznodorozhny District Court of Barnaul of the Altai Krai, comprising of the Presiding Judge N.V. Pervukhina, with the court secretary A.M. Kolesnikova, with the participation of: the Public Prosecutor, Senior Assistant Prosecutor of the Zheleznodorozhny District of Barnaul A.V. Fomina, the Defense Attorney E.I. Fogel, who provided order No. 081392 of 20 February 2018, attorney's certificate No. [...] of [...], the defendant S.A. Gadoev, and the Interpreter F. Otaev, having considered in an open court hearing subject to particular procedure the materials of the criminal case against: Samandar Abdurakhmonovich Gadoev, date of birth: 4 January 1971, a native of the Republic of Tajikistan, Tajik, the citizen of the Republic of Tajikistan, having an incomplete higher education, unmarried, having a dependent minor and three young children: Gulbonu, Guliston, Muhammadzhon, Rabboni, born in 2004, 2005, 2008 and 2012, respectively, who worked as a sales assistant for the individual entrepreneur Gadoev S.A., not bound to military service, registered at [address], residing at [address], accused of a crime under Part 1.1 of Article 282.2 of the Criminal Code of the Russian Federation,

ESTABLISHED:

S.A. Gadoev has committed the involvement of persons in the activities of an extremist organization under the following circumstances.

At a time unidentified by the investigation, but no later than 30 October 2015, in the city of Barnaul, Altai Krai, the citizen of the Republic of Tajikistan S.A. Gadoev, who was aware of the decision of the Supreme Court of the Russian Federation of 7 May 2009 and entered into force on 19 May 2009 on the recognition of the international religious organization (hereinafter – the IREA) “Tablighi Jamaat” as extremist and banned in the territory of the Russian Federation, had a criminal intent to involve persons in the activities of the said organization in the city of Barnaul, Altai Krai.

For the accomplishment of his criminal intent, realizing the social danger and the illegal nature of his actions, anticipating socially dangerous consequences and wanting their occurrence, in violation of the provisions of Articles 9 and 15 of Federal Law of the Russian Federation of 25 July 2002 No. 114-FZ “On Countering extremist activities”, according to which the creation and activity of public or religious organizations or other organizations, whose objectives or activities are aimed at carrying out extremist activity, are prohibited in the Russian Federation, and citizens of the Russian Federation shall bear criminal liability for the carrying out of extremist activity under the procedure established in the laws of the Russian Federation, on 30 October 2015, from 5:36 p.m. to 9:57 p.m., being in the cafe “AlBaraka” located at 22 Stroiteley Avenue, Barnaul, using the forms and methods of doctrinal and preaching activities of the IREA “Tablighi Jamaat”, S.A. Gadoev misled K.M. Saidov, I.I. Sheraliev, F.A. Abdullaev, U.D. Idrisov, A.E. Aubakirov and M.A. Belyalov, into religious delusion, convincing them of the need to acquire the allegedly true theological knowledge about Islam from him, which in reality turned out to be fundamental concepts of the IREA “Tablighi Jamaat.” For this purpose, the methods of religious activity of S.A. Gadoev aimed at involving these persons in the activities of the IREA “Tablighi Jamaat” during the specified period included: a missionary journey (gasht), constant praise of Allah (zikr), performing a 5 times salat, additional night salat, prayers (dua), compulsory participation in meetings (mashvara), listening to sermons or stories on the Sahaabah (bayaan), studying hadith, including on the basis of the book “Faza'il-e-A'maal” included in the federal list of extremist materials under No. 430 on the basis of the decision of the Abakan City Court of the Republic of Khakassia of 11 August 2009.

Thus, being at the said time and place, S.A. Gadoev explained to K.M. Saidov, I.I. Sheraliev, F.A. Abdullaev, U.D. Idrisov, A.E. Aubakirov and M.A. Belyalov the rules and procedure for a missionary journey (gasht), constant praise of Allah (zikr), performing a 5 times salat, additional night salat, compulsory

participation in meetings (mashvara), thus taught these people to practice these rituals and made them believe in the need of these rituals in Barnaul. In fact, these religious rituals are the fundamental concepts of the IREA "Tablighi Jamaat." In order to instill the values and attitudes of the IREA "Tablighi Jamaat" into these persons, S.A. Gadoev conducted a sermon on the Sahaabah (bayaan). In fact, these religious rituals are the fundamental concepts of the IREA "Tablighi Jamaat."

Moreover, S.A. Gadoev taught these people the fundamental basis and cult practice of the IREA "Tablighi Jamaat" and made them aware of the concepts stated in the book "Faza'il-e-A'maal" by Shaykh al-Hadith Maulana Muhammad Zakariya Kandhlawi, which is included in the Federal List of Extremist Materials and is the ideological basis and cult practice of the IREA "Tablighi Jamaat." On 8 September 2017, the book was seized by officers of the Directorate of the Federal Security Service of the Russian Federation for the Altai Krai during a search at the place of temporary residence of S.A. Gadoev at 165 Matrosova Street, Barnaul.

In addition, S.A. Gadoev, realizing the unlawful nature of his actions and believing that law enforcement agencies are taking measures aimed at suppressing the activities of the IREA "Tablighi Jamaat," deliberately prepared these people to maintain secrecy measures commonly applied in this organization, i.e. he forbade to disclose to anyone information about the circumstances of the participation in an illegal campaign meeting organized by him. For this purpose, to ensure secrecy and to avoid criminal liability, S.A. Gadoev did not inform the said people on the fact that these religious concepts and rituals belong to the foundations of the IREA "Tablighi Jamaat," on the extremist orientation of this organization, and on the prohibition of its activities by the decision of the Supreme Court of the Russian Federation of 7 May 2009.

Thus, S.A. Gadoev involved K.M. Saidov, I.I. Sheraliev, F.A. Abdullaev, U.D. Idrisov, A.E. Aubakirov and M.A. Belyalov in the activities of the IREA "Tablighi Jamaat" by promoting the activities and ideology of this religious organization, including positioning it as the only true doctrine, while realizing that the activities of the IREA "Tablighi Jamaat" are recognized as extremist and prohibited in the Russian Federation.

The defendant S.A. Gadoev testified at the hearing and pleaded guilty to the charge in full, acknowledged the offense, and supported the motion on sentencing without a trial previously filed during the investigation.

The court, having heard the defendant, his defense attorney, who confirmed the consultations with the client on the special procedure for the proceedings and supported the petition, the Public Prosecutor who agreed with the defendant's motion, comes to the conclusion that it is possible to proceed without a trial.

The defendant is aware of the nature and consequences of the motion he filed on a voluntary basis and after consultation with the defense attorney. The sanction for a crime under Part 1.1 of Article 282.2 of the Criminal Code of the Russian Federation does not exceed 10 years of imprisonment.

The court considers that there are all the grounds provided for by Article 314 of the Criminal Procedural Code of the Russian Federation for the application of a special procedure for court decision, and there are no obstacles thereto.

The court qualifies the actions of S.A. Gadoev under Part 1.1 of Article 282.2 of the Criminal Code of the Russian Federation, as the involvement of a person in the activities of an extremist organization.

The charge under Part 1.1 of Article 282.2 of the Criminal Code of the Russian Federation is justified, objectively confirmed by all the evidence collected in the criminal case.

Defining the type and scope of punishment for the defendant, the court, in accordance with Articles 6, 43, 60 of the Criminal Code of the Russian Federation takes into account the nature and degree of public danger of the crime committed, the identity of the perpetrator and the impact of the punishment imposed on the correction of the defendant and the living conditions of his family, and also takes into account the requirements of Part 5 of Article 62 of the Criminal Code of the Russian Federation.

Assessing the nature of the public danger of the crime committed, the court takes into account that the committed acts were against the foundations of the constitutional order and security of the state, were deliberate, and are classified by law as capital.

Determining the degree of public danger of the committed acts, the court proceeds from the fact that the specified crime is completed.

The local police officer at the place of residence of the defendant and the place of his detention describe S.A. Gadoev as a decent person. He is not registered with drug rehabilitation or psychiatric institutions. Previously, he was brought to administrative responsibility for violation of the rules of migration of the Russian Federation.

Considering the defendant's adequate behavior during the court session and taking into account the conclusions of the outpatient forensic psychiatric examination No. 03/3-013068/1 of 5 October 2017

(volume 5, case file sheets 4–5) that S.A. Gadoev did not suffer or suffers from chronic mental disorder and dementia, or he did not have any temporary mental disorder, or another mental condition, the court has not doubt about the criminal sanity of the defendant, thus, he could realize the actual nature and social danger of his actions and control them both during the commission of the incriminated acts and at the present time. Taking into account the above and without challenging the said examination, the court finds S.A. Gadoev sane.

In accordance with Part 1,2 of Article 61 of the Criminal Code of the Russian Federation, the court takes into account and recognizes the following as the circumstances mitigating the punishment: the defendant's full confession of his guilt, remorse for his actions active assistance in the discovery and investigation of the crime, the fact that this is the first crime committed by the defendant, the absence of serious consequences from the committed acts, the state of health of close relatives of the defendant, and the presence of a dependent minor and three young children. The court does not see any other circumstances mitigating the punishment of the defendant.

There are no circumstances aggravating the punishment of the defendant.

Taking into account the above, the circumstances mitigating the punishment, and in the absence of aggravating circumstances, given the specific circumstances of the case, the personality of the defendant and his financial situation, the court considers it necessary to impose on S.A. Gadoev a punishment in the form of imprisonment subject to Part 1 of Article 62 of the Criminal Code of the Russian Federation, and deems the punishment fair, consistent with the objective of correction of the defendant. At the same time, there are no grounds for additional punishment of the defendant in the form of restriction of liberty in accordance with Article 53 of the Criminal Code of the Russian Federation, given that the latter is a citizen of the Republic of Tajikistan.

At the same time, the court considers the abovementioned mitigating circumstances as exceptional and taking into account the latter, and the behavior of the defendant after the commission of the crime, the absence of grave consequences, which significantly reduce the degree of public danger of the committed acts, deems it possible to apply the rules of Article 64 of the Criminal Code of the Russian Federation and impose a punishment on the defendant below the lower limit provided for by the sanction of the offense.

The court sees no grounds for imposing a lesser punishment, including compulsory service, or Article 73 of the Criminal Code of the Russian Federation, or grounds for applying the rules of Part 6 of Article 15 of the Criminal Code of the Russian Federation.

Pursuant to para. "b" of Part 1 of Article 58 of the Criminal Code of the Russian Federation, the court imposes on S.A. Gadoev imprisonment, with serving the sentence in a general correctional colony.

The court considers it necessary to set off the time of the defendant's detention from 8 September 2017 to 20 February 2018, taking into account the detention report of 8 September 2017 against the served sentence for the defendant (volume 2, case record sheets 169–172).

In accordance with Part 3 of Article 81 of the Criminal Procedural Code of the Russian Federation, physical evidence in the criminal case file comprising two DVDs containing the results of surveillance using special technical means as part of operational search activities should be kept in the materials of the criminal case file; the books "Faza'il-e-A'maal" by Shaykh al-Hadith Maulana Muhammad Zakariya Kandhlawi (Bishkek, 372 p.), and "Fortress of the Muslim: Invocations from the Qur'an & Sunnah" (254 p.) shall be destroyed.

In accordance with Part 10 of Article 316 of the Criminal Procedural Code of the Russian Federation, S.A. Gadoev shall be exempt from legal costs, procedural costs for the provision of the services of the attorney and interpreters in the court hearing and during the investigation.

Based on the above, being guided by Articles 296, 307–308, 316 of the Criminal Procedural Code of the Russian Federation, the court

DECIDED:

To find Samandar Abdurakhmonovich Gadoev guilty of committing a crime under Part 1.1 of Article 282.2 of the Criminal Code of the Russian Federation, and applying Article 64 of the Criminal Code of the Russian Federation to impose on him a sentence in the form of 1 year of imprisonment, with serving the sentence in a general correctional colony.

The measure of restraint for S.A. Gadoev in the form of detention shall be left unchanged.

The term of punishment is calculated from 21 February 2018, the time of detention from 8 September 2017 to 20 February 2018 is counted as time served.

Upon the entry of the decision into force, the physical evidence including two DVDs containing the results of surveillance using special technical means as part of operational search activities shall be kept in

the materials of the criminal case file; the books “Faza’il-e-A’maal” by Shaykh al-Hadith Maulana Muhammad Zakariya Kandhlawi (Bishkek, 372 p.), and “Fortress of the Muslim: Invocations from the Qur'an & Sunnah” (254 p.) shall be destroyed.

In accordance with Part 10 of Article 316 of the Criminal Procedural Code of the Russian Federation, S.A. Gadoev shall be exempt from legal costs payment to the federal budget.

The decision can be appealed to the Judicial Chamber for Criminal Cases of the Altai Krai Court within 10 days from the date of its announcement to the convicted person - within the same period from the date of the service of a copy of the decision to him, with the filing of an appeal and submission through the Zheleznodorozhny District Court of the city of Barnaul.

In case of filing an appeal, the convicted person has the right to petition for his participation in the consideration of the criminal case by the court of appeal, which shall be stated in his appeal.

In case of filing a prosecutor’s appeal or an appeal by other participants in the proceedings, affecting the interests of the convicted person, the petition for participation in the consideration of the criminal case by the court of appeal shall be submitted by the convicted person within 10 days from the moment he was served with a copy of a prosecutor’s appeal or appeals.

Judge

(Signed)

N.V. Pervukhina

[Seal of the Zheleznodorozhny District Court of the city of Barnaul]

(Signed)

[Stamp: Decision

has not entered into force 21 February 2018/

Illegible (Signed)]

Annex 397

Supreme Court of the Republic of Crimea, Case No. 12-217/2018,
Decision, 20 March 2018
(excerpts)

Translation
Excerpts

Case No. 12-217/2018

DECISION

20 March 2018

Simferopol

The judge of the Supreme Court of the Republic of Crimea E.G. Timoshenko, having considered the appeal of Islyamov Ebazer Ravilevich against the decision made by the Judge of Nizhnegorskiy District Court of the Republic of Crimea of 25 January 2018 No. 5-12/2018,

ESTABLISHED:

According to the decision of the Nizhnegorskiy District Court of the Republic of Crimea of 25 January 2018 No. 5-12/2018, Islyamov Ebazer Ravilevich was found guilty of committing an administrative offence under Part 1 of Article 20.3 of the Code of Administrative Offences of the Russian Federation, and sentenced to pay of an administrative fine of 2,000 Rubles.

This decision was based motivated by the fact that E.R. Islyamov, using Internet telecommunication network, publicly demonstrated the symbols of an extremist organization, the propaganda and public demonstration of which is prohibited by law, thereby violating the requirements of Federal Law of 25 July 2002 No. 114-FZ "On Countering Extremist Activities"

Disagreeing with the above-mentioned decision, E.R. Islyamov filed an appeal where he asks to revoke the decision and to terminate the proceedings. The appellant claims that during the court hearing it was not confirmed that any symbols of an extremist organization were propagandized, and a public demonstration without the purpose of propaganda may not be deemed as extremist action.

[...]

Having studied the case materials, having heard E.R. Islyamov who spoke in support of the arguments contained in the appeal, and having checked the arguments contained in the appeal, I have come to the following conclusion.

[...]

Page 2

[...]

As follows from the materials of the administrative offense case, on 30 October 2017, at 5:35 p.m., it was found that E.R. Islyamov posted on the webpage "Ebazer Ravilovil ogli Islamov" with the electronic address "VK./com/islamov" in "Vkontakte" social network the symbols of the terrorist organization named the Party of Islamic Liberation "Hizb ut-Tahrir al-Islami", which was recognized as a terrorist organization and its activities were prohibited on the territory of the Russian Federation by the decision of the Supreme Court of the Russian Federation dated 14 February 2003.

These circumstances served as the basis for the recognition of E.R. Islyamov guilty of committing an administrative offense under part 1 of Article 20.3 of the Code of Administrative Offenses of the Russian Federation.

[...]

Page 3

[...]

The conclusion that there are elements of an administrative offense in the actions of the person against whom administrative proceedings are being conducted, provided for in Article 20.3 of the Code of Administrative Offenses of the Russian Federation, corresponds to the actual circumstances of the case and the evidence presented, which received a proper assessment in the appealed judicial acts.

[...]

Page 5

[...]

Based on the foregoing, being guided by Articles 30.6, 30.7 of the Code of Administrative Offences of the Russian Federation, the Supreme Court of the Republic of Crimea

DECIDED:

To dismiss the appeal of Islyamov Ebazer Ravilevich against the decision of the Nizhnegorskiy

District Court of the Republic of Crimea of 25 January 2018 No. 5-12/2018

To uphold the decision of the Nizhnegorskiy District Court of the Republic of Crimea dated 25 January 2018 No. 5-12/2018

The decision can be revised in accordance with Articles 30.12-30.19 of the Code of Administrative Offences of the Russian Federation.

Judge

(signed)

E.G. Timoshenko

TRUE COPY

Judge (signed) A.I. Avakian

Seal: (illegible)

Specialist (signed) (illegible)

Annex 398

Investigative Department for the Kievskiy District of Simferopol of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Resolution on the refusal to initiate a criminal case, 20 April 2018

Translation**RESOLUTION
on the refusal to initiate a criminal case**

Simferopol

20 April 2018

Major of Justice N.V. Balashov, a senior investigator of the Investigative Department for the Kievskiy District of Simferopol of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, having examined inquiry materials on the death of Vedzhie Kashka, born in [...] (Crime Log No. 1178 of 23 November 2017).

ESTABLISHED:

On 23 November 2017, the Investigative Department for the Kievskiy District of Simferopol of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea received from “Kievskiy” Police Department No. 2 of the Directorate of the Ministry of Internal Affairs of Russia for Simferopol an inquiry material concerning the finding of the body of Vedzhie Kashka, born in [...], at the address: Simferopol, 1 Studencheskaya Street, without any signs of violent death.

A procedural inspection revealed that M.A. Rutkovskiy, a senior investigator of the Investigative Unit of the Investigation Department of the Ministry of Internal Affairs of the Republic of Crimea, is conducting a criminal case No. 11701350035007216 into the extortion of money from Yu. Aitan, a Turkish national, by A.E. Chapukh, B.A. Degermendzhi, R.Sh. Trubach, and K.A. Ametov, who are members of the extremist organisation “The Mejlis of the Crimean Tatar People”, launched into an act constituting a crime under paras. “a” and “d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation. Besides, the investigator M.A. Rutkovskiy sent to the Counter-Extremism Centre of the Ministry of Internal Affairs for the Republic of Crimea an order for investigative activities to be conducted in order to record the criminal act of A.E. Chapukh, B.A. Degermendzhi, R.Sh. Trubach, and K.A. Ametov. In the course of the investigative activity “Sting Operation”, an inquiry body established that Yu. Aitan transferred 60,000 Rubles to Vedzhie Kashka, who was present with K.A. Ametov, in the Marakand Restaurant situated at the address: 17 Vorovskogo Street, Simferopol, Republic of Crimea. On receiving the money, Vedzhie Kashka and K.A. Ametov left the restaurant and were detained by officers of the “Berkut” Special Police Force of the Directorate of the National Guard of the Russian Federation of the Ministry of Internal Affairs for the Republic of Crimea, the Counter-Extremism Centre of the Ministry of Internal Affairs for the Republic of Crimea, and the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol. Police officers used no physical force against Vedzhie Kashka and K.A. Ametov when detaining them since the latter did not offer any resistance. After her detention, Vedzhie Kashka felt sick, and police officers stopped an ambulance car passing by so that she could receive medical help. Having examined Vedzhie Kashka, the paramedic O.V. Novikova made a provisional diagnosis: “ischemic heart disease, acute left ventricular failure”, and it was resolved to take Vedzhie Kashka to hospital.

Vedzhie Kashka passed away in the ambulance car on its way to a medical facility.

After the crime scene was inspected on 23 November 2017, no bodily injuries were found on the body of Vedzhie Kashka.

The inspection of the body of Vedzhie Kashka revealed no bodily injuries on the body.

N.N. Belashov, who was questioned in this regard, explained that he had worked as a senior operative of the Counter-Extremism Centre of the Ministry of Internal Affairs for the Republic of Crimea from 2014 to date. On 23 November 2017, jointly with Konstantin Urazov, they were working on a case involving the extortion of money from Yusuf Aitan. A meeting was scheduled to take place at the “Marakand” Restaurant (17 Vorovskogo Street, Simferopol, Republic of Crimea) at 12:00 p.m. on 23 November 2017. Vedzhie Kashka and Kazim Ametov came to the meeting. After that the above individuals were detained, and Vedzhie Kashka was invited to get into an official car for further investigation. It was only later that he learnt from police officers that Vedzhie Kashka had passed away.

K.V. Urazov, who was questioned in this regard, explained that he had worked as Deputy Head of Department of the Counter-Extremism Centre of the Ministry of Internal Affairs for the Republic of Crimea from 2014 to date. On 23 November 2017, jointly with N.N. Belashov, they were working on a case involving the extortion of money from Yusuf Aitan. A meeting was scheduled to take place at the Marakand Restaurant (Republic of Crimea, Simferopol, 17 Vorovskogo Street) at 12:00 p.m. on 23 November 2017. Vedzhie Kashka and Kazim Ametov came to the meeting. The money was handed over to them. After that they were detained

in the “Marakand” Café but Vedzhie Kashka was not there since she was crossing the road towards the “Medobory” Café, and he saw the individuals involved in the extortion of money being detained by a rapid response unit. Vedzhie Kashka was near an official car of the Special Rapid Response Unit. Then officers of the investigative unit inspected the crime scene, during which Vedzhie Kashka felt sick and sat on a chair near the official car, and the ambulance was called. He learnt later on that she had passed away.

I.G. Sidiropulo, who was questioned in this regard, explained that she worked as an investigator of the Investigative Unit of the Investigation Directorate of the Ministry of Internal Affairs for the Republic of Crimea. On 15 November 2017, the Investigative Unit of the Investigation Directorate of the Ministry of Internal Affairs for the Republic of Crimea initiated criminal proceedings into the extortion of money from Yu. Aitan. She became part of an investigation team. On 23 November 2017, all members of the investigation team were involved in an urgent investigative operation. The individuals involved in the extortion of money were detained near the “Medobory” Café in Simferopol. Vedzhie Kashka was invited to go to an official car. She felt sick and sat on a chair in the street, and the ambulance was called. Once the ambulance arrived, Vedzhie Kashka received medical help. She asked a paramedic about Vedzhie Kashka’s health, and the paramedic explained that the woman was awake but had a pulmonary edema and required immediate hospitalisation. Once a record of seizure was prepared, she asked for the paramedic’s telephone number, and the ambulance car left. The paramedic called her in 30 minutes to say that Vedzhie Kashka had passed away.

L.N. Emirova, S.A. Kashpanov, M.A. Rutkovsky, R.R. Shambazov gave similar testimony to that of I.G. Sidiropulo and V.S. Grekov.

K.A. Ametov, who was questioned in this regard, explained that he had known Vedzhie Kashka for 20 years and maintained friendly relations with her. Between 12:00 p.m. and 1:00 p.m. on 23 November 2017, he and Vedzhie Kashka were in the “Marakand” Restaurant in Simferopol where a man whom he did not know handed over 60,000 Rubles to Vedzhie Kashka, after which they went towards the “Medobory” Café in Simferopol where they were detained by police officers. No one used any physical force against Vedzhie Kashka, and she was treated politely and appropriately.

R.V. Svetikok, who was questioned in this regard, explained that he worked in the Special Police Force. On 23 November 2017, he was in an official car near the “Medobory” Café at Vorovskogo Street in Simferopol. After that two men involved in the extortion of money were detained by officers of the Special Rapid Response Unit. He was near the entrance to the “Medobory” Café when he was approached by an officer of the Counter-Extremism Centre of the Ministry of Internal Affairs for the Republic of Crimea and asked him to go to a Gazel car. An officer of the Counter-Extremism Centre approached that car with an elderly woman who was offered to get into the car. The elderly woman said that she felt sick, a chair was taken outside from the Medobory Café, and she was seated on it in the street and given some water, and the ambulance was called. Once the ambulance arrived, the elderly woman was taken into the ambulance car for medical help. The elderly woman was not subjected to any physical or psychological pressure.

V.S. Grekov, who was questioned in this regard, explained that he worked in the “Berkut” Special Police Force of the Ministry of Internal Affairs. On 23 November 2017, he was in an official car near the “Medobory” Café at Vorovskogo Street in Simferopol. After that two men involved in the extortion of money were detained by officers of the Special Rapid Response Unit. The Gazel car was approached by an officer of the Counter-Extremism Centre with an elderly woman who was offered to get into the car. The elderly woman said that she felt sick, a chair was taken outside from the “Medobory” Café, and she was seated on it in the street and given some water, and the ambulance was called. Once the ambulance arrived, the elderly woman was taken into the ambulance car for medical help. The elderly woman was not subjected to any physical or psychological pressure.

P.M. Perventseva, who was questioned in this regard, explained that she conducted a forensic medical examination of the body of Vedzhie Kashka, born in [...], and a visual examination revealed no visible bodily injuries on the body. An internal examination of the body revealed a fractured rib along the mid-clavicular line on the left that was caused by resuscitation performed by paramedics as they were administering first aid. Fractured ribs are not directly connected with the death since the death occurred as a result of a disease, namely ischemic heart disease.

O.V. Novikova, who was questioned in this regard, explained that she worked at the State Budgetary Health Institution of the Republic of Crimea “The Crimean Republican Centre of Disaster Medicine and First Aid” as a mobile paramedic as part of the emergency ward “Simferopol Ward No. 3”. She works in shifts. On 23 November 2017, she went on her daily duty. At 12:00 p.m., there was a call from a duty operator to visit the address: Simferopol, 16 Vorovskogo Street. Apart from her, the ambulance crew had a paramedic. As their ambulance car was driving along Vorovskogo Street in Simferopol, it was stopped by police officers, and she saw an elderly woman with clearly laboured breathing sitting on a chair. After that the elderly woman was

taken to the ambulance car for examination. She examined her and made a provisional diagnosis “ischemic heart disease, acute left ventricular failure”; the elderly woman was in a state of psychomotor agitation, speaking hoarsely and unintelligibly. She was given an intravenous bolus injection of medicinal drugs. Her condition improved, and the elderly woman began breathing more freely. Then they started driving towards a hospital and, on their way there, they stopped at 1:00 p.m. since the elderly woman felt sick, passed out, and stopped breathing. She started resuscitation, i.e. an external cardiac massage at a rate of 100 compressions per minute, no more than 5 cm in depth, for 30 minutes. Apart from the massage, a catheter with normal saline was injected. She and the paramedic of duty mobile team No. 2 were performing resuscitation only in the ambulance car.

I.E. Kashka, who was questioned in this regard, explained that he was a son of Vedzhie Kashka. She lived in [address], with her granddaughter A.A. Kashka. She was not in any hospital follow-up and had no health complaints. In May 2017, his mother went to Istanbul, Turkey, where she stayed with her friend’s family. It was there that Vedzhie Kashka underwent a medical examination that showed that she had esophageal obstruction, and she underwent radiotherapy.

According to Expert Report No. 3423 of 25 December 2017, the death of Vedzhie Kashka resulted from ischemic heart disease.

The assessment of all factual data – in terms of their sufficiency – collected in the course of the inspection is a prerequisite for making a decision whether to initiate criminal proceedings or not.

According to Article 140 of the Criminal Procedural Code of the Russian Federation, sufficient data indicating that there are elements of a crime constitute a basis for initiating criminal proceedings.

In light of this, the inspection revealed no objective data indicative of the criminal nature of the death of Vedzhie Kashka, meaning that there was no crime event.

According to para. 15 of Resolution of the Plenum of the Supreme Court of the Russian Federation of 16 October 2009 No. 19 “On case law on abuse of official power and excess of official power” (“Resolution No. 19”), courts should interpret the exercise of official powers by an official, which is contrary to the interests of his or her service (Article 285 of the Criminal Code of the Russian Federation), as actions which, despite being directly connected with the official’s exercise and performance of his or her rights and obligations, were not driven by any official necessity and clearly contradicted general objectives and requirements placed upon the state apparatus and local authorities and ran counter to the purposes and objectives for the achievement of which the official was vested with relevant official powers.

According to para. 19 of Resolution No. 19, an excess of official power means that an official takes active action clearly beyond his or her powers entailing a significant breach of rights and legitimate interests of citizens or organisations or legally protected interests of society or the state, whereas the official was aware that he or she was acting in excess of his or her powers.

An excess of official power may take the form of an official – in discharge of his or her official duties – taking action that: falls within the powers of another official; may be taken only under certain circumstances provided for by law or by-law; taken by the official on his or her own but may be taken only collectively or in accordance with the procedure established by law, with the approval of another official or body; cannot be taken by anyone under any circumstances.

Further, in terms of their legislative structure, Articles 285 and Article 286 of the Criminal Code of the Russian Federation cover materially defined crimes, an obligatory element of the actus reus of which – apart from a socially dangerous act – includes consequences in the form of a significant breach of rights and legitimate interests of citizens or organisations or legally protected interests of society or the state.

Within the meaning of Article 286 of the Criminal Code of the Russian Federation, a criminally punishable excess of official power means an official taking action clearly beyond his or her powers entailing a significant breach of rights and legitimate interests of citizens or organisations or legally protected interests of society or the state.

In this context, there are no elements of a crime under Articles 285 and Article 286 of the Criminal Code of the Russian Federation in the actions of the officers of the Ministry of Internal Affairs for the Republic of Crimea – S.A. Kashpanov, R.V. Svetikov, S.V. Grekov, R.R. Shambazov, N.N. Belashov.

Article 109 of the Criminal Code of the Russian Federation provides for manslaughter resulting from a person improperly discharging his or her professional duties, meaning that the person’s behaviour does not comply, in whole or in part, with relevant official regulations and requirements placed upon him or her as he or she discharges his or her professional functions.

The ambulance crew of the paramedic O.V. Novikova administered first aid in a timely manner and to a good quality in accordance with first aid procedures and standards.

According to Expert Report on first aid quality No. 6-01-18/tszhl of 30 January 2018, the patient Vedzhie Kashka was comprehensively examined, her diagnosis was substantiated, and aid was administered as per the diagnosis and in accordance with standards.

In view of the above, there are no elements of a crime under para. 2 of Article 109 of the Criminal Code of the Russian Federation in the actions of the paramedic O.V. Novikova.

In analysing the inquiry materials, it is necessary to conclude that the death of Vedzhie Kashka resulted from a chronic disease stemming from her advanced years, and there is no cause-and-effect relationship between the lawful actions of the law enforcement officials and her death.

Given that there is sufficient evidence indicating that there is no crime event under Part 1 of Article 105, Article 109, Part 4 of Article 111, Part 1 of Article 285, para. “c” of Part 3 of Article 286 of the Criminal Code of the Russian Federation, and relying upon paras. 1 and 2 of Part 1 of Article 24, Articles 144, 145, and 148 of the Criminal Procedural Code of the Russian Federation,

RESOLVED:

1. To refuse to initiate criminal case into the death of Vedzhie Kashka, born in [...], under para. 1 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation, i.e. for the absence of crime events under Part 1 of Article 105, Part 1 of Article 109, Part 4 of Article 111 of the Criminal Code of the Russian Federation.
2. To refuse to initiate criminal case against the officers of the Ministry of Internal Affairs for the Republic of Crimea – S.A. Kashpanov, R.V. Svetikov, S.V. Grekov, R.R. Shambazov, N.N. Belashov – as provided for by para. 2 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation, i.e. for the absence of elements of a crime under Part 1 of Article 285, para. “c” of Part 3 of Article 286 of the Criminal Code of the Russian Federation in their actions.
3. To refuse to initiate criminal case against the paramedic O.V. Novikova as provided for by para. 2 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation, i.e. for the absence of elements of a crime under Part 2 of Article 109 of the Criminal Code of the Russian Federation in her actions.
4. A copy of this resolution is to be forwarded to the Prosecutor of the Kievskiy District of Simferopol.

Senior investigator of the Investigative
Department

(Signed)

N.V. Balashov

This resolution may be challenged before the Head of the Investigative Department for the Kievskiy District of Simferopol of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, the Head of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, the Prosecutor of the Kievskiy District of Simferopol, or the Kievskiy District Court of Simferopol as provided for by Chapter 16 of the Criminal Procedural Code of the Russian Federation.

A copy of this resolution was forwarded to the Prosecutor of the Kievskiy District of Simferopol, and the parties concerned were notified about this decision.

Senior investigator of the Investigative
Department

(Signed)

N.V. Balashov

Annex 399

Directorate for Investigation of crimes related to the use of prohibited means and methods of war, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Resolution on initiation of a criminal case No. 11802007703000117 and commencement of proceedings, 25 April 2018

Translation

RESOLUTION

on initiation of the criminal case and commencement of proceedings

Moscow

25 April 2018
6:05 pm

Senior Investigator Lieutenant Colonel of Justice D.V. Bokunovich of the second investigative department of the directorate for investigation of crimes related to the use of prohibited means and methods of war, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, having considered a report of a crime, namely a report on the detection of signs of a crime under Paragraph “a” of Part 2 of Article 238 of the Criminal Code of the Russian Federation, registered under No. 201-73pr-18 of 29 March 2018 in the Book of Crime Report Registration of the Main Investigative Department of the Investigative Committee of the Russian Federation, and materials of the procedural inspection.

ESTABLISHED:

At a time unknown to the investigative body, but anyway no later than 15 September 2017, unidentified individuals including the owners and employees of Limited Liability Companies FIRMA KRYMOPT (TIN 9109005028) and STIMUL (TIN 9109002612), which are engaged in trade of food, while on the territory of the Republic of Crimea of the Russian Federation, more precise location is not established, with the intention of storing, transporting for the purpose of sale and selling products that fail to meet the requirements of the safety of life and health of consumers, in order to increase the volume of sales and obtain illegal profits by these companies, in violation of the provisions of Federal Law of 2 January 2000 No. 29-FZ “On the quality and safety of food”, Law of the Russian Federation of 7 February 1992 No. 2300-1 “On the protection of consumer rights”, being reliably aware of the expired shelf life of the previously purchased food products, being informed of the labeling and other characteristics of the said products, acting as a group of individuals who conspired in advance, illegally organized the application of a relevant expiration date thereon, their subsequent storage, transportation for the purpose of sale and selling on the territory of the Republic of Crimea of the Russian Federation through the chain of stores owned by STIMUL LLC and other trade organizations.

The aforementioned criminal actions of unidentified individuals, aimed at obtaining illegal income, have led to a violation of the requirements to the safety of life and health of consumers since subject to the provisions of Article 3 of Federal Law of 2 January 2000 No. 29-FZ “On the quality and safety of food”, it is prohibited to have food products with the expired shelf life in circulation. Such food products are recognized as low-quality and dangerous and cannot be sold, shall be disposed of or destroyed.

(Stamp)

General Prosecutor's office of the Russian Federation
Directorate for supervision over investigation of high-priority cases (34)
COPY IS TRUE
Prosecutor /Signature/

Therefore, the actions of unidentified individuals contain the signs of the crime under Paragraph “a” of Part 2 of Article 238 of the Criminal Code of the Russian Federation.

Initiation of the criminal case is justified by a crime report, namely a report on the detection of signs of a crime.

Initiation of the criminal case is substantiated by availability of sufficient data pointing to the signs of the crime provided for in Paragraph “a” of Part 2 of Article 238 of the Criminal Code of the Russian Federation.

Relying on the above, being guided by Articles 38, 140, 145, 146, 151, 152 and 156 of the Criminal Procedural Code of the Russian Federation,

RESOLVED:

1. The criminal case based on the signs of the crime under Paragraph “a” of Part 2 of Article 238 of the Criminal Code of the Russian Federation, be initiated against unidentified individuals.
2. The criminal case be accepted for proceedings and the investigation be initiated.
3. The criminal case is assigned No. 11802007703000117
4. The interested parties be notified of the resolution.
5. A copy of this resolution be sent to the Deputy Prosecutor General of the Russian Federation.

Senior Investigator
of the second investigative department
of the directorate for investigation of crimes
related to the use of prohibited
means and methods of war,
the Main Investigative Directorate

Colonel of Justice

/Signature/

D.V. Bokunovich

A copy of the resolution is sent to the Deputy Prosecutor General of the Russian Federation on 25 April 2018 at 9 pm.

Senior Investigator
of the second investigative department
of the directorate for investigation of crimes
related to the use of prohibited
means and methods of war,
the Main Investigative Directorate

Colonel of Justice

(Signed)

D.V. Bokunovich

(Stamp)
General Prosecutor's office of the Russian Federation
Directorate for supervision over investigation of high-priority cases (34)
COPY IS TRUE
Prosecutor /Signature/

Annex 400

Directorate for investigation of crimes related to the use of prohibited means and methods of warfare, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Record of detention of Mr. Velilyaev as a suspect, 26 April 2018

TranslationRECORD
of Suspect Detention

Simferopol

26 April 2018

The record was made at 9:45 pm.

Senior Investigator Lieutenant Colonel of Justice D.V. Bokunovich of the second investigative department of the directorate for investigation of crimes related to the use of prohibited means and methods of war, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, subject to Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation, as a part of criminal case No. 11802007703000117, detained at 7:17 pm on 26 April 2018 in service office No. 313 of the Main Investigative Directorate of the Investigative Committee of the Russian Federation in the Republic of Crimea, the address: 76 Kievskaya Str., Simferopol, as a suspect:

1. Last name, name, patronymic: Resul Refatovich Velilyaev.
2. Date of birth: 24 November 1957
3. Place of birth: Shakhrisabz town, the Kashka-Daria region of the Uzbek Soviet Socialist Republic.
4. Residential and (or) registered address, telephone: Registered and actual residential address: 18 Kotelnikova Str., Belogorsk, the Republic of Crimea, telephone [...].
5. Nationality: Citizen of the Russian Federation.
6. Education: University degree.
7. Matrimonial status, family members: Civil marriage with Natalya Viktorovna Luchnikova, two minor dependent children: Son E.R. Velilyaev, date of birth 7 July 2004, daughter S.R. Velilyaeva, date of birth 22 October 2007, one minor child: G.R. Velilyaev, date of birth 23 January 2014.
8. Place of work or education, (telephone): STIMUL LLC, director.
9. Military duty and place of registration: Not liable for call-up
10. Previous convictions: Said to have no convictions.
11. Passport or other identity document: Russian Federation Passport No. [...], issued by [...] on [...], subdivision code: [...].
12. Other data about the identity of the suspect: Said that he was not registered by a psychiatrist and a narcologist, did not belong to the category of individuals specified in Chapter 52 of the Criminal Procedural Code of the Russian Federation.

Suspected individual

/Signature/

The suspect was detained with the participation of the defense counsel of R.R. Velilyaev. - attorney Petr Alexandrovich Bondar who presented certificate No. [...], issued by [...] on [...], and warrant No. 031177 issued on 26 April 2018 by P.A. Bondar's law office.

Suspect

/Signature/

Defense counsel

/Signature/

P.A. Bondar

The grounds for the detention, eyewitnesses directly pointed to Resul Refatovich Velilyaev as the individual who had committed the crime (Clause 2 of Part 1 of Article 91 of the Criminal Procedural Code of the Russian Federation), and also other data justifying the suspicion of committing crimes - the materials of operational and search activities (Part 2 of Article 91 of the

Criminal Procedural Code of the Russian Federation).

Suspect Resul Refatovich Velilyaev is informed that he is suspected of storage, transportation for the purpose of sale and the sale on the territory of the Republic of Crimea of products that failed to meet the safety requirements for the life and health of consumers, committed by a group of individuals who conspired in advance, namely he is suspected of committing a crime under Paragraph “a” of Part 2 of Article 238 of the Criminal Code of the Russian Federation

Suspect	/Signature/	
Defense counsel	/Signature/	P.A. Bondar

Motives and other circumstances of detention: The investigation body takes into account that R.R. Velilyaev can continue his engagement in criminal activities, contact potential participants of a crime, hide from the investigation body and the court; can threaten witnesses revealing his commission of a crime and put pressure on other participants of the criminal proceeding on this criminal case; can take measures to destroy evidence, or otherwise prevent an objective and comprehensive investigation and hearing of the case before the court.

The rights of a suspect under Article 46 of the Criminal Procedural Code of the Russian Federation were explained to me, namely:

1. A suspect is an individual:

1) or a subject of an initiated criminal case on the grounds and in the manner provided for in Chapter 20 of the Criminal Procedural Code of the Russian Federation;

2) or detained under Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation;

3) or a subject of a measure of restraint applied till a charge is brought under Article 100 of the Criminal Procedural Code of the Russian Federation;

(as amended by Federal Law No. 58-FZ of 29 May 2002)

4) or who is notified of suspicion of committing a crime in the manner established by Article 223.1 of the Criminal Procedural Code of the Russian Federation.

(Clause 4, introduced by Federal Law No. 90-FZ of 6 June 2007)

2. A suspect detained in the manner, established by Article 91 of the Criminal Procedural Code of the Russian Federation, must be interrogated within 24 hours after their actual detention.

(Part 2 as amended by Federal Law No. 92-FZ of 4 July 2003)

3. In the case provided for in Clause 2 of Part 1 of this Article, a suspect is granted the right to one telephone call in Russian in the presence of an inquiry officer, investigator in order to notify close relatives or close acquaintances on the detention and whereabouts, and inquiry officer, investigator must fulfill the obligation to notify on the detention according to Article 96 of the Criminal Procedural Code of the Russian Federation.

(Part 3 as amended by Federal Law No. 437-FZ of 30 December 2015)

4. A suspect is entitled to:

1) know what he/she is suspected of and to receive a copy of a resolution on the institution of criminal proceedings against him/her, or a copy of a record of detention, or a copy of a resolution concerning the measure of restraint against him/her;

2) give explanations and testimony concerning the suspicion brought against him/her or to refuse to give explanations and testify. If the suspect agrees to testify, he/she is warned that his/her testimony may be used as evidence in criminal proceedings, including if he/she decides to retract it afterwards, except as provided for by para. 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;

(Clause 2 as amended by Federal Law No. 92-FZ of 4 July 2003)

3) use the services of a defence counsel starting from the moment set out in paras. 2–3.1 of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and

confidential conference with the defence counsel prior to the first interrogation;

(as amended by Federal Law No. 90-FZ of 6 June 2007)

3.1) Immediately after a measure of restraint in the form of imprisonment or house arrest is selected, to have meetings not limited in number and duration with a notary in order to certify a power of attorney for the right to represent the interests of a suspect in the field of entrepreneurial activity. At the same time, it is prohibited to perform notarial actions in relation to property, money and other valuables, which may be seized in the circumstances provided for by the Criminal Procedural Code of the Russian Federation;

(Clause 3.1 introduced by Federal Law No. 325-FZ of 3 July 2016)

4) provide evidence;

5) file petitions and motions for disqualification;

6) provide testimony and explanations in their native language or a language they speak;

7) use the help of an interpreter free of charge;

8) read records of investigative actions performed with his/her participation, and submit comments to these records;

9) when permitted by the investigator or inquiry officer, to be involved in investigative activities carried out upon his/her petition or that of his/her defence counsel or legal representative;

10) appeal against actions (omission to act) and decisions of the inquiry officer, the head of the inquiry subdivision, the head of body of inquiry, the body of inquiry, investigator, prosecutor and court;

(as amended by Federal Law No. 440-FZ of 30 December 2015)

11) defend himself/herself by using other means and methods not prohibited by the Criminal Procedural Code of the Russian Federation.

Suspect

/Signature/

Defense counsel

/Signature/

P.A. Bondar

It was also explained to me that subject to Article 51 of the Constitution of the Russian Federation, I am not obliged to testify against myself, my husband (my wife) and other close relatives defined in Clause 4 of Article 5 of the Criminal Procedural Code of the Russian Federation.

Suspect

/Signature/

Defense counsel

/Signature/

P.A. Bondar

Subject to Article 18 of the Criminal Procedural Code of the Russian Federation, it has been explained to me that I am entitled to testify in my native language or in the language I speak, and also use the help of an interpreter free of charge.

Suspect

/Signature/

Defense counsel

/Signature/

P.A. Bondar

With regard to the detention, suspect R.R. Velilyaev declared: I object to the detention given that my family and minor children, brothers, sisters, adult children and their grandchildren all live in Belogorsk, I have no intention to hide from the investigative body since I have not violated the law over the years of my career, I have not been prosecuted, thousands of citizens of Belogorsk and the Republic of Crimea can vouch for my good behavior. At the same time, if it is necessary for me to stay in Moscow for the period of the investigation, I am ready to live with my family in Moscow and to appear in due time upon the first call of the investigative body. I speak Russian. I have no need to apply for interpretation services.

Suspect

/Signature/

Defense counsel /Signature/ P.A. Bondar

Suspect R.R. Veliliaev was not subjected to personal search.

Suspect /Signature/
 Defense counsel /Signature/ P.A. Bondar

When the suspect's detention was executed, from the participating individuals: Suspect R.R. Velilyaev and defense counsel P.A. Bondar statements: the following statement was received from defense counsel P.A. Bondar: "1. I believe that there are grounds to believe that my client has diseases that prevent him from being detained; 2. I believe there are grounds to believe that my client has diseases that prevent using air flights; 3. Please, ensure unhindered access to R.R. Velilyaev in the temporary isolation facility and pre-trial facilities in Moscow and the Republic of Crimea, where my client is to be held; in this regard, please notify the management and the responsible officials of the temporary isolation facility and pre-trial detention facilities in Moscow and the Republic of Crimea, where he is to be held, about the access and participation of Petr Alexandrovich Bondar (certificate No. [...] issued on [...] by [...]) as the defense counsel of Resul Refatovich Velilyaev; 4. Velilyaev R.R. is ready to ensure his appearance before the investigator on the first call, stays constantly at his place of residence or in Moscow, to provide individual guarantors to confirm the intentions of R.R. Velilyaev not to interfere with the investigation, also R.R. Velilyaev and his close relatives are ready to deposit the necessary bail, which will ensure proper behavior of R.R. Velilyaev and will serve as a guarantee of his behavior, and he is also ready for house arrest with any restrictions in Moscow or Belogorsk, or in any other settlement as required by the investigative body.

Suspect /Signature/
 Defense counsel /Signature/ P.A. Bondar

The records have been read: by each participating individual personally.

Comments to the records: Defense counsel P.A. Bondar submitted the following comments.

In handwriting:

1. The protocol formally specifies the grounds for the detention (Clause 2 of Part 1, Article 91 of the Criminal Procedural Code of the Russian Federation), the investigator failed to explain and justify which eyewitnesses and (illegible) pointed to R.R. Velilyaev as the individual who committed, what is the specific essence thereof.

2. The senior investigator points to other data as the reason of the detention (Part 2, Article 91 of the Criminal Procedural Code of the Russian Federation), however, in violation of part 2 of Article 92 of the Criminal Procedural Code of the Russian Federation, a motion to select a measure of restraint in the form of detention against R.R. Velilyaev was not submitted to the court.

3. R.R. Velilyaev did not receive a proper explanation of the crime, which R.R. Veliliaev is suspected of. The senior investigator only provided a formal citation from the disposition of Paragraph "a" of Part 2 of Article 238 of the Criminal Code of the Russian Federation. The senior investigator failed to provide an explanation of specific criminal acts committed by R.R. Velilyaev.

4. The record specify no evidence that Velilyaev can hide from the investigative bodies, or put witnesses under pressure. The investigator only declares these facts, there is no objective evidence of this.

5. The record does not indicate how the uniqueness of the situation manifests itself, and why other methods of procedural enforcement fail ensure the achievement of the goals of the investigation.

Additional comments and statements will be submitted upon preparation thereof in writing.

Suspect /Signature/

Defense counsel /Signature/ P.A. Bondar

Senior investigator
Main Investigative Directorate
Lieutenant Colonel /Signature/ D.V. Bokunovich

The detention of R.R. Velilyaev on suspicion of committing a crime was communicated to his civil marriage spouse Natalya Viktorovna Luchnikova by phone [...], and also by written notice to the address: 18 Kotelnikova Str., Belogorsk, the Republic of Crimea

In addition, in accordance with Part 3 of Article 46 of the Criminal Procedural Code of the Russian Federation suspect R.R. Velilyaev was granted the right to one telephone conversation in Russian in the presence of an investigator in order to notify close relatives, relatives or close individuals of his detention and whereabouts.

Suspect R.R. Velilyaev exercised the granted right and made one telephone call to N.V. Luchnikova in Russian in the presence of the investigator.

Suspect /Signature/
Defense counsel /Signature/ P.A. Bondar

Senior investigator
Main Investigative Directorate
Lieutenant Colonel /Signature/ D.V. Bokunovich

Suspect R.R. Velilyaev is to be sent for detention in the temporary isolation facility of the Main Administration of the Ministry of Internal Affairs of Russia in Moscow.

The report on R.R. Velilyaev detention is sent to the Deputy Prosecutor General of the Russian Federation at 9:40 pm on 26 April 2018

Senior investigator
Main Investigative Directorate
Lieutenant Colonel /Signature/ D.V. Bokunovich

I received a copy of the detention records on 26 April 2018.

Suspect /Signature/
Defense counsel /Signature/ P.A. Bondar

I delivered a copy of the records.

Senior investigator
Main Investigative Directorate
Lieutenant Colonel /Signature/ D.V. Bokunovich

Annex 401

Directorate for investigation of crimes related to the use of prohibited means and methods of warfare, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Record of detention of Mr. Bariev as a suspect, 26 April 2018

TranslationRECORD
of Suspect Detention

the Republic of Crimea, Simferopol

26 April 2018

The record was made at 8:35 pm.

Senior Investigator Lieutenant Colonel of Justice T.V. Grachev of the first investigative department of the directorate for investigation of crimes related to the use of prohibited means and methods of war, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, subject to Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation, as a part of criminal case No. 11802007703000117, detained at 7:40 pm on 26 April 2018 in service office No. 254 of the Main Investigative Directorate of the Investigative Committee of the Russian Federation in the Republic of Crimea, the address: 76 Kievskaya Str., Simferopol, as a suspect:

1. Last name, name, patronymic: Ali Mustafaevich Bariev
2. Date of birth: 5 July 1975
3. Place of birth: Kokand town, the Fergan region
4. Residential and (or) registered address, telephone: Registered and actual residential address: 22 Ulker Str., Belogorsk, the Republic of Crime, telephone [...].
5. Nationality: Citizen of the Russian Federation.
6. Education: secondary technical.
7. Matrimonial status, family members: Registered marriage, has three dependent minor children.
8. Place of work or education, (telephone): Firma Krym opt LLC, director.
9. Military duty and place of registration: Liable for call-up, registered at the place of registration
10. Previous convictions: Said to have no convictions.
11. Passport or other identity document: Russian Federation Passport series [...] No. [...], issued by [...] on [...], subdivision code: [...]
12. Other data about the identity of the suspect: Said that he was not registered by a psychiatrist and a narcologist, did not belong to the category of individuals specified in Chapter 52 of the Criminal Procedural Code of the Russian Federation, which is explained by the investigator, in respect of which a special procedure of criminal proceedings is applied.

Suspect

/Signature/

The suspect was detained with the participation of the defense counsel of A.M. Bariev. - attorney Alla Valerievna Bolibkova who presented certificate No. [...], issued by [...], and warrant No. 24/04 issued by A.V. Bolibkova's law office 26 April 2018.

/Signature/ /Signature/

The grounds for the detention: eyewitnesses pointed to this individual as the one who had committed the crime (Clause 2 of Part 1, Article 91 of the Criminal Procedural Code of the Russian Federation), and also other data justifying the suspicion of committing crimes, namely the materials of operational and search activities (Part 2 of Article 91 of the Criminal Procedural Code of the Russian Federation).

Suspect Ali Mustafaevich Bariev is informed that he is suspected of storage, transportation

for the purpose of sale and the sale on the territory of the Republic of Crimea of products that failed to meet the safety requirements for the life and health of consumers, committed by a group of individuals who conspired in advance, namely he is suspected of committing a crime under Paragraph “a” of Part 2 of Article 238 of the Criminal Code of the Russian Federation.

Suspect

/Signature/

Defense counsel

/Signature/

A.V. Bolibkova

Motives and other circumstances of detention: The investigation body takes into account that A.M. Bariev can continue his engagement in criminal activities, contact potential participants of a crime, hide from the investigation body and the court; can threaten witnesses revealing his commission of a crime and put pressure on other participants of the criminal proceeding on this criminal case; can take measures to destroy evidence, or otherwise prevent an objective and comprehensive investigation and hearing of the case before the court.

The rights of a suspect under Article 46 of the Criminal Procedural Code of the Russian Federation were explained to me, namely:

1. A suspect is an individual:

1) or a subject of an initiated criminal case on the grounds and in the manner provided for in Chapter 20 of the Criminal Procedural Code of the Russian Federation;

2) or detained under Articles 91 and 92 of the Criminal Procedural Code of the Russian Federation;

3) or a subject of a measure of restraint applied till a charge is brought under Article 100 of the Criminal Procedural Code of the Russian Federation;

(as amended by Federal Law No. 58-FZ of 29 May 2002)

4) or who is notified of suspicion of committing a crime in the manner established by Article 223.1 of the Criminal Procedural Code of the Russian Federation.

(Clause 4: introduced by Federal Law No. 90-FZ of 6 June 2007)

2. A suspect detained in the manner established by: Article 91 of the Criminal Procedural Code of the Russian Federation, must be interrogated within 24 hours after their actual detention.

(Part 2 as amended by Federal Law No. 92-FZ of 4 July 2003)

3. In the case provided for in Clause 2 of Part 1 of this Article, a suspect is granted the right to one telephone call in Russian in the presence of an inquiry officer, investigator in order to notify close relatives or close acquaintances on the detention and whereabouts, and inquiry officer, investigator must fulfill the obligation to notify on the detention according to Article 96 of the Criminal Procedural Code of the Russian Federation.

(part 3 as amended by Federal Law No. 437-FZ of 30 December 2015)

4. A suspect is entitled to:

1) know what he/she is suspected of and to receive a copy of a resolution on the institution of criminal proceedings against him/her, or a copy of a record of detention, or a copy of a resolution concerning the measure of restraint against him/her;

2) give explanations and testimony concerning the suspicion brought against him/her or to refuse to give explanations and testify. If the suspect agrees to testify, he/she is warned that his/her testimony may be used as evidence in criminal proceedings, including if he/she decides to retract it afterwards, except as provided for by para. 1 of Part 2 of Article 75 of the Criminal Procedural Code of the Russian Federation;

(Clause 2 as amended by Federal Law No. 92-FZ of 4 July 2003)

3) use the services of a defence counsel starting from the moment set out in paras. 2–3.1 of Part 3 of Article 49 of the Criminal Procedural Code of the Russian Federation and to have a private and confidential conference with the defence counsel prior to the first interrogation;

(as amended by Federal Law No. 90-FZ of 6 June 2007)

3.1) Immediately after a measure of restraint in the form of imprisonment or house arrest is selected, to have meetings not limited in number and duration with a notary in order to certify a power of attorney for the right to represent the interests of a suspect in the field of entrepreneurial activity. At the same time, it is prohibited to perform notarial actions in relation to property, money and other valuables, which may be seized in the circumstances provided for by the Criminal Procedural Code of the Russian Federation;

(Clause 3.1 introduced by Federal Law No. 325-FZ of 3 July 2016)

- 4) provide evidence;
- 5) file petitions and motions for disqualification;
- 6) provide testimony and explanations in their native language or a language they speak;
- 7) use the help of an interpreter free of charge;
- 8) read records of investigative actions performed with his/her participation, and submit comments to these records;
- 9) when permitted by the investigator or inquiry officer, to be involved in investigative activities carried out upon his/her petition or that of the his/her defence counsel or legal representative;
- 10) appeal against actions (omission to act) and decisions of the inquiry officer, the head of the inquiry subdivision, the head of body of inquiry, the body of inquiry, investigator, prosecutor and court;

(as amended by Federal Law No. 440-FZ of 30 December 2015)

- 11) defend himself/herself by using other means and methods not prohibited by the Criminal Procedural Code of the Russian Federation.

Suspect	/Signature/	
Defense counsel	/Signature/	A.V. Bolibkova

It was also explained to me that subject to Article 51 of the Constitution of the Russian Federation, I am not obliged to testify against myself, my husband (my wife) and other close relatives defined in Clause 4 of Article 5 of the Criminal Procedural Code of the Russian Federation.

Subject to Article 18 of the Criminal Procedural Code of the Russian Federation, it has been explained to me that I am entitled to testify in my native language or in the language I speak, and also to use the help of an interpreter free of charge.

Suspect	/Signature/	
Defense counsel	/Signature/	A.V. Bolibkova

With respect to the detention, suspect Ali Mustafaevich Bariev declared:

In handwriting: I object to suspicion brought against me, please do not detain me and select a measure not related to detention due to the fact that I have four minor children, two pensioner parents, and my wife does not work. /Signature/

Suspect A.M. Bariev was not subjected to personal search.

Suspect	/Signature/	
Defense counsel	/Signature/	A.V. Bolibkova

When the suspect's detention was executed, from the participating individuals: Suspect A.M. Bariev and defense counsel A.V. Bolibkova statements:

In handwriting: Actually was detained by the officer at 9 am on 26 April 2018.

Suspect	/Signature/	
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Defense counsel /Signature/ A.V. Bolibkova

The record has been read: by each participating individual personally.
Comments to the record: *In handwriting: None*

Suspect /Signature/
Defense counsel /Signature/ A.V. Bolibkova

In handwriting: Attachment: Birth certificates of children – 4 sheets

Senior investigator for high-priority cases
of the Main Investigative Directorate
Lieutenant Colonel /Signature/ T.V. Grachev

The detention of A.M. Bariev on suspicion of committing a crime was communicated to his brother Idris Reshatovich Smailov by phone [...], and also by written notice to the address: [...]

In addition, suspect A.M. Bariev, subject to Part 3 of Article 46 of the Criminal Procedural Code of the Russian Federation was granted the right to one telephone call in Russian in the presence of the investigator in order to notify close relatives, relatives or close individuals of his detention and whereabouts.

Suspect A.M. Bariev took full advantage of the granted right.

Suspect /Signature/
Defense counsel /Signature/ A.V. Bolibkova

Senior investigator for high-priority cases
of the Main Investigative Directorate
Lieutenant Colonel /Signature/ T.V. Grachev

Suspect A.M. Bariev is to be sent for detention in the temporary isolation facility of the Main Directorate of the Ministry of Internal Affairs of Russia in Moscow.

The report on A.M. Bariev detention is sent to the Deputy Prosecutor General of the Russian Federation at 8:30 pm, on (illegible) April 2018

Senior investigator for high-priority cases
of the Main Investigative Directorate
Lieutenant Colonel /Signature/ T.V. Grachev

I received a copy of the detention record on 26 April 2018.

Suspect /Signature/
Defense counsel /Signature/ A.V. Bolibkova

I delivered a copy of the record.

Senior investigator for high-priority cases
of the Main Investigative Directorate
Lieutenant Colonel /Signature/ T.V. Grachev

Annex 402

Supreme Court of the Republic of Crimea, Case No. 33-4423/2018,
Appellate Decision, 26 April 2018

Translation**THE SUPREME COURT OF THE REPUBLIC OF CRIMEA****APPELLATE DECISION**

of 26 April 2018 on Case No. 33-4423/2018

Judge of the court of the first instance M.V. Kolotsey

Judicial Chamber for Civil Cases of the Supreme Court of the Republic of Crimea, consisting of:

the presiding judge

S.V. Lozovoy

Judges

T.I. Chistyakova

V.D. Gotskalyuk

in the presence of the secretary

K.S. Sadykhova,

having heard in an open court session in the City of Simferopol on the basis of the report of Judge

V. D. Gotskalyuk the civil case on the statement of claim of the representative of Elmira

Narimanovna Ablyalimova – Nikolay Nikolaevich Polozov to Kiramet Limited Liability Company

on imposing the obligation not to perform actions,

on the basis of a private complaint of the representative of Elmira Narimanovna Ablyalimova – Nikolay Nikolaevich Polozov against the ruling of the Zheleznodorozhny District Court of the City of Simferopol of the Republic of Crimea of 21 February 2018

established:

Nikolay Nikolaevich Polozov acting on the basis of a power of attorney appealed to the court in the interests of Elmira Narimanovna Ablyalimova with a statement of claim to Kiramet Limited Liability Company, in which he asked not to perform actions damaging the cultural heritage site Khan's Palace (XVI-XIX centuries): "Khan's Mosque" (1740-1743 years), located at: 133 Rechnaya Str., letter "Sh", Bakhchisaray, the Republic of Crimea.

The court ruling of 21 February 2018 refused to accept N.N. Polozov's statement of claim in the interests of Ablyalimova to Kiramet LLC on imposing the obligation not to perform actions.

In a private complaint, the representative of E.N. Ablyalimova – N.N. Polozov asks to cancel the court ruling of 21 February 2018 being in his opinion illegal and unfounded.

According to Paragraph 3 of Article 333 of the Civil Procedural Code of the Russian Federation, the judicial chamber considers the case without notifying the parties participating in the case.

After hearing the report, discussing the arguments of the private complaint, studying the case materials, checking the legality and validity of the ruling of the court of the first instance, and pursuant to the arguments made in the private complaint, the judicial chamber came to the following conclusion.

From the content of the statement of claim, it follows that the plaintiff asks the court to oblige Kiramet LLC not to perform actions damaging the cultural heritage site Khan's Palace (XVI-XIX centuries): "Khan Mosque" (1740-1743), located at: 133 Rechnaya Str., letter "Sh", Bakhchisaray, the Republic of Crimea, since the actions of Kiramet LLC cause damage to the cultural heritage site protected by the Constitution of the Russian Federation and the Federal Law.

By refusing to accept the statement of claim, the court of the first instance proceeded from the fact that, in accordance with Paragraph 1 of Clause 1 of Article 134 of the Civil Procedural Code of the Russian Federation, the judge refuses to accept the statement of claim if the statement is

presented in defense of the rights, freedoms or legitimate interests of another person by a state body, local self-government body, organization or citizen, who is not granted with such right pursuant to this Code or other Federal Laws.

Article 2 of the Civil Procedural Code of the Russian Federation defines that the purpose of civil proceedings is to protect the violated or disputed rights, freedoms and legitimate interests of citizens, organizations, rights and interests of the Russian Federation, subjects of the Russian Federation, municipalities, and other persons who are subjects of civil, labor, or other legal relations.

Article 46 of the Constitution of the Russian Federation provides for the guarantee of judicial protection of human and civil rights and freedoms.

In the development of this provision, Paragraph 1 of Article 3 of the Civil Procedural Code of the Russian Federation establishes that the interested person has the right, in accordance with the procedure established by the legislation on civil proceedings, to apply to the court for the protection of violated or disputed rights, freedoms or legitimate interests.

Any person is guaranteed judicial protection only if there are grounds to assume that the rights and freedoms, that a person requests to be protected, belong to them, whilst these rights and freedoms have been violated or there is a real threat of their violation.

The court of first instance concluded that the filed statement of claim does not show any violation of the rights, freedoms and legitimate interests of E.N. Ablyalimova.

The Judicial Chamber on Civil Cases of the Supreme Court of the Republic of Crimea cannot disagree with this conclusion of the court of the first instance, since the statement of claim does not show what exactly the violations of the rights of the plaintiff, including those guaranteed by Clause 2 of Article 44 of the Constitution of the Russian Federation, are.

The arguments of the private complaint, which could not serve as a basis for the revoking of the ruling of the court of the first instance, are based on an incorrect interpretation of the rules of procedural law.

According to the legal position of the Supreme Court of the Russian Federation set out in Paragraph 9 of the Resolution of the Plenum of 19 June 2012 No. 13 "On the Application by Courts of the Provisions of Civil Procedural Legislation Regulating Proceedings in the Court of Appeal", based on the provisions of Paragraph 1 of Article 333 of the Civil Procedural Code of the Russian Federation, when checking the legality and validity of the appealed ruling of the court of the first Instance, the court of Appeal is guided by Article 330 of the Civil Procedural Code of the Russian Federation, which provides grounds for cancelling or amending of the decision of the court of the first Instance.

In accordance with Article 330 of the Civil Procedural Code of the Russian Federation, the grounds for cancelling or amending of the court decision on appeal are incorrect determination of the circumstances relevant to the case; lack of proof of the circumstances relevant to the case established by the court of first instance; inconsistency of the conclusions of the court of the first instance set out in the court decision with the circumstances of the case; violation or improper application of the norms of substantive law or the norms of procedural law.

Such violations were not committed by the court of the first instance, which is why the judicial chamber finds no grounds for cancelling the ruling of the court of the first instance, rendered in compliance with the norms of procedural law.

The arguments set out in the private complaint do not refute the conclusions of the court of the first instance, and therefore, there are no grounds for cancellation of the court's ruling on the arguments of the complaint.

On the basis of the above, guided by Articles 331-334 of the Civil Procedural Code of the Russian Federation, the judicial chamber

decided:

Ruling of Zheleznodorozhny District Court of the City of Simferopol of the Republic of Crimea of 21 February 2018 – to leave unchanged, the private complaint of the representative of Elmira Narimanovna Ablyalimova – Nikolay Nikolaevich Polozov – to reject.

The presiding judge
Judges

(signed)
(signed)
(signed)

S.V. Lozovoy
T.I. Chistyakova
V.D. Gotskalyuk

Annex 403

Plenum of the Supreme Court of the Russian Federation, Resolution No. 28 “On certain issues encountered by the courts in consideration of administrative cases and of cases on administrative offences pertaining to application of legislation on public events”, 26 June 2018
(excerpts)

Translation
Excerpts

PLENUM OF THE SUPREME COURT OF THE RUSSIAN FEDERATION

RESOLUTION
of 26 June 2018 No. 28

**ON CERTAIN ISSUES ENCOUNTERED BY THE COURTS IN CONSIDERATION OF
ADMINISTRATIVE CASES AND OF CASES ON ADMINISTRATIVE OFFENSES PERTAINING
TO APPLICATION OF LEGISLATION ON PUBLIC EVENTS**

To ensure the uniform practice of court application of legislation on public events in consideration of administrative cases and of cases on administrative offenses, the Plenum of the Supreme Court of the Russian Federation, guided by Article 126 of the Constitution of the Russian Federation, Articles 2 and 5 of Federal Constitutional Law of 5 February 2014 No. 3-FKZ “On the Supreme Court of the Russian Federation”, hereby resolves to provide the following clarifications:

**Issues encountered in consideration of administrative cases
pertaining to application of legislation on public events**

1. In accordance with Article 31 of the Constitution of the Russian Federation, citizens of the Russian Federation have the right to rally peacefully, without weapons, to hold assemblies, rallies, demonstrations, marches and picketing.

This constitutional right is protected by the state and provides the citizens with opportunities to freely express and form opinions, put forward demands on various issues of political, economical, social and cultural life of the country and on foreign policy issues, thereby influencing the activities of public authorities, in particular through criticism of their actions and decisions, or to receive information about the activities of a deputy of a legislative (representative) public authority, of a deputy of a representative body of a municipal entity during meetings of the corresponding deputy with the voters. Herewith, this right may be limited by federal law for the purposes of protecting the foundations of the constitutional system, morality, health, rights and lawful interests of other persons, ensuring the safety of the country and the security of the state, based on the principles of legal equality and proportionality of admissible limitations of the aforementioned right (Part 3 of Article 17, Parts 1 and 2 of Article 19, Part 1 of Article 45, Part 3 of Article 55 of the Constitution of the Russian Federation).

The manner for ensuring the implementation of the constitutional right of citizens to rally peacefully, without weapons, to hold assemblies, rallies, demonstrations, marches and picketing is regulated by the Federal Law of 19 June 2004 No. 54-FZ “On assemblies, rallies, demonstrations, marches and picketing” (hereinafter - the Law on Public Events), according to which legislation of the Russian Federation on public events, based on provisions of the Constitution of the Russian Federation, on the universal principles and norms of international law, international treaties of the Russian Federation, apart from the aforementioned law, includes other legislative acts of the Russian Federation pertaining to ensuring the right to hold assemblies, rallies, demonstrations, marches and picketing, and in the cases provided for by the Law on Public Events, - normative legal acts of the President of the Russian Federation (Part 4 of Article 8), of the Government of the Russian Federation (Part 1 of Article 11), of public authorities of subjects of the Russian Federation (Part 2 of Article 7, Parts 1.1, 2.2, 3 and 3.1 of Article 8 and Part 1 of Article 11); holding public events for the purposes of election campaigning, campaigning on referendum issues, apart from the Law on Public Events, is also regulated by the legislation of the Russian Federation on elections and referendums (Parts 1 and 2 of Article 1).

The Law on Public Events stipulates a notification procedure for holding public events allowing the public authorities to take reasonable and necessary measures for implementation of the constitutional civil

right to hold a public event in conditions ensuring the protection of interests of state and public safety, public order, protection of health and morality of the population and protection of rights and freedoms of other persons.

In order to ensure that the right to hold a public event is implemented in the aforementioned conditions, the Law on Public Events provides for procedures of mutual approval between the public events organizers and the executive bodies of constituent entities of the Russian Federation or the local government bodies (hereinafter - public authorities) aimed at determining the venue, time, form and other conditions for holding public events, corresponding to the lawful aim of the planned public event and safeguarding of interests of other persons, allowing to ensure public order and safety.

The decisions, actions (omission to act) of a public authority pertaining to the organization of a public event (including a public event planned within the framework of an election campaign), as well as other decisions, actions (omission to act) of public authorities, local government bodies, other bodies and organizations authorized with certain state or other public powers, officials, state or municipal servants violating the civil right to hold public events or impeding the implementation of that right may be challenged in a court of general jurisdiction in accordance with Chapter 22 of the Code of Administrative Judicial Procedure of the Russian Federation (hereinafter – the Code of Administrative Judicial Procedure of the Russian Federation).

2. The right to challenge a decision, action (omission to act) of a public authority pertaining to the mutual approval procedures or a refusal to approve the holding of a public event is granted to the public event organizer, a person authorized by the organizer with managerial functions regarding the organization and holding of the public event (hereinafter referred to as a person authorized by the organizer) and also to a prosecutor (Part 1 of Article 39, Parts 1, 2 and 4 of Article 218 of the Code of Administrative Judicial Procedure of the Russian Federation).

The right to challenge the actions and decisions regarding the suspension, termination of a public event, including by filing a collective administrative claim, belongs to the public event organizer, a person authorized by the organizer, a prosecutor and participants in the event, whose rights to hold a public event were violated (Articles 15-17, 19 of the Law on Public Events, Articles 42, 218 of the Code of Administrative Judicial Procedure of the Russian Federation).

Other actions (omission to act), decisions of the authorized representative of a public authority, authorized representative of an internal affairs body, police officer, member of the military and (or) officer of the National Guard of the Russian Federation, of officers of a body of the federal security service and of a state protection body may be challenged by the public event organizer, by a person authorized by the organizer, as well as by any participant in the public event, whose rights were violated by such actions (omission to act), decisions, including by filing a collective administrative claim (Articles 13 - 17 of the Law on Public Events, Articles 42, 218 of the Code of Administrative Judicial Procedure of the Russian Federation).

3. An administrative statement of claim may be filed to the court at the location of the administrative defendant, independent of the public event venue (Part 1 of Article 22 of the Code of Administrative Judicial Procedure of the Russian Federation).

4. It is brought to the attention of the courts that administrative cases on challenge of a refusal to approve the holding of a public event, of a reasoned proposal to change the venue and (or) time of the event or of a proposal to remedy the inconsistencies between the aims, forms and other conditions for holding the public event indicated in the notification and the requirements of the Law on Public Events (hereinafter referred to as decisions of the public authority) are considered with due regard to the features stipulated in Chapter 22 of the Code of Administrative Judicial Procedure of the Russian Federation for the consideration of such cases.

Such features include:

- reduced time for applying to court with an administrative statement of claim - within ten days from the day, when the public event organizer learned about the violations of their rights, freedoms and lawful interests (Part 4 of Article 219 of the Code of Administrative Judicial Procedure of the Russian Federation);

- reduced time for the court to forward copies of the court decree on acceptance of the administrative statement of claim for proceedings to the persons participating in the case - on the day of adoption of the court decree, via means that ensure the fastest delivery of such copies (Part 4 of Article 222 of the Code of Administrative Judicial Procedure of the Russian Federation);

- reduced time for the consideration of an administrative case on challenge of lawfulness of decisions of public authorities - such a case is subject to consideration within the shortest possible time, allowing to adopt a decision before the day of holding the public event, but no later than ten days from day of receipt of the administrative statement of claim by the court (Part 4 of Article 226 of the Code of Administrative Judicial Procedure of the Russian Federation);

- reduced time for drawing a reasoned decision on refusal to satisfy the administrative claim, if only the operative part of the court decision is announced in the court session after the trial is finished, - within the shortest possible time after the end of the trial, on the day of adoption of the decision (Part 4 of Article 227 of the Code of Administrative Judicial Procedure of the Russian Federation);

- if the case is considered on the day or before the day of the public event, after the decision is drawn, its copies are immediately handed or forwarded to the persons participating in the case, their representatives, via means that ensure the fastest delivery of such copies (Part 6 of Article 227 of the Code of Administrative Judicial Procedure of the Russian Federation);

- if decisions, actions (omission to act) of a public authority regarding the approval of the venue and time of a public event (rally, meeting, demonstration, march, picketing) or regarding a warning issued by such an authority regarding the aims and form of the public event are recognized as unlawful by a court decision, such a decision is executed immediately (Part 8 of Article 227 of the Code of Administrative Judicial Procedure of the Russian Federation).

An appeal or plea against a court decision in an administrative case on challenge of a decision of a public authority, received before the day of the public event, shall be immediately accepted for proceedings and considered, so that an appellate decree is issued no later than on the day preceding the day of the public event (Part 3 of Article 305 of the Code of Administrative Judicial Procedure of the Russian Federation). If other appeals or pleas are received after the administrative case is considered on the basis of the appeal or plea, they are subject to consideration by the court of appeal in accordance with Article 312 of the Code of Administrative Judicial Procedure of the Russian Federation.

[...]

17. The determination by the executive authorities of a constituent entity of the Russian Federation of specially designated places does not prevent the organizer of a public event from choosing another place for its holding by sending a corresponding notification, or from holding an assembly or a single-person picketing without using a prefabricated demountable structure without notification (Part 1 of Article 7, Part 2.1 of Article 8 of the Law on Public Events).

[...]

**Issues, which arise in consideration of
cases on administrative offenses related to
the application of the laws on public events**

[...]

33. For the purposes of Article 20.2 of the Code of Administrative Offenses of the Russian Federation, a participant of a public event is a citizen, including a member of a political party, a member or participant of another public association, religious association, voluntarily participating in such an event and exercising his/her rights stipulated in Part 2 of Article 6 of the Law on Public Events, for example, participating in the discussion and adoption of resolutions, using various symbols and other means of public expression of collective or personal opinion.

The courts should take into account that the violation by a participant of a peaceful public event held in accordance with the established procedure, which entails administrative liability in accordance with Part 5 of Article 20.2, of the Code of Administrative Offenses of the Russian Federation, can occur only in the event of nonperformance (violation) by the participant of the public event of the duties (prohibitions) provided for in Parts 3 and 4 of Article 6 of the Law on Public Events.

Such duties include, in particular, the necessity to perform all legal requests of officers of internal affairs bodies, of members of the military and officers of the National Guard of the Russian Federation. Failure by the participant of the public event to fulfil the lawful requests or instructions of the aforementioned representatives of the authorities, as well as obstruction of performance of their official duties pertaining to ensuring the public order, safety of citizens and observation of legality during a public event is subject to qualification under Part 5 of Article 20.2 of the Code of Administrative Offenses of the Russian Federation, which in this case is special norm in respect of Part 1 of Article 19.3 of the Code of Administrative Offenses of the Russian Federation.

If a public event participant conceals her/his face (its part), in particular by using a mask, means of disguise, other items, such actions may form the objective element of an administrative offense, liability for which is stipulated in Part 5 of Article 20.2 of the Code of Administrative Offenses of the Russian Federation, including if those items are used explicitly with the aim of making her/him more difficult to identify.

In order to establish whether this was the aim of such actions, the judges should take into account the ways and means of disguise used, the reaction of the public event participants to remarks of the authorized persons and the ensuing consequences, in particular as regards the safety and public order. For this purpose, the facts, based on which the judge concluded that the public event participant had the aforementioned aim, must be described in the ruling of the relevant body in regard of the case on the administrative offense.

[...]

Annex 404

First Investigative Department for Investigation of High-priority cases
of the Main Investigative Directorate of the Investigative Committee
of the Russian Federation, Criminal Case No. 2014417004, Letter No.
201-11-2014/15223, 6 August 2018

Translation

To the victim R.M. Ametov
295023, the Republic of Crimea, Simferopol
District, Ukrainka village, 59 Gasprinskogo
Street

6 August 2018

No. 201-11-2014/15223

I hereby inform you that I have decided to satisfy your application for reviewing case files under criminal case No. 2014417004.

Moreover, I hereby state that this decision may be contested as set forth by Chapter 16 of the Criminal Procedural Code of the Russian Federation.

Attachment: a copy of an order of satisfaction of the application on one page.

Senior Investigator of the First Investigative Department for /Signature/ S.F. Mandzhiev
Investigation of High-Priority Cases
Senior Lieutenant of Justice

AE 0029815

Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea No. 201-11-2014/15223
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Annex 405

Kievskiy District Court of Simferopol, Decision, 4 October 2018

Translation

DECISION

Simferopol

4 October 2018

Kievskiy District Court of Simferopol consisting of
Presiding Judge O.P. Kuznetsova,
with A.S. Mukhtarova as the secretary of the court session,
with the participation of Prosecutor O.V. Shchepansky,
the suspect M.E. Mustafaev,
the defence counsel - attorney E.S. Semedlyayev,

having considered in court the criminal case against:

Marlen Eskenderovich Mustafaev, born on 19 September 1983 in Samarkand, Samarkand Region, Uzbek Soviet Socialist Republic, a citizen of the Russian Federation, proficient in Russian, received a secondary professional education, registered at: 18-a Polevaya Street, Fontany Village, the Republic of Crimea, actually residing at: 127 Myasoyedovskaya Street, Simferopol, the Republic of Crimea, officially unemployed, previously unconvicted, against which a preventive measure in the form of an order for restriction of travel and proper conduct was chosen, suspected of committing a crime under Part 1 of Article 282 of the Criminal Code of the Russian Federation,

HAS ESTABLISHED:

The preliminary investigation bodies suspect M.E. Mustafaev of committing actions aimed at inciting hatred and humiliating the dignity of a group of persons on the grounds of race, nationality, belonging to any social group, committed using information and telecommunication networks, including the Internet.

As indicated in the investigator's resolution, during the preliminary investigation, it was revealed that not later than on 25 February 2016 at 4:12 p.m., the exact date and time have not been determined by the investigation, M.E. Mustafaev, having formed a negative attitude towards representatives of non-Muslim religious denominations and wishing to make his extremist ideas public, decided to post an extremist video on the Internet for public listening and viewing.

On 25 February 2016 at 4:12 p.m., M.E. Mustafaev, having a negative attitude towards representatives of various religious denominations, with the exception of representatives of Islam and wishing to humiliate their dignity and cause a negative attitude towards these persons, as well as incite hatred and enmity of representatives of Islam to representatives of other religions, decided to post the video titled "We Need to Unite" on the webpage <http://vk.com/id193426780> created by him on the VKontakte website for public viewing.

Realizing his criminal intent aimed at inciting hatred and enmity of Muslims, as well as humiliating the dignity of a group of persons on the religious grounds, M.E. Mustafaev, steadily adhering to extremist positions and views with respect to persons belonging to other, non-Muslim, religious denominations and being aware of the fact that his actions violate Part 2, Article 19 of the Constitution of the Russian Federation, which guarantees equality of human and civil rights and freedoms regardless of gender, race, nationality, language, origin, property and official status, place of residence, attitude to religion, beliefs, belonging to public associations, as well as of other aspects, in violation of Part 2 of Article 29 of the Constitution of the Russian Federation, prohibiting propaganda or agitation inciting social, racial, national or religious hatred and enmity, propaganda of social, racial, national, religious or linguistic superiority, deliberately, with intent to spread negative ideas and views aimed at inciting hatred and enmity, humiliation of the dignity of a person and a group of persons on the grounds of race, nationality, attitude to religion, and that undermine trust and respect of those who preach other, non-Muslim religions, on 25 February 2016 at 4:12 p.m., being at 127 Myasoyedovskaya Street, Simferopol, Republic of Crimea, acting publicly, using his personal computer, using free access to the Internet, on the webpage <http://vk.com/id193426780>, open for public viewing, posted a video titled "We Need to Unite", the main content which is information aimed at inciting hatred towards a group of people united on religious grounds.

The video titled "We Need to Unite", according to Expert Opinion No. 1110 and No. 1111/9-5 of (*illegible*) 2018, contains linguistic and psychological signs of inciting hostility (hatred, discord) in relation to a group of persons selected on the religious grounds. In addition, according to the expert's conclusions set out in Opinion No. 2/2341 of 18 January 2018, in the video titled "We Need to Unite", value judgments were expressed containing negative attitude with respect to a group of persons united on religious grounds — Christians, Buddhists and Jews, on the part of another group of persons united on religious grounds — Muslims. In addition, in Expert Opinion No. 40-2017 of 21 December 2017, it was concluded that the video titled "We Need to Unite" contains a call to /illegible/ of enemies — Buddhists, atheists, Christians and Jews, with the assertion of the superiority and exclusivity of Muslims over representatives of other religious denominations. Also, this video contains a negative assessment of a group of people professing Buddhism, Christianity, Judaism, as well as those who do not profess any religion — atheists. The video is made for an indefinite number of people, Muslims of all faiths, who have the opportunity to watch it and for whom, due to age, intellectual, situational, religious or other factors of personal development, the discourse of Muslim hatred and enmity towards representatives of other religions is relevant. The video is based on the antithesis — Muslims versus representatives of other religious denominations, for whom the term "kuffars" (sinners) is used, and who are called "enemies of Muslims".

As a result of the criminal actions of M.E. Mustafaev on the Internet, "We Need to Unite" video is posted on the webpage <http://vk.com/id193426780> for public viewing.

The preliminary investigation bodies qualify the actions of M.E. Mustafaev as a crime under Part 1 of Article 282 of the Criminal Code of the Russian Federation — the actions aimed at inciting enmity and humiliating the dignity of a group of persons on grounds of race, nationality, belonging to a social group, committed using information and telecommunication networks, including the Internet.

The investigator, with the consent of the head of the investigative body, appealed to the court with a motion to terminate the criminal case against the accused M.E. Mustafaev and impose on him a criminal-law measure in the form of a fine.

Investigator I.G. Malaschenko, at the court hearing, affirmed the motion on the grounds indicated therein.

At the court hearing, the suspect M.E. Mustafaev, pleading guilty to the crime, confessing to the charges brought against him, the actual circumstances of the crime and the legal evaluation of his actions, supported the motion, asked to terminate the criminal case and to take into account his financial situation, the lack of regular employment, the presence of a minor child when determining the fine.

The defence counsel believed that there were all the legal grounds for the termination of the criminal case.

The prosecutor believed that the motion was justified and subject to satisfaction, and the fine could be determined in the amount of 250,000 rubles.

Having heard the participants of the court session, the court considers that the investigator's motion to terminate the criminal case against the suspect M.E. Mustafaev and impose on him a criminal-law measure in the form of a fine is based on the requirements of the law.

In accordance with the requirements of Article 76.2 of the Criminal Code of the Russian Federation, the first offender, having committed a minor or medium-gravity crime, may be released by the court from criminal liability with the imposition of a fine if the first offender compensates for damages or otherwise makes amends for the harm caused by the crime.

In accordance with the requirements of Article 25.1 of the Criminal Procedural Code of the Russian Federation, a court, on its own initiative or based on the results of considering the motion filed by an investigator with the consent of the head of an investigative body or by an inquirer with the consent of a prosecutor, in the manner prescribed by the Code, in the cases provided for by Article 76.2 of the Criminal Code of the Russian Federation, is entitled to terminate a criminal case or criminal prosecuting against a person suspected of or accused of committing a minor or medium-gravity crime, if the person has compensated for damages or otherwise made amends for the harm caused by the crime, and impose on the person a criminal-law measure in the form of a fine.

M.E. Mustafaev is suspected of committing a crime under Part 1 of Article 282 of the Criminal Code of the Russian Federation, which is classified by the criminal laws as a medium-gravity crime.

M.E. Mustafaev is the first offender.

No damage was caused for the criminal case by the actions of M.E. Mustafaev. The persons participating in the case explained that the criminal activity of the suspect had been terminated, he had committed actions aimed at making amends for the harm caused by the crime by posting on his page an appeal to representatives of various religious denominations, in which he asks for forgiveness for publishing the video.

Given the above, taking into account the entire set of circumstances characterizing the behavior of the suspect after the crime, as well as information about his personality, including that he is previously non-convicted and characterized positively in general, the court comes to the conclusion that the cooperation by M.E. Mustafaev in disclosing and investigating the crime, making amends for harm allow to believe that he does not make a risk to the public any longer, his reformation and the prevention of committing other crimes by him can be achieved without a criminal sentence.

(Illegible) the motion filed by the investigator is subject to satisfaction, and the criminal case against M.E. Mustafaev is subject to termination.

When determining the fine, the court, guided by the provisions of Article 104.5 of the Criminal Code of the Russian Federation, takes into account the crime severity and the financial situation of M.E. Mustafaev, as well as the possibility of receiving wages or other income.

In accordance with Clause 5 of Part 3 of Article 81 of the Criminal Procedural Code of the Russian Federation, documents that are material evidence remain with the criminal case during the entire period of its storage.

On the basis of Article 76.2 of the Criminal Code of the Russian Federation and guided by Articles 25.1 and 254 of the Criminal Procedural Code of the Russian Federation, the court

HAS DECIDED:

To satisfy the investigator's motion to terminate the criminal case on suspecting Marlen Eskenderovich Mustafaev.

To terminate the criminal case against Marlen Eskenderovich Mustafayev, suspected of committing a crime under Part 1 of Article 282 of the Criminal Code of the Russian Federation, and, on the basis of Article 76.2 of the Criminal Code of the Russian Federation, to apply a criminal-law measure in the form of a fine of RUB 50,000 (fifty thousand rubles).

To oblige M.E. Mustafaev to pay the fine imposed by the court by 6 November 2018 using the following details:

Beneficiary: Federal Treasury Department for the Republic of Crimea (Main Investigations Directorate of the Investigative Committee of Russia for the Republic of Crimea), client number 04751A91660, registered office: 76 Kievskaya Street, Simferopol, Republic of Crimea, 295000, Taxpayer Identification Number (INN)/ Tax Registration Reason Code (KPP) 7701391370/910201001, BIC 043510001 Branch of the Republic of Crimea, Simferopol, current account 40101810335100010001, income code 41711621010016000140, Russian Classifier of Municipal Unit Territories (OKTMO) 35701000.

To explain to M.E. Mustafaev that in case of non-payment of the fine imposed by the court within the time period set by the court, the fine is canceled, and he is subject to criminal liability under the relevant article of the Special Part of the Criminal Code of the Russian Federation.

To explain to M.E. Mustafaev the need to submit information on the payment of the fine imposed by the court to the bailiff executor or to the court within 10 days after the expiration of the period established for paying the fine.

The preventive measure adopted against Marlen Eskenderovich Mustafaev in the form of an order for restriction of travel and proper conduct is to be canceled upon the entry into force of the decision.

The decision may be appealed to the Supreme Court of the Republic of Crimea through the Kievskiy District Court of Simferopol within ten days from the date of its adoption.

Judge

/Signature/

O.P. Kuznetsova

Annex 405

/Stamp: TRUE COPY

Judge O.P. Kuznetsova

*The decision was not appealed and entered into
force on 15 October 2018*

/Stamp: /illegible/

Correct: Judge /Signature/

Secretary /Signature/

/Seal: /illegible/

/Seal: /illegible/

*/Stamp: Intelligence Information Department of
the Ministry of Internal Affairs for the Republic of
Crimea*

REGISTERED 20 008/

Annex 406

Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Response to the Third Department for Supervising the Investigative Bodies of the Main Investigative Directorate No. 224-4-18, 23 November 2018

Translation

Investigative Committee of the Russian Federation

To Head of the Third Department for Supervising the Investigative Bodies of the Main Investigative Directorate
M.B. Anisimov

To Ref. No. 224-4-18 of 23 November 2018

Dear Mr. Anisimov,

In accordance with your order to provide information on the progress and results of the investigation of criminal case No. 2016627042, initiated on the kidnapping of E.U. Ibragimov, subsequently merged with criminal case No. 2016737036, I report the following.

On 26 May 2016, the investigative department for the Bakhchisaray district of the Main Investigative Directorate initiated criminal case No. 2016627042 on the grounds of the crime provided for by Clauses “a”, “c”, Part 2, Article 126 of the Criminal Code of the Russian Federation, on the fact of kidnapping of E.U. Ibragimov.

During the preliminary investigation it was found that on 24 May 2016 in the time period from 10:10 p.m. to 10:45 p.m. E.U. Ibragimov drove his personal car “Ford Focus”, license plate number E 868 CX, region 01, near the house located at the address: 9, Mira Str., Bakhchisaray, Republic of Crimea, where he was stopped by unidentified persons dressed in uniform of traffic police officers, who with the use of violence put E.U. Ibragimov in an unidentified car and took him away in unknown direction. To date, the whereabouts of E.U. Ibragimov have not been found.

On 7 October 2016, criminal case No. 2016627042 was merged into a single proceeding with criminal case No. 2016737036, the merged criminal case was assigned No. 2016737036.

During the investigation of the criminal case, more than 500 witnesses were interrogated, 8 inspections of crime scenes, 7 searches and seizures, 13 inspections of objects and documents were conducted, 3 fingerprint, 1 video and 2 molecular-genetic forensic examinations were appointed and conducted, other activities were carried out.

By order of the investigator, the body of inquiry conducted a set of investigative activities.

However, it was not possible to identify witnesses and eyewitnesses to the crime against E. U. Ibragimov. To date, the whereabouts of E.U. Ibragimov have not been found.

The version of the involvement of law enforcement officers in the crime has been checked during the investigation and it has not been confirmed.

In this criminal case, the persons on suspicion of committing the specified crime have not been detained, no charges have been brought, the preventive measure has not been chosen.

Given that all the necessary investigative actions, the production of which is possible in the absence of the accused, are performed, on 25 September 2017 the senior investigator of the first investigative department of the directorate for investigation of high-priority cases of the Main Investigative Directorate of the Investigative Committee of the Russian Federation in the Republic of Crimea D.V. Efremova decided to suspend the preliminary investigation on the specified criminal case on the grounds provided by Clause 1 of Part 1 of Article 208 of the Criminal Procedural Code

of the Russian Federation, that is, because the person to be involved as the accused person was not established.

There are currently no grounds for the reopening of the investigation.

Deputy Head

of the Main Investigative Directorate

(Signed)

V.V. Arkhangelsky

M.S. Nikitin

[phone number]

Annex 407

Supreme Court of the Republic of Crimea, Case No. 1-1/2019,
Decision, 22 January 2019
(excerpts)

Translation
Excerpts

Case No. 1-1/2019

DECISION
IN THE NAME OF THE RUSSIAN FEDERATION

Simferopol city

22 January 2019

Supreme Court of the Republic of Crimea composed of:

presiding judge - S.N. Pogrebnyak,

with secretary of the court session - D.A. Shcherbina,

with the participation of state prosecutor - E.D. Artemenko,

accused - R.R. Suleimanov, T. Abdurakhmanov, A.Sh. Kubedinov, S.R. Mustafayev

defense counsel - lawyers A.V. Lesovoy, E.V. Zvantsev, D.M. Temishev, E.V. Fenko, E.R.

Avamileva,

having considered, in an open court hearing in the Supreme Court of the Republic of Crimea, a criminal case against:

Renat Rustemovich Suleymanov, born on 30 August 1969 in Almaty, Republic of Kazakhstan, a Russian citizen, with higher education, married, with two dependent minor children born on 26 August 2001, one underage child born on 8 April 2005, unemployed, subject to military duty, registered and residing at 5,7 Gaspraly Street, Molodezhnoye, Simferopol District, Republic of Crimea, with no criminal record,

who is accused of committing a crime under Part 1 of Article 282.2 of the Criminal Code of the Russian Federation;

Talyat Abdurakhmanov, born on 11 February 1953 in Katta-Kurgan, Samarkand Region, Uzbek SSR, a Russian citizen, with higher education, married, unemployed, not subject to military duty, registered and residing at 58 Mira Street, Melnichnoye, Belogorskiy District, Republic of Crimea, with no criminal record,

who is accused of committing a crime under Part 2 of Article 282.2 of the Criminal Code of the Russian Federation;

Arsen Shakirovich Kubedinov, born on 6 August 1974 in Chirchik, Tashkent Region, Uzbek SSR, a Russian citizen, with higher education, married, with four minor children born on 6 December 2007, 7 March 2010, 4 January 2012 and 25 July 2017, self-employed businessman, subject to military duty, registered and residing at 127 Repina Street, Simferopol, Republic of Crimea, with no criminal record,

who is accused of committing a crime under Part 2 of Article 282.2 of the Criminal Code of the Russian Federation;

Seyran Rizayevich Mustafayev, born on 2 January 1969 in Samarkand, Uzbek SSR, a Russian citizen, with secondary education, married, with dependent minor child born on 8 February 2003, unemployed, subject to military duty, registered and residing at 57 A. Medieva St., Pionerskoye, Simferopol District, Republic of Crimea, with no criminal record,

who is accused of committing a crime under Part 2 of Article 282.2 of the Criminal Code of the Russian Federation;

FOUND:

R.R. Suleymanov organized activities of the religious association, which was banned by the legally enforceable court decision adopted in connection with extremist activities [conducted by that association], and T. Abdurakhmanov, A.Sh. Kubedinov, S.R. Mustafayev participated in the activities of the religious association which was banned by the legally enforceable court decision adopted in connection with extremist activities [conducted by that association].

[...]

Page 27

[...]

Based on the foregoing, guided by Article 307, 308, 309 of the Criminal Procedural Code of the Russian Federation, the Court

DECIDED:

To find **Renat Rustemovich Suleymanov** guilty of committing a crime under Part 1 of Article 282.2 of the Criminal Code of the Russian Federation (as amended by Federal Law of 28 June 2014 No. 179-FZ) and impose the following penalty on him:

Page 28 [...]
[...]

To find **Talyat Abdurakhmanov** guilty of committing a crime under Part 2 of Article 282.2 of the Criminal Code of the Russian Federation (as amended by Federal Law of 6 July 2016 No. 375-FZ) and impose the following penalty on him:

[...]

To find **Arsen Shakirovich Kubedinov** guilty of committing a crime under Part 2 of Article 282.2 of the Criminal Code of the Russian Federation (as amended by Federal Law of 6 July 2016 No. 375-FZ) and impose the following penalty on him:

[...]

Page 29 [...]
[...]

To find **Seyran Rizayevich Mustafayev** guilty of committing a crime under Part 2 of Article 282.2 of the Criminal Code of the Russian Federation (as amended by Federal Law of 6 July 2016 No. 375-FZ) and impose the following penalty on him:

[...]

Page 30

The decision may be appealed to the Supreme Court of the Russian Federation within 10 days of its pronouncement, and the convicted person placed in custody may appeal it within the same period from the date of the receipt of the copy of the decision. In case of an appeal, the convicted persons may request their participation in the appeal hearing, and entrust the counsel of their choice to defend them or request the court to appoint a counsel to defend them.

Presiding Judge (signed) S.N. Pogrebnyak

Annex 408

Directorate for investigation of crimes related to the use of prohibited means and methods of warfare, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Record of interrogation of Mr Bariev as an accused, 21 March 2019
(excerpts)

Translation

Excerpts

case sheet ____

**RECORD
of Interrogation of the Accused**

Moscow

21 March 2019

The interrogation began at 7:04 p.m.
The interrogation finished at 8:57 p.m.

Lieutenant Colonel of Justice D.V. Bokunovich, Chief Investigator of the second Investigative Department for the Investigation of the Prohibited Means and Methods of War of the Main Investigative Directorate of Investigation Committee of the Russian Federation, at investigation room (box) No. 6 located at 5 Lefortovskiy val Str., Moscow, in accordance with articles 173, 174, and 189 of the Criminal Procedural Code of the Russian Federation, has interrogated the following individual as an accused in criminal case No. 11802007703000117:

1. Last name, first name, patronymic	Ali Mustafaevich Bariev
2. Date of birth	5 July 1975
3. Place of birth	Kokand of the Fergana Region
4. Place of residence and (or) registration, phone number	Registered and resides at 22 Ulker Str., Belogorsk, the Republic of Crimea
5. Citizenship	Citizen of the Russian Federation
6. Education	Secondary technical education
7. Marital status, family members	married, wife Z.S. Barieva, four dependent minor children: son O.A. Bariev born on 13 June 2005, daughter A.A. Barieva born on 27 July 2008, daughter S.A. Barieva born on 10 June 2013, son A.A. Bariev born on 23 December 2016
8. Place of work or study, phone number	FIRMA KRYMOPT LLC, Director
9. Military status	Subject to military duty, registered with the military at the location
10. Criminal background	None
11. Passport (or other ID of the accused)	Passport of the Russian Federation citizen [series, No.], issued by [...] on [...], unit code [...]
12. Other information about the identity of the accused	The accused is not registered with a narcologist or psychiatrist

Accused*/signed/***Defense counsel***/signed/ A.V. Bolibkova***Defense counsel***/signed/ D.C. Korolev***Defense counsel**

[...]

I plead guilty as charged,
(guilty, not guilty, partly guilty)

of committing a crime under **para. “a” of Part 2 of Article 238 of the Criminal Procedural Code of the Russian Federation.**

I am willing to provide testimony in Russian.
(willing, not willing) (what language)

[...]

Accused

/signed/

Defense counsel

/signed/ A.V. Bolibkova

Defense counsel

/signed/ D.C. Korolev

Defense counsel

[...]

Page 3

case sheet___

The accused gave the following testimony on the substance of the charges:

[...]

Page 7

[...]

I believe that law enforcement officers did find products with an expired date at the warehouse in Dzhankoy and at the packing warehouse in Belogorsk on 26 April 2018, where, on agreement with R.R. Velilyaev and following my instructions as the director of the company, workers Kurseitov, Osmanova, Musaeva, Abselyamov, and Saledinov modified expiry dates set by the manufacturer, and kept it at the warehouse to sell it to the customers. I am sincerely remorseful for my crime and I plead guilty as charged of committing it together with Velilyaev, Kurseitov, Osmanova, Musaeva, Abselyamov, and Saledinov.

Accused

/signed/

Defense counsel

/signed/ A.V. Bolibkova

Defense counsel

/signed/ D.C. Korolev

Defense counsel

There were **no** video or audio recordings during the interrogation.

There are **no** materials attached to the protocol (phonograms, videotapes, computer media, plans made during the investigation)

There were no claims before or after the interrogation of the accused from the parties involved: the accused A.M. Bariev and his defense counsel A.V. Bolibkova and D.S. Korolev.

(their process status, surnames, initials)

Content of the claims: no

Accused

/signed/

Defense counsel

/signed/ A.V. Bolibkova

Defense counsel

/signed/ D.C. Korolev

Defense counsel

Page 8

The protocol is read by the accused personally.
(personally or read by the investigator (Inquiry officer))

Comments on the protocol no.
(comments or their absence)

Accused

/signed/

Defense counsel

/signed/ A.V. Bolibkova

Defense counsel

/signed/ D.C. Korolev

Defense counsel

Investigator

/signed/

Annex 409

Directorate for investigation of crimes related to the use of prohibited means and methods of warfare, the Main Investigative Directorate of the Investigative Committee of the Russian Federation, Record of interrogation of Mr Velilyaev as an accused, 21 March 2019
(excerpts)

Translation

Excerpts

Case sheet ____

**RECORD
of Interrogation of the Accused**

Moscow

21 March 2019

The interrogation began at 11:10 a.m.
The interrogation finished at 12:15 p.m.

Lieutenant Colonel of Justice D.V. Bokunovich, Chief Investigator of the second Investigative Department for the Investigation of the Prohibited Means and Methods of War of the Main Investigative Directorate of Investigation Committee of the Russian Federation, at investigation room (box) No. 6 located at 5 Lefortovskiy val Str., Moscow, in accordance with articles 173, 174, and 189 of the Criminal Procedural Code of the Russian Federation, has interrogated the following individual as an accused in criminal case No. 11802007703000117:

1. Last name, first name, patronymic	Resul Refatovich Velilyaev
2. Date of birth	24 November 1957
3. Place of birth	Shahrisabz, Qashqadaryo Region, Uzbek SSR
4. Place of residence and (or) registration, phone number	Registered and resides at 18 Kotelnikova Str., Belogorsk, the Republic of Crimea
5. Citizenship	Citizen of the Russian Federation
6. Education	Higher education
7. Marital status, family members	unmarried, cohabits with N.V. Luchnikova, with three dependent minor children: son E.R. Velilyaev born on 7 July 2004, daughter S.R. Velilyaeva born on 22 October 2007, son G.R. Velilyaev born on 23 January 2014
8. Place of work or study, phone number	STIMUL LLC, Director
9. Military status	Not subject to military duty
10. Criminal background	None
11. Passport (or other ID of the accused)	Passport of the Russian Federation citizen [series, No.], issued by [...] on [...], unit code [...]
12. Other information about the identity of the accused	The accused is not registered with a narcologist or psychiatrist

Accused*/signed/***Defense counsel***/signed/***Defense counsel***/signed/***Defense counsel***/signed/*

I plead guilty as charged _____,
(guilty, not guilty, partly guilty)

of committing a crime under **para. “a” of Part 2 of Article 238 of the Criminal Procedural Code of the Russian Federation.**

I am willing _____ to provide testimony in Russian _____.
(willing, not willing) (what language)

[...]

Accused

/signed/

[...]

Page 2

Case sheet _____

The accused gave the following testimony on the substance of the charges:

[...]

Pages 8-9

[...]

I believe that law enforcement officers did find expired products with the expiry dates set by the manufacturer being modified following my scheme at the warehouse in Dzhankoy and at the packing warehouse in Belogorsk on 26 April 2018. I realized that from the list of products, specified in the order of arraignment of 21 March 2018, I do not deny the fact that I instructed the mentioned workers to change expiry dates and keep the products at the warehouses to sell it to the customers, although I realised that I was acting illegally and that the food could be harmful to the health of the consumer if eaten. I am sincerely remorseful for my crime and I plead guilty as charged of committing it together with Bariev, Kurseitov, Osmanova, Musaeva, Abselyamov, and Saledinov.

Accused

/signed/

Defense counsel

/signed/

Defense counsel

/signed/

Defense counsel

/signed/

There were **no** video or audio recordings during the interrogation.

There are **no** materials attached to the protocol (phonograms, videotapes, computer media, plans made during the investigation)

There were **no claims** before or after the interrogation of the accused from the parties involved: the accused R.R. Velilyaev and his defense counsel D.M. Temishev, I.A. Vagin, and D.S. Korolev.

(their process status, surnames, initials)

Content of the claims: *no*.

Accused */signed/*

Defense counsel */signed/*

Defense counsel */signed/*

Defense counsel */signed/*

Page 10

The protocol is read by the accused personally.
(personally or read by the investigator (Inquiry officer))

Comments on the protocol no.
(comments or their absence)

Accused */signed/*

Defense counsel */signed/*

Defense counsel */signed/*

Defense counsel */signed/*

Investigator */signed/*

Annex 410

Kievskiy District Court of Simferopol, Decision (operative part),
17 April 2019 (excerpts)

Translation

Excerpts

[...]

Due to the fact that the accused, K.A. Ametov, B.A. Degermendzhi, R.Sh. Trubach and A.E. Chapukh, are sentenced to punishment without isolation from society, the court leaves the measure of restraint in the form of house arrest unchanged.

Based on the above and being guided by Articles 296–313 of the Criminal Procedural Code of the Russian Federation, the Court —

DECIDED:

To find Kazim Abilvapovich Ametov, Bekir Appazovich Degermendzhi, Ruslan Shavkatovich Trubach, Asan Enverovich Chapukh guilty of committing a crime under paragraphs “a, d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation.

To find Asan Enverovich Chapukh guilty of committing a crime under Part 1 of Article 222 of the Criminal Code of the Russian Federation.

To sentence K.A. Ametov to 3 years of imprisonment according to paragraphs “a, d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation.

Pursuant to Article 73 of the Criminal Code of the Russian Federation, punishment in the form of imprisonment imposed on K.A. Ametov should be considered suspended with probation period of 3 years.

The following duties should be imposed on probationer: not to appear in public places in a state of intoxication during the probation period, not to change the permanent place of residence without notifying the specialized state body, which carries out the control over the behavior of convicted person, to attend the registration periodically in this state body at the time set by the body.

To sentence B.A. Degermendzhi to 3 years of imprisonment according to paragraphs “a, d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation.

Pursuant to Article 73 of the Criminal Code of the Russian Federation, punishment in the form of imprisonment imposed on B.A. Degermendzhi should be considered suspended with probation period of 3 years.

The following duties should be imposed on probationer: not to appear in public places in a state of intoxication during the probation period, not to change the permanent place of residence without notifying the specialized state body, which carries out the control over the behavior of convicted person, to attend the registration periodically in this state body at the time set by the body.

To sentence R.Sh. Trubach to 3 years of imprisonment according to paragraphs “a, d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation.

Pursuant to Article 73 of the Criminal Code of the Russian Federation, punishment in the form of imprisonment imposed on R.Sh. Trubach should be considered suspended with probation period of 3 years.

The following duties should be imposed on probationer: not to appear in public places in a state of intoxication during the probation period, not to change the permanent place of residence without notifying the specialized state body, which carries out the control over the behavior of convicted person, to attend the registration periodically in this state body at the time set by the body.

To sentence A.E. Chapukh to 3 years of imprisonment according to paragraphs “a, d” of Part 2 of Article 163 of the Criminal Code of the Russian Federation, and to 3 years of imprisonment according to Part 1 of Article 222 of the Criminal Code of the Russian Federation.

On the basis of Part 3 of Article 69 of the Criminal Code of the Russian Federation, to impose a final sentence in the form of 3 years and 6 month of imprisonment for the cumulative offence by adding together part of the sentences imposed.

Pursuant to Article 73 of the Criminal Code of the Russian Federation, punishment in the form of imprisonment imposed on A.E. Chapukh should be considered suspended with probation period of 3 years and 6 months.

The following duties should be imposed on probationer: not to appear in public places in a state of intoxication during the probation period, not to change the permanent place of residence without notifying the specialized state body, which carries out the control over the behavior of convicted person, to attend the registration periodically in this state body at the time set by the body.

The measure of restraint for K.A. Ametov, B.A. Degermendzhi, R.S. Trubach and A.E. Chapukh shall be left unchanged — house arrest with the previously imposed restrictions and prohibitions until the court decision enters into force.

The following periods shall be counted to the term of sentence:

- The time in custody from 23 November 2017 to 24 January 2019 and the time on house arrest from 25 January 2019 to the date the court decision enters into force shall be counted to the term of punishment for K.A. Ametov.

- The time in custody from 23 November 2017 to 24 January 2019 and the time on house arrest from 25 January 2019 to the date the court decision enters into force shall be counted to the term of punishment for B.A. Degermendzhi.

- The time in custody from 23 November 2017 to 24 January 2019 and the time on house arrest from 25 January 2019 to the date the court decision enters into force shall be counted to the term of punishment for R.S. Trubach.

- The time in custody from 23 November 2017 to 10 October 2018 and the time on house arrest from 10 October 2018 to the date the court decision enters into force shall be counted to the term of punishment for A.E. Chapukh.

Physical evidence:

- Discs for laser reading systems, to be kept on file;

- Women bag, to be left in possession of A.A. Kashka. /vol. 3 case file sheet 73-75/;

- Photographs, in the amount of 25 pcs. with the image of Y. Aitan; technological process map of welding, made on a sheet of A4 size; notebook with the image of a dog, containing records of construction works and construction materials; international driving license issued to Y. Aitan; three certificates of completion of training, retraining and professional development institution in 2013 in Kherson bearing the name of Y. Aitan; compulsory health insurance policy bearing the name of Y. Aitan; application for choosing an insurance medical organization bearing the name of Y. Aitan, advertising sheet of health insurance policy holder; driving card bearing the name of Y. Aitan with a picture of Y. Aitan; medical card of outpatient Y. Aitan; two receipts for pension for the name of V. Kashka; two fragments of a sheet with handwritten notes; photocopy of the Turkish citizen passport bearing the name of Y. Aitan, as well as a form of acknowledgement of rights and obligations of a foreign citizen; a notebook with an image of a woman with the inscription “Aquarius” with handwritten text (receipt), to be left in possession of Y. Aitan. /vol.3 case file sheet 73-75/;

- Cell phone “Maxvi K2” imei: 865735027126049, imei2: 865735027126056, to be left in possession of the owner /vol.3 case file sheet 90-91/;

- Cash in the amount of RUB 60,000 that are in storage at the Simferopol branch of Joint-Stock Bank “Rossiya” (Russia), placed there on the basis of the resolution of M.A. Rudkovsky, Senior Investigator for the High-Priority Cases of the Investigative Department of the Ministry of Internal Affairs for the Republic of Crimea of 1 December 2017, criminal case No.11701350035007216) to be returned to possession to the Ministry of Internal Affairs in the Republic of Crimea /vol.3 case file sheet 111-113/;

- Brown colored business card with the inscription “Crimean Center of the labor patents”; residence permit of the foreign citizen Yusuf Aytan, series [...] No. [...], issued by [...]; purse made of brown colored leather with the text “DAIQISI” printed in light ink; Ukrainian driving license bearing the name of Yusuf Aitan, series [...] No. [...]; international driving license bearing the name of Aitan Yusuf, [...] No. [...];

Genbank bank card No. [...] bearing the name of Zarina Ametova; membership card of ATAN gas station No. [...] in the amount of 2 pcs.; TES gas station card No.[...]; fragment of a sheet of paper with handwritten text in black ink, indicating the e-mail address “[...]”, “ABC book; teacher — Ludmila”; discount cards for various stores in the amount of 5 items and business cards in the amount of 12 items; photo with the image of a woman of Crimean-Tatar appearance; photo with the image of a young man of Crimean-Tatar appearance; fragment of a sheet of paper with handwritten text in blue ink “sum = RUB 35,477”, to be left in possession of their owners /vol.3 case file sheet 14-15/;

- Cell phone Samsung E1050 model SM-G532F, imei 35721/08/297555/8, imei2 357622/08/297555/8 with MTS SIM-card No. [...] and 16GB memory card, flashcard in black color, which was in storage in the evidence room, the receipt No.382/2018, to be returned in possession of V. Kashka /vol.3 case file sheet 196-199/;

- Black colored video recorder, brand “dahua”, model “DH-DVR210” serial number “TZA3ML378W00023” with hard drive with the label “WD10EZR00L4HB0 s/n WCC4JNZ78XUS”; black colored video recorder, model “HIKVISION”, model “DS-7216HFI-ST/SN”, serial number “406422885”, containing a hard disk drive marked “Seagates ST1000DM003 s/n W1D0D0FK”; four disks for laser reading systems with video recorders from Marakand Cafe’s surveillance cameras, to be left at Marakand Cafe /vol.3 case file sheet 253-25/

- Cell phone Lenovo S-820 imei: 863437028139384 and imei2: 8634370281393 with MTS SIM-card with [...] subscriber number, which is in storage in the evidence room, acceptance certificate No.374/2, to be returned in possession of A.E. Chapukh /vol.3 case file sheet 142-143/;

- Cell phone Nokia 1208, imei: 351980040532986 with MTS SIM-card with [...] subscriber number, which is in storage in the evidence room, acceptance certificate No.374/2018, to be returned in possession of K.A. Ametov /vol.5 case file sheet 18-19/;

- Cell phone Samsung GT-E1050 imei: 352583/05/328129/0 with MTS SIM-card with [...] subscriber number, which is in storage in the evidence room, acceptance certificate No.374, to be returned in possession of B.A. Degermendzhi /vol.6 case file sheet 17-18/.

The Decision may be appealed to the Supreme Court of the Republic of Crimea through the Kievskiy District Court of Simferopol within ten days from the date of its announcement.

In case of appeal, the convicted persons have the right to participate in the appeal proceedings in person by stating so in their appeals or in their objections to the appeals and complaints lodged by other parties to criminal proceedings.

/Seal: Kievskiy District Court of Simferopol of the Republic of Crimea/

Presiding Judge:

/Signed/

M.N. Belousov.

TRUE COPY.

The decision entered into force on 29 October 2019, according to the appeal ruling of the Republic of Crimea and was amended. The Decision of the Kievskiy District Court of Simferopol of the Republic of Crimea of *illegible* April 2019 against Kazim Abilvapovich Ametov, Bekir Appazovich Degermendzhi, Ruslan Shavkatovich Trubach, Asan Enverovich Chapukh shall be amended.

The operative part of the decision shall be supplemented with a reference to crediting the convicted person’s time in custody and house arrest as part of the sentence in the event that the suspended sentence is revoked.

/Seal:

Kievskiy District Court of Simferopol of the Republic of Crimea/

/Seal:

Kievskiy District Court of Simferopol of the Republic of Crimea/

/Stamp:

True copy

Judge /Signed/

/Illegible/

Annex 411

Simferopolskiy District Court of the Republic of Crimea, Case No. 2-1123/2019, Ruling, 23 May 2019

Translation

No. 2-1123/19

RULING

on annulment of the default decision

23 May 2019

Simferopol

Simferopol District Court of the Republic of Crimea, composed of:

presiding judge A.A. Timofeeva

with secretary L.S. Belitskaya,

Having considered in open court hearing the application of Aleksey Aleksandrovich Konovalov — the representative of Yusuf Aitan — to annul the default decision of the Simferopol District Court of the Republic of Crimea of 11 April 2019 on the civil case No. 2-1123/19,

FOUND:

The representative of defendant Yusuf Aitan – Aleksey Aleksandrovich Konovalov appealed to the court to annul the default decision of the Simferopol District Court of the Republic of Crimea of 11 April 2019 on the claim of Alie Anatolievna Kashka to Yusuf Aitan for recovery of the debt and non-pecuniary damage.

The application is substantiated by the fact that the defendant in the case was not notified about the date of the court hearing, and therefore could not provide evidence and apply to the court with a counter-claim.

The representative of Yu. Aitan – A.A. Konovalov, acting on the basis of the power of attorney, maintained the application on the grounds stated therein.

The representative of A.A. Kashka, M.S. Mambetov, acting on the basis of the power of attorney, objected to the application being granted and annulment of the default decision.

Other participants of the proceedings did not attend the court hearing, they were properly informed about the day of the hearing.

Having studied the materials of the case, the court considers that the application for annulment of the default decision shall be satisfied on the following grounds.

As follows from Part 1 of Article 238 of the Civil Procedural Code of the Russian Federation the application for annulment of the default decision should contain the circumstances confirming the validity of the reasons for the defendant's failure to appear in court, about which he was not able to inform the court in time, and the evidence confirming these circumstances, as well as the circumstances and evidence that may affect the content of the decision of the court.

As follows from Article 242 of the Civil Procedural Code of the Russian Federation, the default decision shall be annulled if the court finds that the defendant's failure to appear in court was caused by valid reasons, about which he was not able to inform the court in time, and the defendant refers to the circumstances and provides evidence that may affect the content of the decision of the court.

Having studied the materials, taking into account the applicant's arguments, the court finds it necessary to annul the default decision of the court dated 11 April 2019.

On the basis of the above, guided by Articles 240-242 of the Civil Procedural Code of the Russian Federation, the court

RULED:

To satisfy the application of Aleksey Aleksandrovich Konovalov – the representative of Yusuf Aitan for annulment of the default decision of the Simferopol District Court of the Republic of Crimea of 11 April 2019 on the civil case No. 2-1123/19.

To annul the default decision of the Simferopol District Court of the Republic of Crimea of 11 April 2019 on the civil case on the claim of Aliye Anatolyevna Kashka to Yusuf Aitan for recovery of the debt and non-pecuniary damage; and to resume the proceedings on the case.

To schedule the court hearing **for 18 June 2019 at 12:30 p.m.**

Judge *(Signature)*

Annex 412

North Caucasus District Military Court, Decision, 18 June 2019

Translation

/Stamp: COPY/

DECISION
IN THE NAME OF THE RUSSIAN FEDERATION

18 June 2019

Rostov-on-Don

The North Caucasus District Military Court composed of:
Presiding Judge A.V. Kolesnik,
and Judges I.V. Kostin and E.V. Korobenko,
in the presence of court secretaries L.A. Khandilyan and V.V. Arzumanyan,
with the participation of public prosecutors — military prosecutors of the Military Prosecutor's Office
of the Southern Military District: Colonel of Justice E.S. Kolpikov, Lieutenant Colonel of Justice
K.S. Firsov and Major of Justice D.A. Volkov; accused: T.R.-o. Abdullaev, U.R.o. Abdullaev,
R.Ya. Ismailov, E.E. Dzhemadenov and A.D. Saledinov, defenders: E.M. Kurbedinov,
M.A. Dubrovina, S.Yu. Legostov, M.S. Mambetov, E.S. Semedlyayev, L.I. Gemedzhi,
E.V. Vichkanova, V.V. Kosinkov, S.V. Oleksenko, R.M. Budarin and D.N. Sidorov, considered in
an open court hearing a criminal case against

Abdullaev Teymur Rza-ogly, born on 27 May 1975 in the city of Baku of the Azerbaijan Republic, citizen of the Russian Federation, having secondary vocational education, married, having children born in 2008, 2010, 2011, 2013 and 2016, having no criminal records, registered at the address: 3 Vinogradnaya St., Dolynovka Settlement, Belogorsky District, Republic of Crimea, before detention lived at the address: 7 Dzhankoy St., Stroganovka Settlement, Simferopolsky District, Republic of Crimea,

accused of a crime under Part 1 of Article 205⁵ of the Criminal Code of the Russian Federation, as well as against

Abdullaev Uzeir Rza-ogly, born on 30 April 1974 in the city of Baku of the Azerbaijan Republic, citizen of the Russian Federation, having secondary vocational education, married, having children born in 2004, 2008, 2011 and 2015, having no criminal records, registered at the address: 3 Vinogradnaya St., Dolynovka Settlement, Belogorsky District, Republic of Crimea, before detention lived at the address: 5 Dzhankoy St., Stroganovka Settlement, Simferopolsky District, Republic of Crimea

Rustem Yakubovich Ismailov, born on 3 September 1984 in the city of Karmana of Navoi District of Navoi Region of the Republic of Uzbekistan, citizen of the Russian Federation, having higher vocational education, married, having children born in 2009, 2011 and 2014, having no criminal records, registered at the address: 23 Shchorsa St., Belogorsk, Republic of Crimea, before detention lived at the address: 44 2 St., Signal gardeners' partnership, Kamenka microdistrict, Simferopol, Republic of Crimea,

Emil Enverovich Dzhemadenov, born on 19 August 1980 in the city of Samarkand of the Republic of Uzbekistan, citizen of the Russian Federation, having higher vocational education, married,

having children born in 2011, 2013 and 2016, having no criminal records, registered at the address: 48 Memet Appazov St., Simferopol, Republic of Crimea, before detention lived at the address: 244 Sovetskaya St., Mashinostroitel gardeners' partnership, Kamenka microdistrict, Simferopol, Republic of Crimea,

Aider Dilyaverovich Saledinov, born on 21 July 1987 in the urban-type settlement of Novoalekseevka of the Genichesky District of the Kherson Region in Ukraine, citizen of the Russian Federation, having secondary general education, married, having children born in 2010, 2011, 2014 and 2015, having no criminal records, registered and lived at the address: 8 Krymskaya St., Stroganovka Settlement, Simferopolsky District, Republic of Crimea,

accused of a crime under Part 2 of Article 205⁵ of the Criminal Code of the Russian Federation.
As a result of the judicial investigation, the military court

HAS ESTABLISHED:

From 21 March 2014 till his detention on 12 October 2016, T. Abdullaev, being well aware that, by the decision of the Supreme Court of the Russian Federation of 14 February 2003, the Islamic Liberation Party (Hizb ut-Tahrir al-Islami) (hereinafter, "Hizb ut-Tahrir") was recognized as a terrorist organization and its activity is prohibited in the Russian Federation, sharing the aims and objectives of this organization, organized in the city of Simferopol a structural unit of Hizb ut-Tahrir (the so-called "cell"). In the same period, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov, who also acted from the above motives and were also well aware that Hizb ut-Tahrir was recognized as a terrorist organization, were members of this unit.

Acting in the interests of this terrorist organization and being the organizer and head of the cell, T. Abdullaev carried out covert propaganda activities among the population, inciting local residents to participate in the terrorist organization by influencing their religious feelings. T. Abdullaev directed the activities of this cell, developed, defined and adjusted its plans, goals and objectives, organized and regularly held secret meetings of its members to study the ideology and materials of the named terrorist organization and to acquire special knowledge on spreading the organization's ideas among the local population. T. Abdullaev also recruited new members; he sought brochures, leaflets and other materials of the terrorist organization Hizb ut-Tahrir, published them on the Internet, stored them at his place of residence and gave them to members of the cell. T. Abdullaev assigned roles among the members and gave instructions; he determined the measures of secrecy and monitored their compliance.

In particular, on 10 and 17 of December 2015, T. Abdullaev held meetings with the participation of U. Abdullaev, Ismailov, Dzhemadenov and Saledinov where they discussed the ideology and activities of the Hizb ut-Tahrir cell in the region, as well as involvement of new members and work with those already involved; they planned joint activities and assessed their work.

U. Abdullaev, Ismailov, Dzhemadenov and Saledinov participated in the activities of this terrorist organization before they were detained on 12 October 2016. They participated in secret meetings held by T. Abdullaev at Ismailov's place of residence where they studied the sources of the Hizb ut-Tahrir organization and acquired special knowledge, including the propaganda skills necessary for recruitment of new members. Each of them sought, studied and stored books, brochures and other materials of this terrorist organization at their place of residence, and published them on the Internet. They spread the ideas of this terrorist organization among the local population and involved new people in it.

At the same time, Ismailov not only provided his premises for holding the meetings and

stored books and other printed materials of the Hizb ut-Tahrir organization, but also made such materials. In addition, on 11 and 18 December 2015, Ismailov held secret meetings at his place of residence with unidentified persons to study and discuss the materials of the Hizb ut-Tahrir terrorist organization.

The Hizb ut-Tahrir cell organized by T. Abdullaev and operating under his leadership had a high degree of internal discipline, management and subordination; strong ties were established between its members; roles and tasks were distributed between all members, and secrecy measures were taken.

At the court hearing, the accused T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov, each separately, pleaded not guilty of the charge and, as during the preliminary investigation, refused to testify in accordance with Article 51 of the Constitution of the Russian Federation. At the same time, during an argument, the accused stated that they were unreasonably brought to criminal responsibility for their religious beliefs and ethnicity.

Despite the plea of not guilty, the guilt of the accused is confirmed by the following evidence presented by the prosecution.

Witness [name], an employee of the Directorate of the Federal Security Service (FSB) of Russia for the Republic of Crimea and Sevastopol, testified in court that, due to his official duties, he was aware of the activities of the Hizb ut-Tahrir terrorist organization in Crimea and the persons involved. Thus, since about 2006, T. Abdullaev was involved in the activities of the organization, and, since 2008, he started presenting himself as its member, openly encouraged local residents to participate in its activities, and in the same year organized a cell of the organisation, which operated in Simferopol and adjacent localities (Stroganovka Settlement, Kamenka microdistrict, etc.). Around 2008, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov became members of Hizb ut-Tahrir and the above cell. As a middle-level manager (that is, "naqib"), T. Abdullaev controlled how the members of his cell, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov, worked with the persons involved and collected funds. T. Abdullaev held meetings, kept the funds collected by the members of the cell, and met with the superior managers of the named terrorist organization. Since March 2014, the activities of the cell became covert; instead of open propaganda they selected and involved new members from among the Muslims, and distributed materials and printed publications among them. During this period, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov became "mushrifs" (that is, teachers) in the cell organized by T. Abdullaev; each of them had his own group of students ("halku" — primary link in the structure of Hizb ut-Tahrir). In Ismailov's household, T. Abdullaev regularly held meetings of members of the cell, where U. Abdullaev, Ismailov, Dzhemadenov and Saledinov reported to him on the work done, and they discussed plans for further activities of the cell. Two of these meetings, as well as two classes held by Ismailov to study the literature of this organization with his students, were recorded as a result of operational search activities. In addition to the above, as the organizer, T. Abdullaev demanded from the members of his cell to take the secrecy measures, developed goals and objectives of his cell, planned and supervised the work of the cell members, assigned roles to them, selected literature and materials and provided them to other accused.

Prihnenko, a witness, testified that he has known about the participation of all five individuals accused in the activities of the Hizb ut-Tahrir terrorist organization since 2008, that is, during his service in the law enforcement bodies of Ukraine. In 2008–2009, in Simferopol, this organization held many conferences and rallies, the organizer and active participant of which was T. Abdullaev with his brother U. Abdullaev. Subsequently, the accused continued to take part in such events. In particular, at a rally held by Hizb ut-Tahrir in 2013, Prihnenko recorded the activity of each of the five men accused and saw them handing out materials of this organization. Due to the fact that the rally was not authorized, Dzhemadenov continued his speech elsewhere. After March 2014, the activities of the accused changed, they began to meet secretly at Ismailov's house, continued to promote the Hizb ut-Tahrir organization and persuade the local population to join it until their detention in autumn 2016.

A witness under an assumed name Gabitov testified in court that, in November 2014, he got acquainted with Ismailov, at whose house he also made acquaintance with the Abdullaev brothers,

Dzhemadenov and Saledinov. He was invited to such meetings every week, where general matters of the religion of Islam were initially discussed. Since about January 2015, the meetings were focused on the consistent study and revision of various topics related to the goals of the Hizb ut-Tahrir organization, whose activities the accused recognized as the only proper Islam. T. Abdullaev always guided these classes and meetings; he chose Ismailov's house as the place of holding the classes, and also chose their topics. Other people from among the Crimean Tatars were also present as students at the classes, where the unification of all people under the banner of Hizb ut-Tahrir and the transition to a Sharia government, including in the Russian Federation, were promoted. The secrecy measures were always observed at such classes; T. Abdullaev instructed all people present to take out batteries from their mobile phones, and the phones were taken to another room. There was a close relationship between the accused based on subordination to T. Abdullaev and strict discipline. They also discussed how they should behave and what evidence to give in the event of an arrest. In addition to regular ideological classes ("halakats"), the witness attended other meetings ("amali"), during which U. Abdullaev, Ismailov, Dzhemadenov and Saledinov, each separately, reported to T. Abdullaev on the work done: how many people became involved in the activities of Hizb...

- U. Abdullaev — books: "Party Unity", "Political Concept of Hizb ut-Tahrir", "System of Islam", "Islamic Personality", "Islamic State", "Social System of Islam", "Foundations of Islamic Nafsia", "Economic System in Islam" and "Concept of Hizb ut-Tahrir"; Al-Wai journal, issues Nos. 318-320;

- Ismailov — books: "Social System of Islam", "System of Islam", "Islamic State", "Islamic Personality", "Political Concept of Hizb ut-Tahrir", "Economic System in Islam", "Foundations of Islamic Nafsia", "Concept of Hizb ut-Tahrir"; brochures: "Draft Constitution of the Islamic State of the Caliphate", and "Approaching God Is the Way to Success", "Basics of Training in an Islamic State", Al-Wai journal, issues Nos. 234-235, 270-271, 286, 287-288, 318-320;

- Saledinov — books: "Social System of Islam", "Economic System in Islam" and "Islamic Personality".

According to the records of inspection of 3–5 March 2017, the accused T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov each have their own accounts in the social networks VKontakte, Odnoklassniki and Facebook, where they actively promoted the activities of the Hizb ut-Tahrir terrorist organization by posting videos, articles, publications and other materials.

In addition to the above-mentioned evidence, the circumstances of the charges brought against each of the accused are also confirmed by the following admissible evidence obtained by law enforcement bodies as a result of operational search activities.

In particular, according to Information Reports Nos. 171/5-5935 and 171/5-5937 of 30 September 2016, meetings held on 10 and 17 December 2015 at Ismailov's place of residence and attended by T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov were documented during the surveillance as part of operational search activities. In addition, according to the information reports Nos. 171/5-5936 and 171/5-5938 of 30 September 2016, the "halakats" conducted by Ismailov on 11 and 18 December 2015 at his place of residence with unidentified persons were documented. The results of the operational search activities (audio recordings, transcripts, and video footage of the meetings) are presented on compact discs Nos. 5/541, 5/719, and 5/538.

The information contained in this report about the participation of T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov in these meetings is confirmed by Phonograph Expert Opinion No. 30-F/18 of 28 February 2018.

The audio recordings listened to at the court hearing and Opinion No. 78 of 3 March 2018 prepared by the experts who conducted a comprehensive linguistic and theological forensic examination show the following.

The meetings held on 10 and 17 December 2015 with the participation of all of the accused were religious, political, ideological, propagandistic and reporting meetings of the Hizb ut-Tahrir cell. At the same time, T. Abdullaev clearly acts as a head and a communicative leader of this group; he criticizes other members for the ineffective propaganda of Hizb ut-Tahrir, controls and motivates

them, gives instructions to the other accused to do what "Hizb says". All people present at the meetings show unity and a high degree of involvement in joint activities; and they purposefully and systematically involve other people in the activities of the above-mentioned terrorist organization.

In particular, at the meeting held on 10 December 2015, T. Abdullaev discusses the membership of cells and the rotations of "mushrifs"(mentors); the participants study the materials of the Hizb ut-Tahrir organization, and revise the issues considered at the previous "halakat". Their attention is also drawn to the fact that the members must carry the message to the local population from printed materials of this organization, and must carry on propaganda in its interests.

At the meeting held on 17 December 2015, T. Abdullaev discussed the involvement of new members and noticed that the recruitment of one or two persons a week is not enough. He drew attention to the shortcomings in the performance of duties by the members of the organization.

Based on the analysis of conversations between T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov, the court concluded that each of the accused had his own group of students with whom they studied the books of the Hizb ut-Tahrir terrorist organization. The general management was carried out by T. Abdullaev, who would find out from U. Abdullaev, Ismailov, Dzhemadenov and Saledinov about the progress of their students, discuss the membership of groups and topics of classes, and give instructions for recruiting new members.

According to the above-mentioned opinion of linguistic experts and a theologian, the meetings held on 11 and 18 December 2015 by Ismailov with the participation of unidentified persons were ideological and religious classes of the Hizb ut-Tahrir cell. The provisions of the book "Islamic Personality" (published by the Hizb ut-Tahrir organization and recognized as extremist material) were read and analyzed there. The communicative leader of the group was Ismailov who determined the goals of the meetings and the topics of conversation; he acted as a teacher, ensured maximum involvement of all participants in the study of a book, and used manipulated suggestion.

At the same time, the participants comply with the secrecy measures (by removing batteries from their mobile phones or taking the phones to another room). Moreover, on 18 December 2015, one of the participants said that he forgot his tablet. This circumstance also indicates that the members of the cell observe the secrecy measures as they refuse to use printed materials and transfer them to electronic media.

Furthermore, the analysis of these classes, together with the administrative regulations of the Hizb ut-Tahrir organization (publication "Milyaff Idariy") examined at the court hearing, show that participants regularly and intentionally studied the ideology of the said terrorist organization under the guidance of Ismailov.

In accordance with the decision of the Supreme Court of the Russian Federation of 14 February 2003, the Hizb ut-Tahrir organization, which seeks to eliminate non-Islamic governments and establish the Islamic government worldwide by creating the Universal Islamic Caliphate, including in Russia and other CIS countries, was recognized as a terrorist organization and banned in the Russian Federation. According to the decision, the main activities of this organization are militant Islamist propaganda, combined with intolerance to other religions, and active recruitment of supporters as well as purposeful work to divide the society.

According to Reports of psychiatric expert panels Nos. 246 and 247 of 20 February 2017, No. 276 of 22 February 2017, and Nos. 25 and 26 of 22 March 2017, T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov did not suffer from any mental disorder in the period of committing the alleged actions and do not suffer from it at present; they were able to realize the actual nature and social danger of their actions and control them in the period of committing the alleged actions and are able to do so at present.

Having examined the above-mentioned opinions of psychiatric experts and other evidence presented by the parties, as well as the behavior of the accused during the court hearing, the court considers the above opinions to be objective and correct, and recognizes T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov as sane.

The defence presented the following evidence.

Expert Opinion No. SE-01/25 of 7 May 2019 was submitted at the court hearing and attached

by the court to the case materials as another document. According to this opinion, the above-mentioned comprehensive opinion of linguistic experts and a theologian No. 78 of 3 March 2018 does not meet the requirements of completeness, reliability and objectivity, and is scientifically unreliable and unsound.

Giving their own assessment of Expert Opinions No. 30-F/18 of 28 February 2018, and No. 78 of 3 March 2018, the defence asked to recognize them as inadmissible evidence, including on the grounds that, according to the materials of the criminal case, Compact Disc No. 5/541 with the recordings of conversations of the accused was held simultaneously by two expert institutions.

In addition, at the court hearing, the defence pointed out that the restriction by the preliminary investigation body on information about the identity of the witness under an assumed name Gabitov was unfounded. Referring to the fact that, during the interrogation, this witness incorrectly pronounced Ismailov's name, and also failed to describe in detail the interior of Ismailov's house and the mosque in Kamenka microdistrict, the defence disputed the witness' testimony.

In addition, the defence stated that the testimony of all the witnesses at the preliminary investigation is inadmissible evidence, since the records of interrogation do not contain the questions asked to them.

The defence also asked to recognize the results of the search conducted at Dzhemadenov's house as inadmissible evidence, since Novikov, the attesting witness, was a minor.

Referring to the Geneva Convention relative to the Protection of Civilian Persons in Time of War of August 12, 1949, which, according to the defence, applies to the accused, the defenders asked to acquit T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov in the absence of any event of crime, since the activities of Hizb ut-Tahrir are not prohibited in Ukraine.

Assessing the above evidence and arguments of the defence, the court finds them unfounded, since they contradict the body of other evidence examined in the court hearing and do not correspond to the factual circumstances of the case.

Assessing the relevance, admissibility and reliability of Expert Opinions No. 30-F/18 of 28 February 2018 and No. 78 of 3 March 2018, by checking their sources and comparing them with the other evidence, including Expert Opinion No. SE-01/25 of 7 May 2019 submitted by the defence, the court concludes that the expert opinions meet the requirements of Article 204 of the Criminal Procedural Code of the Russian Federation and are reasoned and scientifically sound. The court considers that the subjective judgments of the expert in Opinion No. SE-01/25 of 7 May 2019 do not indicate the opposite. Since the expert opinions are sufficiently reasoned and based on the objective data presented to them, the court takes them as the basis of the decision.

Contrary to the defence's arguments, Compact Disc No. 5/541 was not held by two expert institutions at the same time. As seen from the report of inspection and listening to this compact disc of 10–22 November 2016 and examined in the court hearing, a copy of the disc was made at the end of the inspection (volume 8, case file sheet 220). Further, as seen from the expert opinions, the phonograph expert Permyakov was examining Compact Disk No. 5/541 from 13 June 2017 to 28 February 2018, and the experts Khazimullina, Osheeva and Urazmetov examined its copy from 10 March 2017 until 3 March 2018.

Contrary to the defence's arguments, Opinion No. 78 of 3 March 2018 contains information about the warning of experts about criminal liability under Article 307 of the Criminal Code of the Russian Federation (volume 4, case file sheet 19).

At the same time, the court rejects the defence's argument that the linguistic experts went beyond their competence when they specified the names of the accused in their opinion, although such information was not submitted to them. As the expert Khazimullina explained at the court hearing, they had previously participated in this criminal case as experts, and therefore they had been given a similar compact disk with a transcript of the conversations between the accused, which contained information about the participants of these conversations. The court also notes that Expert Opinion No. 78 of 3 March 2018 containing information that certain phrases belong to the accused fully complies with the Phonograph Expert Opinion No. 30-F/18 of 28 February 2018 and the above-mentioned inspection report of 10–22 November 2016.

Contrary to the arguments of the defence, expert Urazmetov has sufficient education in the field of religion and a PhD in Cultural Studies; he works at Bashkir State Pedagogical University named after M. Akmulla as an Associate Professor of the Department of Cultural Studies and Socio-Economic Disciplines. At the court hearing, Urazmetov explained that the above-mentioned academic degree allows him to conduct theological examinations, since religion is a component of culture. This circumstance is confirmed by the information contained in the scientific specialty passport (specialty code: 24.00.01) approved by the Higher Attestation Commission under the Ministry of Science and Higher Education of the Russian Federation.

Thus, the court does not find the grounds provided for by the criminal procedure law to recognize Expert Opinions No. 30-F/18 of 28 February 2018 and No. 78 of 3 March 2018 as inadmissible evidence.

As for the arguments that the accused disagree with the results of the comprehensive linguistic and theological forensic examination, the court regards such arguments as one of the remedies used by the accused to avoid criminal liability for their actions, and recognizes such arguments as unfounded.

The defence's argument that the criminal case materials do not contain evidence of the involvement by the accused of new members in the terrorist organization is refuted, in addition to the above Expert Opinion No. 78 of 3 March 2018 and the testimony of the witness under the assumed name Gabitov, by the content of materials and printed publications that were found during the searches at the places of residence of all the accused and that had been used for propaganda of and involvement in the Hizb ut-Tahrir organization. The court also draws attention to the fact that guidelines for the involvement of new members to Hizb ut-Tahrir were found at the places of residence of Ismailov, Dzhemadenov and Saledinov, and several printed copies of an oath, which is made when joining this terrorist organization, were found at Ismailov's place of residence.

The books seized from T. Abdullaev, U. Abdullaev, Ismailov and Saledinov correspond to the list of books to be studied with the involved persons, which is given in the administrative regulations of the Hizb ut-Tahrir organization.

Contrary to the arguments of the defence, the searches at the places of residence of the accused were conducted on the basis of relevant court decisions in accordance with the requirements of Article 182 of the Criminal Procedural Code of the Russian Federation. The argument that the search in the Dzhemadenov's house was performed on the basis of an "erroneous court order" is unfounded since, in addition to the court ruling of 11 November 2016 containing an obvious typographic error in the date of the order, the criminal case materials contain a ruling of Kiev District Court of Simferopol on the correction of this error (volume 9, case file sheet 251). The circumstances of this error are also confirmed by the fact that this order was presented to Dzhemadenov immediately before the search, as evidenced by his signature affixed by him on the back of the order at 6:10 a.m. on 12 October 2016.

As seen from the testimony of the witnesses of the search Kirilyuk, Chernysh, Pak, Potapov, Kravchenko, Strionov, Anisimov, Novikov and Kostenko, who were questioned as witnesses in the court hearing, they personally observed all the actions of law enforcement officers recorded in the relevant search reports. The arguments of the defence that all the witnesses are interested in the outcome of the case are unfounded since such arguments are not confirmed by any objective data and materials of the criminal case.

As for the defence's argument that the results of the search at Dzhemadenov's house are inadmissible because witness Novikov was under age, the court finds this argument untenable on the following grounds. The court finds no grounds for recognizing this search record and material evidence as inadmissible evidence, taking into account the following circumstances: Novikov reached the legal age 17 days after the search; another witness participated in the search who fully confirmed the circumstances and results of this investigative action in the court hearing; Dzhemadenov signed the search record and made no statements to dispute the circumstances of the search and the discovered materials. Similar circumstances are found in the records of searches conducted at the places of residence of the other accused.

Assessing the above testimonies of the prosecution witnesses, the court finds them coherent and consistent with each other and other evidence in the case. Contrary to the arguments of the defence, the testimonies of the witnesses [...], Prikhnenko and Gabitov show that, from March 2014, T. Abdullaev organized the activities of the cell of the Hizb ut-Tahrir terrorist organization and U. Abdullaev, Ismailov, Dzhemadenov and Saledinov participated in these activities.

Each witness showed a degree of awareness that only direct eyewitnesses of the events in question can have.

As for the minor contradictions in the testimony of the witness under the assumed name Gabitov regarding the correct pronunciation of the name of the accused Ismailov and the interior of his house, these contradictions are insignificant and cannot affect the court's conclusion about the guilt of the accused. The court also draws attention to the fact that, contrary to the arguments of the defence and the testimony of the witness F.Ya. Ismailov (the blood brother of the accused), acquaintances and friends not always call Ismailov strictly by his first name. In particular, from the content of the audio recordings of conversations, it follows that the accused call him Rustik.

The argument of the defence that the restriction on information about the identity of the above witness was unfounded is groundless and is refuted by his statement contained in the materials of the criminal case, as well as by an investigator's order, which meets the requirements of Part 9 of Article 166 of the Criminal Procedural Code of the Russian Federation and is properly motivated.

Contrary to the arguments of the defence, the absence in the interrogation records of questions addressed to witnesses during the court investigation does not indicate a violation of the requirements of Article 190 of the Criminal Procedural Code of the Russian Federation, entailing the recognition of such evidence as inadmissible, because the recorded answers given by the interrogated persons objectively show the essence of the questions addressed to them.

The defence's argument that the Geneva Convention relative to the Protection of Civilian Persons in Time of War applies to the accused is also pointless, since T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov are citizens of the Russian Federation, on the territory of which they committed the alleged crimes.

As for other evidence examined in the court hearing at the request of the prosecution and the defence, including the testimony of the witnesses Gafarov, Berezhnoy, Ekimov and Tochilin, it does not refute the charges brought against each of the accused and, by virtue of Articles 73, 74 of the Criminal Procedural Code of the Russian Federation, does not require an independent assessment in the sentence.

Thus, having examined the presented body of evidence, the court finds that the guilt of the accused is proven. Giving a legal assessment of the actions committed by them, the court comes to the following conclusions.

All the accused were accused by the preliminary investigation body of committing the alleged actions "from an unestablished date, but no later than January 2015".

In presenting the case, the public prosecutor in accordance with Part 8 of Article 246 of the Criminal Procedural Code of the Russian Federation changed the scope of the charges by limiting the period of commission of the alleged crimes by the accused to starting from 21 March 2014 — the date of ratification of the Treaty between the Russian Federation and the Republic of Crimea.

Thus, pursuant to Article 252 of the Criminal Procedural Code of the Russian Federation, which defines the limits of the trial, and considering the established factual circumstances of the case, the court decides to change the charge brought against the accused by limiting the period of their crimes from 21 March 2014 to 12 October 2016. This change in the charge does not worsen the situation of the accused and does not violate their right to defence since this period is actually specified in the charge brought against them.

In addition, the court excludes from the scope of the charges brought against T. Abdullaev the indication that he involved U. Abdullaev, Ismailov, Dzhemadenov and Saledinov in the Hizb ut-Tahrir terrorist organization. The court believes that the investigation has not determined the exact date of the involvement of these persons in the terrorist organization. This means that they could have been its members before the accession of the Republic of Crimea to the Russian Federation, i.e. during

the period when these actions were not criminal offences under the laws of the Russian Federation. This conclusion of the court is confirmed by the testimony of the witnesses [...] and Prikhnenko, as well as by the video recordings examined in the court hearing of rallies and various events held in Crimea until March 2014 by the Hizb ut-Tahrir organization, in which T. Abdullaev, Ismailov, Dzhemadenov and Saledinov took part.

Thus, the actions, set out in the descriptive part of the sentence, committed by T. Abdullaev, who, from 21 March 2014 to 12 October 2016, organized in Simferopol the cell of Hizb ut-Tahrir, which is recognized as the terrorist organization in accordance with the laws of the Russian Federation, are qualified by the court as a crime under Part 1 of Article 205⁵ of the Criminal Code of the Russian Federation.

Since U. Abdullaev, Ismailov, Dzhemadenov and Saledinov participated in the activities of the above cell of the Hizb ut-Tahrir organization in the same period and under the circumstances set out in the descriptive part of the sentence, the court qualifies their actions as a crime under Part 2 of Article 205⁵ of the Criminal Code of the Russian Federation.

When imposing the penalty, the court considers the nature and the level of public danger of the committed crimes, the personalities of T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov, the circumstances mitigating punishment, and the impact of the punishment on their reformation.

In accordance with paragraph "d" of Part 1 of Article 61 of the Criminal Code of the Russian Federation, the court recognizes the fact that T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov have young children as the circumstance mitigating the punishment of the accused. In addition, the court recognizes as the circumstances mitigating the punishment the facts that none of the accused has previously done anything reprehensible, they are brought to account for the first time, they are characterized positively at their former places of work and places of residence, and U. Abdullaev also has a minor daughter.

In view of the other circumstances and taking into account the property status of the accused, the number of their dependent children, and the impact of the punishment on the living conditions of their families, the court considers it inappropriate to apply a fine provided for by Parts 1 and 2 of Article 205⁵ of the Criminal Code of the Russian Federation and decides to release the accused from payment of court costs and reimburse them from the federal budget.

Taking into account the punishment to be imposed on the convicts, there are no grounds to categorize the crimes committed by them as less serious ones in accordance with Part 6 of Article 15 of the Criminal Code of the Russian Federation.

As for the measure of restraint of T. Abdullaev, U. Abdullaev, Ismailov, Dzhemadenov and Saledinov, given that the grounds on which they were detained have not changed and have not disappeared and given the need to impose on the accused the penalty in the form of custody, the court decides to uphold the measure of restraint in the form of custody until the entry of the decision into legal force.

The court resolves what to do with the material evidence in accordance with the requirements of Article 81 of the Criminal Procedural Code of the Russian Federation. As the court found that the books and other publications, as well as the computer, the hard disk drive, and a printer-copier seized from the accused were actually instrumentalities of the crime, they shall be destroyed in accordance with Clause 1 of Part 3 of Article 81 of the Criminal Procedural Code of the Russian Federation.

In accordance with Part 9 of Article 115 of the Criminal Procedural Code of the Russian Federation, and given the fact that the materials of the criminal case contain no information that the funds seized during the searches at the houses of the Abdullaev brothers and Ismailov were received as a result of committing the alleged crimes or were used or intended for financing terrorism, the seizure imposed on such funds shall be canceled.

Given the above and being guided by Articles 302, 308 and 309 of the Criminal Procedural Code of the Russian Federation, the military court

HAS DECIDED:

To recognize Teymur Rza-Ogly Abdullaev guilty of arranging the activities of the organization which is recognized as terrorist in accordance with the laws of the Russian Federation, which is a crime under Part 1 of Article 205⁵ of the Criminal Code of the Russian Federation, and to sentence him to deprivation of liberty for seventeen (17) years in a high-security penal colony with restriction of liberty for one (1) year and six (6) months.

In accordance with Part 1 of Article 53 of the Criminal Code of the Russian Federation, for the period of restriction of liberty, to establish the following restrictions for T.R.-o. Abdullaev: not to leave the house (apartment, other dwelling) daily from 10 p.m. to 6 a.m., not to leave the relevant municipality, not to visit the places of mass and other events and not to participate in such events, not to change the place of residence/stay, place of work and/or study without the consent of a specialized state body that supervises the serving of sentence in the form of liberty restraint; and to impose the obligation on T.R.-o. Abdullaev to appear twice a month for registration with a specialized state body that supervises the serving of sentence in the form of liberty restraint.

To recognize Uzeir Rza ogly Abdullaev, Rustem Yakubovich Ismailov, Emil Enverovich Dzhemadenov and Aider Dilyarevich Saledinov guilty of participating in the activities of the organization which is recognized as terrorist in accordance with the laws of the Russian Federation, which is a crime under Part 2 of Article 205⁵ of the Criminal Code of the Russian Federation, and to sentence them to deprivation of liberty in a high-security penal colony for:

- U.R.o. Abdullaev — thirteen (13) years;
- R.Ya. Ismailov — fourteen (14) years;
- E.E. Dzhemadenov — twelve (12) years;
- A.D. Saledinov — twelve (12) years.

To calculate the term of serving the sentence by the convicts T.R.-o. Abdullaev, U.R.o. Abdullaev, R.Ya. Ismailov, E.E. Dzhemadenov and A.D. Saledinov from 18 June 2019, with credit for time spent by them in detention and custody in connection with this case from 12 October 2016 through 17 June 2019. Credit shall be performed in accordance with Part 3² of Article 72 of the Criminal Code of the Russian Federation.

Before the decision enters into force, to uphold the measure of restraint in the form of custody against the convicts T.R.-o. Abdullaev, U.R.o. Abdullaev, R.Ya. Ismailov, E.E. Dzhemadenov and A.D. Saledinov, and to keep them in the Detention Center No. 1 of the Main Directorate of the Federal Penitentiary Service (FKU SIZO-1 GUF SIN) of Russia for Rostov Region.

Upon the entry of the decision into force, to transfer the material evidence listed in volume 15 on case file sheets 243–268 (including the Canon printer-copier, the system unit of the personal computer seized during the search at the place of residence of R.Ya. Ismailov, as well as the Seagate hard disk drive seized at the place of residence of U.R.o. Abdullaev), to the Investigative Department of the Directorate of FSB of Russia for the Republic of Crimea and Sevastopol for destruction as instrumentalities of the crime;

- to store the rest of the material evidence listed in volume 15 on case file sheet 268 (laser compact disks and 2 notebook sheets) in the criminal case file during the storage period of the latter.

Upon the entry of the decision into force, to cancel the seizure of the property belonging to T.R.-o. Abdullaev: funds in the amount of ninety-six thousand one hundred and eighty (96,180) rubles, three thousand five hundred sixty-three (3,563) US dollars, and twenty-two (22) hryvnas; to return the seized property to the convict T.R.-o. Abdullaev.

Upon the entry of the decision into force, to cancel the seizure of the property belonging to U.R.o. Abdullaev: funds in the amount of thirty-nine thousand seven hundred and thirty (39,750) rubles, and one hundred and twenty (120) US dollars; to return the seized property to the convict U.R.o. Abdullaev.

Upon the entry of the decision into force, to cancel the seizure of the property belonging to R.Ya. Ismailov: funds in the amount of thirteen thousand (13,000) US dollars; to return the seized property to the convict R.Ya. Ismailov.

To compensate from the federal budget the legal costs consisting of amounts paid to the appointed defenders providing legal advice in the proceedings and amounts paid to the experts, totalling five hundred eighty thousand three hundred and fifty (580,350) rubles.

The Decision may be appealed to the Judicial Chamber of the Supreme Court of the Russian Federation for Cases of the Military within 10 days from the date of its adoption, and by the convicted persons in custody — within the same period from the date of delivery of a copy of the decision to them.

If the decision is appealed to the Judicial Chamber of the Supreme Court of the Russian Federation on the Cases of the Military, the convicted persons have the right to apply for their participation in the appeal court hearing, to entrust their defence to their defenders, to refuse defenders, or to apply to the appeal court for the appointment of defenders.

Presiding Judge

/Signature/

Judges:

/Signature/

/Signature/

/Seal: NORTH CAUCASUS DISTRICT MILITARY COURT/

*/Stamp: TRUE COPY * Judge's signature /Signature/ **

*Secretary L.A. Khandilyan (initials, surname) * 18 June 2019*

/Signature/

Annex 413

Yu. Aitan, Case No. 2-1123/2019, Counter-claim,
18 June 2019

Translation

To the Simferopol District Court of the Republic of Crimea

Claimant: Yusuf Aitan, citizen of Turkey, address: [...]

The claimant's representative by power of attorney:

Aleksey Aleksandrovich Konovalov,

[address], [phone No.]

Defendant: Alie Anatolievna Kashka,

address: [...]

COUNTERCLAIM**to declare the loan agreement uncompleted**

There is a civil case No. 2-1123/2019 for the recovery of debt under the loan agreement brought by A.A. Kashka against Yusuf Aitan pending before the Simferopol district court of the Republic of Crimea. The claim indicates that on 6 September 2017 Yusuf Aitan concluded the loan agreement, according to which Vedzhi Kashka transferred money in amount of USD 7,000 to Yusuf Aitan. In support of the loan agreement Yusuf Aitan wrote a note.

According to Clause 1 of Article 420 of the Civil Code of the Russian Federation, a contract is an agreement between two or more persons to establish, change or terminate civil rights and obligations. According to Clause 1, Article 432 of the Civil Code of the Russian Federation, a contract is considered concluded if an agreement on all essential contractual terms is reached between the parties in the form required in such cases.

According to Clause 1 of Article 807 of the Civil Code of the Russian Federation under the loan agreement one party (the lender) transfers money or other items defined by generic characteristics [items of the same kind] to the other party (the borrower), and the borrower shall return to the lender the same amount of money (the loan amount) or an equal number of other items of the same kind and quality received by him. The loan agreement shall be deemed concluded from the moment the money or other things are transferred.

According to Article 808 of the Civil Code of the Russian Federation, a loan agreement between persons shall be in writing if its amount exceeds not less than ten times the minimum wage established by law, and in the case when the lender is a legal entity – regardless of the amount.

Pursuant to Article 812 of the Civil Code of the Russian Federation, the borrower shall be entitled to challenge the loan agreement on the basis of lack of monetary consideration by proving that money or other things were not actually received by him from the lender or were received in less quantity than specified in the agreement. Should the loan agreement be made in writing (Article 808), it cannot be challenged on the basis of lack of monetary consideration by testimony, except in cases when the agreement was concluded under the influence of deception, violence, threat, malicious agreement of the borrower's representative with the lender or concurrence of severe circumstances. Should it be found during the challenge of the loan agreement by the borrower on the basis of lack of monetary consideration that the money or other items have not actually been received from the lender, the loan agreement shall be declared uncompleted.

In addition, Article 179 of the Civil Code provides that a transaction under the influence of violence or threat, may be declared invalid by the court upon claim of the injured party. Once a transaction is declared invalid on one of the grounds specified in Clauses 1-3 of this Article, the consequences of invalidity of the transaction established by Article 167 of this Code shall be applied. In addition, the losses caused to the injured party shall be compensated by the other party.

Thus, there was a criminal case No. 1-28/2019 brought before the Kievskiy district court of Simferopol against B.A. Degermendzhi, A.E. Chapukh, R.Sh. Trubach, K.A. Ametov */illegible/* into a crime under Part 2 of Article 163 of the Criminal Code of the Russian Federation.

On 17 April 2019, the above criminal case was heard and resulted in the guilty verdict. The court decision established that B.A. Degermendzhi, A.E. Chapukh, R.Sh. Trubach, K.A. Ametova realizing the criminal intent to jointly commit an extortion of Yusuf Aitan by demanding to transfer his property in their favor and in favor of Vedzhi Kashka, being located at the house at 52 Molodezhnaya Str., Novoklenovo village, Belogorsky district, Republic of Crimea, threatening to use violence endangering life and health, demanded Yusuf Aitan to transfer money in amount of USD 7000 for Vedzhi Kashka. At the same time, these persons, in order to conceal their criminal actions, by giving them the appearance of a civil legal relationship, and to obtain the right to demand a non-existent debt in the future, forced Yusuf Aitan to write a note about the alleged existence of his debt obligations to Vedzhi Kashka.

In this decision, the court has given his assessment of the lack of monetary consideration under the disputed loan agreement. Thus, the decision indicates that the court did not establish that Yusuf Aitan in fact owes a debt to Vedzhi Kashka, as well as that Yusuf Aitan wrote the note on the debt under pressure.

Criminal case files confirm the above circumstances. Thus, at the present moment there are sufficient reasons to apply Article 812 of the Civil Code of the Russian Federation and to declare the disputed loan agreement unenforced.

The claimant lodged the counterclaim because the satisfaction of the counterclaim precludes, in whole or in part, the satisfaction of the original claim.

In view of the above, relying upon Articles 131-132, 137-138 of the Civil Procedural Code of the Russian Federation,

I hereby ask the court:

1. To accept the counterclaim for joint consideration with the claim of Aliye Anatolyevna Kashka in the civil case No. 2-1123/2019.
2. To declare the loan agreement of 6 September 2017 between Yusuf Aitan and Vedzhi Kashka unenforced.
3. To recover the court fees from the defendant in favor of the claimant.

List of documents attached to the application (copies by the number of persons involved in the case):

1. Copy of the counterclaim.
2. Copy of the state fee receipt.

18 June 2019

The claimant's representative by power of attorney

A.A. Kononov

(Signed)

Annex 414

Judicial Chamber for Administrative Cases of the Supreme Court of the
Russian Federation, Appellate Decision No.127-APA19-23,
26 August 2019

Translation**Appellate Decision of 26 August 2019 in case No. 2A-102/2019**

Supreme Court of the Russian Federation – Administrative

SUPREME COURT OF THE RUSSIAN FEDERATION

No. 127-APA19-23

APPELLATE DECISION

Moscow, 26 August 2019

The Judicial Chamber for Administrative Cases of the Supreme Court of the Russian Federation comprised of

the Presiding Judge I.N. Zinchenko, judges E.V. Gorchakova and T.E. Korchashkina with A.A. Gorenko acting as a Secretary,

considered in an open court session an administrative case based on an administrative claim of Anatoliy Pavlovich Gritsenko for the repeal of the decision of the territorial electoral commission of Leninskiy District of the Republic of Crimea (having the powers of a circuit electoral commission of Leninskiy single-mandate electoral district No. 12, hereinafter referred to as the Electoral Commission) of 19 July 2019 No. 106/1799-1 “On Refusal of registration of the self-nominated candidate for deputy of the State Council of the Republic of Crimea of the second convocation for Leninskiy single mandate electoral district No.12 Anatoliy Pavlovich Gritsenko” and for obliging to register the candidate pursuant to the appeal of the administrative claimant against the decision of the Supreme Court of the Republic of Crimea of 31 July 2019 whereby the administrative claim was dismissed.

Having heard the report of a judge of the Supreme Court of the Russian Federation E.V. Gorchakova, the arguments of the representative of the Electoral Commission of the Republic of Crimea and defendant I.N. Guzeeva against satisfaction of the administrative appeal, the report of the prosecutor of the Prosecutor General’s Office of the Russian Federation I.E. Agafonov, the Judicial Chamber for Administrative Cases of the Supreme Court of the Russian Federation

established:

by virtue of the ruling of the State Council of the Republic of Crimea of 3 June 2019 No. 2386-1/19, the election of the deputies of the State Council of the Republic of Crimea of the second convocation was scheduled for 8 September 2019.

Pursuant to a decision of the Electoral Commission of 19 July 2019 No. 106/1799-1, A.P. Gritsenko was refused registration as a self-nominated candidate for deputy of the State Council of the Republic of Crimea of the second convocation for Leninskiy single mandate electoral district No.12 under Subparagraph “a” of Paragraph 24 of Article 38 of the Federal Law of 12 June 2002 No. 67-FZ “On basic guarantees of electoral rights and the right of citizens of the Russian Federation to participate in a referendum” (hereinafter referred to as the Federal Law No. 67-FZ) and Paragraph 1 of Part 4 of Article 41 of the Law of the Republic of Crimea of 26 February 2019 No. 572-ZRK/2019 “On the election of deputies of the State Council of the Republic of Crimea” (hereinafter referred to as the Law of the Republic of Crimea) due to his lack of eligibility for election as a result of him holding foreign citizenship.

A.P. Gritsenko filed an administrative claim for repeal of the above decision of the Electoral Commission and for obliging the administrative defendant to register him as a candidate for deputy of the State Council of the Republic of Crimea of the second convocation for Leninskiy single mandate electoral district No.12, believing that there were no legal grounds for refusal of his registration as a candidate since the electoral laws do not provide for a duty to submit the application confirming applicant's unwillingness to maintain the foreign citizenship with the electoral commission.

In support of his demands, the administrative claimant relied on applying to a specialist of the Directorate of the Federal Migration Service for Leninskiy District of the Republic of Crimea on 17 July 2019 in connection with the drafting and submission of the application confirming applicant's unwillingness to maintain the Ukrainian citizenship under Part 4 of Article 4 of the Federal Constitutional Law of 21 March 2014 No. 6-FKZ "On admission of the Republic of Crimea to the Russian Federation and on forming of new constituent entities within the Russian Federation – the Republic of Crimea and the Federal City of Sevastopol" (hereinafter referred to as the Federal Constitutional Law No. 6-FKZ) and getting a refusal due to the absence of a passport of a citizen of Ukraine.

The Decision of the Supreme Court of the Republic of Crimea of 31 July 2019 dismissed the administrative claim.

In his appeal, A.P. Gritsenko raises the issue of repeal of the decision as being rendered in breach of the rules of procedural and substantive law and of adoption of a new decision obliging the Electoral Commission to register him as candidate for deputy.

The prosecutor and administrative defendant participating in the proceedings submitted objections to the appeal stating that the arguments contained therein are invalid and the decision is lawful.

Having verified the materials of the administrative case, having discussed the arguments of the appeal and objections thereto, the Judicial Chamber found no reasons for repeal of the decision of the court of the first instance which, having analyzed the rules of the federal laws regulating the relations in question, gave an accurate legal assessment of the claims made and correctly dismissed them.

The Constitution of the Russian Federation guarantees the right of the citizens of the Russian Federation to elect and be elected to state authorities Part 2 of Article 32.

The basic guarantees of exercise by the citizens of the Russian Federation of their right to participate in the elections held in the Russian Federation under the Constitution of the Russian Federation, federal laws, constitutions (charters), laws of the constituent entities of the Russian Federation, charters of municipal entities are established by the Federal Law No. 67-FZ.

The decision of the electoral commission refusing registration of a candidate can be repealed by the court pursuant to an application from the candidate if it is established that such decision was adopted in breach of the requirements envisaged by Paragraphs 24-26 of Article 38 of the Federal Law No. 67-FZ, other requirements envisaged by the said law or other law (Paragraph 6 of Article 76).

By virtue of Subparagraph "a" of Paragraph 24 of Article 38 of the Federal Law No. 67-FZ, the candidate's lack of eligibility for election constitutes the grounds for refusal of registration of the candidate.

The said rule is supported by provisions of Paragraph 1 of Part 4 of Article 41 of the Law of the Republic of Crimea.

The citizens of the Russian Federation who hold citizenship of a foreign state, a residence permit or any other document confirming the right of permanent residence of a citizen of the Russian Federation on the territory of a foreign state are not eligible for election (Paragraph 3.1 of Article 4) of the Federal Law No. 67-FZ).

As follows from the case files, A.P. Gritsenko has resided in the Republic of Crimea since 21 March 2002 and was recognised as a Russian citizen under Article 4 of the Federal Constitutional Law No. 6-FKZ, having received on 10 April 2014 a passport of a citizen of the Russian Federation on the basis of a passport of a citizen of Ukraine issued on 19 August 2002 by Leninskiy District Office of the Main Directorate of the Ministry of Internal Affairs of Ukraine, that is, A.P. Gritsenko was a citizen of Ukraine when he received his passport in 2014.

The said Article establishes that since the admission of the Republic of Crimea to the Russian Federation and the formation of new constituent entities within the Russian Federation, Ukrainian nationals and stateless persons permanently residing in the Republic of Crimea or the federal city of Sevastopol shall be recognized as citizens of the Russian Federation, with the exception of individuals who within one month from that date declare their intention to preserve their other citizenship and (or) that of their minor children or to remain stateless. Such person, having received an identity document of a citizen of the Russian Federation, shall be recognized in the Russian Federation as a national holding no foreign citizenship if they submit an application confirming their unwillingness to remain a citizen of a foreign state with a federal executive authority responsible for elaboration and implementation of state policy and legal regulation of migration issues (parts 1 and 4).

It follows from the legal analysis of the stated regulations of the federal law in conjunction with the provisions of Paragraph 6 of Article 33 of the Federal Law No. 67-FZ which oblige the electoral commission to make applications with the competent authorities seeking verification of candidates' data, including citizenship, that in case it is established that a candidate holds a citizenship of a foreign state (for the persons recognized as citizens of the Russian Federation under Part 1 of Article 4 of the Federal Constitutional Law No. 6-FKZ the absence of an application confirming their unwillingness to remain a citizen of a foreign state filed in accordance with the established procedure) this fact shall constitute the grounds for adoption by the electoral commission of the decision refusing registration.

Having considered the documents submitted by A.P. Gritsenko, having established that the candidate did not submit any application confirming his unwillingness to retain the Ukrainian citizenship (response of the Office of the Ministry of Internal Affairs for Leninskiy District of the Republic of Crimea of 10 July 2019 No. 021/2160) and having found the absence of a document confirming submission of an application confirming his unwillingness to remain a citizen of a foreign state, the Electoral Commission adopted a decision on 15 July 2019 to notify A.P. Gritsenko of the faults detected and suggested that he eliminates them by 18 July 2019.

Since A.P. Gritsenko failed to provide such data, the Electoral Commission, as the court of the first instance correctly noted, lawfully refused registration of the candidate.

The allegation made in the appeal concerning the loss of passport of a citizen of Ukraine to justify the impossibility of submitting the application confirming his unwillingness to maintain the foreign citizenship with the relevant authorities does not cast any doubt on the accuracy of the conclusions made by the court of the first instance that A.P. Gritsenko holds foreign citizenship which shows his ineligibility for election.

The arguments of the appeal do not rebut the conclusions of the court and are based on incorrect interpretation of the rules of substantive and procedural law and do not entail the repeal of the decision contested in this case, which was considered by the court of the first instance in absence of any breach that would result in unconditional repeal of the relevant judicial act.

Based on the above, the Judicial Chamber for Administrative Cases of the Supreme Court of the Russian Federation, pursuant to Articles 307, 309, 310 and 311 of the Code on Administrative Judicial Procedure of the Russian Federation,

decided:

to uphold the decision of the Supreme Court of the Republic of Crimea of 31 July 2019 and to dismiss the appeal of Anatoliy Pavlovich Gritsenko.

Presiding Judge

Claimants:

Anatoliy Pavlovich Gritsenko

Defendants:

Territorial electoral commission of Leninskiy District of the Republic of Crimea (with the powers of the district electoral commission of Leninsky single-mandate electoral district No.12)

Annex 415

Simferopol District Court of the Republic of Crimea, Case
No. 2-1941/2019, Ruling, 24 September 2019

TranslationCase No. 2-1941/2019
91RS0020-01-2019-000004-98

RULING

24 September 2019

Simferopol

Simferopol District Court of the Republic of Crimea, comprised of:
presiding judge A.A. Timofeeva
with secretary L.S. Belitskaya,

having considered in an open court hearing a civil case regarding the claim of Aliye Anatolyevna Kashka to Yusuf Aitan for recovery of the sum of the debt and moral damage,

established:

The claimant filed the claim with the Simferopol District Court against Yusuf Aitan for recovery of debt and moral damage on the grounds and reasons set out in the claim.

During the consideration of the case, it was established that for a comprehensive and full consideration of the claims, it is necessary to request the criminal case No. 1-28/2019 files from Kievskiy district court of Simferopol. The decision, which was handed down by Kievskiy district court of Simferopol on 17 April 2019, has been appealed and the case is currently in the Supreme Court of the Republic of Crimea.

The court, having considered the case files, believes that the proceedings in the civil case shall be suspended.

According to Article 215 of the Civil Procedural Code of the Russian Federation, the court is obliged to suspend the proceedings if it is impossible to consider the case until the settlement of another case, which is considered in civil, administrative or criminal proceedings, as well as proceedings regarding administrative offenses.

In accordance with Clause 1 of Article 215 of the Civil Procedure Code of the Russian Federation, the court is obliged to suspend proceedings in case of citizen's death, if the disputed legal relationship allows legal succession.

According to Article 217 of the Civil Procedure Code of the Russian Federation proceedings shall be suspended in cases stipulated by paragraph five of Article 215 of this Code - until the entry into legal force of a judicial resolution, court decision, sentence, court ruling or resolution on the administrative offense case.

As is evident from the case files and as follows from the explanation of the defendant the decision of Kievskiy district court of Simferopol of 17 April 2019 in criminal case No. 1-28/2019 has not yet entered into force, and therefore the proceedings in the present case shall be suspended in accordance with paragraph five of Article 215 of the Civil Procedural Code of the Russian Federation, that is, until the entry into force of the decision.

On the basis of the above and being guided by Article 215 of the Civil Procedure Code of the Russian Federation, the court

ruled:

To suspend the proceedings in the civil case regarding the claim of Aliye Anatolyevna Kashka to Yusuf Aitan for recovery of debt and moral damage until the entry into force of the decision of Kievskiy district court of Simferopol of 17 April 2019.

An individual appeal may be filed against the ruling within 15 days with the Supreme Court of the Republic of Crimea through the Simferopol district court of the Republic of Crimea.

Judge

(signed)

A.A. Timofeeva

Annex 416

Supreme Court of the Russian Federation, Case No. 224-APU19-13s,
Appellate Decision, 24 December 2019
(excerpts)

Translation

Excerpts

(Coat of Arms of the Russian Federation)
**THE SUPREME COURT
OF THE RUSSIAN FEDERATION**

Case No. 224-APU19-13s

APPELLATE DECISION

Moscow

24 December 2019

The Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation composed of

presiding judge I.V. Krupnov,
judges O.A. Derbilov and A.N. Zamashnyuk
with secretary T.S. Zhilenkova

with participation of Prosecutor Y.I. Matskevich, convicted persons T.R.o. Abdullaev, U.R.o. Abdullaev, R.Ya. Ismailov, E.E. Dzhemadenov, A.D. Saledinov via videoconferencing systems, and their defense counsel E.S. Semedlyaev, L.I. Gemedzhi, S.Yu. Legostov, R.N. Kamilev, have examined in an open hearing the criminal case based on the appeals of the defense counsel E.V. Vichkanova, E. M. Kurbedinov, E.S. Semedlyaev, L.I. Gemedzhi, S.K. Legostov, M.S. Mambetov, M.A. Dubrovina against the decision of the North Caucasus District Military Court of 18 June 2019, whereby citizens of the Russian Federation, including:

Teymur Rza-ogly Abdullaev, born on 27 May 1975 in the city of Baku of the Azerbaijan Republic, with no criminal background, has been convicted of committing a crime under Part 1 of Article 205⁵ of the Criminal Code of the Russian Federation, to seventeen (17) years of imprisonment in a high-security correctional colony with deprivation of liberty for a period of one (1) year and six (6) months with the restrictions and the duties imposed as specified in the decision,

Uzeir Rza ogly Abdullaev, born on 30 April 1974 in the city of Baku of the Azerbaijan Republic, with no criminal background, has been convicted of committing a crime under part 2, Art.205³ of the Criminal Code of the Russian Federation, to thirteen (13) years of imprisonment in a high-security correctional colony,

Rustem Yakubovich Ismailov, born on 3 September 1984 in the city of Karmana, Navoi district, Navoi region of the Republic of Uzbekistan, with no criminal background, has been convicted of committing a crime under part 2 of article 205⁵ of the Criminal Code of the Russian Federation, to fourteen (14) years of imprisonment in a high-security correctional colony,

Emil Enverovich Dzhemadenov, born on 19 August 1980 in the city of Samarkand of the Republic of Uzbekistan, with no criminal background, has been convicted of committing a crime under part 2, Article 205⁵ of the Criminal Code of the Russian Federation to twelve (12) years of imprisonment in a high-security correctional colony,

Ayder Dilyaverovich Saledinov, born on 21 July 1987 in the town settlement Novoalekseyevka of the Genichevsk district of the Kherson region of Ukraine, with no criminal background, has been convicted of committing a crime under part 2, Article 205⁵ of the Criminal

Code of the Russian Federation to twelve (12) years of imprisonment in a high-security correctional colony.

The court has decided on the issues of measure of restraint, court costs, material evidence, as well as the arrest of the property of T.R.o. Abdullaev, U.R.o. Abdullaev, R.Ya. Ismailov.

Having heard the report of judge of the Supreme Court of the Russian Federation O.A. Derbilov, the explanations given by the convicted persons and their defense counsel in support of the arguments in the appeals, the opinion of prosecutor Matskevich Y.I., who considered that the decision should stay and the appeals be dismissed, the Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation

found:

[...]

pages 6-7

[...]

The guilt of the convicted person T.R.o. Abdullaev in organizing the activities of the terrorist organization called “Hizb ut-Tahrir al-Islami”, and U.R.o. Abdullaev, Ismailov, Dzhemadenov, Saledinov in participation in the activities of this organization was confirmed in the decision by:

- testimony of witnesses:

Gabitov (pseudonym), confirming that in November 2014 he got acquainted with Ismailov, the Abdullaev brothers, Dzhemadenov and Saledinov. During their weekly meetings, classes were held to study the activities of the organization called “Hizb ut-Tahrir al-Islami”. T.R.o. Abdullaev conducted these classes and was the senior at the meetings; he choose Ismailov’s household as the venue for holding these classes, and himself selected the topics for studying the terrorist organization’s literature in the classes. During the meetings, the issues of dissemination of the ideology of “Hizb ut-Tahrir al-Islami” aimed at establishment of a worldwide Caliphate were discussed. T.R.o. Abdullaev called the cell members for observing secrecy; he gave instructions to the convicted persons concerning involvement of other persons in the activities of the terrorist organization. The relations between the convicts were based on strict discipline and subordination to T.R.o. Abdullaev In addition to regular classes, Gabitov attended other meetings during which the convicts reported to Abdullaev T.R.o. about the performed work: number of persons involved in the activities of the terrorist organization, knowledge level of followers, learnt topics, amount of raised money for the needs of the organization. In addition, each of the convicts reproduced literature and proclamations of “Hizb ut-Tahrir al-Islami” for distribution, including on electronic media. In particular, Ismailov printed such materials using his home printer;

- [...] and Prikhnenko on obtaining data during Operative search Activities regarding organization of the cell of “Hizb ut-Tahrir al-Islami” in Simferopol by T.R.o. Abdullaev, engaging, by him, of U.R.o. Abdullaev, Ismailov, Dzhemadenov and Saledinov in the activities of the cell, conducting classes at Ismailov’s place of residence on ideology of “Hizb ut-Tahrir al-Islami”, dissemination of the print publications of the said organization, the involvement of other people in the activities of the terrorist organization, and raising funds for the needs of the organization;

- Certificates on the results of “surveillance” Operative search Activities held on 30 September 2016 whereby the facts of meetings of convicts at Ismailov’s place of residence on 10 and 17 December 2015, and classes conducted by Ismailov on 11 and 18 December 2015 for unidentified

persons were fixed;

- records of inspection and listening to audio and video recordings made during the Operative search Activities, reports of the phonographic and complex linguistic-religious forensic examinations confirming the fact that during the meetings of convicts at Ismailov's place of residence on 10 and 17 December 2015, T.R.o. Abdullaev directed the activities of the cell of "Hizb ut-Tahrir al-Islami", conducted classes on the ideology of the said terrorist organization; the members of the cell discussed the measures of conspiracy and the line of conduct in dealing with law enforcement officials, T.R.o. Abdullaev instructed U.R.o. Abdullaev, Ismailov, Dzhemadenov and Saledinov to involve others in the activities of "Hizb ut-Tahrir al-Islami", disseminate the literature of the banned organization, and the latter reported on the said activities.

During the meetings held on 11 and 18 December 2015 by Ismailov with participation of unidentified persons the provisions of the book "Islamic Personality" published by "Hizb ut-Tahrir al-Islami" and recognised to be extremist material were read out and examined. Ismailov has determined the meeting goals and topics to be discussed, acted as a teacher ensuring the maximum involvement of all attendees in learning the book;

- testimony of witnesses Kiriluk, Chernysh, Pak, Potapov, Kravchenko, Strionov, Anisimov, Novikov and Kostenko about the circumstances of searches with their participation as witnesses in the places of residence of the convicts and the discovery of various items;

Pages 8-9

- records of searches, inspections, reports of a comprehensive linguistic-religious forensic examination on the discovery, in the homes of the convicts, of publications, CDs, text printouts and handwritten notes containing information about the ideology of the terrorist organization "Hizb ut-Tahrir al-Islami", and other evidence.

The convicts' pleading not guilty for the terrorist crimes is not substantiated and contradicts the content of the evidence examined by the court and the evidence underlying the decision, including the testimony of witnesses Kiriluk, Chernysh, Pak, Potapov, Kravchenko, Strionov, Anisimov, Novikov, Kostenko, Gabitov (pseudonym), [...] and Prikhnenko; the expert reports, from which it appears that they [the convicts] have committed unlawful acts constituting elements of the above-mentioned offences

Allegations of the authors of complaints on the inaccuracy and inadmissibility of the testimony of the above-mentioned witnesses are unfounded and contradict the content of the case files.

The procedure for the interrogation of the witness Gabitov (pseudonym) including keeping confidential his personal data in the interests of security, interrogation in conditions that preclude visual observation of the witness by other participants in the trial, was complied with by the court in accordance with the provisions of Part 3 of Article 11, Part 9 of Article 166, Part 5 of Article 278 and Article 278¹ of the Criminal Procedural Code of the Russian Federation, on the basis of the statement of the said person and available sufficient evidence of the threat to his safety and with a ruling to that effect. With that, in the course of the trial, during the interrogation of the said witness, the court has ensured that the prosecution and defence had an opportunity to ask him questions. After interrogation of the witness was completed, the involved parties had no questions to him and deemed it possible to discharge the witness from further participation in the case.

There is no reason to disagree with the court's assessment, as stated in the decision, of the Gabitov's (pseudonym) testimony. The court pointed out on what grounds it based the decision on

this evidence. When making this assessment, the court correctly took into account coherence and consistency of the testimony of this witness, its coherence in details with the testimony of witnesses [...] and Prikhnenko, records of searches, examinations and other investigative actions, expert reports, materials of the Operative search Activities and other evidence, in connection with which it reasonably deemed the testimony of witness Gabitov (pseudonym) to be reliable.

The arguments in complaints about the erroneous evaluation of the testimony of other witnesses, to which the court referred to in the decision as evidence of guilt of the convicts, are also untenable. Recognising the truthfulness of the information provided by these persons, the court correctly relied on the fact that each of the witnesses reported the source of their awareness, their interrogations were conducted in accordance with the provisions of the criminal procedural laws, and the testimony underlying the decision, complemented each other and corresponded to the totality of other evidence in the case. No reasons for the witnesses to incriminate the convicts has been established.

In accordance with the provisions of the criminal procedural laws, the defense and prosecution were given an equal opportunity by the court to interrogate witnesses to clarify the issues related to the charge brought against the convicted persons.

The circumstances of the meetings, conversations, gatherings to study the literature of “Hizb ut-Tahrir al-Islami”, involvement of other persons in the activities of the said terrorist organization by the convicted persons, participation in its functioning of all convicts and T.R. Abdullaev’s performance of organizational actions, expression of the ideas about the need to establish a worldwide Caliphate by convicts – are confirmed by the records of inspection and listening to audio and video recordings made during the Operative search Activity “surveillance using special technical means”.

The decision gives the correct assessment of the results of Operative search Activities carried out in the case, the court’s conclusions on the legitimacy of these Activities, relevance of their results to the charges brought against the convicted are convincing, substantiated in detail in the decision and are based on the evidence examined in the court session, for which reason the statements in the appeals to the contrary should be declared untenable.

The defense’s allegations on inadmissibility of the records of examination and listening to audio and video recordings made during the Operative search Activities as well as CDs with the results of these activities, were correctly assessed in the decision based on the results of the study of these materials during the court proceedings and were reasonably rejected as there are no violations of law in obtaining this evidence which would indicate that it is inadmissible

It is clear from the case files that Operative search Activities were carried out in the absence of the signs of provocation of crimes by law enforcement authorities and in accordance with the Federal Law “On Operative search Activities”, and the results of the Operative search Activities were submitted to the investigating authorities in compliance with the provisions of the “Directive on the procedure for submitting results of Operative search Activities to inquiry body, investigator or court”.

Operative search Activities that restrict the constitutional rights of citizens were carried out with authorization of the court empowered to carry out an independent and objective verification of the legality and validity of such activities.

This court decision contained in the case files entered into force and the parties had an opportunity to familiarize themselves with it, as well as with the results of Operative search Activities available in the case files.

Page 10

In compliance with the requirements of Article 217 of the Criminal Procedural Code of the Russian Federation, the convicts were directly acquainted with the content of material evidence in the case, including CDs, with the records of their inspection and listening. They did not make any comments regarding the completeness and reliability of the records of inspection and listening to phonograms.

Information about the criminal activities of the convicts reported by law enforcement officers [...], Prikhnenko and received by them in connection with carrying out their professional activities is not relied upon by the court until it has been checked for compliance with all the requirements to the evidence, after identifying the source of the information and after comparing it with the totality of the other evidence examined by the court

At the same time, the testimony of the law enforcement authorities on the criminal activities of the convicted persons is not the only evidence on which the district military based its conclusions about the guilt of the convicts.

As evident from the case files, the testimony of the witnesses [...] and Prikhnenko about the criminal activities of the convicts related to organising and participating in the activities of the terrorist organization “Hizb ut-Tahrir al-Islami”, respectively, were confirmed by the results of the searches in the dwellings of the convicts, expert reports on the nature of the religious literature confiscated from the convicts, other printed and handwritten products, the content of the conversations of the convicts during meetings, as well as other evidence examined by the court.

The searches at the places of residence of the convicts, during which printed publications, CDs, printouts of texts and handwritten notes, containing information about the ideology of the terrorist organization “Hizb ut-Tahrir al-Islami”, were confiscated, were carried out by the authorized officials in the presence of witnesses, owners of the flats and persons living in them on the basis of the court decisions and in compliance with the provisions of Articles 182 and 165 of Criminal Procedural Code of the Russian Federation and execution of the records meeting the requirements of Articles 166 and 167 of Criminal Procedural Code of the Russian Federation.

With such evidence indicating that the finding and confiscation of the literature and items related to the ideology of the terrorist organization Hizb ut-Tahrir al-Islami and securing them as evidence were performed properly, claims, made during the court proceedings in the case and in the appeals for recognition of the records of said investigative and procedural actions to be inadmissible evidence in the case are baseless.

The witnesses interrogated in court clearly confirmed, that certain items belonging to the convicts had been confiscated at their places of residence and, as one could see from the case files, were the objects of the expert examinations.

Pages 11-12

Arguments of the complaints about the interests of witnesses in the results of searches are unsubstantiated and are not supported by any objective data. The relevant records of investigative actions support the fact that the witnesses, in compliance with the provisions of Articles 170 and 182 of the Criminal Procedural Code of the Russian Federation, impartially confirmed the fact of searches at the places of residence of the convicts, the content, course and results of investigative actions. Besides, the witnesses performed their procedural duties in good faith and exercised their rights in accordance with Article 60 of the Criminal Procedural Code of the Russian Federation.

The reference of the defense to the inadmissibility of search records does not indicate that the

guilt of the convicts is not proven.

Statements of defense counsel about illegal actions of law enforcement authorities during searches are not confirmed by the criminal case files.

Allegations in complaints on the inadmissibility of expert opinions, on which the decision is based, are refuted by the case files.

As evident from the examined search and inspection records, records of other procedural acts, expert examination resolution and expert reports, all items seized from the convicts at their places of residence, and those added to the criminal case files as a result of the Operative search Activities, have been submitted unchanged to expert examinations and have received a proper scientific assessment in the relevant reports.

The court stated the reasons in the decision relying on which it agreed with the experts' reports and found them to be admissible evidence. Such an assessment corresponds to the criminal case files, there is no reason in the case to disagree with it.

There were no violations of the legal provisions governing the grounds and procedure of expert examination in a criminal case, or the rules for the verification and assessment of expert reports challenged by the defense, which could lead to their inadmissibility.

The court reasonably took into account that the examinations were carried out on the basis of the resolutions of investigator, made in accordance with the provisions of the criminal procedural laws.

Contrary to the complaints, experts with the necessary level of education and a certain experience of expert and scientific activity in different fields participated in the examinations.

The examination, conducted with the involvement of these experts, whose competence is not in doubt, corresponds to the provisions of Part 2 of Article 195, Clause 60 of Article 5 of the Criminal Procedural Code of the Russian Federation. The case does not contain any evidence-based information about the existence of the circumstances provided for by Article 70 of Criminal Procedural Code of the Russian Federation for the withdrawal of experts involved in the examinations.

The experts' reports meet the requirements of Article 204 of Criminal Procedural Code of the Russian Federation, contain full answers to all the raised questions, references to the applied methods and other necessary data, including the records certified by the experts' signatures certifying that they were explained the rights and obligations provided for by Article 57 of the Criminal Procedural Code of the Russian Federation, and they were warned about criminal responsibility for committing perjury. The case files submitted for the examination were sufficient to answer the questions posed to the experts.

[...]

page 13

[...]

Having assessed each piece of evidence in terms of relevance, admissibility, reliability, after recognizing all collected evidence to be sufficient to resolve the criminal case, the court has reasonably found the convicts to be guilty in committing the terroristic crimes. With that, despite the arguments of the appeals of T.R.o. Abdullaev, U.R.o. Abdullaev, R.Ya. Ismailov, E.E. Dzhemadenov, A.D. Saledinov have been convicted not for their religious beliefs or political affiliation but for each of them committing a specific crime, responsibility for which is provided for by the relevant parts of Article 205⁵ of the Criminal Code of the Russian Federation.

[...]

Page 14

[...]

However, the decision shall be amended for the following reasons.

According to the indictment, the offences were committed by the convicts within the period “from the date unidentified by investigation but not later than January 2015” to 12 October 2016.

The court, determining the time from which the commission of crimes by the convicts began, indicated in the judgment an earlier date – 21 March 2014. With that, investigators have not identified any date other than January 2015, related to the time from which the commission of crimes began, and have not specified the same in the resolutions to bring charges against T.R.o. Abdullaev, U.R.o. Abdullaev, Ismailov, Dzhemadenov, Saledinov and in the indictment.

Page 15

Thus, taking into account the wording of the indictment brought against T.R.o. Abdullaev, U.R.o. Abdullaev, Ismailov, Dzhemadenov, Saledinov, and provisions of Article 252 of the Criminal Procedural Code of the Russian Federation, the Judicial Chamber deems it necessary to amend the decision, indicating that the crimes were committed within the period from January 2015 to 12 October 2016.

The introduced amendment entails mitigation the convicts’ punishment for the crimes committed.

Guided by Articles 389¹³, 389²⁰, 389²⁶, 389²⁸ and 389³³ of the Criminal Procedural Code of the Russian Federation, the Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation

decided:

To amend the decision of the North-Caucasus District Military Court of 18 June 2019 against Teymur Rza-ogly Abdullaev, Uzeir Rza-ogly Abdullaev, Rustem Yakubovich Ismailov, Emil Enverovich Dzhemadenov and Aider Dilyaverovich Saledinov.

To indicate in the rationale of the decision that T.R.o. Abdullaev committed a crime under Part 1 of Article 205⁵ of the Criminal Code of the Russian Federation, and U.R.o. Abdullaev, R.Ya. Ismailov, E.E. Dzhemadenov, A.D. Saledinov committed crimes under Part 2 of Article 205⁵ of the Criminal Code of the Russian Federation, within the period from January 2015 to 12 October 2016.

To mitigate the punishment imposed on T.R.o. Abdullaev under Article 205⁵ of the Criminal Code of the Russian Federation - to 16 (sixteen) years 6 (six) months of imprisonment with restriction of liberty for 1 (one) year 4 (four) months.

In accordance with Part 1 of Article 53 of the Criminal Code of the Russian Federation, for the period of serving a sentence in the form of restriction of liberty, to impose on T.R.o. Abdullaev the following restrictions: not leave the house (apartment, other dwelling) daily from 10 pm to 6 am, not travel outside the territory of the relevant municipality, not visit any venues of mass or other events, and not participate in such events, not change the place of residence or stay, place of work and/or study without the consent of the competent state body supervising serving of a sentence of in the form of restriction of liberty by a convict, and impose on him the obligation to report to the competent state body supervising serving of a sentence of in the form of restriction of liberty by a convict, twice a month for the purpose of registration.

To mitigate the punishment in the form of imprisonment imposed under Part 2 of Article 205⁵ of the Criminal Code of the Russian Federation on: U.R.o. Abdullaev - to 12 (twelve) years 6 (six) months, R.Ya. Ismailov - to 13 (thirteen) years 6 (six) months, E.E. Dzhemadenov - to 11 (eleven) years 6 (six) months, A.D. Saedinov - to 11 (eleven) years 6 (six) months.

Page 16

In other respects, uphold the decision against T.R.o. Abdullaev, U.R.o. Abdullaev, R.Ya. Ismailov, E.E. Dzhemadenov, A.D. Saedinov, and dismiss the appeals of the defense counsel - E.V. Vichkanova, E.M. Kurbedinov, E.S. Semedlyayev, L.I. Gemedzhi, S.Yu. Legostov, M.S. Mambetov, M.A. Dubrovina.

Presiding judge */signed/*

Judges */signed/* */signed/*

/Seal: SOUTH DISTRICT MILITARY COURT/

/Stamp: South District Military Court/

/Stamp: /Illegible/ Signed/

N.A. Frolova

31 January 2020/

Annex 417

First Investigative Department of the High-priority cases Directorate of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Note regarding criminal case No. 2014417004 on murder of R.M. Ametov, December 2020

Translation

Note

Regarding Criminal Case No. 2014417004
on Murder of R.M. Ametov

The High-Priority Cases Directorate of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea was investigating Criminal Case No. 2014417004, initiated on 4 April 2014 under Part 1 of Article 105 of the Criminal Code of the Russian Federation in connection with murder of R.M. Ametov.

In the course of the investigation of the criminal case, it was established that, on 3 March 2014, during the period from 9 a.m. to 11 a.m., R.M. Ametov was on Lenin Square in Simferopol, near the building of the Council of Ministers of the Autonomous Republic of Crimea, and was performing acts aimed at provoking the armed guards of the building. R.M. Ametov's provocative acts consisted in his approaching the armed guards of the building of the Council of Ministers of the Autonomous Republic of Crimea closely, chasing them, swearing at them, thereby violating public order.

At about 11 a.m. of the same day, A.S. Rudenko and A.N. Baglyuk, together with E.V. Skripnik, approached R.M. Ametov and asked him to leave the square. After his refusal, E.V. Skripnik, A.S. Rudenko and A.N. Baglyuk took R.M. Ametov away from the square to a Chevrolet Lacetti car. After this, A.N. Baglyuk remained on the square, while A.S. Rudenko and E.V. Skripnik, together with unidentified persons, took R.M. Ametov to the premises at the address: 11 Karla Libknekhta – Dolgorukovskaya Str., Simferopol, Republic of Crimea, where the headquarters of the people's militia of Crimea were located at the time.

On 15 March 2014, in the village of Zemlyanichnoe, Belogorskiy District, Republic of Crimea, the corpse of R.M. Ametov was found with signs of violent death.

At the same time it was not possible to establish the whereabouts of R.M. Ametov, including on the premises located at the address: 11 Karla Libknekhta – Dolgorukovskaya Str., Simferopol, Republic of Crimea; his movements during the period from 3 March 2014 until 15 March 2014 could not be ascertained by investigative and operative search activities.

During the investigation, the following theories were suggested:

- the murder of R.M. Ametov was committed by persons who were previously unknown or unfamiliar to the victim and who were motivated by hooliganism or ethnic hostility;
- the murder of R.M. Ametov was committed by R.M. Ametov's relatives or acquaintances due to hostility against him;
- the murder of R.M. Ametov was committed by members of the self-defense (people's militia) in connection with his personal protest against the events that took place during this period in the Autonomous Republic of Crimea;
- the murder of R.M. Ametov was committed by members of the political forces, which supported the regime change in Kiev, to discredit the self-defense (people's militia) members. This theory was proposed taking into account the obviousness of the actions of the persons who took R.M. Ametov away from the central square of the city in the daytime, in the presence of a significant number of citizens and several film crews of various TV channels.

Members of the people's militia of Crimea A.N. Baglyuk and A.S. Rudenko interrogated as witnesses testified that, on 3 March 2014, together with other representatives of the people's militia of Crimea they were on the Lenin square, in the area of the barrier near the building of the Council of Ministers of the Autonomous Republic of Crimea, where they were maintaining public order and public safety. At about 11 a.m., at the direction of a commander named Oleg (not identified during the investigation), they approached two men who drove up to the barrier in a Chevrolet Lacetti car;

one of them asked them to help putting R.M. Ametov, who was violating public order, in the car. After this, A.N. Baglyuk, A.S. Rudenko and the said man approached R.M. Ametov, took him away from the square, put him in the Chevrolet Lacetti and took him to the headquarters of the Crimean people's militia. Meanwhile, A.N. Baglyuk remained on the square.

Upon arrival at the headquarters, R.M. Ametov was taken to the basement, after which A.S. Rudenko guarded him for 15 minutes, and then, at the instructions of an unidentified person, who explained that they were checking R.M. Ametov's involvement in illegal actions, he left the headquarters and returned to Lenin square.

According to the testimony of victim Z.E. Ametova, R.M. Ametov's wife, her husband studied and lived in the village of Kharitonovka, Simferopolsky District, Autonomous Republic of Crimea. After graduating from school, R.M. Ametov graduated from the university in Simferopol, specializing in safety engineering; he did not work in his specialty, as he did not wish to. R.M. Ametov was principled, honest, and supported justice. He did not serve in the army for health reasons, due to spinal disc herniation; did not suffer from other serious diseases, he was physically fit and could stand up for himself. He was not registered with psychiatric or drug rehabilitation institutions, he had no head injuries, was mentally healthy, did not use drugs, did not abuse alcohol. He was not a member of any organizations, parties, political movements.

According to Expert Report of 30 June 2014 No. 52, the cause of R.M. Ametov's death was an open craniocerebral injury in the form of two penetrating stab wounds in the left eye socket with fractures of the facial bones, base of the skull and concussion-cracking injury of the brain, complicated by cerebral edema. About 1–3 days passed from the time of death until examination of the corpse (15 March 2014 from 9 p.m. to 10:30 p.m.).

During the investigation, the circumstances and whereabouts of R.M. Ametov in the period from 3 March to 15 March 2014 were not ascertained. The perpetrator of the crime was not identified.

During the preliminary investigation of the case, Z.E. Ametova and R.M. Ametov were recognized as victims and interrogated. Relatives and acquaintances of the deceased, commanders and members of the people's militia of the Republic of Crimea, representatives of the Cossacks who were on the Lenin square in Simferopol on 3 March 2014, residents of the Belogorskiy District of the Republic of Crimea were interrogated as witnesses.

In order to find possible eyewitnesses of the incident and the persons involved in the crime, all owners of black Chevrolet Lacetti - station wagons model cars were identified and interrogated. The cars of the specified persons were inspected; carriers of substances of brown color and of biological origin were seized, buccal epithelium samples were collected from their owners.

The following incident sites were inspected: near the village of Zemlyanichnoe, where R.M. Ametov's corpse was found; the area of the village of Russkoe, where the locals saw a fire on 3 March 2014; the area of treatment facilities 400 meters from Zemlyanichnoe; R.M. Ametov's place of residence and the place where he was taken, i.e. the premises at the address: 11 Karla Libknekhta – Dolgorukovskaya Str., Simferopol, Republic of Crimea.

Biological, molecular genetic, fingerprint, chemical, computer forensic examinations were ordered and carried out on the items seized during the inspections of the incident scenes, of items (Chevrolet Lacetti cars), and during the house search.

During the investigation of the criminal case, it was not possible to receive the mobile records of R.M. Ametov, of the persons checked for involvement and from the place where the corpse was discovered due to the fact that, at the time of the commission of the crime against R.M. Ametov, communication services in the territory of the Autonomous Republic of Crimea were provided by Ukrainian operators.

Based on the results of the examinations and other procedural actions, it was not possible to establish the persons involved in the murder of R.M. Ametov, as well as the car in which he was

transferred.

The biological materials (brown substance) seized during the investigation, according to the conclusions of the conducted examinations, also do not belong to R.M. Ametov.

As part of the operative search activities, more than one hundred people were interrogated; the alibis of the witnesses and persons of interest were verified, premises, buildings, constructions, land plots and vehicles were inspected in order to discover traces of a crime.

Actions were performed in respect of the persons residing in the houses near R.M. Ametov's place of residence, as well as in the area of Lenin Square in Simferopol, persons held administratively liable, persons previously convicted for similar crimes, persons who sought medical assistance due to receiving (causing) bodily harm, persons detained for committing criminal and administrative offenses.

During the preliminary investigation of the criminal case, a significant amount of investigative and procedural actions were performed; namely, over 250 persons were interrogated as witnesses, 143 persons were checked for involvement in the crime, 6 inspections of the incident scenes were performed, more than 70 items were seized, in respect of which 15 biological, 15 molecular genetic, 2 fingerprint, 2 chemical, 3 forensic, 2 computer forensic, 1 technical forensic examinations were performed.

In addition, as part of investigation of the criminal case, a legal assessment was performed in respect to the actions of A.N. Baglyuk and A.S. Rudenko, who took R.M. Ametov from the square and put him in the Chevrolet Lacetti car, and who afterwards took R.M. Ametov to the premises at the address: 11 Karla Libknekhta – Dolgorukovskaya Str., Simferopol, Republic of Crimea where at that time the headquarters of the people's militia of Crimea were located.

Thus, the Presidium of the Supreme Court of the Russian Federation, in its Resolution of 4 October 2000 in Case No. 207p2000 established that law defines kidnapping as unlawful and intentional acts involving the secret or overt taking (seizure) of a living person, removing that person from his or her permanent or temporary location to another place and then keeping him or her in captivity. The main point of the objective aspect of this crime is to take the victim from his or her location and move him or her to another place of detention. In addition to that the Presidium of the Supreme Court of the Russian Federation, in its Resolution of 31 July 2002 in Case No. 349p02 determined that, in accordance with the law, the objective aspect of illegal deprivation of liberty are the actions related to keeping a person in a specific place (locking up, restraining etc.) or to the prohibition of leaving the premises, under the threat of violence or other harm to the victim. The perpetrator's intentions should include the desire to restrict or deprive the victim of the ability to leave a certain place or premises at his or her own free will.

The crimes under Articles 126 and 127 of the Criminal Code of the Russian Federation are characterized exclusively by direct intent. A crime shall be deemed committed with direct intent, if a person was aware of the public danger of his actions (inaction), foresaw the possibility or inevitability of socially dangerous consequences and wished their occurrence. If a crime is committed with direct intent, the perpetrator foresees not only the actual possibility of socially dangerous consequences, but also the inevitability of such consequences.

The analysis of the testimony of A.S. Rudenko and A.N. Baglyuk showed that they did not intend to kidnap R.M. Ametov and hold him captive. Their actions were aimed at guaranteeing public order during the period of preparation and holding of the Crimean referendum in March 2014. A.S. Rudenko and A.N. Baglyuk, by escorting R.M. Ametov, who was disturbing public order, to the car followed their commander's order, and were acting in accordance with their powers for maintaining public order. By escorting R.M. Ametov to the car, and then to the headquarters of the people's militia, A.S. Rudenko and A.N. Baglyuk acted to prevent the disruption of public order. Therefore, A.S. Rudenko and A.N. Baglyuk did not intend to kidnap R.M. Ametov and hold him

captive.

Moreover, their actions do not contain the objective side of the crimes under Articles 126 and 127 of the Criminal Code of the Russian Federation, as R.M. Ametov, who was disrupting public order, was only escorted by A.S. Rudenko and A.N. Baglyuk to the car, and then they guarded him in the headquarters of the people's militia of the Republic of Crimea. At the same time, A.N. Baglyuk did not take any actions to retain R.M. Ametov, and A.S. Rudenko acted in accordance with the instructions given to him to ensure the safety of R.M. Ametov, in respect of whom checks were being carried out. No polygraph examination was performed on A.S. Rudenko and A.N. Baglyuk, as it was deemed unnecessary due to the absence of doubts in their testimony and its objective confirmation during the investigation.

The above circumstances indicate the absence in the actions of A.S. Rudenko and A.N. Baglyuk of the elements of the crimes under Paragraph "a" of Part 2 of Article 126 and Paragraph "a" of Part 2 of Article 127 of the Criminal Code of the Russian Federation; in connection with this, on 24 February 2016 it was decided to refuse to initiate a criminal case against A.S. Rudenko and A.N. Baglyuk on the basis of Paragraph 2 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation, due to the absence of elements of the specified crimes in their actions in their actions.

On 23 April 2018 the Prosecutor General's Office of Ukraine refused to provide international legal assistance in the investigated criminal case.

It should also be noted that the so-called "people's militia of Crimea" or "self-defense" was not an organization in the legal sense, due to the absence of any laws and regulations governing its activities, composition and powers. In connection with the said circumstances, in respect of the criminal case, no information was ascertained about the staff and number of members of the people's militia, the structure and means of the people's militia. For this reason, the specific persons who later guarded R.M. Ametov on the premises located at 11 Karla Libknekhta – Dolgorukovskaya Str., Simferopol, Republic of Crimea were not identified during the investigation of the criminal case.

On 12 January 2018, the preliminary investigation into the criminal case was suspended in accordance with Paragraph 1 of Part 1 of Article 208 of the Criminal Procedural Code of the Russian Federation because the person to be charged was not identified

The decision to suspend the preliminary investigation has not been challenged.

Deputy Head
of the High-Priority Cases Directorate
of the Main Investigative Directorate -
Head of the First Investigative Department
Colonel of Justice
M.S. Nikitin

/Signature/

Annex 418

Third Investigative Department (for the investigation of past years crimes) of the High-priority cases Directorate of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Note regarding criminal case No. 2014487098 on disappearance of T.D. Shaimardanov and S.S. Zinedinov, December 2020

Translation

Note

regarding criminal case No. 2014487098
on disappearance of T.D. Shaimardanov and S.S. Zinedinov

On 9 July 2014 criminal case No. 2014487098 was initiated in connection with the disappearance of T.D. Shaimardanov and S.S. Zinedinov, i.e. into an act constituting a crime under Part 1 of Article 105 of the Criminal Code of the Russian Federation.

During the preliminary investigations, it was found that on 26 May 2014, at about 9 a.m., T.D. Shaimardanov left his house, located at the address: Apartment 97, 22 Dybenko Str., Simferopol, Republic of Crimea and did not return. His location is still unknown and there is no information about him.

Moreover, on 30 May 2014, at about 7:20 p.m., S.S. Zinedinov left his house, located at the address: 21 Shevtalilik Str. Simferopol, Republic of Crimea and did not return. His location is still unknown and there is no information about him.

The following versions for these persons' disappearance were suggested during the investigations:

- kidnapping (murder) of T.D. Shaimardanov and S.S. Zinedinov by unidentified persons to demand ransom (unconfirmed);
- kidnapping (murder) by unidentified persons belonging to the "Crimean self-defense" employees due to personal conflicts with T.D. Shaimardanov and S.S. Zinedinov (unconfirmed);
- kidnapping (murder) by unidentified persons in connection with T.D. Shaimardanov's and S.S. Zinedinov's involvement in organized crime groups (unconfirmed);
- T.D. Shaimardanov and S.S. Zinedinov faked their disappearance to go to the Donetsk People's Republic to participate in the armed conflict on the side of the armed forces of Ukraine, and, possibly, they died there.

E.S. Chernyakova, T.D. Shaimardanov's partner, was questioned as a witness and explained that she had been living with T.D. Shaimardanov since March 2014 in a rented flat at the address: Apartment 97, 22 Dybenko Str., Simferopol, Republic of Crimea. She did not have any conflict with T.D. Shaimardanov. T.D. Shaimardanov did not complain about any problems. He did not plan to leave his place of residence. She does not know whether T.D. Shaimardanov had any debts, or where he worked. She was not in contact with T.D. Shaimardanov's relatives. On 26 May 2014, at about 8 a.m., she went to work, and T.D. Shaimardanov remained home alone. At about 11 a.m. of the same day, she tried to call T.D. Shaimardanov on his mobile, but he was unreachable. That evening when she returned home she saw that T.D. Shaimardanov was not there. T.D. Shaimardanov's number was still unreachable. Nothing in their flat was out of place. On 27 May 2014 she informed K.D. Fesik, T.D. Shaimardanov's sister, and O.V. Shaimardanova, his ex-wife, about his disappearance. His ex-wife filed a missing person report with the bodies of the Russian Ministry of Internal Affairs of Russia.

The last known whereabouts of T.D. Shaimardanov is the rented flat at the address: Apartment 97, 22 Dybenko Str., Simferopol, Republic of Crimea. T.D. Shaimardanov's place of residence was searched, and no signs of criminal elements in his disappearance were found. During the search of the incident scene at the address: Apartment 97, 22 Dybenko Str., Simferopol, Republic of Crimea, no items, property or signs of interest for the investigation were found.

T.D. Shaimardanov's mother, L.A. Shaimardanova, during her interrogation stated that she has been living with her husband in the Kherson Region since 1986. She talked to her son for the last time on 26 May 2014 at about 10 a.m., Ukrainian time. Timur called, we talked about general topics, and he asked how the elections went and how his father was doing. He also said, that everything was fine and that he would be busy for some time. She decided that he would be busy for one day or two, and in these two days she did not call him, but only waited for him to call. On 28 May 2014, in the afternoon, at about 4 p.m., her daughter, Ksenia Fesik, called her and told her that Timur went missing, they had not been in touch since Monday and

he could not be found anywhere. The woman who lived with Timur told K.D. Fesik that he left the flat at about 9 a.m.

T.D. Shaimardanov's parents permanently live in the Kherson Region, Ukraine. K.D. Fesik, as well as applicant O.V. Shaimardanova, after the initiation of the criminal case on T.D. Shaimardanov's disappearance left the Russian Federation. T.D. Shaimardanov's things were taken outside of the Russian Federation by his sister and his ex-wife, and they do not wish to show these things to the investigators.

According to the on-site inspection report of the house where S.S. Zinedinov used to live, everything was in order, there were no traces of fights, and no brown stains similar to blood.

E.N. Zinedinova was questioned as a victim; she stated that her son, S.S. Zinedinov, lived with her, his father S.A. Zinedinov, and her son's wife, L.A. Topchi. On 30 May 2014 in the evening her son S.S. Zinedinov left the house and did not return. According to L.A. Topchi, she knows that her son planned to meet with T.D. Shaimardanov's wife on 30 May 2014 to talk to her and go back home. Her son met T.D. Shaimardanov in 2014. Her son told her that T.D. Shaimardanov organized and founded the organization "Ukrainsky Dom" ["Ukrainian House"]. She does not know the activities of this organization. T.D. Shaimardanov went missing as well. She was informed that her son had not come back home by L.A. Topchi the evening of the following day, when she came back from work.

They immediately called all relatives, who told her that her son did not call any of them and did not go to them; he did not answer his phone. Her son never told her about any problems, conflicts or threats against him. All her son's documents were left in the house. As far as she knows, T.D. Shaimardanov's wife, O.V. Shaimardanova, left the Republic of Crimea and is currently in the Kherson Region, Ukraine, with her husband's relatives, and she does not plan to return to Crimea. She does not know her exact address. They spoke on the phone with O.V. Shaimardanova, and during their conversation she confirmed that, on May 30, 2014, she met S.S. Zinedinov, but then they parted and she did not know where he went.

During his questioning as a witness, S.S. Zinedinov's father, S.A. Zinedinov, confirmed E.N. Zinedinova's testimony.

Witness L.A. Topchi, S.S. Zinedinov's wife, testified that on 30 May 2014 her husband left their house after 6 p.m. to meet O.V. Shaimardanova and did not return; his phone was unreachable. He did not say anything about any plans to go anywhere. His phone was switched off. In March 2014, S.S. Zinedinov went to pick her up in Lvov, where she was staying at her sister's. At the time, S.S. Zinedinov, at T.D. Shaimardanov's request, met some Pravy Sektor representatives. He did not say what they talked about. So far, she has no information about his whereabouts.

According to R. Asanov's testimony, on May 30, 2014, in the afternoon, he met S.S. Zinedinov, who had come to visit his grandmother, together with a man and a woman he had not met before, who were waiting for him in the car. R. Asanov was shown some photos and recognized these persons as O.V. Shaimardanova and T.D. Shaimardanov.

To find possible witnesses and persons involved in the crime, a video recording was obtained from gas station TES No. 59, located near the Stroganovka village, Simferopol District, where S.S. Zinedinov and O.V. Shaimardanova met. The cars which passed by the scene of the incident on 30 May 2014 from 7:12 p.m. until 7:28 p.m. were identified. The video is attached as physical evidence. The owners of the vehicles were questioned about the circumstances of their presence on the scene of the incident. Their pages on the Internet were checked.

Relatives and acquaintances of the missing persons were questioned as witnesses.

R.A. Matsov, an acquaintance of T.D. Shaimardanov, stated that he does not know the missing person's social circle. He does not know T.D. Shaimardanov's interests. He does not know whether T.D. Shaimardanov has a large amount of money.

I.V. Shpak was questioned as a witness in the criminal case. He testified that S.S. Zinedinov and T.D. Shaimardanov are his acquaintances. In February 2014, S.S. Zinedinov and T.D. Shaimardanov helped Ukrainian servicemen deployed in Crimea. They mainly brought them water and food. In February 2014, T.D. Shaimardanov proposed to establish the organization "Ukrainsky Narodniy Dom" ["Ukrainian People's

House”] to provide Ukrainian citizens living in Crimea with psychological and legal assistance. This organization had 15 to 30 members; they did not have any extremist opinions, they simply communicated. During the period from February until May 2014, they met about 7 times. In practice, Ksenia Fesik was the organizer of the meetings. Olga Shaimardanova attended the meetings of the Ukrainian People’s House several times as well. He does not know the circumstances of S.S. Zinedinov’s and T.D. Shaimardanov’s disappearance.

Witness L.B. Litvin testified that on 18 April 2014 a seminar of the organization “Ukrainian House” was organized on his premises at the address: 6/8-10 Pushkina Str., Simferopol. A man named Ilya arranged the rent of the premises. The seminar had less than 30 participants. He was not present at the seminar, he only heard the Ukrainian anthem. After the seminar, he heard radical statements from its participants, and, for this reason, he refused to rent them his premises again. He did not recognize T.D. Shaimardanov and S.S. Zinedinov by their photos.

I.N. Timergaliev was questioned as a witness; he said that he personally verified the version of the involvement of the Crimean self-defense in T.D. Shaimardanov’s kidnapping, but this version could not be confirmed.

During the investigation of the criminal case, information was received that T.D. Shaimardanov and S.S. Zinedinov participated in the activities of the organization Ukrainian House.

The head of the organization Ukrainian House is Andrey Stepanovich Shchekun, born on [...], resident at [...]; according to the reply of the Directorate of the Federal Security Service of the Russian Federation for the Republic of Crimea and the city of Sevastopol, he may be in Kiev, Ukraine.

Internet resources were verified to obtain information about the organization Ukrainian People's House and the conflicts with the Crimean self-defense; no information was found on the Internet about these facts. At the same time, during the investigation it was discovered that A.S. Shchekun, the head of the organization Ukrainian People’s House, is currently in Kiev.

Genetic registration of T.D. Shaimardanov’s and S.S. Zinedinov’s relatives with the Forensic Science Center of the Ministry of the Internal Affairs for the Republic of Crimea was carried out.

Measures were carried out on the people living in the neighboring houses at the place of residence of S.S. Zinedinov and T.D. Shaimardanov. People who had incurred administrative liability, who had been previously convicted for similar crimes, who sought medical help in connection with receiving (causing) bodily harm, who had been detained for committing criminal and administrative violations.

As part of the operational search activities, more than 100 people were questioned; the alibis of the witnesses and persons of interest were verified, premises, buildings, constructions, land plots were searched to find traces of a crime.

The whereabouts of S.S. Zinedinov and T.D. Shaimardanov, as well as of the persons possibly involved in their disappearance, have not been found yet.

On 13 April 2018 the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea received a reply to their request for legal assistance on the specified criminal case, where the Prosecutor General’s Office of Ukraine stated that the requested assistance cannot be provided on the grounds specified in Article 19 of the Convention on Legal Aid and Legal Relations in Civil, Family and Criminal Cases of 1993 and Article 2 of the European Convention on Mutual Assistance in Criminal Matters of 1959.

The long period of time between the receipt of the report and the initiation of the criminal case is due to the initial submission of the report to the internal affairs bodies, where procedural checks were carried out in accordance with Articles 144, 145 of the Criminal Procedural Code of the Russian Federation before deciding on the submission of the said reports to the competent Russian investigative bodies.

During the preliminary investigations on the criminal case, a significant amount of investigative and procedural actions was carried out; specifically, more than 50 persons were interrogated as witnesses, the involvement of 8 persons of interest in the crime was verified, 4 incidents scenes were inspected, more than 10 objects were seized, in respect of which 2 genetic forensic tests were ordered and carried out.

Since the person subject to prosecution is unknown, the preliminary investigation on the criminal case was suspended in accordance with Paragraph 1 of Part 1 of Article 208 of the Criminal Procedural Code of the Russian Federation. The decision to suspend the preliminary investigation has not been challenged. It has been recognized as lawful and justified by the Prosecutor's Office of the Republic of Crimea.

Head of the Third Investigative Department
(for the investigation of past years crimes)
of the High-Priority Cases Directorate
of the Main Investigative Directorate

Lieutenant Colonel of Justice

(Signed)

V. M. Mishchenko

Annex 419

Third Investigative Department (for the investigation of past years crimes) of the High-Priority Cases Directorate of the Main Investigative Directorate of the Investigative Committee of the Russian Federation for the Republic of Crimea, Note regarding criminal case No. 2016627042 on disappearance of E.U. Ibragimov, December 2020

Translation

Note
regarding criminal case No. 2016627042
on disappearance of E.U. Ibragimov

It has been established that on 24 May 2016, during the period from 10:10 p.m. until 10:45 p.m., unidentified persons who were near house No. 9 on Mira Street, Bakhchisaray, Republic of Crimea, with the intent to abduct E.U. Ibragimov, dressed in the uniform of traffic police officers, stopped the latter who was driving his personal Ford Focus, registration plate E 868 SKh region 01, after which acting in a group violently put E.U. Ibragimov into an unidentified car and against the will of the latter took him away in an unknown direction.

Before the Republic of Crimea became a part of the Russian Federation, E.U. Ibragimov had been a deputy of the Bakhchisaray City Council, a member of the organization “Mejlis of the Crimean Tatar People” and a lawyer. After the Republic of Crimea became a part of the Russian Federation, E.U. Ibragimov was not officially employed, he went several times to Ukraine to study, and in 2015 he went to Turkey to participate in a congress. In January 2016 he went to Ukraine, possibly to search for beef suppliers to the Republic of Crimea. In summer he sold souvenirs on the beach of the villages of Uchkuevka and Orlovka of the city of Sevastopol and intended to open a cafe in Bakhchisaray.

In the course of the investigative actions at E.U. Ibragimov’s residence address at Apartment 78, 18 Mira Street, Bakhchisaray, Republic of Crimea, the latter’s toothbrush and razor were confiscated. A molecular genetic examination was ordered on E.U. Ibragimov’s confiscated personal hygiene items which did not find any matches with the genotypes available in the database.

E.U. Ibragimov’s car was inspected; during which 5 fingerprints and a trace of part of a palm were collected from the roof above the driver’s door, the outer surface of the driver’s door, the outer surface of the driver’s door handle, the roof above the rear left door of the car. No matches were found for the fingerprints.

U.O. Ibragimov was recognized as a victim and interrogated; he explained that he saw his son, E.U. Ibragimov, for the last time on 24 May 2016 at about 5 p.m.; he was driving his Ford Focus on Simferopolskaya Street in the direction of Simferopol. At about 11 p.m., E.U. Ibragimov called him and asked him whether he saw the car documents; afterwards, he said that he found them and hung up. About 10 minutes later, he called E.U. Ibragimov back, but his mobile phone was switched off. On 25 May 2016, at about 8:30 a.m., he found E.U. Ibragimov's car not far from their house.

During the initial operative search activities, CCTV cameras were found, which recorded information of interest for the investigation.

Thus, reviewing the recordings of the CCTV camera of the building located at the address: 6-B Mira Street, Bakhchisaray, it was found that, on 5 April 2016, during the period from 10:15:17 p.m. to 10:30:04 p.m., a car, presumably a light-colored Ford Transit passenger minibus, left the forest expanse from the side of the reservoir and stopped by the roadside. A dark-colored beacon was installed on the roof of the vehicle. After some time, two men wearing traffic police uniforms got out; one of them was holding a traffic police baton. At 10:22:20 p.m., one of the men stopped the white Ford Focus driven by E.U. Ibragimov, after which the traffic police officer and E.U. Ibragimov approached the trunk and began inspecting the car. Then E.U. Ibragimov went to the Ford Transit, near which there were two unidentified persons, from whom E.U. Ibragimov immediately began to run away; however, after 5–10 meters the unidentified persons reached him and, with the use of violence, put him into the Ford Transit.

A forensic video analysis was carried out on the confiscated video recording of the abduction of E.U. Ibragimov, according to the results of which it was not possible to ascertain the registration number of the Ford Transit, nor to identify the persons who abducted E.U. Ibragimov.

During the preliminary investigation, a list of Ford Transit vehicles registered in the Republic of Crimea was obtained, according to which 1,400 vehicles match the above-mentioned description. Operative search activities were initiated to check their owners and the persons authorized to drive them. Telephone connections on the base stations located in the area where E.U. Ibragimov was abducted were obtained as well; an order to carry out operative search activities in respect of the said subscribers was issued.

During the preliminary investigation, the following investigative and procedural actions were performed:

- the following persons were interrogated as witnesses: E.I. Ametova, A.S. Abduramanov, V.N. Rudakov, E.E. Seitibragimov, M.I. Mustafaev, R.E. Dzhanbazov, F.D. Reshetov, A.E. Tokhtarov,

D.S. Bilyalov, A.L. Osipenko, I.S. Getman, F.R. Bekirov, M.N. Skryabin, S.M. Zaychenko, G.D. Boyko, A.L. Lazhuev, M.A. Orlov, K.E. Oganessian, L.V. Shevtsova, V.A. Shkuta, V.V. Kosorovtsev, V.A. Engibaryan, E.A. Snitko, V.G. Neshveeva, O.P. Buganets, I.N. Malyarenko, M.S. Abduramanov, N.R. Umerov, T.A. Bilyalov, E.A. Suleymanov, A.I. Stanislavchuk, A.V. Omelchenko, V.N. Trigub, A.I. Matyushenko, O.A. Rudenko, R.M. Fukala, R.E. Izmailov, A.I. Sakhnyuk, E.A. Likhonin, V.A. Mikhaylyuk, A.I. Kuznetsova, S.A. Osipenko;

- concerning the circumstances of the use of “Ford Transit” vehicles, one of which was presumably used by the unidentified persons, 489 persons were interviewed who owned or drove these vehicles in the Republic of Crimea, and 156 vans were inspected. No significant information for the investigation was obtained;

- information was requested from the law enforcement agencies of the constituent entities of the Russian Federation on the availability of information on administrative or criminal liability incurred by E.U. Ibragimov, and on the performance of pre-investigation checks. No significant information for the investigation was obtained;

- operative search activities were carried out in the Voronezh Region, where 4 “Skoda Octavia” cars with the registration plate “...350-36” were found, which, according to victim U.O. Ibragimov, possibly followed E.U. Ibragimov throughout May 2016. Their owners, interrogated as witnesses, stated that they did not give their vehicles to anyone, and did not leave the Republic of Crimea;

- the inquiry body was instructed to carry out operative search activities in respect of residents of the Voronezh Region A.V. Kryuchkova, D.A. Stavrova and S.A. Mazurina, who at the time of the crime had been driving Skoda-Octavia cars with registration plate “... 350-36”;

- information on transportation of these cars by ferry was requested from “Morskaya Direktsiya” LLC. No significant information for the investigation was obtained;

- a molecular genetic examination was performed on the confiscated items, as a result of which E.U. Ibragimov's DNA profile was obtained and sent to the constituent entities of the Russian Federation to check the DNA records;

- Dactyloscopic forensic checks were performed on the traces of E.U. Ibragimov's fingers and palms. The said handprints were checked in the regional and federal dactyloscopic databases, checked against the dactyloscopic records of E.U. Ibragimov's relatives, friends and acquaintances, and no matches were found;

- to find traces of the committed crime and determine the direction where the criminals went, search activities were initiated with the involvement of the Department of the Ministry of Internal Affairs of Russia for the Bakhchisaraysky District, the public and the diving team of the Ministry of Emergency Situations of Russia for the Republic of Crimea. The area where E.U. Ibragimov's car was found was inspected, as well as the Bakhchisaray reservoir and the adjacent area. No significant information for the investigation was obtained;

- an order was sent to identify a man and a woman who, on 24 May 2016 when E.U. Ibragimov's car was stopped, crossed the road in the direction of the residential buildings past a Ford Transit vehicle, who have not been identified yet;

- checks were performed on social media on the Internet, during which it was discovered that E.U. Ibragimov is registered in social networks “Vkontakte” and “Odnoklassniki”, where his photos can be seen with representatives of “Mejlis of the Crimean Tatar People” (Dzhemilev, Chubarov and others);

- the owners of the vehicles by which E.U. Ibragimov crossed the border of the Russian Federation over the course of 2014–2016 were identified and interrogated. No significant information for the investigation was obtained;

- the inquiry authority was instructed to carry out operative search activities in respect to the friendship between E.U. Ibragimov, I.R. Ablayev and I.R. Umerov;

- T.P. Vashina was interrogated as a witness; she testified that, on 27 June 2016, at about 7 p.m., she was returning home from the store; when passing by bus stop “Lozovoe 1” in the Simferopolskiy District, she decided to rest and set on the bench. At the same time, a woman she did not know was at the stop as well (E.V. Dmitrieva), who was reading a missing person notice concerning a young man. When T.P. Vashina looked at the missing person's photo she said to E.V. Dmitrieva that they were not looking very well for E.U. Ibragimov, because she had recently seen him at the summer cottages in the village of Lozovoe, Simferopolskiy district. E.U. Ibragimov did not have any injuries on his face, did not ask for help and nobody held him there;

- E.V. Dmitrieva was interrogated as a witness, and she confirmed T.P. Vashina's testimony;

- with the participation of witness T.P. Vashina, the area adjacent to house No. 8 on Tenistiy Alley in the village of Lozovoe, Simferopolskiy District, where she saw the person who presumably was E.U. Ibragimov, was inspected;
- an identification was carried out with the witness T.P. Vashina, during which the latter confidently identified the missing person, E.U. Ibragimov, among other photographs, and stated that she had seen him in mid-July 2016 near her house;
- in the village of Lozovoe, Simferopolskiy District, the streets Ofiterskaya, Tsvetochnaya, Nizhnyaya, Sadovaya, Verkhnyaya, Vishnevaya, Yuzhnaya, Nekrasova, Kirova, Vinogradnaya, Gorkogo, Lozovaya, Podgornaya, Kechkemetskaya, Slivovaya, Tsentralnaya and Tenistiy Alley were checked. 50 persons were interrogated as witnesses; no new information on E.U. Ibragimov's whereabouts was obtained;
- 18 persons with whom E.U. Ibragimov talked on the phone on 24 May 2016 were identified and interrogated. No significant information for the investigation was obtained;
- information was requested and received from the Rozyisk-Magistral software and hardware complex, according to which E.U. Ibragimov did not purchase any air or train tickets;
- the replies from the banks in the Republic of Crimea and Sevastopol were added to the criminal case files. It was established that E.U. Ibragimov has a current account (payment card) with Genbank JSC, and the account balance as of 30 June 2016 amounted to 315 rubles;
- an inquiry was sent to "Genbank" JSC on the provision of information on cash flows on E.U. Ibragimov's account from 24 May 2016 until present time. According to the received reply, there were no cash flows on the account until present time;
- according to the information received from the Directorate of the Federal Security Service of Russia for the Republic of Crimea and Sevastopol, the Center for Combating Extremism of the Ministry of Internal Affairs of the Russian Federation for the Republic of Crimea, the Directorate of the State Traffic Safety Inspectorate, there is no information on E.U. Ibragimov's possible whereabouts.

So far, the whereabouts of E.U. Ibragimov are unknown.

In view of the above, based on the results of the investigation, it was decided to suspend the preliminary investigation in this criminal case on the grounds provided for in Paragraph 1 of Part 1 of Article 208 of the Criminal Procedural Code of the Russian Federation, i.e. due to the fact that the person subject to prosecution has not been identified.

The legality and validity of the decision to suspend the preliminary investigation were verified by the Prosecutor's Office of the Republic of Crimea.

Later this decision was not reversed or appealed.

Head of the Third Investigative Department
(for the investigation of past years crimes)
of the High-Priority Cases Directorate
of the Main Investigative Directorate

Lieutenant Colonel of Justice

(Signed)

V. M. Mishchenko

Annex 420

Intentionally omitted

Annex 421

Belogorsk District Court of the Republic of Crimea, Case No.
1-53/2020, Decision, 26 March 2020
(excerpts)

Translation

Excerpts

Case No. 1-53/2020

DECISION
in the Name of the Russian Federation

26 March 2020

Belogorsk

Belogorsk District Court of the Republic of Crimea composed of:

chairman	- I.S. Sokolovskiy,
secretary	- E.A. Poyarkova,
public prosecutors	- N.A. Khizhnyak, E.G. Motoshina,
defense counsel	- P.A. Bondar, D.M. Temisheva, D.S. Korolev, A.V. Bolibkova, I.A. Vagin, E.R. Avamileva,
accused	- R.R. Velilyaev, A.M. Bariev, E.N. Abselyamov, A.A. Kurseitov, T.E. Musaeva, Z.E. Osmanova, A.I. Saledinov

having heard a criminal case in an open court hearing in Belogorsk, charging:

Resul Refatovich Velilyaev, born on 24 November 1957, native of Shahrissabz, Kashkadarinskaya Region, Uzbek SSR, citizen of the Russian Federation, unmarried, with three dependent minor children, with higher education, director of “Stimul” LLC, residing at 18 Kotelnikova Street, Belogorsk, the Republic of Crimea, with no previous convictions,

in committing a crime under paragraph “a” of Part 2 of Article 238 of the Criminal Code of the Russian Federation.

Ali Mustafaevich Bariev, born on 5 July 1975, native of Kokand, Fergana Region, citizen of the Russian Federation, married, with four dependent minor children, with secondary professional education, director of “Firma Krymopt” LLC, residing at 22 Ulker Street, 22, Belogorsk, the Republic of Crimea, with no previous convictions,

in committing a crime under paragraph “a” of Part 2 of Article 238 of the Criminal Code of the Russian Federation.

[...]

Page 3

[...]

ESTABLISHED:

R.R. Velilyaev together with A.M. Bariev, E.N. Abselyamov, A.A. Kurseitov, T.E. Musaeva, Z.E. Osmanova, and A.I. Saledinov kept, transported, and distributed products, which do not meet the requirements of the safety and security of life and health of customers, for commercial purposes, thus committed a crime by a group of persons in collusion in the following circumstances.

[...]

Pages 47-48

[...]

During the hearing, defendants R.R. Velilyaev, A.M. Bariev, E.N. Abselyamov, A.A. Kurseitov, T.E. Musaeva, Z.E. Osmanova, A.I. Saledinov affirmed a motion for a decision to be passed without a trial. They admit guilty as charged, regret about their actions, argue about the factual case circumstances, particularly time, place, and a way of committing a charged crime.

[...]

Page 50

While imposing a penalty on R.R. Velilyaev, the court takes into account the level of social danger of the committed crime, which is considered to be a grave offense by the Criminal Code of the Russian Federation, data on the personality of the defendant who has no previous convictions (Vol. 40, case sheets 106-107; Vol.71, case sheet 234) with positive characteristics from work and a place of residence (Vol. 40, case sheets 115, 126), absence of registration with narcologist and psychiatrist (Vol.40, case sheets 108-110), with three dependent minor children (Vol.40, case sheets 103-105, 119).

The court recognizes plea of guilty, sincere repentance, under-age children, and active assistance to the investigation process as mitigating circumstances, according to article 611 *[illegible]*.

[...]

Page 52

[...]

While imposing a penalty on A.M. Bariev, the court takes into account the level of social danger of the committed crime, which is considered to be a grave offense by the Criminal Code of the Russian Federation, data about the personality of the defendant, who has no previous convictions (Vol.40, case sheets 227,228; Vol.71, case sheets 235) with positive characteristics from work and a place of residence (Vol.40, case sheets 234,242), absence of registration with narcologist and psychiatrist (Vol.40, case sheets 229-231), with three dependent minor children (Vol.40, case sheets 215-218, 219-226).

The court recognizes plea of guilty, sincere repentance, minor children, and active assistance to the investigation process as mitigating circumstances, according to article 61 *[illegible]*.

[...]

Page 60

[...]

On the basis of abovementioned and guided by Articles 303, 304, 307, 308-1, 316, 317 of the Criminal Code of the Russian Federation, the court

DECIDED:

To find **Resul Refatovich Velilyaev** guilty of committing a crime under paragraph “a” of Part 2 of Article 238 of the Criminal Code of the Russian Federation.

To sentence Resul Refatovich Velilyaev in accordance with paragraph “a” of ... Article 238 of the Criminal Code of the Russian Federation to 1 (one) year and 5 (five) months of imprisonment to serve in a general correctional colony.

Based on paragraph 2 of part 5 and paragraph 2 of part 6 of Article 302 of the Criminal Procedural Code of the Russian Federation the court decided to exempt Resul Refatovich Velilyaev from the penalty in the fore of imprisonment because of serving the pronounced sentence during the period he has spent in the

custody from 26 April 2018 to 23 April 2019, considering one day in custody as one and a half day of serving the sentence in the general correctional colony.

To revoke the precautionary measure for R.R. Velilyaev in the form of travel restriction after the entry of decision into force.

To find **Ali Mustafaevich Bariev** guilty of committing a crime under paragraph “a” of Part 2 of Article 238 of the Criminal Code of the Russian Federation.

To sentence Ali Mustafaevich Bariev in accordance with paragraph “a” of ... Article 238 of the Criminal Code of the Russian Federation to 1 (one) year and 5 (five) months of imprisonment to serve in a general correctional colony.

Based on paragraph 2, part 5, paragraph 2, part 6, of article 302 of the Criminal Procedural Code of the Russian Federation the court decided to exempt Ali Mustafaevich Bariev from the penalty because of serving the pronounced sentence during the period he has spent in the custody from 26 April 2018 to 25 July 2019, considering one day in custody as one and a half day of serving the sentence in the general penal colony.

To revoke the precautionary measure for A.M. Bariev in the form of travel restriction after the entry of decision into force.

[...]

Page 161

[...]

Presiding Judge /signature/ true copy

Judge (Signed) I.S. Sokolovskiy

Secretary (Signed)

[SEAL: Belogorsk District Court of the Republic of Crimea]

[SEAL: Judge (Signed),

Decision entered into force on 7 April 2020

Correct:

Secretary (Signed) illegible]

[STAMP: illegible]

[STAMP: illegible] (Signed)

Annex 422

Main Investigative Directorate of the Investigative Committee of the
Russian Federation for the Republic of Crimea and Sevastopol,
Letter No. Ishsk. 201-08-2020/9779, 20 April 2020

Translation

**Investigative Committee of Russia
Main Investigative Directorate
for the Republic of Crimea
and the City of Sevastopol
(Main Investigative Directorate of the Investigative
Committee of Russia
for the Republic of Crimea
and the City of Sevastopol)**

76 Kievskaya Street, Simferopol
Republic of Crimea Russia, 295034

20 April 2020 No. Ishsk. 201-08-2020/9779
Re: No. _____ of _____

Ministry of Foreign Affairs
of the Russian Federation

to Deputy Minister

A.Yu. Rudenko

Dear Andrey Yurievich,

In fulfilment of paragraph 2 of the received request for submission of documents on the *Ukraine v. Russian Federation* case before the International Court of Justice, I forward to you a copy of the Resolution on the refusal to initiate a criminal case against E.E. Bariiev, S.A. Kadyrov and A.M. Suleymanov of 24 February 2015.

According to the existing records, as for E.E. Bariiev no other reports of crimes were registered in the investigative units of the Main Investigative Directorate, no criminal cases were initiated or investigated against him.

Enclosed: as indicated 7 pages.

Acting Head of
the Main Investigative Directorate

Colonel of Justice

Respectfully yours (Signed)

V.N. Terentyev

Annex 423

Eighth General Jurisdiction Court of Cassation, Case No. 77-874/2020,
Decision, 19 May 2020
(excerpts)

Translation

Excerpts

EIGHTH GENERAL JURISDICTION COURT OF CASSATION**DECISION****of 19 May 2020 No. 77-874/2020**

The Judicial Chamber on Criminal Cases of the Eighth General Jurisdiction Court of Cassation consisting of:

Presiding Judge L.A. Shulgina,
Judges N.V. Suvorova, S.G. Shushakova
with the participation of the prosecutor O.M. Grinchenko,
convicted R.,
attorney E.S. Sevostianova
with secretary Sh.

has considered in an open court hearing a cassation appeal of attorney E.S. Sevostianova in defence of the convicted R. for the review of the decision of Kuibyshevskiy District Court of Irkutsk of 3 July 2019 and the appellate decision of the Irkutsk Region Court of 28 November 2019.

By the decision of Kuibyshevskiy District Court of Irkutsk of 3 July 2019, R., born on DD.MM.YYYY, native of <address>, with no criminal record, was convicted under Part 3 of Article 238 of the Criminal Code of the Russian Federation to 3 years of imprisonment; on the basis of Article 73 of the Criminal Code of the Russian Federation, it is decided to consider the imposed punishment suspended with a probationary period of 4 years, subject to imposition of a duty not to change permanent place of residence without a prior notice to the specialised body responsible for supervising the behaviour of prisoners on probation and to appear monthly to the penal enforcement inspectorate for registration; the penal enforcement inspectorate at the convicted person's place of residence is responsible for monitoring the conduct of the convicted.

[...]

established:

R. was found guilty and was convicted for providing services incompliant with the requirements for the safety of life and health of consumers which entailed the infliction of serious harm to human health and the death of two or more persons through negligence.

The crime was committed at <address> under the circumstances set out in the decision.

[...]

Page 6

[...]

In view of the foregoing, guided by Articles 401.13 - 401.16 of the Criminal Procedural Code of the Russian Federation, the judicial chamber

decided:

To uphold the decision of Kuibyshevskiy District Court of Irkutsk of 3 July 2019 and the appellate decision of the Irkutsk Regional Court of 28 November 2019 in respect of R., to dismiss the cassation appeal of the attorney.

Presiding judge
L.A. SHULGINA

Judges
N.V. SUVOROVA
S.G. SHUSHAKOVA

Annex 424

Migration Division of the Directorate of the Ministry of Internal Affairs of the Russian Federation for Sevastopol, Address certificate No. 2968.8 concerning Leonid Korzh, born in 1990, 12 August 2020

Translation**ADDRESS CERTIFICATE No. 2968.8**

According to the information available to the Migration Division of the Ministry of Internal Affairs of
Russia for Sevastopol

Citizen _____ Leonid Korzh, born in 1990
(surname, name, patronymic, date and place of birth)

_____ registered, de-registered at the place of residence, stay in Sevastopol

_____ (cross out irrelevant)

IS NOT REGISTERED

Certificate prepared by _____ E.A. Molostvova _____ 12 August 2020
(specify the surname, initials) date

Head of the Migration Division of the Directorate
of the Ministry of Internal Affairs of Russia
for Sevastopol
Police Colonel

(Signed)

M.V. Protasova

Annex 425

Duty Unit of the Directorate of the Ministry of Internal Affairs of Russia for Sevastopol, Note regarding citizen Leonid Korzh, born in 1989 and/or 1990, 12 August 2020

Translation

Note
regarding citizen

Leonid Korzh, born in 1989 and/or 1990

In the period from 18 March 2014 to 12 August 2020, the Directorate of the Ministry of Internal Affairs of Russia for Sevastopol has not been filed with missing person statements (reports), or statements (reports) on a crime related to missing (kidnapped) person in Sevastopol naming citizen (s) Leonid Korzh, born in 1989 and/or 1990.

Head of the Duty Unit of the
Directorate of the Ministry of
Internal Affairs of Russia for
Sevastopol, Police Colonel

(Signed)

I.A. Demin

Annex 426

Duty Unit of the Directorate of the Ministry of Internal Affairs of Russia for Sevastopol, Note regarding citizens Ivan Bondariets, born in 1990, Ivan Bondarets, born in 1990, Vladislav Vaschuk, born in 1985, and Valery Vaschuk, born in 1985, 12 August 2020

Translation

Note
regarding citizens

**Ivan Bonariets, born in 1990, Ivan Bondarets, born in 1990,
Vladislav Vaschyuk, born in 1985 and Valery Vaschyuk, born in 1985**

In the period from 18 March 2014 to 12 August 2020, the Directorate of the Ministry of Internal Affairs of Russia for Sevastopol did not receive any missing person statements (reports), or statements (reports) on a crime related to missing (kidnapped) persons in Sevastopol named Ivan Bonariets, born in 1990, Ivan Bondarets, born in 1990, Vladislav Vashyuk, born in 1985 and Valery Vashyuk, born in 1985.

The Head of the Duty Unit of the
Directorate of the Ministry of
Internal Affairs of Russia for
Sevastopol,
Police colonel

(Signed) I.A. Demin

Annex 427

Duty Unit of the Directorate of the Ministry of Internal Affairs of Russia for Sevastopol, Note regarding citizens Vasiliy Chernysh, born in 1978, Vasil Chernysh, born in 1978, 12 August 2020

Translation

Note
regarding citizens:

Vasily Chernysh, born in 1978, Vasil Chernysh, born in 1978

In the period from 18 March 2014 to 12 August 2020, the Directorate of the Ministry of Internal Affairs of Russia for Sevastopol did not receive any missing person statements (reports), or statements (reports) on a crime related to missing (kidnapped) persons in Sevastopol named Vasily Chernysh, born in 1978 and Vasil Chernysh, born in 1978.

The Head of the Deputy Unit of the Directorate of the
Ministry of Internal Affairs of Russia for Sevastopol
Police colonel

(Signed)

I.A. Demin

Annex 428

Investigative Department of Zheleznodorozhny District of Simferopol
of the Main Investigative Directorate of the Investigative Committee of
the Russian Federation for the Republic of Crimea, Resolution on the
refusal to initiate a criminal case, 17 September 2020

TranslationRESOLUTION
on the refusal to initiate a criminal case

Simferopol

17 September 2020

Investigator of the Investigative Department for Zheleznodorozhny District of Simferopol of the Main Investigative Directorate of the Investigative Committee of Russia for the Republic of Crimea, Lieutenant of Justice S.V. Baranov, having considered the crime report verification material registered in the Crime Records Registration Book (CRRB) under No. 333 pr-14 of 20 June 2014,

ESTABLISHED:

On 20 June 2014, the Investigative Department for Zheleznodorozhny District of Simferopol of the Main Investigative Directorate of the Investigative Committee of Russia for the Republic of Crimea received the materials based on the conducted inspection related to the application of Chief Editor of the TV channel “Skrytaya Pravda” I.M. Krat informing on the disappearance of Alexey Anatolyevich Gritsenko, born in 1979, Sergey Suprun and Natalya Lukyanenko, representatives of the “AutoMaidan” Movement, in Simferopol in the period from 1 February 2014 to 14 March 2014.

On 31 December 2014, the Investigative Department for Zheleznodorozhny District of Simferopol of the Main Investigative Directorate of the Investigative Committee of Russia for the Republic of Crimea received from the 534th Military Investigative Department of the Military Investigative Directorate for the Black Sea Fleet of the Investigative Committee of Russia the materials of inspection in respect of the fact of illegal imprisonment of V.M. Vdovchenko, a citizen of Ukraine, by unidentified persons.

On 31 December 2014, the Investigative Department for Zheleznodorozhny District of Simferopol of the Main Investigative Directorate of the Investigative Committee of Russia for the Republic of Crimea received from the 534th Military Investigative Department of the Military Investigative Directorate for the Black Sea Fleet of the Investigative Committee of Russia the materials of inspection in respect of the fact of illegal imprisonment of A.I. Kovalsky and A.S. Shchekun, citizens of Ukraine, by unidentified persons.

On 12 March 2018, the materials of several procedural inspections: CRRB No. 333 pr-14 of 20 June 2014, CRRB No. 1001 of 31 December 2014, CRRB No. 1002 of 31 December 2014 were combined into one procedural investigation material under No. 333.

Based on the investigation conducted pursuant to Articles 144-145 of the Criminal Procedural Code of the Russian Federation, the following has been established:

When examining the “Facebook” pages of S. Suprun S., A. Gritsenko, L. Gritsenko, N. Lukyanenko, M.V. Vdovchenko, A.S. Shchekun, and A.I. Kovalsky, it was established that they were currently on the territory of Ukraine, as evidenced by regular information updates on these pages in the social media Facebook.

E.A. Trofimova, questioned on this matter, explained that approximately since 2007, she has been working in “Laki” cafe, located at K. Marks St., Simferopol, in the position of the administrator. She only learned about the fact that a man had been kidnapped in March 2014 near the cafe in 2017 from law enforcement officials; before that she had not heard anything about the kidnapping and had not witnessed it. M.V. Vdovchenko is unknown to her.

On the video recording posted on the open telecommunication network Internet at: <https://www.youtube.com/watch?v=UrhFre3VPWo>, which was examined on 18 August 2017, a man calling himself “Mikhailo Vdovchenko” is saying on the record that when he was returning from the rally with the flag of Ukraine, he was detained “by, as it turned out, citizens of the Russian Federation, Rostov guys”. He was beaten, then “apparently, intelligence services employees arrived” who took him to the area of the military commissariat of Simferopol, where they kept him for nine days, while causing bodily harm and exerting psychological abuse.

This person does not specify any dates or place from which he was “taken away” in his video message. The statements about “Rostov guys” and “intelligence services employees” have a probabilistic, biased and apparently political nature.

It has been established based on the conducted investigation that V.M. Vdovchenko has not applied to any medical institutions located on the territory of Simferopol to document the allegedly inflicted bodily harm and receive the medical aid.

In addition, information of an anti-Russian nature, as well as information aimed at destabilizing the situation in the Republic of Crimea was found on the above mentioned social media pages.

S.V. Protokin, questioned on this matter, explained that he was the Chief of the Operating Planning Department of Federal Budgetary Institution “Military Commissariat of the Republic of Crimea”. Pursuant to the Resolution of the Government of the Russian Federation of 24 December 2015 No. 1470-82 “On the State Defense Order for 2016”, the state contract for the supply and commissioning of the security equipment for the Military Commissariat of the Republic of Crimea was entered into. In March 2017, the installation of the security system started; the system was assembled in June 2017 and put into operation at the end of August 2017. From March 2014 to August 2017, there was no video surveillance system at the Military Commissariat of the Republic of Crimea.

A.N. Galiev, questioned on this matter, explained that he was the Assistant Chief of the Department for Intended Use and Accounting of the Equipment of Federal Budgetary Institution “Military Commissariat of the Republic of Crimea”, worked at the military commissariat since March 2014 and learned about the “detainees” allegedly staying on the territory of the military commissariat only during the questioning. During his service, no unauthorized persons were staying on the territory of the military commissariat. There were no conditions for keeping “detainees” on the territory of the military commissariat. The military commissariat didn’t receive any complaints, including complaints from foreign citizens.

I.F. Mushinsky, questioned on this matter, explained that since March 2014 he was the Assistant Chief of the Operating Planning Department (for operating duty) of Federal Budgetary Institution “Military Commissariat of the Republic of Crimea”. Since the beginning of March 2014, no unauthorized persons were staying on the territory of the military commissariat, there were no conditions and premises for keeping “detainees”. The military commissariat didn’t receive any complaints on the alleged detention of any persons on its territory.

A. Yu. Akimov, questioned on this matter, explained that he was the Chief of the Collecting Point of Federal Budgetary Institution “Military Commissariat of the Republic of Crimea”, no unauthorized persons were staying on the territory of the military commissariat in March 2014, he became known of “detainees” only during the questioning, no respective complaints were received.

Pursuant to letter of Federal Budgetary Institution “Military Commissariat of the Republic of Crimea” No. 2304 of 14 September 2017, no information about the possible location (including on the territory of the military commissariat) of A.A. Gritsenko, S.A. Suprun, N.V. Lukyanenko, M.V. Vdovchenko, A.S. Shchekun and A.I. Kovalsky in March 2014 is available.

By Resolution of the State Council of the Republic of Crimea of 17 March 2014 No. 1745-6/14 “On the independence of Crimea”, the activities of state bodies of Ukraine on the territory of Crimea were terminated. By the Resolution of the State Council of the Republic of Crimea of 11 April 2014 No. 2025-6/14, territorial bodies of the central executive bodies of Ukraine and structural subdivisions of the central executive bodies of Ukraine located on the territory of the Republic of Crimea were liquidated.

Pursuant to the governing documents of the Ministry of Defense of the Russian Federation, in April 2014, the Military Commissariat of the Republic of Crimea and its departments (by municipalities) was established on the territory of the Republic of Crimea as a military command body of the Ministry of Defense of the Russian Federation.

By Order of the Minister of Defense of the Russian Federation of 5 September 2014 No. 651, Federal Budgetary Institution “Military Commissariat of the Republic of Crimea”, which is not the legal successor of the Military Commissariat of the Autonomous Republic of Crimea of the Ministry of Defense of Ukraine, was established.

Pursuant to Letter of 30 September 2017 No. 02-04/883, Federal Budgetary Institution of the Republic of Crimea “Crimean Republican Headquarters of the People’s Militia - the People’s Guard of the Republic of Crimea” did not exist as of March 2014. The institution doesn’t have any information about the employees of the people’s militia staying in the building of the military commissariat at the address: 156 Kievskaya St., Simferopol in March 2014.

N.P. Mayer, questioned on this matter, explained that he has been the Senior Inspector of Federal Budgetary Institution of the Republic of Crimea “Crimean Republican Headquarters of the People’s Militia - the People’s Guard of the Republic of Crimea” since its establishment, that is, since July 2014. The main tasks of the “People’s Militia - the People’s Guard of the Republic of Crimea” are assistance to the state authorities of the Republic of Crimea and law enforcement agencies in their activities to ensure public order, prevent and suppress offenses, counter terrorism and extremism, and fight crime; taking part in measures to ensure the safety of the population and the protection of public order in the event of natural disasters, catastrophes, accidents, epidemics, other emergencies and liquidation of consequences thereof; taking part in the protection of life support facilities and other facilities located on the territory of the Republic of Crimea; disseminating legal knowledge, clarifying standards of behavior in public places. The “People’s Militia - the People’s Guard

of the Republic of Crimea” is organized pursuant to the territorial division of the Republic of Crimea and consists of the Crimean Republican Headquarters of the “People’s Militia - the People’s Guards of the Republic of Crimea” and its subordinate territorial subdivisions. The territorial subdivisions of the “People’s Militia — the People’s Guards of the Republic of Crimea” are the people’s militias - the people’s guards of districts and cities of republican status. In March 2014, Federal Budgetary Institution of the Republic of Crimea “Crimean Republican Headquarters of the People’s Militia - the People’s Guard of the Republic of Crimea” did not exist, therefore, its employees did not patrol Simferopol. He is unaware about the detention of V.M. Vdovchenko, no information on this matter has been received by the Federal Budgetary Institution of the Republic of Crimea “Crimean Republican Headquarters of the People’s Militia - the People’s Guard of the Republic of Crimea”.

Pursuant to the response of the Department No. 1 of the Interdistrict Vehicle Registration and Driver Examination Department of the State Traffic Safety Inspectorate (for the Simferopol City District, Simferopol and Bakhchisaray Regions), the vehicle with the state sign CH2419AA is not listed in the information base Federal Information System of the State Traffic Safety Inspectorate (“FIS GIBDD M”).

Pursuant to the received responses, A.A. Gritsenko, S.A. Suprun, N.V. Lukyanenko have not applied to medical institutions on the territory of Simferopol.

Pursuant to Part 2 of Article 141 of the Criminal Procedural Code of the Russian Federation, a written crime report shall be signed by the applicant.

Pursuant to the crime report of 19 March 2014, E.A. Zakrevskaya applied to the Investigative Committee of the Russian Federation informing that on 11 March 2014 at about 2:30 PM in Simferopol, at 32a, K. Marl St., near “Laki” cafe, V.M. Vdovchenko was detained by unknown persons, “probably” by the Russian military officers, who detained him by force causing bodily harm. After that, they brought M.V. Vdovchenko to the military commissariat, took his phone, kept and tortured him there, and let him go on 19 March 2014.

Pursuant to the crime report of 19 March 2014, E.A. Zakrevskaya applied to the Investigative Committee of the Russian Federation informing that A.S. Shchekun and A.I. Kovalsky were abducted on the territory of the Simferopol Railway Station and released on 20 March 2014.

It should be noted that the application by E.A. Zakrevskaya doesn’t contain the necessary degree of detail, and specified circumstances are of a probabilistic nature. The preliminary investigative body doesn’t have information about the source of knowledge of E.A. Zakrevskaya about the events that happened in March 2014 with the participation of V.M. Vdovchenko.

S. Suprun, A. Gritsenko, L. Gritsenko, N. Lukyanenko, M.V. Vdovchenko, A.S. Shchekun and A.I. Kovalsky haven’t directly applied to the law enforcement agencies of the Russian Federation either personally or by mail, although, there were no obstacles for that.

The objective aspect of crime stipulated by Article 126 of the Criminal Code of the Russian Federation is expressed in actions to capture (take possession) and move a person to another place for subsequent holding against his/her will. These actions can be committed both secretly and openly, using violence or in other ways, e.g. by deception.

Causing bodily harm to a victim is covered by the main elements of the abduction and does not require the additional qualification pursuant to Article 116 of the Criminal Code of the Russian Federation.

The abduction of two or more persons (paragraph “g” of Part 2 of Article 126 of the Criminal Code of the Russian Federation) supposes their abduction at the same or different times that is united by a common intent.

The objective aspect of crime stipulated by Article 127 of the Criminal Code of the Russian Federation is characterized by actions to deprive the victim of the opportunity to freely move over a distance and determine his/her place of stay. The feature distinguishing the illegal deprivation of liberty from the abduction is the absence of moving, i.e. a person is held in the place where he/she was of his/her own free will.

Paragraph “g” of Part 2 of Article 127 of the Criminal Code of the Russian Federation provides for the criminal liability for the illegal deprivation of liberty with respect to two and more persons that is not related to their abduction.

It should be noted that in February-March 2014 numerous protest actions and events related to the transfer of power in Ukraine took place on the territory of the Republic of Crimea and Simferopol; various social and political forces, including supporters of such associations as the “Praviy Sektor Ukrainy” [“Right Sector of Ukraine”], “Mejlis”, “Euromaidan”, etc., took part in organizing and conducting thereof, for the purposes of destabilizing the situation on the territory of the Republic of Crimea, escalating the tension between the opposing parties, discrediting and undermining the authority of law enforcement agencies and armed forces. Due to that, the assumptions about the alleged abduction of S. Suprun, A. Gritsenko, L. Gritsenko, N. Lukyanenko, M.V. Vdovchenko, A.S. Shchekun and A.I. Kovalsky made by representatives of the above

mentioned associations should be treated as the way of a political battle chosen by them in the attempts to achieve their goals of discrediting or undermining the reputation of the authorities of the Republic of Crimea.

The statements about the alleged detention and retention of S. Suprun, A. Gritsenko, L. Gritsenko, N. Lukyanenko, M.V. Vdovchenko, A.S. Shchekun and A.I. Kovalsky were published in mass media during the most severe crisis in the Russian-Ukrainian relations and aimed at undermining the reputation of the legitimately elected authorities of the Republic of Crimea.

In accordance with Article 140 of the Criminal Procedural Code of the Russian Federation, the presence of sufficient data indicating signs of a crime is the basis for initiating a criminal case. Such data was not established during this investigation.

In accordance with Part 2 of Article 148 of the Criminal Procedural Code of the Russian Federation, when issuing a resolution on the refusal to initiate a criminal case based on the results of checking a report on a crime that a specific person or specific persons are suspected of committing, the prosecutor and (or) the investigator consider whether or not to institute criminal proceedings on a knowingly false denunciation against the person who reported or disseminated false information.

The mental element of a crime stipulated by Article 306 of the Criminal Code of the Russian Federation is characterized by a direct intent. The person shall understand that he/she is providing deliberately false information about a crime and desire that, pursuing the goal of bringing a specific person to the criminal responsibility or initiating a criminal case. Under these circumstances, it is necessary to refuse to initiate a criminal case against E.A. Zakrevskaya and I.M. Krat as they were not warned of the criminal responsibility stipulated by Article 306 of the Criminal Code of the Russian Federation.

Thus, there are no events of the crimes stipulated by paragraph “g” of Part 2 of Article 126, paragraph “g” of Part 2 of Article 127, Article 306 of the Criminal Code of the Russian Federation. To refuse to initiate a criminal case on the ground stipulated by paragraph 1 of Part 1 of Article 24 of the Criminal Code of the Russian Federation.

In view of the foregoing, guided by paragraph 1 of Part 1 of Article 24, Article 144, Article 145 and Article 148 of the Criminal Procedural Code of the Russian Federation,

RESOLVED:

1. To refuse to initiate a criminal case on the application of E.A. Zakrevskaya, I.M. Krat about the abduction of S. Suprun, A. Gritsenko, L. Gritsenko, N. Lukyanenko, M.V. Vdovchenko, A.S. Shchekun and A.I. Kovalsky into a crime under paragraph “g” of Part 2 of Article 126, paragraph “g” of Part 2 of Article 127 of the Criminal Code of the Russian Federation on the basis of paragraph 1 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation, that is, in the absence of a crime event.

2. To refuse to initiate a criminal case against E.A. Zakrevskaya and I.A. Krat into a crime under Article 306 of the Criminal Code of the Russian Federation on the basis of paragraph 2 of Part 1 of Article 24 of the Criminal Procedural Code of the Russian Federation, that is, in the absence of a crime event.

3. To send a copy of this resolution to the Prosecutor of Zheleznodorozhny District of Simferopol, Senior Counsellor of Justice L.I. Kardash.

4. This resolution may be appealed to the Head of the Investigative Department for Zheleznodorozhny District of Simferopol of the Main Investigative Directorate of the Investigative Committee of Russia for the Republic of Crimea, Head of the Main Investigative Directorate of the Investigative Committee of Russia for the Republic of Crimea, Head of the Main Investigative Directorate of the Investigative Committee of Russia for the Republic of Crimea, Prosecutor of Zheleznodorozhny District of Simferopol or to Zheleznodorozhny District Court of Simferopol pursuant to the procedure provided for under Chapter 16 of the Criminal Procedural Code of the Russian Federation.

Investigator
Lieutenant of Justice

(Signed)

S.V. Baranov

A copy of this resolution was sent to the Prosecutor of the Zheleznodorozhny District of Simferopol, interested parties.

Investigator
Lieutenant of Justice

(Signed)

S.V. Baranov