

URGENT ACTION

ACTIVIST RELEASED FROM PSYCHIATRIC DETENTION

Iلمي Umerov was released on 7 September after spending three weeks in forced psychiatric detention. He remains under criminal investigation for his peaceful activism against the Russian annexation of Crimea and could face a prison sentence, if convicted.

Iلمي Umerov, 59, is an ethnic Crimean Tatar activist and deputy leader of the Mejlis, a representative body elected by Crimean Tatars. His criminal prosecution, and his three weeks-long forced psychiatric confinement, appear to be intended as reprisal for his political activism. He has consistently publicly opposed the Russian occupation and annexation of Crimea in 2014. The Federal Security Service of Russia (FSB) opened a criminal investigation against Iلمي Umerov on 12 May under Article 280.1(2) of the Criminal Code ("calls for the violation of the Russian Federation's territorial integrity using mass media and the internet"). On 11 August, the Kyivskyi District Court in Simferopol ordered Iلمي Umerov to undergo a forced psychiatric examination. His lawyers' appeal against this decision has still not been heard. On 18 August, FSB agents forcibly moved Iلمي Umerov to a psychiatric hospital in Simferopol.

After spending three weeks in forced psychiatric detention, Iلمي Umerov was released shortly before 10 am on 7 September. The conclusion of his "psychiatric examination" was that he did not suffer from any mental health issues. Iلمي Umerov is still facing criminal charges. If convicted, he could be sentenced to a term of imprisonment of up to five years. The Kyivskyi District Court has not yet set a new date for the next hearing in his case. Iلمي Umerov continued to speak out and criticise the Russian authorities while in detention, and is determined to continue his peaceful activism.

Please write immediately in Ukrainian, Russian or your own language:

- Stressing that Iلمي Umerov is being prosecuted for exercising his right to freedom of expression and insisting that all criminal charges against him must be dropped;
- Calling for the persecution and harassment of dissenting voices from amongst members of the Crimean Tatar community to stop, and their rights to freedom of expression, association and peaceful assembly to be respected.

PLEASE SEND APPEALS BEFORE 21 OCTOBER 2016 TO:

Prosecutor of Crimea

Nataliya Poklonskaya
Simferopol, Crimea
Fax: +7 3652 550 310

Salutation: Dear Prosecutor

Director of Federal Security Service for

Crimea

Viktor Palagin
Simferopol, Crimea
Fax: +7 3652 256 031
Email: fsb@fsb.ru

Salutation: Dear Lieutenant General

And copies to:

Human Rights Commissioner in Crimea

Lyudmila Lyubina
Simferopol, Crimea
Email: upchvrk@mail.ru

Also send copies to diplomatic representatives accredited to your country.

HER EXCELLENCY Ms Natalia Galibarenko

Embassy of Ukraine
60 Holland Park W11 3SJ
020 7727 6312
Fax 020 7792 1708
emb_gb@mfa.gov.ua
www.ukremb.org.uk

Please check with your section office if sending appeals after the above date. This is the first update of UA 205/16. Further information:
<https://www.amnesty.org/en/documents/EUR50/4776/2016/en/>

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ADDITIONAL INFORMATION

Iلمي Umerov was born in Uzbekistan to Crimean Tatar parents who had been deported by the Soviet authorities from Crimea in 1944. After the Crimean Tatars started gradually returning to the peninsula in the late 1980s, Iلمي Umerov became a prominent member of the Crimean Tatar cultural movement and a local politician. In August 2014, following the Russian occupation and annexation of the peninsula, he resigned in protest from his position as the Head of the local administration for Bakhchisaray District. He has remained an outspoken critic of the annexation and peacefully advocated the return of Crimea to Ukraine.

Immediately after his release on 7 September, Iلمي Umerov went to a court hearing to support Akhtem Chygoz, another deputy leader of the Mejlis, who is standing trial under criminal charges brought against him by the Russian authorities for purportedly organising “mass disturbances” on 26 February 2014. Akhtem Chygoz has been in pre-trial detention since February 2015.

Senior members of the Mejlis of the Crimean Tatar People have faced reprisals, including harassment, forced exile and criminal prosecution in connection with their outspoken opposition to the Russian occupation and annexation of Crimea. On 26 April 2016, the Supreme Court of Crimea pronounced the Mejlis to be an “extremist organisation” under Russian legislation thereby making its membership and any further activities on its behalf a criminal offence. The appeal against this ruling has not been heard (see press release: <https://www.amnesty.org/en/latest/news/2016/04/ban-on-ethnic-crimean-tatar-assembly-aimed-at-snuffing-out-dissent/>).

Amnesty International has documented the alarming rise of violations of the rights to freedom of expression, peaceful assembly and association in Crimea since its annexation by Russia in March 2014 (see report: One year on: Violations of the rights to freedom of expression, assembly and association in Crimea, <https://www.amnesty.org/en/documents/eur50/1129/2015/en/>). Furthermore, several ethnic Crimean Tatars and other pro-Ukrainian activists have been forcibly disappeared. In the latest instance, Crimean Tatar activist Ervin Ibragimov went missing near his house on 24 May 2016 (see Urgent Action: <https://www.amnesty.org/en/documents/eur50/4121/2016/en/>). Footage from a nearby camera showed a group of men forcing him into a van and then driving away. None of these disappearances has been effectively investigated.

According to international law and standards, deprivation of liberty on the grounds of mental illness is unjustified if not strictly necessary to protect the safety of the person or of others. The Convention on the Rights of Persons with Disabilities forbids the deprivation of liberty based on the existence of any disability, including mental or intellectual. Furthermore, the Special Rapporteur on torture has said that medical treatment administered in the absence of free and informed consent may amount to torture or other ill-treatment.

Further information on UA: 205/16 Index: EUR 50/4786/2016 Issue Date: 9 September 2016