

Permanent Mission of the Russian Federation to the United Nations Office and Other
International Organizations in Geneva

No. 4789

The Permanent Mission of the Russian Federation to the United Nations Office and Other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to transmit information from the Russian Federation in connection with joint appeal AL/RUS 11/2022 of 9 September 2022 from a number of special procedures of the United Nations Human Rights Council.

The Permanent Mission takes this opportunity to renew the assurance of its high consideration to the Office.

Enclosed: As mentioned, 4 pages.

(Stamped)

Geneva, 4 November 2022

Office of the United Nations High Commissioner for Human Rights
Geneva

Information from the Russian Federation in connection with the joint request of the special procedures of the United Nations Human Rights Council relating to the lawyers, E. S. Semedliaev, M. M. Shekhmambetov, E. R. Avamileva and A. B. Azamatov (Republic of Crimea)

Reference: AL RUS 11/2022 of 9 September 2022

The Russian Federation, having studied the request from the special procedures, hereby reports that during its monitoring of the Internet, the Centre for Combating Extremism under the Ministry of Internal Affairs of the Russian Federation responsible for the Republic of Crimea found a Facebook¹ page under the name “Edem Semedliaev”.

On 16 April 2022 Edem Serverovich Semedliaev, [REDACTED] placed a post on this page containing a publication by a user, [REDACTED] whose content was aimed at discrediting the use of the armed forces of the Russian Federation for the defence of the country’s interests and those of its citizens, in support of international peace and security. The post also called for unauthorized public demonstrations. In this connection, on 26 May 2022 Mr. Semedliaev was booked for an administrative offence under article 20.3.3 (2) of the Code of Administrative Offences of the Russian Federation.

Mr. Semedliaev was found guilty of an administrative offence by a decision of the Kiev District court of the city of Simferopol, handed down on 26 May 2022 and upheld by the Supreme Court of the Republic of Crimea on 29 June 2022. He was sentenced to a fine of 75,000 roubles, which was paid on 27 July 2022.

In addition, on the “Crimean Solidarity” user’s page, there were publications from 25 and 26 October 2021 with videos containing comments by Nazim Nurievich Sheikhmambetov, [REDACTED] Emina Radionovna Avamileva, [REDACTED] and Aider Bilyalovich Azamatov, [REDACTED] with the following texts: “LIVE. Comments by lawyers Aider Azamatov and Emina Avamileva near the Central Police Station in Simferopol”, and “LIVE. Closing comments by the lawyer Nazim Sheikhmambetov on the incidents at the Central Police Station following the arrest of Crimean Tatars”.

This material was sent to the police of the Republic of Crimea, and on 26 and 27 May 2022 the persons in question were booked for administrative offences under article 20.2.2 (1) of the Code of Administrative Offences of the Russian Federation, for organizing the presence and/or movement of citizens in public areas causing a disturbance to public order.

Mr. Sheikhmambetov was found guilty under article 20.2.2 (1) by a decision handed down by the Central District Court of the city of Simferopol on 27 May 2022 and upheld by a ruling of the Supreme Court of the Republic of Crimea of 29 June 2022. The administrative penalty was set for 8 days of administrative arrest and he has served the sentence.

Ms. Avamileva was found guilty of an administrative offence under article 20.2.2 (1) and sentenced to 5 days of administrative arrest by a ruling of the same court, on 28 May 2022. A ruling by the Supreme Court of the Republic of Crimea of 22 June 2022 (on an appeal filed by Ms. Avamileva) upheld the decision. She has served her sentence.

In turn, the same court on 28 May 2022 found Mr. Azamatov guilty under article 20.2.2 (1) and sentenced him to administrative arrest of 8 days (a sentence which has been served).

However, owing to a violation of the rules of competence of the court, on 4 July 2022 the ruling of the Central District Court was annulled by a decision of the Supreme Court of the Republic of Crimea, and the case was sent for consideration by the Kiev District Court of the city of

¹ A decision handed down by the Tversk district court of Moscow on 21 March 2022 recognized the United States multinational holding company Meta Platforms, Inc., which features Facebook, as extremist.

Simferopol. On 4 August 2022, Mr. Azamatov was found guilty under the same article and was sentenced to administrative arrest of 8 days, a sentence which was not enforced, as he had departed.

On 5 September 2022, this decision was confirmed by the Supreme Court of the Republic of Crimea.

In all the cases of administrative offences mentioned above, the courts carried out appropriate evaluations of the evidence, in accordance with article 26.11 of the Code of Administrative Offences of the Russian Federation. The administrative penalties were handed down within the limits of the legal standards and taking into account information on the character of the offender and the specific circumstances of each case.

The basis for finding Mr. Azamatov and Ms. Avamileva responsible for administrative offences was the finding in the administrative booking that on 25 October 2021 they wilfully took part in a mass gathering of citizens in a public area, with the aim of expressing support for arrested persons, including in violation of the health standards and rules in place during a period of heightened vigilance against the coronavirus disease (COVID-19) pandemic, and without wearing personal protective equipment. Mr. Sheikhmambetov was booked for a similar administrative offence, committed on 26 October 2021.

Under article 30.12 of the Code of Administrative Offences of the Russian Federation, persons who have been found guilty of administrative offences and who wish to contest the decision have the right to lodge an appeal against such a decision that has entered into force, including with an extension of the deadline for filing a complaint.

According to the Procurator General of the Russian Federation, there are no grounds for filing challenges to the rulings handed down by the courts.

Mr. Semedliaev, Ms. Avamileva and Mr. Azamatov are registered as active lawyers in the State information system entitled “List of lawyers of the Russian Federation and lawyers of foreign States carrying out activities as lawyers in the Russian Federation”. Their information is included in the registry of lawyers of the Republic of Crimea under registration numbers 90/935, 90/5 and 90/8.

Mr. Sheikhmambetov is a lawyer whose information is included in the regional registry of lawyers of the Chechen Republic under registration number 20/1251, but his status has been terminated.

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