

**LIFE UNDER OCCUPATION: THE STATE
OF HUMAN RIGHTS IN CRIMEA**

HEARING

BEFORE THE

**COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**

ONE HUNDRED SIXTEENTH CONGRESS

SECOND SESSION

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JANUARY 28, 2020
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JANUARY 28, 2020

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LIFE UNDER OCCUPATION: THE STATE OF HUMAN RIGHTS IN CRIMEA

January 28, 2020

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

The hearing was held at 10:00 a.m. in Room 210, Cannon House Office Building, Hon. Alcee Hastings, Chairman, Commission on Security and Cooperation in Europe, presiding.

Commissioners present: Hon. Alcee Hastings, Chairman, Commission on Security and Cooperation in Europe; Hon. Roger F. Wicker, Co-Chairman, Commission on Security and Cooperation in Europe; Hon. Sheldon Whitehouse, Commissioner, Commission on Security and Cooperation in Europe; Hon. Robert B. Aderholt, Commissioner, Commission on Security and Cooperation in Europe; and Hon. Marc Veasey, Commissioner, Commission on Security and Cooperation in Europe.

Witnesses present: Oleg Sentsov, Ukrainian writer and filmmaker held prisoner by Russia for 5 years; Tamila Tasheva, Deputy Permanent Representative of the President of Ukraine in the Autonomous Republic of Crimea; and Melinda Haring, Deputy Director, Atlantic Council's Eurasia Center; Senior Fellow, Foreign Policy Research Institute.

HON. ALCEE HASTINGS, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. HASTINGS. Good morning and welcome to the United States Helsinki Commission.

Our subject this morning is "Life Under Occupation: The State of Human Rights in Crimea." Almost all of us in this room know about this situation. I'd ask us now to come to order. [Bangs gavel.] And I will say that some of my colleagues who aren't as diligent about time as I am will be coming along. I believe on both sides of the aisle we have commissioners that are going to join us this morning.

It's hard to believe that almost 6 years have passed, 5 of which Oleg Sentsov was in prison most of that time. Just as it did in Georgia 2008, Russia defied international law and in a sudden,

brazen display of revanchism rewrote the borders of a sovereign nation. Of course, we know how Crimea was just the opening salvo in President Putin's—I guess he's still president. It seems like last week or two he's been reforming everything so he can be leader for life—but his campaign to stop what he saw as the inexorable movement of a fledgling democracy toward greater integration with the West, its values, and its institution.

A little disclaimer here. At the time that the Orange Revolution took place I was the lead monitor for the Organization for Security and Cooperation in Europe in that election, so I saw firsthand some of the beginnings of a change. And, I might add, I went back as the lead monitor for the second election. And I felt in both instances that the elections were handled appropriately.

To Mr. Putin, the Ukrainian people's desire for closer ties to the European Union, for stronger democratic institutions, and to an end to endemic corruption was impermissible. So he did the unthinkable, and through blatant subterfuge and an utter disregard for international law, he took by force a part of Ukraine's sovereign territory, changing forever the lives of the people who live there. He went on to instigate a bloody conflict that's ongoing in Eastern Europe at the cost of, so far, 13,000 dead and many thousands more injured or displaced. Putin did all of this in order to stymie Ukraine's Euro-Atlantic aspirations.

Today we're here to talk about the lives of the people who live under the heavy hand of Russia-occupied Crimea. Some of them forced to flee their homes, some to give up their fundamental freedoms of expression, and worship, and even their ethnic and cultural identity in order to survive. Through a variety of hardline methods, including forced citizenship, sham referendums, legal intimidation, disinformation, and prohibitions on access to and use of Ukrainian language, Russian authorities have sought to stifle dissent and project to the world a false image of a prosperous, free Crimea.

I was never in Crimea, but I read a lot about all of Ukraine when I was doing work there. And my understanding before all of this intervention, Crimea was flourishing, particularly in the area of tourism. And I also know for a fact with our discussions with Ukrainian leaders that there was a very strong leaning of Ukraine to join NATO at some point in their future. By limiting access to the international and Ukrainian human rights organizations, the Kremlin has effectively created a veil between Crimea and the rest of the world.

This morning we have three respected witnesses with us who will pull back the veil and show us the harsh reality of Russia's oppressive occupation, one which includes arbitrary arrests, harassment, imprisonment, censorship, and other brutal tactics aimed at forcing a proud people into submission—whether they be civil or society activists, community or religious leaders, artists, journalists, or simply those whose religion and ethnicity are viewed with distrust and fear. The goal of today's hearing is to shine a light on the human rights situation in Crimea and to send a clear signal to the people there that the U.S. Congress, particularly Alcee Hastings, the Helsinki Commission, and the Organization for Secu-

rity and Cooperation in Europe, have not forgotten about your plight.

First to speak is a man who comes to symbolize, through his courage and moral strength, all those Crimeans who refuse to bend to the Kremlin's will. Oleg Sentsov is a Ukrainian filmmaker and director who was detained by Russian authorities in May 2014 on trumped-up charges of terrorism and was sentenced to 20 years in a Russian prison. But he refused to be silenced. In 2018, he began a hunger strike that lasted 145 days to call for the release of all Ukrainian political prisoners held in Russia, capturing the world's attention to his and his countrymen's plight. This nation and Congress never forgot about you, Mr. Sentsov. And it moves me greatly to have you here with us, once again a free man. When I just met you I told you I thank you for your courage. I really, really do. We look forward to hearing your thoughts on the situation in Crimea.

Next we will have Ms. Tamila Tasheva, who is the deputy permanent representative of the president of Ukraine in the Autonomous Republic of Crimea. That takes a lot of courage also, and you're deeply appreciated. Before being named to her current position, Ms. Tasheva worked as a cofounder and head of Crimea SOS, a human rights group focused on the plight of internally displaced persons, as well as the overall human rights situation in Crimea. She was also a volunteer during the Euromaidan. Prior to 2014, Ms. Tasheva was a civil society activist and organizer of events and initiatives highlighting the religious and ethnic culture of Crimea. I welcome you, Ms. Tasheva, to today's hearing. And we appreciate your participation.

And last—and I'm not going to go back through their biographies, I believe you'll find at the desk outside further information on all of them—last we have Ms. Melinda Haring, who is deputy director of the Atlantic Council's Eurasia Center. Previously Ms. Haring was the editor of the Council's Ukraine Alert blog that she controlled. She is a long-time observer of the region, whose work has been published by NPR, Radio Free Europe and Radio Liberty.

A footnote there, I wish we had a great deal—and I'm talking about Congress now, to you all—I wish we had a great deal more Radio Free Europe and Radio Liberty. And I'm an advocate for funding them appropriately, which we have not been doing for a decade, in my judgment.

She's appeared in The Washington Post and other prominent outlets over the course of her career. Ms. Haring has worked for Eurasia Foundation, Freedom House, and the National Democratic Institute. In addition to her duties with the Atlantic Council, she is also vice chair of the board of East Europe Foundation in Kyiv, and a term member of the Council on Foreign Relations. Welcome, Ms. Haring, and thank you for your testimony today.

I turn now to Mr. Sentsov for any offering that he may wish to make. Thank you, sir.

[Note: Mr. Sentsov's remarks are provided through an interpreter.]

OLEG SENTSOV, UKRAINIAN WRITER AND FILMMAKER HELD PRISONER BY RUSSIA FOR 5 YEARS

Mr. SENTSOV. Thank you very much for inviting me to speak at this commission. I will speak about what I experienced and what

other people experienced as well during and after the occupation of the Crimea when the revolution of dignity won a victory, which was on February 22d, 2014, when we displaced the government of Yanukovich, who was directly subordinating to Putin. Putin realized that he was using Ukraine as a sphere of influence and decided to take at least something. He decided to take the Crimea because that's where many Russian-speaking people were residing and earlier Crimea had been, at some point, a part of the Russian empire, and the Crimea was the home to a Russian naval base.

Russia likes to say that there was some allegedly legal referendum about the Crimean people's will expression. But this has nothing to do with the reality. In reality, this was a military occupation and a seizure of territory. It started on the night of February 26, 2014. This was 3 weeks before the so-called referendum. Military servicemen without any insignia who would be easily recognized as—

Mr. HASTINGS. The little green men?

Mr. SENTSOV. One could easily see they were Russian regular military servicemen because of the equipment, the weapons, and the way they spoke. They did not actually conceal that they were Russians. So partly people welcomed them, but a part was against it. But it was impossible to object because military patrols were everywhere. They set up machine guns at street intersections and armored cars were patrolling streets as well. And then military columns were moving out of Sevastopol, the naval base, but also from Kerch, from across the strait, from the Russian territory. So within a few days, the Crimea was flooded with Russian military and Russian vehicles. Russian military vehicles, trucks, did not even have their license plates removed. They felt so confident, they were not scared of anything.

I, as well as many other Crimeans who were against this, tried to speak out and do something against it. We were setting up protests and rallies against it. But this was dangerous because we were facing obstacles. Our actions were dispersed, and our activists got arrested. Some activists were missing—were disappearing and some were found killed. Very soon there was established an atmosphere of fear, where you could not say anything against Russia. And this was long before that referendum came. At the same time, Russia deployed and utilized its propaganda specialists and pro-Russian activists. They were installing symbols of Russia and setting up rallies, and shouting: Russia! Russia!

But it's obvious when you hear a person from Russia speak. They have a different accent than the Crimean speak Russian. It was obvious that this was a political show staged by people brought in from Russia. But this was being done to make a picture—a nice picture for Russian TV, a propaganda picture showing that Crimeans allegedly support Russia. And in order to maintain this atmosphere of fear and suppress any desire to resist, our criminal case was fabricated in part. This was to show everyone and make them understand that any resistance is futile. So they fabricated this case alleging that I was part of some group that was preparing some explosions. All those detained, arrested on those charges were tortured during interrogations because there were no proofs—no explosives, no weapons, nothing. But not everyone can stand tor-

tures. That's why some made confessions. They later refused from those earlier testimonies during the court, but——

Mr. HASTINGS. Mr. Sentsov, what were some of the things that they did to you, if you don't mind? I know that's difficult to talk about, but——

Mr. SENTSOV. Beatings of people with arms, legs and batons, suffocating them with a plastic bag. This is a very simple, but very effective torture. I've only seen this in—but prior to that I saw this only in an American movie, or some other movies. And when I saw that in a movie, I could not understand why it breaks people so apparently easily. But when they deprive you of breathing, that impacts your most basic instinct, to breathe. You're seized by a very strong, like, animal fear, and you can't resist it. You are willing to survive so strongly you're ready to say anything. But I did not sign what they wanted. That's why I was given this sentence of 20 years in prison.

They proposed me a deal saying if I testify against Ukrainian leaders, I will only get 7 years in prison. And I refused to do that. While I was in the Russian prison afterwards, I incidentally intersected with a Russian military serviceman who was in a neighboring cell. He was a former serviceman of the Russian Spetsnaz, the special operation force of the GRU. He was sentenced for criminal offense performed—while he was drunk he killed a police officer.

And he told me more about how Crimea was seized, because he was a part of that operation. He said that back on February 22d of 2014, this was the day when Yanukovich's power collapsed, they received orders and were transferred from Novorossiysk, a port in Russia, to Sevastopol in the Crimea. Then they waited for 3 days in Sevastopol for orders to move. And then on February 26th, they started occupying the Crimea. So his testimony only added to the picture of this occupation that I knew. He told me that after the Crimea he was involved in the military action in the Donbas, how they were entering Ukraine's territory from the Russian territory, performing their operations, and then leaving back. And he explained that all the most serious military action against Ukrainian military were done by Russian Spetsnaz, the special operation forces.

That's all I know on this question, but I'm sure Tamila can add more.

Mr. HASTINGS. I'll come back and ask you some questions at some other time, if you don't mind.

But Ms. Tasheva.

**TAMILA TASHEVA, DEPUTY PERMANENT REPRESENTATIVE OF
THE PRESIDENT OF UKRAINE IN THE AUTONOMOUS REPUBLIC
OF CRIMEA**

Ms. TASHEVA. Honorable chairman, dear colleagues, it's a great honor to be invited here today to testify about the realities of life under occupation and the state of human rights in Crimea. Almost 6 years have passed since Russia started its aggression against Ukraine by invading Crimea and initiated hybrid warfare with its proxies in Eastern Ukraine. Everybody residing in the territory of the Autonomous Republic of Crimea and the city of Sevastopol was

forced to get Russian passports and acts of enforced citizenship, unrecognized by Ukraine and international community. In Crimea, it is impossible to live without the Russian passport because people who do not have them are deprived of social services and medical care.

Russia's next step was the prosecutions of disloyal groups of population, including Crimean Tatars, who ignored the so-called referendum and leaders did not recognize Russian jurisdiction over Crimea, and ethnic Ukrainians. Russia's instruments of prosecution included harassment, imprisonment on political grounds, kidnapping and murder. At least 20 individuals were killed and 50 kidnapped, of which 15 remain missing and have yet to be found. More than 100 individuals were imprisoned on political grounds. And the houses of at least 350 individuals were searched and their residents detained.

Russia cynically imposes ideologies, but specifically on the young generation. Children and youth are brought up in the spirit of militant patriotism and taught to glorify the occupying state. Such an ideology puts pressure on children and negatively influences their consciousness. According to the occupying authorities, at least 8,500 children in Crimea were incorporated into the military movement, in the young army. Half of them were inducted as recently as 2019.

Mr. HASTINGS. Ms. Tasheva, were they boys and girls, or just boys are being—

Ms. TASHEVA. Yes, it's boys and girls.

Mr. HASTINGS. Boys and girls.

Ms. TASHEVA. Since the spring of 2015, Russia launched a recruitment campaign in Crimea for its own military. As a result, at least 20,000 Crimeans were conscripted to Russian military service. Most of the conscripts are sent to military services in faraway regions of the Russian Federation.

Since the beginning of the occupation, at least 78 criminal proceedings in Crimea have been initiated against individuals who have avoided the mandatory conscription. During this occupation, the Russian Federation has directly and indirectly displaced the local Crimean population and replaced them with their own citizens. Since the beginning of the occupation about a thousand Ukrainian citizens have been forcibly deported. About 42,000 people registered in mainland of Ukraine as internally displaced persons from Crimea. The replacement of the local disloyal Crimean population with the Russian population is ongoing. From 2014 to 2019 estimates guess between 140,000 and 300,000 Russian citizens changed their place of registration from regions of Russia to the so-called Federal city of Sevastopol or Republic of Crimea. The occupying administration plans to increase the number of migrants to more than 450,000 people.

Following widespread arrest of Crimean Tatars in 2016 a civic movement known as Crimean Solidarity emerged to unite relatives of the imprisoned lawyers and activists. In May 2018 Server Mustafayev, the key coordinator of the movement, was arrested and charged with participation in terrorist organization. On 27th March 2019, mass searches took place in the homes of 25 activists in order to harass members of the movement. Twenty-four people

were detained after the searches and targeted with a criminal prosecution. The occupying state creates a territory that lacks many rules of law and suppresses any struggle of the local inhabitants for their rights.

Due attention should be drawn to the situation of the Crimean Tatars in occupied Crimea. After the beginning of occupation, Russia attempted to bribe key Crimean Tatar leaders to announce their support of Russia. However, after being rejected, Russia started to struggle with the Crimean Tatars by eliminating their national institutions, particularly the Mejlis of the Crimean Tatar People, which was formally banned for extremism. Some leaders of Mejlis were criminally prosecuted, harassed, and tortured. On April 19, 2017 the International Court of Justice addressed the case, *Ukrainians versus the Russian Federation*, and obliged Russia to reject the existing limitations, to refrain from further constraining measures against Mejlis. The International Court of Justice order has not yet been implemented by the Kremlin.

From its side, Ukraine creates all the conditions for preserving, restoring, and supporting communication with its own citizens residing in the temporary occupied Autonomous Republic of Crimea and the city of Sevastopol. We realize the failures of certain actions, including several laws and regulations adopted right after beginning of Crimean occupation, regarding poor border crossing conditions within the temporarily occupied territory, a recognition of our own citizens living in occupied territory as nonresidents, and other discriminatory regulations as identified by Ukrainian and international human rights organizations.

But the official policy of Ukraine has now undergone significant changes. In particular, the checkpoints at the administrative border with Crimea were completely equipped and improved, including the construction of service zone. An amendment to the current legislation canceling discriminatory regulations related to nonresident status was also developed. A new TV channel is planned as a source of credible information for the residents of occupied territories to counter Russian propaganda.

We express our gratitude to the United States of America for its consistent support of the territorial integrity of Ukraine and assist in countering armed aggression by the Russian Federation. We firmly believe that only through joint effort is it possible to counteract systematic violations of human rights. On this occasion, we would like to assure you that we recognize that the consistent support of the United States in voting for the resolution on Crimean accession of the U.N. General Assembly during the imposition of the promulgation of sanctions on Russian Federation, and in particular on resolving the problem with gas transportation.

We highly appreciate Crimean declaration by U.S. Secretary of State Mike Pompeo adopted in July 2018. We hope that all European countries will follow suit and adopt their own Crimean declaration. We are convinced that next step should be the creation of an international platform for negotiation on the return of the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol. Thank you very much for your attention and I would welcome your questions and comments if you have.

Mr. HASTINGS. Thank you, Ms. Tasheva.

I'm known to throw staff off and depart from the regular routine. We don't have any notepads in the audience, but before hearing from Ms. Haring, maybe we could pass around a couple of these that members have not occupied yet. And if any of you would write a question—

I think I'm prepping for what's happening in the Senate. That's how they do that. But just raise your hand, and we'll have our staff pick it up. I'd like to do that because it's kind of hard to just sit up and listen, and never have anything to say.

But Ms. Haring has a lot to say, so without my involvement anymore, Ms. Haring, we're welcome to hear you.

MELINDA HARING, DEPUTY DIRECTOR, ATLANTIC COUNCIL'S EURASIA CENTER; SENIOR FELLOW, FOREIGN POLICY RESEARCH INSTITUTE

Ms. HARING. Thank you, Chairman Hastings, for the opportunity to speak today. Crimea hardly gets any attention so thank you so much for your leadership and your passion for Ukraine. The human rights situation in Russian-occupied Crimea is acute and getting worse. It merits a hearing as a stand-alone issue. But I want to provide a little bit of framing beyond all of the grim statistics that we can all throw out.

What happens in Crimea has significance that goes beyond the plight of 2 million people who live there. What happens in Crimea may not stay in Crimea. What Moscow is learning in Crimea is how to apply a range of oppressive and coercive tactics to minorities it perceives as hostile and of questionable loyalty. These insights could be applied elsewhere in Russia, which is home to considerable non-Russian minority populations. How the U.S. Government reacts to the ongoing abuses in Crimea will undoubtedly factor into Moscow's calculus on comparable situations in the future.

The picture in Crimea is grim. It's no exaggeration to say that the peninsula is becoming a police state. Crimea was once the pearl of the Black Sea and a premier vacation destination, as you noted. It's now bereft of tourists. It's cut off from the world without any access to independent media. And it's a place where occupying authorities use children to spy on their parents. The media is controlled by the government, independent media sources are forbidden and have been blocked or barred from the peninsula.

The good news, though, is that the U.S. Government worked quickly to stand up an excellent independent source of information that is flourishing today. Within 3 months of annexation Radio Free Europe/Radio Liberty's Ukraine service launched a website called Crimea Realities, and it tracks all the developments in Crimea in three different languages—in Russian, Ukrainian, and Crimean Tatar. It's the top-ranked news source on Crimea, with approximately 2.4 million visits per month in 2019. I, too, share your enthusiasm for Radio Free Europe/Radio Liberty. And their Ukraine service—I cover Ukraine broadly—is outstanding.

Mr. HASTINGS. Good. Thank you.

Ms. HARING. Absolutely. Religious freedom is also a serious concern. The Ukrainian Orthodox Church is forbidden in Crimea. And Crimean Tatars are routinely interrogated after Friday prayers. I

can go into this in more detail, but the legal code was changed after annexation. And that's a big deal.

Mr. HASTINGS. And that includes the Jehovah's Witnesses?

Ms. HARING. That's correct, sir. That's correct. Another area of concern that Tamila has gone into is education and language rights. I won't belabor that point.

Since annexation, 50,000 people, including more than 25,000 Crimean Tatars, have fled. Approximately 500,000 Russians have moved in, primarily—they're primarily military personnel and civil servants. The situation is getting worse. According to the Crimean Tatar Resource Center, the number of politically motivated arrests has increased ninefold in the last 2 years. One hundred Crimean political prisoners are being held in Russia. And the problem is, we don't know their names. We know Oleg Sentsov's name, but we don't know the other hundred names. And, Mr. Chairman, I would love for you to help us get their names out there. That's something that Congress is really good at doing.

The FSB [Russian Federal Security Service] is doing its absolute best to stamp out dissenting thought. Up to 200,000 people over the last 6 years have been approached, intimidated, or interrogated by the FSB. And they aren't nice. Here's what they do: They break into your home between 4 and 6 a.m., when your children are sleeping. They sometimes enter from the roof. They brandish automatic weapons and grenades, and they're in full special forces gear. Russia has effectively turned Crimea into a Russian military base.

It's no exaggeration to say that Crimea is armed to the teeth. And I have a lot of statistics on APCs [armored personnel carriers] and all kinds of gear if you want to talk about it. The Soviet Union's bases on the peninsula have been restored, and anti-aircraft missile systems now line Crimea's perimeter. Additionally, the Russian Government may have placed nuclear weapons in Crimea. Perhaps most troubling, though, are reports that the state is using its security services to encourage ordinary people to spy on their neighbors and their families.

Given these many challenges what can the government—what can the U.S. Government do? Continue to speak out unambiguously. Crimea is Ukraine, full stop. Continue to invest heavily in Radio Free Europe/Radio Liberty's Ukraine service. This is a lifeline that keeps the people of Crimea from being cut off from the larger world. Help make the names of the hundred Crimean prisoners known. The United States should support cultural, religious, and educational institutions in Ukraine that operate outside of Crimea—many of them are in Kyiv, but support resistance to Russian occupation there.

Thank you so much, Mr. Chairman, for your leadership and passion for Ukraine.

Mr. HASTINGS. Thank you, Ms. Haring.

We've been joined by United States Senator Sheldon Whitehouse. And I'm delighted. I indicated to him that we have not asked questions. But in an effort to let him set up, I'm going to just ask the two that came to me from the audience. And now more. [Laughs.] I'll ask these after Senator Sheldon finishes up.

How do you see justice in Ukraine in a case of Russia leaving Crimea? It's an interesting question. That's if Russia were to leave,

how do you see justice? And I guess another way of putting that would be to compare justice before the intervention with what you're experiencing now.

Mr. SENTSOV. What matters is that Russia should leave. And all those questions that may come up, we'll deal with them later.

Mr. HASTINGS. All right. The senator and I have probably have the very same questions.

So I hope I'm not treading in his territory. But this came from the audience, and I was going to ask: What next? And what can the U.S. Congress do to support Crimean independence? And I ask all three of you that question. And then I'll turn to my friend, Senator Whitehouse. Believe it or not, some of us are friends up here. [Laughter.]

Ms. TASHEVA. A Senate commission on legal reform along with a working group on reintegration was established at the State level. And a national concept of traditional justice is finalized within the framework. This concept consists of four main blocks—compensation for damages to victims and responsibility for crimes committed during the armed conflict. Rights to truth and restoration of historical truths. And reform of the security sector. The concept will become the framework for the development of a legal regulation system regarding issues connected with the aggression conducted by Russian Federation.

Yes, I am answering for your question, what is happened after Crimea is—the occupation. Because Ukraine works on traditional justice concept, what we do after the occupation, and what we must do before occupation, and what are our plans. If—yes.

Mr. HASTINGS. Mr. Sentsov.

Mr. SENTSOV. Regarding the question, what the U.S. Congress can do, the U.S. Congress has already done a lot. The sanctions were adopted. They haven't killed Russia, but they have made an effect. This most recent action regarding Nord Stream project, that was a very powerful step. And it's not that it makes serious economic impact on Russia, but it heavily impacts Putin's political ambition. And I hope those efforts will continue.

The most important thing is that the policy would not switch from continuous pressure to efforts to make peace. For Putin, any attempt to make peace is seen as a sign of weakness. It's impossible to talk with him, because he does not want peace in Ukraine. His goal is to conquer Ukraine and to control all neighboring countries of the region. And that's what Ukraine will never accept, which is why making peace with Putin is impossible. And we hope the Congress will not allow that to happen behind our backs. We need to continue putting pressure on Putin on every front until we defeat this terrorist state.

Mr. HASTINGS. All right. We've—yes, Ms. Haring. I was going to say, before you make your remarks, we've been joined by our commissioner Robert Aderholt, who is the immediate vice chair of this organization. Go ahead.

Ms. HARING. Thank you so much.

As an editor I don't think I'll surprise you by saying: Words matter. And the Russians hate it when we call Crimea Russian-occupied. So our words matter. We can continue to speak out and use our voice. And I agree with Mr. Sentsov that Congress has been ex-

emplary. And there's a number of things, though, that I think we can do. Like I said before, helping to make the names of the hundred political prisoners in Crimea known. Let's make them international stars. Don't forget their names. Keep the sanctions on, absolutely.

The United States should support cultural, religion, and educational institutions in Ukraine that help—that are based outside of Crimea, but that support the resistance. And I can give you some specific examples, if you'd like. We need to continue to invest heavily in Radio Free Europe/Radio Liberty's Ukraine service. And I have to admit, this is a thorny problem.

There's a debate within the expert community. Are we going to have to wait 50 years, like we did in the Baltics? And some people think that. I can tell you that the Crimean Tatar community doesn't think that they have that long. That there aren't as many of them. And they think the situation—that the status quo will not hold and that we have to do something more now.

Mr. HASTINGS. All right. We've been joined now by the vice chair of the organization, my good colleague and friend Senator Roger Wicker. And, Roger, where we are, we have had opening statements and I have continued to have a few things to say. I see Gayle Wicker just walk in here. Hey, Gayle. And we're going to go to Senator Whitehouse. And then if you don't mind, I'll come to you. I'll defer—maybe have one question or so while I get you ready—and then we'll go to Robert. I know you all have a lot of stuff going on.

HON. ROGER F. WICKER, CO-CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. WICKER. Well, thank you, Mr. Chairman. But I don't mind waiting my turn. And many people have come here and—

HON. SHELDON WHITEHOUSE, COMMISSIONER, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. WHITEHOUSE. And I don't mind yielding to the vice chairman. There's a reason why somebody is the vice chairman. They should get some priority. And if you want to go ahead, feel free to do so. Again, I'm ready—

Mr. HASTINGS. Well, you were here first, Senator. So we're trying to toe the line.

Now, Robert, the ball's in your court.

HON. ROBERT B. ADERHOLT, COMMISSIONER, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. ADERHOLT. I'm going to defer to the senator, so. [Laughter.] Let me say it's good to be here. I'm still trying to—sorry I was late. I had a previous engagement, but glad to have each of you here, glad to hear your comments on this issue, and this is very informative. This is a big issue for us. We all have friends that are in Ukraine. And so we want to be a friend of Ukraine in every way possible. But, yes, let me—let me just pass right now, and come back to me later.

Mr. HASTINGS. All right. All right. We'll then go to Senator Whitehouse.

Mr. WHITEHOUSE. Let me start with a question for Ms. Haring. History, unfortunately, is an exhibit of instances in which one country occupies another country, or the territory of another country. Of those many instances with which our history is replete, are there any that make a good analogy for the nature of Russian occupation of Ukraine today? In some cases, the occupier can be seen as a liberator, and afterwards backs off. I think we occupied France at the end of the war, and the French were actually okay with that. And we gave them their country back, and the Marshall Plan kicked in, and everything was great. That was a fairly benign exercise. The exercise of occupation power that preceded that was obviously less benign. And this has happened all around the world. Do you think there's an analogy in history for what the Russians are doing in Crimea, in terms of the scope of that oppression? How would you rate it? And either—on a scale of, you know, 1 to 10 or in terms of comparison to a previous episode in history?

Ms. HARING. Well, I have to admit, I'm a political scientist and not a historian. So I—

Mr. WHITEHOUSE. You're from the Foreign Relations Institute.

Ms. HARING. I know, I know. So obviously what the Russians are doing in Crimea is not benign. The comparison that most people draw is to the Baltic States, and the idea is—

Mr. WHITEHOUSE. The Soviet occupation of the Baltic States?

Ms. HARING. The Soviet occupation of the Baltic States. The human rights situation, though, in Crimea is arguably worse there than it is in Russia. The tactics are harsher. The things that the FSB are doing to people are worse in Crimea than they are in Russia.

Mr. WHITEHOUSE. Is there—this will be a question for all of you—is there—in many occupations there is a resistance that is operating within the occupied territory. Is there a resistance operating against the Russian occupation within Crimea? And how would you describe it?

Mr. SENTSOV. Regarding the comparison with occupation of the Baltics by the USSR in 1940, at that time troops were brought in with some mottos and proposing a referendum. So yes, there is a comparison. But regarding resistance in the Crimea, so one example of resistance is myself. I was part of—I was trying to resist, and I was sent to prison for 20 years. And I actually did not do anything. I was just against. If you simply speak out and say you are against, you don't like it—even though you are a public figure, a film director, they can still put you to prison and shut you down.

And this shows to the people that anyone who dares speak against it will have the same fate. Then after the beginning of the invasion in late February 2014, there was a lot of nonacceptance of Russian invasion among those people who were pro-Ukrainian. Many of them were—some of them were Crimean Tatars. But the Russian machinery reprisals, with the KGB and other agencies of force, this machine is very hard to fight against. If you follow news from Russia, people come out with just a poster on the street, and they get 3 years imprisonment for doing that. People may get 4 years of prison for just a line they posted on Facebook.

So it's very hard to do any resistance when you're confronted with such a strong machinery of reprisals. Whereas in the Crimea

the situation is even much worse. They cannot only imprison you. They can kidnap you and kill you. Everyone knows this, everyone understands this, therefore everyone's keeping on. Whereas acts of disagreement and physical resistance can be found, and then people get arrested with charges of preparing some acts of terror or other attacks. Even though the majority of those who were pro-Ukrainian at the beginning have fled the territory into Ukraine, but then still there are people who do not accept Russian occupation, primarily first and foremost the Crimean Tatars. So Tamila, who represents that nation, can say more.

Mr. WHITEHOUSE. Representative Tasheva, your thoughts on the occupation and resistance?

Ms. TASHEVA. [Through interpreter.] I want to thank you for your question. I want to say that this attempt to occupy and annex Crimea is not the first in history of our peninsula. In 1783, the previously independent Crimean Statehood was ruined by Russian Empress Catherine the Great. The majority of Crimean Tatars physically lived on the territory of the Crimea until mid-19th century, and their state language was the Crimean Tatar language. So the myth of Russian propaganda of the Russian State, that this is allegedly the native land of Russia, is wrong.

So the occupation did not take place in 2014. It was continuing all through the times of Ukraine's independence. Those marionette administrative bodies that were functioning in the Crimea, they continued working toward that end. And the so-called Ukrainian media, which were operating in the Crimea at the time, were actually funded from Russia. So what also happened in 2014 was really the last step in all that development. So we in Ukraine need to maintain as close connections as possible with the people who are still residing in the peninsula, and show them Ukraine's successes, and provide care for those people who still live in the occupied territories.

And we certainly want to continue fighting for returning the peninsula back to Ukraine. It is very important to establish a platform for some talks about the future of this peninsula. As you know, there is a platform for talks on the future of the territories in the east. But we do not have a negotiation group regarding Crimea. So it is very important that you, the United States, get involved in that as well.

One other remark, in regard to the question on how the U.S. could help Ukraine further, in addition to all the help that is provided now. One other thing is to continue supporting the civic activists and human rights lawyers in the Crimea because they are there and they continue to make efforts inside the Crimea.

Mr. WHITEHOUSE. Thank you very much, colleagues. I appreciate your courtesy. I would say that our witnesses are very welcome and much appreciated. I very much regret that our secretary of state said that Americans don't care about Ukraine, seeming to imply that Americans should not care about Ukraine. I think he is wrong on both counts. And I think your testimony today helps remind us why he is wrong on both counts. Thank you.

Mr. HASTINGS. Thank you very much, Senator. We had—before you all came in I opened up questions. So the audience wrote down

two. And while you're getting ready, one kind of applies to what was just said by Ms. Tasheva about organizations on the ground.

How can Congress' own exchange program, the Open World Leadership Center, support your efforts to provide factual information about the occupation to Members of Congress? The Open World Program supports congressional diplomacy efforts. And they put both their names, and I'd ask them when we conclude the program if you would speak with me briefly. I'll inform you where we stand, certainly stand ready to help.

But this question was for you, Mr. Sentsov. And I had something similar, and full well expect that the other questioners will as well. When you were in prison, you met many—well, since being released from prison—you've met many European top officials, including French President Macron. You had a speech at European Parliament. And I would say to you that I beat you there. I spoke to them some years ago. [Laughs.] But what would you say to the U.S. Congress and to our President Donald Trump? That's the question that came from the audience.

Mr. SENTSOV. First of all, I would say thank you for support for Ukraine. I would also express hope that the American side will stick to the agreements. Back in the 1990s, as you may remember, Ukraine voluntarily gave up its third-largest nuclear arsenal at the time. And there was the Budapest Memorandum. So it was desired that after the collapse of the Soviet Union there would be only one nuclear state among the post-Soviet nations.

So for Ukraine, in exchange for giving away those nuclear weapons, received promises. This agreement—memorandum was signed by the U.S., Great Britain, and Russia. And the promise was that these three countries will support us and protect our territorial integrity. But all that stopped working when Russia broke on that promise. Now, I am very hopeful that the United States will never break its word and will continue helping defend Ukraine from that real aggressor until that time when our territory and our borders are restored.

Mr. HASTINGS. Thank you.
Representative Aderholt.

Mr. ADERHOLT. Thank you, Mr. Chairman.

I wanted to talk a little bit about the—going back to the Tatar community that you—of course, we talked about. We really focused on it this morning. Do we have a number of how many people have actually fled the peninsula? What is that estimated to be?

Ms. HARING. Since the annexation, 50,000 people, including more than 25,000 Crimean Tatars, have fled. But the problem is that they're being replaced by Russians who are primarily military personnel and civil servants. The number that I have is 500,000 Russians.

Mr. ADERHOLT. And of course, I know that there are other faiths other than the Tatars in the area, including the Orthodox Church of Ukraine and Jehovah's Witnesses. Is that correct? Can you talk to us a little bit about what ways that their freedoms are being restricted? Even though they're not Tatars, even though they're associated with the Orthodox Church of Ukraine and Jehovah's Witnesses? What issues do they have to deal with by these occupying authorities?

Mr. SENTSOV. In Russia, they persecute anyone who is not belonging to the Russian Orthodox Church. In fact, it's in their laws. And Jehovah's Witnesses is just the most wide-known organization of such kind. They are permitted everywhere, except Russia. So hundreds of people are kept in prisons on charges of just belonging to that organization. They're not just kept in prison, but they are beaten, and tortured, and humiliated. And there is a Muslim organization, Hizb ut-Tahrir, which is legal in Ukraine and other countries, but in Russia it is forbidden. So some of the Tatars that got—who are sentenced in Crimea were actually sentenced for belonging to that organization. Not for anything they did, but for just belonging to that organization. And that's persecution by religious identity, which is done by Russia today, in the 21st century.

Mr. ADERHOLT. Is it more severe if you're actually in Crimea, in this area if someone's a Jehovah's Witness, or if they're a member of some other church than the Russian Orthodox Church, than it would be, say, if it's in Russia, the country itself?

Mr. SENTSOV. Well, they are persecuted in Russia. But in the Crimea much more strongly so, because the Crimea is in the focus of attention of Russian leaders. So any manifestation of disagreement, discord, even in terms of religious identity, causes strong repression. I talk with those who leave, come to Ukraine from the Crimea. They all talk about atmosphere of fear. It's fear, stagnation, seeing no light ahead. This kind of atmosphere. And this is all a direct consequence of the Russian occupation, which turned the previously flourishing region into some kind of a stagnating swamp of Russia.

Ms. TASHEVA. I add a little bit. Russian Federation used anti-extremist and anti-terrorist legislation of Russian Federation to prosecute disloyal population in Crimea. For examples, they used anti-terrorist legislation among Crimean Tatars and different activists from Crimea—for example, Crimean Solidarity Group. And they prosecute. And say that we prosecuted not Crimean Tatars, we prosecute terrorists. And they marginalized this group of people because most of politically motivated cases, which we are now, it's a terrorist case.

But most of them, these people, are activists of Crimean Solidarity Group. Crimean Solidarity, it's a group of people which unite families of political prisoners in Crimea, human rights activists, and human rights lawyers. And every day, every week they have searches in their houses. And of course, they're prosecuted not because they're terrorists. Because they are activists.

Ms. HARING. Thank you so much for the question. So there's a really important legal distinction here. Before annexation, Crimea did not—or, Ukraine did not have a human rights problem with its minorities. Human rights were fine in Ukraine. The minority communities were flourishing. The problem—

Mr. HASTINGS. Does that include the Jehovah's Witnesses?

Ms. HARING. So the issue is that the Jehovah's Witnesses are illegal in Russia. After annexation, Russian law now applies to Crimea. And Russian law—so it's an imported legal code from Russia that's hostile to religious minorities. And the law has these vague provisions on extremism in missionary activity that can be used as a prosecutor wants. It also has an onerous registration process that

can really squelch religious minorities through unreasonable and vague procedures. So bureaucrats can just delay if they want to, if they don't like them. We have specific examples in the last year or two of Crimean authorities either trying to order the demolition of Ukrainian chapels or trying to end leases on churches in Crimea. So the situation is getting worse. It's really acute for anyone who's not part of the Russian Orthodox Church in Crimea.

Mr. ADERHOLT. Thank you. Thank you, Mr. Chairman.

Mr. HASTINGS. Thank you very much.

Senator Wicker.

And we've been joined by Commissioner Marc Veasey from Texas.

Mr. WICKER. Thank you very much, Mr. Chairman. And I'm glad to see so much attention to this, and attendance from both the House and the Senate.

Let me just mention, to follow up on what Representative Aderholt brought up with regard to religious freedom, and the lack of it in Crimea. I have a bill, S. 3064, the Ukraine Religious Freedom Support Act.

Mr. HASTINGS. Can we get the number again, Rog?

Mr. WICKER. S. 3064. It is a companion bill to legislation in the House, which apparently the authors have done a better job on than I have, or perhaps they got a head start. But in the House, the companion bill is sponsored by five Republicans and seven Democrats, Representatives Wilson, Fitzpatrick, Bilirakis, Harris, Meadows, Cleaver, Cohen, Moore, our own Representative Veasey, Eshoo, Lipinski, and Quigley. So I would mention that as some legislation that perhaps will be helpful, in that it would clarify the Office of International Religious Freedom authority and require that they consider religious freedom violations in Russia and occupied areas of Ukraine, considering a, quote, "country of particular concern," unquote, or CPC designation, in Russia. I would encourage friends of Ukraine and Crimea on both ends of Capitol Hill, both sides of the aisle, to cosponsor that, and thank the ones that have.

I also would like to acknowledge the question, Mr. Chairman, that you read from representatives of the Open World Program. Would they raise their hands? Okay, yes, hello, ladies. Thank you very much. I would mention, Mr. Chairman, that I was there at the inception of the Open World Program. And it was a bipartisan effort, with Representative Bud Cramer, and me, and the strong leadership of Senator Stevens in the Senate. And seeing as he had such a high-ranking position on the Appropriations Committee, and we can give him most of the credit there. But it has been a bipartisan program that we've had to defend as part of the leg branch appropriation bill each time it comes around. Because it doesn't seem to fit in a legislative setting.

The key to it is, and what makes it so special, is we house it in an organ of the Congress, which is the Library of Congress. So when we sponsor exchanges around the world, and it began in Russia and now has moved to areas sort of in the Russian sphere, in the former sphere of the Soviet Union, they know that it's not an organ of, first, one president's administration. And then, another, that it is—these are representatives inviting citizens from these various countries to come to the United States to find out—to live

with us, to stay in our homes, to find out how we live and how we actually practice freedom of speech, freedom of association, freedom of religion in this country. So thank you for being here.

And I'm so glad that Senator Whitehouse appeared today as a member of the Democratic Caucus of the U.S. Senate. We're in an impeachment trial right now. And we certainly are not agreeing with everything that's being said on both sides of that issue, but if there is a silver lining to this cloud of impeachment, Mr. Chairman, it may be the strong cries of support from both sides of the aisle over in the U.S. Senate to support the freedom fighters in Ukraine.

And perhaps I hadn't noticed it to the extent that I have during the arguments both in the House and the Senate, but let's celebrate the fact that day in and day out people on both sides of the aisle now are talking about how important it is that the United States support our allies who are fighting for freedom in Ukraine, and not only with blankets and night-vision goggles, but now in recent years with the lethal weapons that they've been asking for—these tank-busting missiles. And once impeachment is over, we'll get this behind us, Mr. Chairman, and we'll lock arms on the issues that you and I have stood for for so long. But the echo of strong support for Ukraine.

And today, the echo of strong support for Ukrainians who live in occupied Crimea is still strong. And I want to thank whoever has emphasized today that Crimea is still a part of Ukraine. The law-abiding international neighbors from around the world, from all over Europe, have resoundingly rejected this sham referendum that took place in Crimea, which was nothing more than a sham. A total farce, and a joke. And stated that we may not be able right now to change the physical situation in Crimea, although that is our goal, but we still come down with a strong position that Ukraine is—that Crimea is a part of Ukraine. Since Fiscal Year the foreign operations appropriations have restricted funds for implementing policies that would recognize Russian sovereignty over Crimea. I think it's important that we have done that on a bipartisan basis.

And Ms. Tasheva, I believe you mentioned in your testimony that Secretary Pompeo issued the Crimea Declaration. And you celebrate that, I do believe, which reaffirms, and I quote, as policy of the United States' "refusal to recognize the Kremlin's claims of sovereignty over territory seized by force in contravention of international law. In concert with allies, partners, and the international community, the United States rejects Russia's attempted annexation of Crimea, and pledges to maintain this policy until Ukraine's territorial integrity is restored," unquote. That's the policy of the U.S. Congress, as adopted in this foreign operations appropriation. That's the strong policy, as enunciated by the chief foreign policy officer in the United States of America—Secretary Pompeo. And I very much appreciate that.

If I might just ask one question. I've spoken for a long time. But could Mr. Sentsov and Ms. Tasheva tell us what the prospects are of another prisoner exchange, and what can we do on both sides of the aisle here in the Helsinki Commission—as we travel in a few

weeks, I hope, to the OSCE Parliamentary Assembly. What can we do to try to make yet another prisoner exchange a reality?

Thank you, Mr. Chairman.

Mr. HASTINGS. Mmm hmm. Thank you.

Mr. SENTSOV. Well, it was announced by our authorities that next exchange is in preparation now. And I am thankful for it being—for this being preparation and moving on, because at this time near a hundred of our hostages are held in Russian prisons. And most of them are Crimean Tatars. And close to 300 individuals are held by pro-Russian separatists in the Donbas. We cannot establish the precise number and conditions in which they are, because the separatists do not allow any monitoring groups to come in and see.

But according to testimonies from those who were released back in December, according to those words, those people were held in terrible conditions. Those people are lacking any minimum standards of keeping, and no medical help. And they are mistreated. They are humiliated. They are beaten. And so people are dying there. We are familiar with the case of one soldier that was tortured to death by separatists in captivity. Actually, we received his body. And this body has multiple fractures, and cuts, and burns. And we were told that he committed suicide. And these are terrible things. And it's a threat to—it kills real people.

But those—that harsh imprisonment of people in captivity is only a consequence of Russian aggression. In the Crimea, Russia held the whole nation as hostages, 300,000 Crimean Tatars who are against the Russian State. And so at any time Russia can put more hostages in prison. So we certainly must continue fighting for release of hostages. But this is just a little problem. And the much bigger problem is Russian aggression. This is why the big issue, and what I am speaking about, is the need to continue fighting against Putin until the time when he frees that territory.

Ms. TASHEVA. [Speaks in a foreign language.]

Mr. WICKER. Your English is actually pretty good. [Laughter.]

Ms. TASHEVA. Yes. My English not good, unfortunately. Now we're working on two tracks. One of them it's release of people who are in temporary occupied territory, Luhansk and Donetsk Oblast. And another track, it's persons who are jailed in occupied Crimea and the territory of Russian Federation. It's very sensitive process. And from your support, of course, it's to do most famous—

[Off-side conversation.]

Ms. TASHEVA. —more publicity for some names. For example, human rights activists Server Mustafayev or Emir-Usein Kuku, who had—from Amnesty International have this status—

[Off-side conversation.]

Ms. TASHEVA. —prisoners of conscience, yes. And we understand that this track, Crimean Tatar track, it's very difficult actually because Russian Federation and Putin don't like Crimean Tatar minority in Crimea. And this process is very difficult.

And another issue that I need to mention that Oleg also said, we must fight against Russian occupation not only about human rights in Crimea, because all of issues with human rights, we have because we have occupation. When we don't have this occupation of Russian Federation in our lands, we don't have hundreds of tor-

tured, hundreds of political prisoners. And the main problem, of course, it's aggression of Russian Federation on Crimea and on Luhansk and Donetsk Oblast.

Mr. HASTINGS. Mr. Veasey.

**HON. MARC VEASEY, COMMISSIONER, COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

Mr. VEASEY. Thank you, Mr. Chairman.

I had a chance to visit Ukraine a few years ago. And just to be able to see people's everyday expressions there, you can tell how much this is weighing on the country and what a concern this is. And of course, here in the United States there's a big concern with us too. I was concerned about some human rights issues, particularly freedom of movement in Ukraine. What are some of the consequences for a resident of Crimea who refuses Russian citizenship? And how are their rights, including freedom of movement, being curtailed by occupying forces? Either or—either.

Mr. HASTINGS. Ms. Tasheva. And you can use the translator.

Ms. TASHEVA. [Through interpreter.] This will be with translation, sir. The first thing I want to point out is as the result of Russia's occupation, because they are ousting the local indigenous population, the Crimean Tatars, we now have a new notion in Ukraine of internally displaced persons. So these individuals, internally displaced persons, who move to mainland Ukraine are allowed to enter the Crimean territory with a Ukrainian passport, on condition that they have a residential registration in the Crimea. Then they do not have to fill out any additional paperwork to enter the Crimea. But then if they don't have a residential registration in the Crimea, they're only allowed to enter Russia-controlled territory for up to 90 days.

But many of the people who originally lived in the Crimea and have a Ukrainian passport, some of them they just don't have a stamp of residential registration in the Crimea. And accordingly, the Russian requirements make it necessary for them to—will allow them to only stay there for up to 3 months with their family, and then they have to leave the territory and come back again. So essentially this does not allow the Crimeans who would even want to stay—live in the Crimea with a Ukraine passport, they are not able to do that—are not allowed to do that.

Then there is a certain number of people who were deported by Russian authorities from the Crimea. Deported as people—as unreliable individuals. And they are not allowed to be in the Crimea. This applies to individuals who were in the process of obtaining Ukrainian citizenship. So when the occupation came, they were not—this procedure was not complete for them. So now essentially they are individuals without citizenship.

[Continues in English.] Stateless persons.

[Continues through interpreter.] Well, the Ukrainian State also has certain limitations for crossing the border of the administrative line. Any individual from Ukraine is allowed to enter the occupied territory of the Crimea. But if you're a citizen of a foreign country they must receive a special permission from Ukrainian authorities. This requirement takes into account considerations of safety, but Ukraine is making every effort to facilitate foreign citizens in ob-

taining such permissions if they need to enter the Crimean territory for journalistic work or for human rights work.

There are two official checkpoints between occupied Crimea and Ukraine. So any foreign individual who enters the Crimea, other than through those official checkpoints between Ukraine and the Crimea, they essentially violate Ukrainian laws. And this is the reason why we ask you to tell your government to watch this, and make sure that U.S. citizens, especially public figures, if they want to visit the occupied territory they don't do this other than through the Ukrainian checkpoints, because any instance when somebody from outside visits the Crimea through the Russian territory is used by the Russian Federation for propaganda. There have been instances when some political figures from the European countries visited the Crimea without Ukrainian permission. The Government of Ukraine condemns such instances.

Mr. VEASEY. Yes. I also wanted to ask you about freedom of the press. You know, we've had our own issues, you know, here with social media and the 2016 campaign, with Russians trying to influence elections here in the United States, and really all around the world. But when it comes to freedom of the press in Ukraine, are there still any independent news outlets at all that are able to report freely? Are their lives being—you know, being basically compromised by reporting? I mean, what's going on there in terms of being able to spread information about what's really happening in the occupied territories from media outlets?

Mr. SENTSOV. Well, in Ukraine itself there is a big number of independent media outlets. And the people trust them. While prime TV channels certainly are under control of rich tycoons, the oligarchs, that's five or six individuals. And they are in relations of animosity. So there's no collusion between them, which means there is no monopoly in control of the media, like you see in Russia. So in Ukraine mainstream media you can see a whole spectrum of opinions on different issues.

Mr. VEASEY. And that's being broadcast in Crimea too?

Mr. SENTSOV. I'm speaking about Ukraine. And I want Tamila to speak about what's in the Crimea.

Mr. VEASEY. Okay, yes.

Ms. TASHEVA. In Crimea we don't have any Ukrainian media. After 2014, most production moved from Crimea to mainland. For example, the TV channel ATR, it's Crimean Tatar channel. It's Chornomorska, a TV channel, and other TV channels and newspapers. Now in Crimea they have only civil journalists, actually, who work on the ground and reporting about human rights relations in Crimea. They write articles on Facebook pages, on Twitter, on Telegram channels. And it's only one channel when we have this information from Crimea. If we say about broadcasting from Ukrainian side to Crimea, it's also difficult because in Crimea they have only satellite. And with these satellites they have a chance to see and to watch Ukrainian TV channels.

Mr. VEASEY. So they do? The people—they can in some areas watch Ukrainian television?

Ms. TASHEVA. They can watch Ukrainian television if they have satellite.

Mr. VEASEY. If they have—only if they have satellite. What percentage of the people there have satellite?

Ms. TASHEVA. It's small.

Mr. VEASEY. It's a very small percentage?

Ms. TASHEVA. Unfortunately it's a small number. Or maybe from internet, of course.

Mr. VEASEY. What percentage of people in the occupied territories have access to social media, like Facebook?

Ms. TASHEVA. Most of them.

Mr. VEASEY. Most of them do? Yes. So they can get news through that.

Ms. TASHEVA. If they need it, of course, yes.

Mr. VEASEY. Ms. Haring.

Ms. HARING. Mr. Veasey, I also wanted to note that after annexation Radio Free Europe/Radio Liberty set up a website in three languages—in Ukrainian, Russian, and Crimean Tatar. It's called Crimea Realities. And it's excellent. It is the most popular website tracking all the developments in Crimea. So it's an online website. It had 2.4 million visits per month in 2019.

Mr. VEASEY. I wanted to ask Mr. Sentsov very briefly, what's the oldest age of males in Ukraine that you're seeing that are being conscripted?

Mr. SENTSOV. The question was what is the oldest age?

Mr. VEASEY. Yes. Yes.

Mr. SENTSOV. I cannot say for sure. I know that they used to conscript individuals at the age of 18. Now it's 20. That's the lower threshold. But maybe it's until 25. I'm not sure. But I know that—so this lower threshold was actually recently moved back to 18, from 20 to 18. I cannot tell you about the upper limit, though.

Mr. VEASEY. Okay, okay. And finally, Ms. Haring, you may be best to answer this question, or one of the other panelists. I'm not sure who would be—who this goes to. But as far as Russia's long-term plan, of course, their goal is to, obviously, come into an area, they want to be able to have certain control over an area. Do you see this occupation as being long term, or do you see it as more of a—you know, do you see the Russians' strategy being, Let's go in here and indoctrinate as much as we possibly can, and then leave so we can continue to have long-term influence in the area? In the past, they've been reluctant to, obviously, take in new territories, particularly where they think there's a lot of corruption and they think that it won't fit in neatly into what they want to do long term. But how do you see that sort of playing out? I'm just curious about that.

Ms. HARING. The Russians have no intentions to give Crimea back, full stop. It was—you have to remember, it was a big PR boon, as well, when Putin went in and—

Mr. VEASEY. Right.

Ms. HARING. —quickly took Crimea. And like I said before, they have sent approximately 500,000 Russians to go ahead and move there permanently. I mean, I can run through—it's interesting when I say that it's become—it's become a Russian military base. The amount of equipment that's been moved there and the number of people is staggering.

So before annexation there were zero battle tanks. There's 40 now. There were 92 APCs. There's 680 now. There were 24 artillery systems. There's 174 now. There were 22 combat aircraft. There's 113 now. They're not going to move this stuff.

Mr. VEASEY. Yes. Yes, absolutely.

Mr. SENTSOV. Russia has no intention to return either Crimea or the Donbas under Ukraine—back to Ukraine's control. So our strategy on return of Crimea has to be long term. We must continue pressure, making pressure on Russia to not allow it to stabilize its presence. And also, this should not allow the international community to recognize Russia's occupation and continue exerting the pressure.

Early or late, one day, Putin's power will end. He may either die or his heirs/successors may replace him. Or maybe one day the people of Russia will rise against his dictatorship because, in fact, the situation in Russia is far from being stable. The people have been tired of all that confrontation. So an explosion like that is realistic to expect. It's impossible to predict it, however. So any of those possibilities may take place.

And once there's a new government in Russia they will have to look for support from the international community, because right now there is one single political or government institution in Russia; it's called Vladimir Putin. Everything is subordinated to him. There are no independent courts, no independent media, nothing independent. So when that key element disappears the whole system will collapse, and whoever comes to replace him will need to find sources of stabilizing the system. And that person will have to look for support from foreign countries. And at that moment, when Russia's power is in transformation, the United States and other allies need to have a very clear standing. And the position should be very clear that the Western partners will support and give help to Russia only on condition that it returns occupied Donbas and occupied Crimea back to Ukraine.

And again, we can go back to those parallels in history saying that occupation of Crimea is kind of like occupation of the Baltics in 1940, and they had to wait for 50 years to regain their independence. Here we'll probably have to wait for less than that because Putin cannot last another 50 years. But important thing is we need to be prepared for that moment, when it comes. And that is the only opportunity to reestablish the status quo.

Mr. HASTINGS. Well, we take your point. And you all have been very generous with your time. If you will just permit me a few minutes to carry what Senator Wicker was saying, please, particularly Mr. Sentsov and Ms. Tasheva and anyone else that may be from Ukraine, Crimea, or that general area, please don't let what's going on in the U.S. Senate give you the impression at all that there is not complete support for Ukraine. One day soon, whatever is happening there will be over. But I'll still be the chairman of the Helsinki Commission and other congresspersons and senators will be about their business, and a part of our business is trying to do what we can to assist in Ukraine.

And in my view, the best thing that we could do now is support President Zelensky's effort and those that are like-minded to do the things that are necessary to stabilize that country and to gain its

independence. We should not be unmindful—and although it has only been mentioned in passing—that there is a hot war ongoing in Donbas, and that people in that area are dying and are in an embattled situation. So we didn't cover that this morning. Let the word go forth that we need to do what we can to assist Ukraine in being able to carry the day in that area.

And for Ms. Tasheva and Mr. Sentsov, I wasn't going to ask you where your families are, but I hope that in your efforts your families are safe and that anything we can do, if need be, to help.

The other thing that I've learned as I've traveled about the world is that civil society is critically important, and so is a justice system that affords due process—are critically important. We didn't have time to delve into that this morning, but it's on our minds here at the Helsinki Commission as well as the religious discrimination that we find not only in Crimea, but throughout. And we need to address that in Crimea especially. I kept saying the Jehovah's Witnesses. I forgot to mention the Orthodox Church is there as well in some significant numbers to try and assist the Tatar religion effort that's ongoing.

One of the things I—two of the things that I agonize about are when this kind of thing takes place people that were in small businesses lose their businesses. Like overnight their businesses are gone. And that's not healthy in any of our societies, unless they were closing some of the CVSes that I know about. [Laughter.] I had to wait 10 minutes to get a razor blade. [Laughs.] I'm saying to myself, What's up with this? But I think I'd know a little bit about it.

But my last moment should be a moment of seriousness. I read a book over the holiday that encompassed a portion of my life. I'm 83 years old, and I grew up in a segregated society in a little town named Altamonte Springs, Florida. It's close to Orlando, and of course there was no Disney World at that time. On Christmas night of 1951—I would have been and was a sophomore in high school—a man and his wife were killed—his name was Harry Moore, her name was Harriette—by a bomb that they're pretty certain where it came from, but certainly there was Ku Klux Klan influence that caused that. I remember as if it were yesterday the tension. And that city was 50 miles away from where I lived, but their people were fleeing and coming through my area, and some had relatives in my area, and it was a devastating thing.

Mr. Moore was the chief executive of the NAACP at that time in Florida, and he was advocating that black teachers should receive the same pay as white teachers. And that's among the things that caused his death. He was a principal of a school. He lost his job. His wife was a teacher. She lost her job. And they had a family, two girls, and her mother and her brother as well.

But with that said, Mr. Moore made a statement at a large gathering before his death. And the one thing that was the takeaway from it was freedom never dies. Freedom never dies.

One of the things that's troubling to me is how the children are affected in these changes. And I've met dictators, kings, and queens, and the Pope, and everyone, and all of us have this extraordinary concern for children, and yet we persist in allowing not just Russia but other authoritarians and dictators around the

world to subject the harshness of what's going on in Crimea to the children. It's beyond unfair, and for as long as I live I'll be speaking out about it. And that's whether it's to Putin or to his cousin or— not to his momma; he doesn't even speak to his momma, who lives in Georgia I might add, and that's kind of interesting. A person that doesn't speak to their mother, count me out.

Thank you all. [Laughs.] Thanks so much. I'm going to come down and say hello and we'll take some pictures, if that's okay.

[Whereupon, at 11:56 a.m., the hearing ended.]

A P P E N D I X

PREPARED STATEMENTS

PREPARED STATEMENT OF HON. ALCEE HASTINGS

Good morning and welcome to this U.S. Helsinki Commission hearing “Life Under Occupation: The State of Human Rights in Crimea.” We will now come to order.

It is hard to believe that almost six years have passed since Russia’s invasion and subsequent occupation of Crimea. Just as it did in Georgia in 2008, Russia defied international law and, in a sudden, brazen display of revanchism, rewrote the borders of a sovereign nation.

Of course, we know now Crimea was just the opening salvo in President Putin’s campaign to stop what he saw as the inexorable movement of a fledgling democracy towards greater integration with the West, its values, and its institutions. To him, the Ukrainian people’s desire for closer ties to the EU, for stronger democratic institutions, and for an end to endemic corruption was impermissible. So, he did the unthinkable and, through blatant subterfuge and an utter disregard for international law, he took by force a part of Ukraine’s sovereign territory, changing forever the lives of the people who lived there. He then went on to instigate a bloody conflict in eastern Ukraine that remains active to this day, at the cost of 13,000 dead and many thousands more injured or displaced. Putin did all of this in order to stymie Ukraine’s Euro-Atlantic aspirations.

Today we are here to talk about the lives of the people who live under the heavy hand of Russia-occupied Crimea. Some have been forced to flee their homes; some to give up their fundamental freedoms of expression and worship and even their ethnic and cultural identity in order to survive. Through a variety of hardline methods, including forced citizenship, sham referendums, legal intimidation, disinformation, and prohibitions on access to and use of Ukrainian language, Russian authorities have sought to stifle dissent and project to the world the false image of a prosperous and free Crimea. By limiting access to international and Ukrainian human rights organizations, the Kremlin has effectively created a veil between Crimea and the rest of the world.

This morning, we have three respected witnesses with us who will pull back that veil and show us the harsh reality of Russia’s oppressive occupation—one which includes arbitrary arrests, harassment, imprisonment, censorship and other brutal tactics aimed at forcing a proud people into submission, whether they be civil society activists, community or religious leaders, artists, journalists, or simply those whose religion and ethnicity are viewed with distrust and fear.

The goal of today’s hearing is to shine a light on the human rights situation in Crimea and to send a clear message to the people there that the U.S. Congress, the Helsinki Commission, and the Organization for Security and Cooperation in Europe have not forgotten about your plight.

First to speak is a man who has come to symbolize through his courage and moral strength all those Crimeans who refused to bend to the Kremlin's will. Oleg Sentsov is a Ukrainian filmmaker and director who was detained by Russian authorities in May of 2014 on trumped-up charges of terrorism and sentenced to 20 years in a Russian prison. But he refused to be silenced. In 2018, he began a hunger strike that lasted 145 days to call for the release of all Ukrainian political prisoners held in Russia, capturing the world's attention to his and his countrymen's plight. This nation and this Congress never forgot about you, Mr. Sentsov, and it moves me greatly to have you here with us, once again a free man. We look forward to hearing your thoughts on the situation in Crimea.

Next we have Tamila Tasheva, who is the Deputy Permanent Representative of the President of Ukraine in the Autonomous Republic of Crimea. Before being named to her current position, Ms. Tasheva worked as a co-founder and head of "CrimeaSOS," a human rights group focused on the plight of internally displaced persons as well as the overall human rights situation in Crimea. She was also a volunteer during the Euromaidan. Prior to 2014, Ms. Tasheva was a civil society activist and organizer of events and initiatives highlighting the religious and ethnic culture of Crimea. Welcome, Ms. Tasheva, to today's hearing. We appreciate your participation.

Lastly, we have Melinda Haring, who is Deputy Director of the Atlantic Council's Eurasia Center. Previously, Ms. Haring was the editor of the Council's "Ukraine Alert" blog. She is a longtime observer of the region, whose works have been published by NPR, Radio Free Europe/Radio Liberty, the Washington Post and other prominent outlets. Over the course of her career, Ms. Haring has worked for Eurasia Foundation, Freedom House, and the National Democratic Institute. In addition to her duties with the Atlantic Council, she is also a vice chair of the board of East Europe Foundation in Kyiv and a term member of the Council on Foreign Relations. Welcome, Ms. Haring; and thank you for testifying today.

With that, I turn it over to our first speaker, Mr Sentsov.

PREPARED STATEMENT OF HON. BENJAMIN L. CARDIN

When we look at the ongoing crisis in Crimea and Eastern Ukraine, it is easy to wonder how much the United States can really do in the face of Russia's reckless aggression. I can assure you, however, the United States response to the invasion and ensuing occupation of Crimea has been clear and unified in its support for Ukraine's sovereignty. The U.S. is holding accountable those who carried out and perpetuate this egregious and illegal occupation.

First, the legislative and executive branches have issued strong and consistent condemnations of Russia's actions.

My bill, the Countering Russian Influence in Europe and Eurasia Act of 2017, which was included in the CAATSA law, states the United States policy "to never recognize the illegal annexation of Crimea by the Government of the Russian Federation." In similar fashion, in July 2018, Secretary Pompeo issued the Crimea Declaration, stating that just as the United States refused to recognize the Soviet Union's annexation of the Baltic States, so too would we refuse to recognize Crimea as a part of Russia.

But our stance consists of more than just words. CAATSA authorized hard-hitting sanctions on human rights abusers in Russia-occupied territories and on entities operating in occupied Crimea. It also prohibited U.S. investment, trade, and business there.

These sanctions authorities are broader and far more complex than I can adequately describe here, and they frequently overlap with sanctions relating to Russia's aggression in Eastern Ukraine. But the important point is that as early as March 2014, the United States has stood against this illegal occupation of Crimea in word and deed. Because Crimea is separate from the Minsk Agreements, even their implementation will have no effect on our Crimea-related sanctions. Those sanctions will remain in place until Crimea is returned to Ukraine.

It is unfortunate that these sanctions are necessary. But as we will hear today, the problem is not confined to the act of the illegal annexation itself, which took no more than a few days. It also includes the ongoing campaign of oppression against Crimea's inhabitants, which is marked by gross violations of human rights. Freedom of movement, religion, speech, assembly, and more are at stake.

The occupation has torn families apart by forcibly creating bureaucratic obstacles and borders where none had previously existed. It has also contributed to the crisis of Internally Displaced Persons (IDPs) in Ukraine. At least 1.5 million IDPs have been displaced by the Russian occupation and the conflict in Eastern Ukraine. This only considers those who are officially registered as IDPs, so the actual number of displaced people in the country is likely even higher.

We are here today as a reminder that Crimea must not be forgotten, and that Russia's human rights abuses are no longer confined within Russia's borders. We cannot allow Russia's behavior to go unnoticed or unpunished. We may not know what the future holds for Crimea, but we owe it to future generations to hold Russia accountable and to learn as much as we can from experts like the witnesses we have here today. I look forward to hearing their testimonies.

REPORT PREPARED FOR THE RECORD BY MARIA TOMAK, CO-FOUNDER OF THE UKRAINIAN NGO MEDIA INITIATIVE FOR HUMAN RIGHTS

Ukrainian Detainees Held by Russia: Dozens Remain Imprisoned

Over the last six months, the Ukrainian government has been active in negotiating with the Russian Federation on the release of Ukrainian citizens detained in response to an armed conflict between the two nations. After a two year stagnancy in negotiation between these two groups, two waves of prison releases in September 2019 and December 2019 freed individuals held within the Russian Federation, occupied Crimea, and those kept in non-government controlled areas in Eastern Ukraine. All together, more than a hundred Ukrainian citizens were freed (35 from the Russian Federation and occupied Crimea and 76 from non-government controlled areas in Donetsk and Luhansk regions). Those released included military personnel taken prisoner beginning in Winter 2015 (like the sailors captured by Russia in the Kerch Incident), as well as a number of civilians. Writer and filmmaker Oleg Sentsov, along with Radio Free Europe and Radio Liberty contributors Stanislav Aseev and Oleg Galaziuk—all of whom previously voiced criticism of the ongoing conflict between Ukraine and the Russian Federation—were amongst those freed. While this marks a notable victory in the ongoing struggle for free speech rights in the region, the problem of illegal detainees persists. Currently it remains important to underline the following:

1. The war in Eastern Ukraine is ongoing, as is the occupation of Crimea. Under these circumstances, innocent people continue to experience arrest. Despite the release of multiple Ukrainian citizens from Crimea and Russia in the last few months, at least three additional pro-Ukrainian activists have been arrested in Crimea. Ukrainian human rights NGOs estimate that at least 96 persons remain illegally detained by Russia in the Russian Federation and occupied Crimea. While most individuals experienced initial arrest in the occupied territory of Crimea, they have since been transferred to detention centers within the Russian Federation. This transfer is a violation of International Humanitarian Law.
2. While a prisoner exchange in September 2019 brought freedom to many Ukrainian citizens, it excluded all 69 of the imprisoned Crimean Tatars who remain in jail to this day. Accusations of terrorist intentions against this group, the Russian Federation's excuse for their continued imprisonment, remain baseless. According to an FSB investigation, none of the Tatars have committed any violent acts or shown any suggestion of planning to do so.
3. The group of imprisoned Crimean Tatars includes many journalists and activist bloggers. Their imprisonment stands as punishment for their bravery in speaking up against human rights violations in Crimea. At least 32 of the 69 currently imprisoned were active in the Crimean Solidarity group, a civic initiative started by families of the original group of Tatars de-

tained for political activism. On top of providing support for the families of imprisoned Tatars, the group documents the illegal activities of occupying authorities in Crimea, publishing updates to social media outlets in Ukraine. Beginning in February 2019, members of the group have faced large scale arrests, including activists Timur Ibragimov, Marlen Asanov, Seiran Saliev, Memedeminov, Server Mustafaev, and Enver Mamutov. Activists Raim Ayvazov, Remzi Bekirov, Osman Arifmemetov, and Vladlen Abdulkadyrov's reports of torture experienced during their detentions have gone uninvestigated despite their repeated statements on the matter. As a result of the arrests of these 69 individuals, at least 165 Crimean children have been left without parental care.

4. After the recent release of prisoners from the non-government controlled areas in Eastern Ukraine in December 2019, the Media Initiative for Human Rights managed to obtain information about many other prisoners kept by Russian-backed forces in Donetsk and Lugansk who were not previously listed. NGOs are currently questioning those released in order to map out all of the remaining prisoners. Given the security situation in the non-government controlled areas (which is quite harsh even compared to the occupied Crimea), it is difficult to track the individuals who remain in prison. They may be kept by different armed groups in different places which are not necessarily "official," even for the de-facto authorities of the area. The estimated number of the remaining prisoners in the non-government controlled areas in the Eastern Ukraine is at least 101 people (83 of them in Donetsk and 18 in Lugansk). Meanwhile, the Ukrainian government says it has information about at least 184 illegal detainees in non-government controlled areas in Donbas.

5. The rehabilitation of released political prisoners remains a prominent issue on Ukraine's agenda. The Ukrainian government has previously discussed the need to provide them with legal status, social support, and rehabilitation—but has yet to actually materialize this aid. Although President Zelenskiy has the ability to submit draft laws to the Ukrainian parliament, he has taken no action nor made any public statements regarding the issue.

We appreciate attention from the United States government, non-governmental organizations, and intergovernmental institutions like the UN devoted to the illegal detainment of Iranian citizens. Given all of the atrocities taking place around the world and the ongoing detainment of US citizens abroad, we appreciate America's commitment towards Ukraine all the more. We understand that without the constant attention already being paid to this issue, many of those released would have remained in prison.

Because of the strides made possible by our international community, we ask for your continued support of Iranian efforts to negotiate for the release of the remaining political prisoners. In order to keep the pressure on, we ask that you:

1. Continue to support illegally detained Ukrainian citizens through public statements, reminding the world that the war is not over and dozens of people remain in illegal detention.
2. To appoint a U.S. Special Representative for Ukraine Negotiations to report directly to the President of the United States on the international armed conflict in Ukraine and respective humanitarian consequences.
3. To acknowledge the problem of militarization in Crimea and the changing demographic situation in the occupied peninsula, specifically through the making of public statements and the organization of public events.
4. To ensure that the process of release for current detainees transforms into a systematic negotiation platform giving preference to humanitarian issues.
5. To extend sanctions to Russian officials in Russia and in occupied Crimea involved in the persecution of the Crimean Solidarity group and other human rights activists and journalists.
6. To maintain transatlantic unity with regards to the sanctions against the Russian Federation and its officials (precisely those responsible for these grave human rights violations) as a response to Russian aggression against Ukraine, the European Union, and the United States.
7. To hold a regular Helsinki Commission hearing regarding human rights violations, international armed conflict, and security perspectives in Ukraine. In addition to acknowledging the hostage crisis, this will address other pressing issues in the region, including the militarisation of Crimea and the changing demographics of the occupied peninsula.

We call on the Russian authorities and demand that they:

1. Stop the oppression of Ukrainian citizens in occupied Crimea—especially independent journalists, bloggers, and those affiliated with the Crimean Solidarity group.
2. Release all imprisoned Ukrainian citizens being prosecuted for political motives within Crimea and the Russian Federation.
3. Immediately halt the application of Russian legislation on the temporarily occupied areas of Crimea.
4. Introduce the permanent monitoring of the trials of victims of political persecution in the Russian Federation.

We call on the Ukrainian government and encourage them to:

1. Follow through on their commitments to provide all illegally detained Ukrainian citizens with legal status, social guarantees, and rehabilitation, as well as to continue their efforts to release those still in detention.
2. To enact legislative amendments which create a procedure for the simultaneous release and exchange of prisoners.

Previous prisoner exchanges raised tensions in Ukrainian society due to the impunity of the Russian prisoners returned to the Federation. This is predictable—however, it is also avoidable. In order to ensure the rights of those released from both sides, Ukraine should work to introduce legal amendments that allow for simultaneous release in line with the norms of International Humanitarian Law. Ukrainian civil society is ready to draft relevant proposals of these amendments.



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