

13 November 2019

Crimea: Emir-Usein Kuku sentenced to twelve years in strict-regime correctional colony

On 12 November 2019, the Southern District Military Court in Rostov-on-Don sentenced Crimean Tatar human rights defender **Emir-Usein Kuku** to twelve years in a strict-regime correctional colony. Emir-Usein Kuku was arrested in February 2016 for alleged membership of a terrorist organisation. Later he was also accused of “planning to violently seize state power”.

[Emir-Usein Kuku](#) is a Crimean Tatar human rights defender and a member of the Crimean Human Rights Contact Group which monitors human rights violations and provides legal assistance to families of victims of political persecution in Crimea. Before his arrest, the human rights defender was actively engaged in monitoring cases of discrimination against the Muslim population in the Yalta region of Crimea and reporting on cases of politically-motivated enforced disappearance on the peninsula. Emir-Usein Kuku defends the right to religion, assists in the search for displaced people, and supports the families of political prisoners.

Emir-Usein Kuku was detained in February 2016 and together with five other Crimean Tatars was charged with “membership of a terrorist organisation”. He was accused of joining the Yalta branch of Hizb ut-Tahrir, an Islamist movement that is considered “terrorist” in Russia but not in Ukraine. In 2017 a new accusation of “planning to violently seize state power” was added to the charges he faces.

In December 2016, Emir-Usein was forced to undergo psychiatric examination and spent almost a month in a solitary cell in Simferopol Psychiatric Hospital No.1. In December 2017, after the completion of the investigative period, all defendants under this case were transferred from Crimea to Rostov-on-Don. Since his detention Emir-Usein has spent one year and nine months detained in Rostov-on-Don which is located 700km from his home town Yalta.

In June-July 2018, Emir-Usein Kuku spent twenty-four days on hunger strike in solidarity with Oleg Sentsov. They were demanding the release of seventy Ukrainian political prisoners held in Russian jails. Poor detention conditions and the hunger strike have negatively affected Emir-Usein’s health. Since then, his eyesight has weakened, his kidneys are damaged and he is suffering from a toothache and joint pain.

Persecution of Emir-Usein started in April 2015 when he was violently detained by the Federal Security Services of the Russian Federation. His house was searched, his phone and several books were confiscated, and he was interrogated about posts he made on social media. On the way to his interrogation, Emir-Usein was beaten and sustained an injury to his kidney.

The lawyers working on this case emphasise that there is no proof of any terrorist or violent activities performed by Emir-Usein Kuku. The charges are built purely on the basis that the defendants were attending religious gatherings and were reading religious literature. Amnesty International and Russian human rights organisation Memorial [recognise](#) Emir-Usein Kuku as a prisoner of conscience.

In its resolution "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine" adopted on 15 November 2018, the UN General Assembly expressed deep concern that “since 2014, torture has reportedly been used by the Russian authorities to extract false confessions for politically motivated prosecutions, including in the case of Oleg Sentsov, a Ukrainian film-maker and expressing deep concern about the ongoing arbitrary detentions and

arrests by the Russian Federation of Ukrainian citizens, including Volodymyr Balukh and Emir-Usein Kuku, and in particular those on hunger strike”.

Front Line Defenders is deeply concerned by the Southern District Military Court’s decision to sentence human rights defender Emir-Usein Kuku to twelve years in a strict-regime correctional colony. Front Line Defenders considers this decision a clear misuse of anti-terrorist legislation aimed at the prosecution and deterrence of human rights defenders’ work in Crimea.

Front Line Defenders urges the Russian authorities to:

1. Immediately quash the conviction, release Emir-Usein Kuku, and guarantee him physical and psychological immunity, as it is believed he is being targeted solely as a result of his legitimate and peaceful activities in the defence of human rights;
2. Immediately stop all further harassment of human rights defender Emir-Usein Kuku;
3. Guarantee in all circumstances that all human rights defenders in Crimea are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment and criminalization.