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The situation in the temporarily occupied territories of Ukraine

Letter dated 18 August 2021 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Further to my previous communications I have the honour to reiterate our appreciation for your highly important work to ensure full and effective coordination of all United Nations bodies with regard to the implementation of General Assembly resolution [75/192](#) on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine. It is encouraging that the human rights monitoring mission in Ukraine maintains its activities and we still hope that it will be granted unimpeded access to Crimea by the Russian Federation as an occupying Power in accordance with international humanitarian law.

I have the honour to inform you and Member States about yet another blatant illegal action undertaken by the occupying Power in the temporarily occupied Crimea that is contrary to international law, including international humanitarian law, as well as resolutions adopted by the General Assembly.

On 16 August 2021, the Southern District Military Court of the Russian Federation took the illegal decision to convict four citizens of Ukraine, Ruslan Nagaev, Lenur Khalilov, Ruslan Mesutov and Eldar Kantimirov, in the so-called Hizb ut-Tahrir Alushta group case.

Such actions of the Russian Federation are a continuation of its repressive practices against Ukrainian citizens of the temporarily occupied Crimea who seek to enjoy their human rights and fundamental freedoms in full, including the freedoms of expression, religion or belief and association, and the right to peaceful assembly. The fate of Ukrainian citizens detained and deprived of their rights and freedoms by the Russian Federation is of deep concern to Ukraine and the international community.

I would like to underline that the Ministry of Foreign Affairs of Ukraine strongly protests against the aforementioned illegal action and calls on the international community to respond to this shameful decision of the occupying Power, to categorically condemn Russia's illegal practice of prosecuting dissent and abusing anti-terrorist legislation, to demand of the Russian Federation that it stop violating human rights and international humanitarian law in Ukraine's temporarily occupied territories, to continue to actively defend the rights and freedoms of the residents of



the temporarily occupied Crimea, in particular within the framework of the new international format the Crimea platform, and to increase pressure on the Russian Federation, including by means of sanctions.

I would like to reiterate that the General Assembly, in its resolution [75/192](#), condemned the ongoing pressure exerted upon religious minority communities in the temporarily occupied Crimea, including through frequent police raids, demolition of and eviction from buildings dedicated to religion, undue registration requirements that have affected legal status and property rights and threats against and persecution of those belonging to mosques and Muslim religious schools. In the resolution, States Members of the United Nations condemned the baseless prosecution of dozens of peaceful Muslims in the temporarily occupied Crimea for allegedly belonging to Islamic organizations.

It is important to note that in its above-mentioned resolution, the General Assembly also condemned violations, abuses, measures and practices of discrimination against the residents of the temporarily occupied Crimea, including Crimean Tatars, as well as Ukrainians and persons belonging to other ethnic and religious groups, by the Russian occupation authorities.

The General Assembly urged the Russian Federation to restore enjoyment of the rights of all individuals, without any discrimination based on origin or religion or belief, revoke the decisions that banned cultural and religious institutions, non-governmental organizations, human rights organizations and media outlets and restore enjoyment of the rights of individuals belonging to ethnic communities in Crimea, in particular Ukrainians and Crimean Tatars, including that to engage in cultural gatherings and to respect the right to freedom of religion or belief and guarantee its enjoyment by all residents of Crimea.

In view of the above, I would like to bring to your attention and to the attention of the Member States the comment by the Ministry of Foreign Affairs of Ukraine dated 16 August 2021 on the illegal conviction of Ukrainian citizens Ruslan Nagaev, Lenur Khalilov, Ruslan Mesutov and Eldar Kantimirov by the Southern District Military Court of the Russian Federation (see annex).

I reiterate the call on the Russian Federation to abide by its international obligations, implement all relevant resolutions of the General Assembly, including the most recent, [75/192](#) and [75/29](#).

I also hope that the above-mentioned illegal practices of the Russian occupation authorities will be duly addressed in the report of the Secretary-General on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine.

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly under agenda item 65.

(Signed) Sergiy Kyslytsya
Ambassador
Permanent Representative

Annex to the letter dated 18 August 2021 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Comment of the Ministry of Foreign Affairs of Ukraine on conviction of four Ukrainian citizens

The Ministry of Foreign Affairs of Ukraine strongly protests against the illegal decision of the Southern District Military Court of the Russian Federation of 16 August 2021 to convict four citizens of Ukraine Ruslan Nagaev, Lenur Khalilov, Ruslan Mesutov and Eldar Kantimirov in the so-called Hizb ut-Tahrir Alushta group case.

All aforementioned citizens of Ukraine were illegally detained on 10 June 2019 by the FSB on the territory of the temporarily occupied Autonomous Republic of Crimea, and charged under Part 1 of Article 205.5 of the Criminal Code of the Russian Federation (“Organization of a terrorist organization”) and Part 1 of Article 30 and Article 278 of the Criminal Code of the Russian Federation (“Preparation for the forcible seizure of power by an organized group in collusion”). Subsequently, in violation of international law, they were illegally transferred to Rostov-on-Don – the territory of the Russian Federation. The pretrial investigation and trial, traditionally, took place with numerous procedural violations and in conditions of complete disregard of the evidence about the complete non-involvement of the mentioned citizens of Ukraine in the incriminated acts, provided by the defence.

Today’s sentences of R. Nagaev to 13 years, L. Khalilov to 18 years, R. Mesutov to 18 years, E. Kantimirov to 12 years in prison is yet another proof of Russia’s systemic political repressions against the Crimean Tatars in order to intimidate and suppress any disloyal civil movements and initiatives on the temporarily occupied Crimean peninsula. The Russian Federation must revoke the court’s decision and immediately release Ruslan Nagaev, Lenur Khalilov, Ruslan Mesutov, Eldar Kantimirov and all illegally detained Ukrainian citizens.

We call on the international community to respond to such a shameful decision of the occupying state, to categorically condemn Russia’s illegal practice of prosecuting dissent and abusing anti-terrorist legislation, to demand the Russian Federation to stop violating human rights and international humanitarian law on Ukraine’s territories temporarily occupied, to continue actively protecting the rights and freedoms of the population of the Crimean peninsula, in particular, within the framework of the new international format initiated by Ukraine – the Crimea Platform, and to increase the pressure on the Russian Federation, including by means of sanctions.