

Emir-Usein Kuku: Just another Crimean Persecution?

Statement on the case of Emir-Usein Kuku prosecuted for human rights activity in Crimea

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The Helsinki Foundation for Human Rights (HFHR), the Netherlands Helsinki Committee (NHC) and the Human Rights Information Centre (HRIC) demand the immediate release of a human rights defender Emir-Usein Kuku, a member of the Crimean Human Rights Group, detained in Crimea for months.

The HFHR, the NHC and the HRIC call upon the international community not to turn a blind eye to the continued politically-motivated prosecutions in Crimea, where terrorism-related charges are used to silence dissent. The OSCE, the Council of Europe and the EU should step up efforts to end reprisals against human rights activists in Crimea, whose work is protected by international standards.

After a house search on 11 February 2016, Emir-Usein Kuku was arrested on charges of terrorism and alleged involvement in the Muslim political organization “Hizb ut-Tahrir” (art. 250.5 p. 2 of the Criminal Code). Emir-Usein Kuku denies his affiliation with the group. He was placed under detention for the duration of the ongoing investigation, recently extended until 8 December 2016. Since then, the members of his family are being intimidated.

The three human rights organisations from Poland, the Netherlands and Ukraine believe that the arrest of the activist is in retaliation for his legitimate human rights activity. Emir-Usein Kuku is a civil rights activist and human rights defender who was actively involved in monitoring and documenting human rights violations in Crimea. He provided legal aid and support to the Crimean Tatars who have faced discrimination since the annexation of the peninsula by Russia in March 2014. In 2011-2014, as a member of the NGO “Human Rights Movement of Crimea”, Emir-Usein Kuku provided legal aid and defended the right for the freedom of religion. He organized public campaigns to protect the Crimean Tatar cemetery in Yalta from demolition. He also advised Muslims on cases of discrimination (e.g. bans to wear veils for women at work and girls at school) and helped to prepare files, complaints and appeals for such cases.

Emir-Usein Kuku provided consultations to the family of the Crimean prisoner Muetdin Alivapov and organized civic support in the court. He participated in the search for Isliaam Dzhepparov and Dzhevdet Isliaamov who went missing. Prior to his arrest in February 2016, Emir-Usein Kuku dealt with an arson attacks case in the Yalta region.

The retaliation against Emir-Usein Kuku is in contradiction to the provisions of art. 12 par. 2 of the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. Pre-trial detention used as a form of retaliation has been also considered, on many occasions, by the European Court of Human Rights as contrary to art. 5 and 18 of the Convention.

Crimean prosecutions are targeting the few independent voices still active after the illegal annexation of Crimea by Russia in 2014. The intersection of the attack on civil and political liberties in Crimea with arbitrary discriminatory treatment of representatives of the Crimean Tatar community takes on a special urgency.

The lack of access for international human rights mechanisms and bleak prospects for a political solution on Crimea gradually came to reduce the international attention to the situation on the peninsula. However, repression in Crimea has only persisted throughout 2016. Hefty charges are levied against activists, victims of increasing international fatigue and lack of human rights-centered solutions in regions affected by conflict and jurisdiction disputes.

The HFHR, the NHC and the HRIC call upon the international community to take actions to put a halt to reprisals against Emir-Usein Kuku and bring to an end his politically motivated arrest.