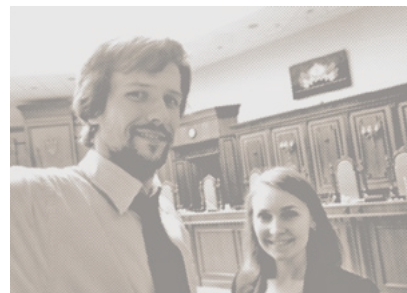
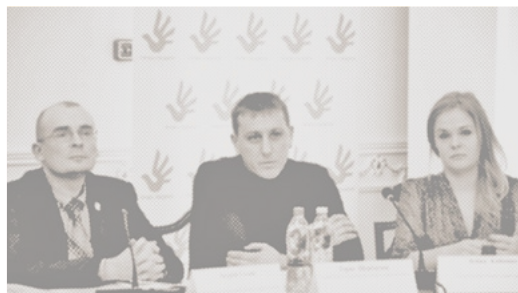


**UKRAINIAN HELSINKI
HUMAN RIGHTS UNION
ANNUAL REPORT
2017**



KYIV 2018



2017 Annual report of UHHRU/ Editor O. Pavlichenko – Kyiv: Ukrainian Helsinki Human Rights Union, 2018, - 47 pages.

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Introduction



Oleksandr Pavlichenko
Executive Director
of the Ukrainian Helsinki
Human Rights Union

UKRAINE PROCLAIMED, at the constitutional level, the Individual as the highest social value, and as the main duty of the State – to affirm and ensure the rights and freedoms of the Individual. Today, however, this slogan often seems unattainable, as evidenced by numerous violations of human rights caused by the occupation of Crimea by the Russian Federation, the armed aggression unleashed by Russia in Donbas, the ineffective judicial system that lacks judges, especially professional judges, and the non-enforcement of court verdicts. Meanwhile, the State itself acts as violator of human rights, exacerbating the issue of disregard for the law and the neglect for the need to obey it, the impunity of radical groups that unite in paramilitary groups and commit crimes against their chosen targets - the Roma people, representatives of feminist movements, LGBT and others who do not receive adequate protection from the State, which fails to bring those encroaching on other people's rights to justice.

In light of this, throughout the year 2017, the Ukrainian Helsinki Human Rights Union was firmly focused on human rights protection and awareness raising activities aimed at helping victims of human rights violations and improving the protection of their rights. This resulted in over 15,000 applications, almost three thousand supporting documents submitted to various instances of domestic courts, a wide range of litigations, work on gathering evidence of human rights violations in the combat zone in the east of Ukraine and in Russia-occupied Crimea, as well as applications to international courts.

UHHRU remained the leading civil society organization in 2017, monitoring the implementation of the Action Plan for the National Human Rights Strategy and stressing the need to implement planned measures aimed at improving the human rights situation in various areas.

Given the course of the conflict in eastern Ukraine and the ongoing occupation of Crimea, UHHRU pays special attention to the issue of transitional justice, in particular, to the development of necessary policies and specific measures aimed at addressing the negative effects of the armed aggression in eastern Ukraine and Crimea, and to the creation of conditions for reconciliation and restoration of the rule of law, which should ensure full respect for human rights in temporarily occupied territories.

The figures and facts given in the 2017 report clearly show the direction of the UHHRU, the tasks that the organization is working on every day, and the results it has achieved, whether it involves providing legal aid, analyzing legislation or implementing unique training programs for judges and lawyers.

Analytics



Oleh Martynenko
Head of Analytics of UHHRU

TRANSITIONAL JUSTICE

Implementing the principles of transitional justice in the government's activities since 2015, UHHRU implemented three strategic steps in this area last year:

- Baseline Study on the Application of Transitional Justice in Ukraine - the first national monograph (prepared by an international team consisting of 16 experts – scholars, representatives of NGOs and justice bodies, and lawyers)
- International scientific conference Post-Conflict Justice in Ukraine (held jointly with the European Society of International Law and the Ukrainian Association of International Law)
- Draft Law On the Principles of State Policy for the Protection of Human Rights in the Context of Overcoming the Consequences of the Armed Conflict (developed in cooperation with the Ombudsperson's Office, MPs, Ministry of Temporarily Occupied Territories and IDPs, and partner NGOs)

UHHRU provided advocacy support for this innovative direction for Ukraine by organizing



Roundtable entitled Problems with the Implementation of Transitional Justice in Ukraine (First Kharkiv International Law Forum «Law and Problems of Sustainable Development in a Globalized World»);



Ukrainian Session on reforming the security sector within the framework of transitional justice (master class 2017 for the reserve candidates for senior positions in EU police peacekeeping missions, Canadian Police College);



Thematic section entitled Can instruments of international and transitional justice help Ukraine in solving existing legal problems? (Human Rights Nonconference, Kyiv)

▶ <https://helsinki.org.ua/en/articles/international-civil-society-platform-to-resolve-the-conflict-in-eastern-ukraine-and-overcome-its-consequences-was-established-in-vienna/>

▶ <https://helsinki.org.ua/en/articles/human-rights-defenders-have-presented-alternative-reports-within-the-un-universal-periodic-review/>

▶ <https://helsinki.org.ua/en/articles/the-un-gave-two-hundred-recommendations-to-ukraine-on-how-to-protect-human-rights/>

▶ <https://helsinki.org.ua/en/articles/uhhru-took-part-in-a-parallel-event-of-the-universal-periodic-review-in-geneva/>

UHHRU co-founded the CivilM+ international civil platform, where it coordinates the activities of a thematic group on transitional justice. The platform united independent non-governmental organizations of Ukraine, Germany, Poland and Russia that work in such fields as human rights protection, peacekeeping, and humanitarian efforts.

The need for transitional justice was reflected in the traditional analytical products of the Union - the Alternative Report on the Universal Periodic Review of Ukraine and the Interim Report on Ukraine's Observance of the International Covenant on Economic, Social and Cultural Rights.



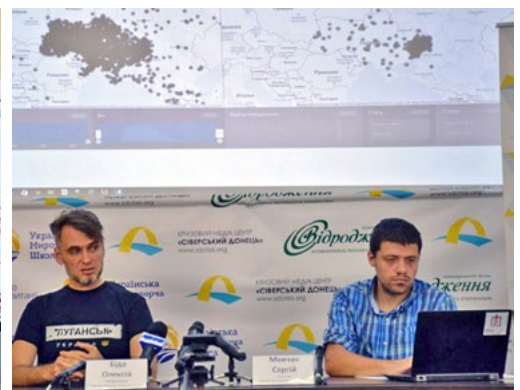
Olexiy Bida
Coordinator of the Documentation
Center of UHHRU

DOCUMENTATION CENTER

In 2017, 13 monitoring visits with the participation of 32 people were conducted.

Several of these visits were conducted to gather evidence within the framework of strategic litigation on behalf of trafficked persons who had been imprisoned by the Russian Federation. One of the visits was aimed at monitoring the observance of the rights of Crimeans violated by the Ukrainian government. The others were aimed at interviewing witnesses and victims (including former prisoners of war).

Thus, the Center not only continues to collect evidence regarding human rights violations and war crimes in connection with Russia's military aggression in Ukraine's east, but also provides free legal consultations to civilians who suffered as a result of the conflict, by involving lawyers from regional legal aid centers.



► <https://helsinki.org.ua/en/articles/uhhru-presented-the-map-of-memories-which-records-information-about-victims-in-the-course-of-the-military-conflict-in-the-east/>

► <https://helsinki.org.ua/en/articles/memorial-map-is-running-to-become-most-significant-civil-society-initiative-in-ukraine/>



With the consent of the clients, all locally collected facts are verified and entered in a standardized format into the Documentation Center's database, which currently contains 4,582 units of data (facts / people / evidence) related to human rights violations and war crimes.

It is also important that the Documentation Center currently functions as an analytics department that not only monitors and documents conflict-related offenses, but also performs its own research (including on the basis of the mentioned database), produces analytical materials, manages the interactive **Memorial Map** and provides evidence for strategic litigation and advocacy.

The collected data was sent to the UHHRU Strategic Litigation Center to support further legal proceedings at the national and international level, as well for submitting materials to investigating authorities. This information is also used for thematic and shadow reports, as well as for advocacy purposes before national and international bodies.

► <https://helsinki.org.ua/en/articles/executive-summary-memorial-map-identifying-every-victim-of-the-conflict-as-the-first-step-toward-reconciliation-is-out-now/>

► <https://helsinki.org.ua/en/articles/conflict-in-eastern-ukraine-and-its-periodic-escalations-are-having-direct-impact-on-everyday-life-of-entire-country/>



The mentioned Memorial Map contains a visualized database of 11,200 identified persons killed during the armed conflict. It is maintained and updated due to the importance of keeping records of conflict victims from the perspective of transitional justice, which requires, among other things, to identify and commemorate all victims as the first step toward reconciliation.

The efforts aimed at promoting the Map include advertising on social networks, advocacy at the national and international level, regional public events, as well as the publication entitled **Memorial Map: Identifying Every Victim of the Conflict as the First Step toward Reconciliation**, which provides a detailed description of this resource.

In addition, at the end of the year, a series of mini-publications entitled **Story of a City** were launched, aimed at reconstructing the course of the armed conflict using the example of individual Donbas cities. This series of chronicles was opened with a publication about the occupation, liberation and defense of the city of Sievierodonetsk. These publications, in addition to restoring historical truth, are also meant to attract the attention of the public and to encourage people who suffered as a result of the conflict to submit their own testimonies to the UHHRU.

In addition, the Documentation Center published several analytical reports developed during the reporting period:



Freedom of Speech Under Conditions of Information Warfare and the Armed Conflict



Lost in Paperwork: Observing Social Rights of Internally Displaced Persons



Analysis of Methods for the Prosecution of Foreign Citizens Responsible for Wrongful Acts Committed during the Armed Conflict in Ukraine



On the Brink of Survival: Damage to the Environment during the Armed Conflict in Eastern Ukraine



Unlawful Arrests and Torture Committed by the Ukrainian Side in the Armed Conflict Zone in the East of Ukraine»

► <https://helsinki.org.ua/en/publications/executive-summary-of-the-thematic-report-human-rights-as-an-iceberg-in-the-ocean-of-reforms/>

► <https://helsinki.org.ua/en/articles/second-year-of-the-implementation-of-the-action-plan-to-the-national-human-rights-strategy-was-completed/>

► <https://helsinki.org.ua/en/articles/freedom-of-speech-under-conditions-of-information-warfare-the-ministry-of-information-policy-does-not-play-a-big-role-in-forming-media-policy/>

MONITORING OF THE IMPLEMENTATION OF THE NATIONAL HUMAN RIGHTS STRATEGY

In 2015-2016, UHHRU had been coordinating the monitoring of the implementation of the National Human Rights Strategy within the framework of a specially established Civil Society Platform comprising over 80 NGOs. The Platform was actively supported by the Office of the Ukrainian Parliament Commissioner for Human Rights. Unfortunately, two years of the Platform's work revealed that the government is doing little to implement the Strategy. This unfortunate conclusion was voiced on September 5, 2017 by the participants of the discussion entitled **Human Rights as an Iceberg in the Ocean of Reforms**.

Thus, in 2017, after studying the international experience in implementing national human rights strategies, UHHRU proposed to bring public monitoring of the implementation of the National Strategy to the parliamentary level. The initiative was presented on April 12, 2017 during a roundtable entitled **Second Year of the Implementation of the National Human Rights Strategy: What's Changed?** to the participants - representatives of executive authorities and non-governmental organizations. Thanks to the support of the MPs, the initiative resulted in a working group tasked with monitoring of the implementation of the National Human Rights Strategy under the Parliamentary Committee on Human Rights, Ethnic Minorities and International Relations.

As a result, at the end of December, a discussion entitled **National Human Rights Strategy: State of Implementation and Challenges** took place, as well as a TV marathon on UkrLife TV where experts talked about the results of 2017.

As part of our analytical and monitoring activities, UHHRU conducted a civic inspection of the activities of the Ministry of Information Policy in the field of human rights observance, development and implementation of state policies on the informational sovereignty of Ukraine, and information security. This resulted in the analytical report entitled **Freedom of Speech under Conditions of Information Warfare and the Armed Conflict**, as well as a series of recommendations for the Ukrainian government.





Andriy Halai

Coordinator of the Local Human Rights Index program of UHHRU

► <https://helsinki.org.ua/en/publications/human-rights-certification-of-regions-analytical-review/>

► <https://helsinki.org.ua/en/articles/local-human-rights-index-tool-for-monitoring-institutional-reforms-under-conditions-of-armed-conflict-and-post-conflict-regulation/>

► <https://helsinki.org.ua/en/articles/local-human-rights-index-to-be-field-tested-in-cities-affected-by-the-armed-conflict/>



LOCAL HUMAN RIGHTS INDEX



UHHRU's last year's report spoke about the implementation of «human rights passportization» of oblasts jointly performed with the Ombudsperson's Office – local human rights monitoring visits aimed at evaluating the quality of the decentralization reform.

During 2017, UHHRU developed this idea into a qualitatively new European-level instrument - the **Local Human Rights Index**.

Research of more than 30 international and national tools for assessing the quality of local public administration; bringing Ukraine's understanding of human rights in line with the best universal standards; taking into account numerous national and local level documents, and formulating a rating system understandable to civil society activists – such is the incomplete list of activities conducted by the UHHRU team in 2017.

The best experts from the Office of the Ukrainian Parliament Commissioner for Human Rights, the community of local development practices of the Swiss-Ukrainian DESPRO project, local self-government associations, and a wide range of legal and media institutions were involved in the development of the Local Human Rights Index methodology.

The Local Human Rights Index targets the level of local communities. It analyzes how well local authorities (local governments) use their powers in the context of human rights protection. This has particular significance when it comes to assessing the actions of local authorities in Donetsk and Luhansk oblasts as well as localities with large numbers of IDPs.

In 2017, the Local Human Rights Index became a new national instrument for monitoring local government activities after its pilot monitoring visits (to Uzhgorod, Bilozirska united territorial community, Cherkasy Oblast). UHHRU offers this Index to civil society through the special National Human Rights Index website (<http://hro.org.ua>) with a detailed strategy for visualization and blogging, as well as periodic trainings for local activists.





Olena Semiorkina
Expert of the Legislative activities
of UHHRU

LEGISLATION ANALYSIS AND LAWMAKING

Under conditions of the armed conflict, UHHRU's analytical activities were also focused on the introduction of human rights protection standards into Ukrainian legislation based on international law:

1. Development of a Concept of a new format of negotiations and the application of new legal mechanisms for the resolution of the armed conflict with the Russian Federation and the return of the occupied territories;
2. Development of a Concept of state strategy for the return of Ukrainian citizens that are under the control of the Russian Federation and/or its agents as a result of the armed conflict (in conjunction with the Global Rights Compliance, Kharkiv Human Rights Protection Group, and Media Initiative for Human Rights);
3. Amendments to the draft law of Ukraine On the Peculiarities of State Policy on Ensuring the State Sovereignty of Ukraine over Temporarily Occupied Territories in Donetsk and Luhansk Oblasts (introduced through People's Deputy of Ukraine S. Zalishchuk),
4. Main comments regarding the provisions of the draft law No. 7163, including the risk of deteriorating conditions for the civilian population in the occupied territories;
5. Participation in the drafting of the bill on amendments to certain legislative acts of Ukraine aimed at eliminating discrimination of citizens residing in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol (No. 6383, 14 April 2017);
6. Remarks to the draft law of Ukraine On the Invalidation of the Law of Ukraine «On the Creation of the Free Economic Zone «Crimea» and on the Peculiarities of Economic Activities in the Temporarily Occupied Territory of Ukraine», and Introduction of Amendments to Certain Legislative Acts of Ukraine»; to the draft law On the Improvement of the Situation of Internally Displaced Persons in Legal Relations Involving Property (concerning persons whose property is located in temporarily occupied territories) - within the framework of cooperation with the Ministry of Temporarily Occupied Territories and IDPs, and the Parliamentary Committee on Human Rights, Ethnic Minorities and International Relations;
7. Proposals to the draft law of Ukraine On Amendments to Legislative Acts Concerning the Provision of Psychiatric Aid (No. 4449, 15 April 2016), for consideration prior to the second reading;
8. Proposals and support for the abolition of e-declaration of assets for civil society anti-corruption activists (bills nos. 6674 and 6675) - within the framework of cooperation with the Human Rights Agenda platform;

Litigations

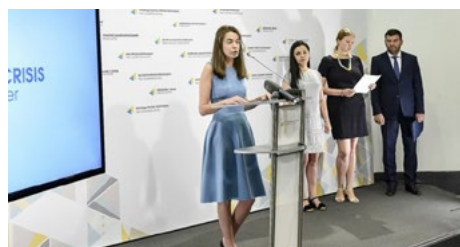


Mykhailo Tarakhkalo
Head of the Strategic Litigation
Center of UHHRU

The main focus of the UHHRU Strategic Litigation Center in 2017 was support for over 400 strategic cases at the national, European and international levels. More than 200 cases concerned the conflict in the east of Ukraine.

UHHRU Strategic Litigation Center continued its analytical and monitoring activities, worked on legislative initiatives, and cooperated with the Constitutional Court of Ukraine.

CRIMEA



UHHRU continues active support for the «**February 26**» case. 9 people in total have been charged in this case. Criminal charges were only brought against members of the «pro-Ukrainian» rally – representatives of the Crimean Tatar people.

In December 2015, an international expert team was formed, with representatives of 6 human rights organizations from 4 countries, to prepare a [report on the «February 26» case](#). As a result of its work in 2017, the team prepared a detailed reconstruction of the rallies held on February 26, 2014 in front of the Verkhovna Rada of the Autonomous Republic of Crimea, as well as a legal analysis of these events and their consequences, taking into account international human rights norms.

On February 23, 2017, the [Crimea Day took place at the Verkhovna Rada](#). Its goal was to draw the attention of MPs and the media to the gross and systemic violations of human rights in the occupied Crimea. UHHRU representatives urged people's elected representatives to do everything in their power to support and protect Ukrainian citizens living in the occupied territories.

► [https://helsinki.org.ua/en/publications/short-review-of-part-1-of-the-report-reconstruction-and-legal-analysis-of-the-events-of-26-february-2014-outside-the-building-of-the-supreme-council-of-the-autonomous-republic-of-crimea-in-simferopo/](https://helsinki.org.ua/en/publications/short-review-of-part-1-of-the-report-reconstruction-and-legal-analysis-of-the-events-of-26-february-2014-outside-the-building-of-the-supreme-council-of-the-autonomous-republic-of-crimea-in-simferopol/)

► <https://helsinki.org.ua/en/articles/the-verkhovna-rada-of-ukraine-hosted-the-day-of-crimea/>

▶ <https://helsinki.org.ua/en/articles/the-case-of-february-26-fabrication-technology-and-political-persecution/>

▶ <https://helsinki.org.ua/en/articles/the-days-of-the-crimea-in-pace/>

▶ <https://helsinki.org.ua/en/articles/uhhru-delegation-took-part-in-summer-session-of-pace-in-strasbourg/>

▶ <https://helsinki.org.ua/en/events/the-days-of-the-crimea-in-pace-round-table-political-persecutions-in-occupied-crimea-through-the-eyes-of-the-victim/>



▶ <https://helsinki.org.ua/en/appeals/appeal-on-imposing-of-sanctions-against-individuals-involved-in-persecution-of-mr-volodymyr-balukh/>

▶ <https://helsinki.org.ua/en/articles/occupants-banned-peaceful-protests-in-crimea/>

In particular, a roundtable was held to present the [report of the international expert team](#) on the February 26 case. In addition, the authors [presented a report for the media](#) in order to draw attention to the unlawful political persecution of Ukrainian citizens in Crimea.

On June 28-29, 2017, [Crimea Days took place at the PACE](#). During the event, UHHRU organized socio-cultural event [Crimean Evening](#) and a roundtable entitled [Political Persecution in Occupied Crimea: Through the Eyes of the Victim](#). In the course of the roundtable, the need to negotiate the release of political prisoners was stressed, and the present PACE members were requested to submit this proposal for consideration.

We continue our work alongside other human rights organizations on protecting Kremlin's prisoner, Ukrainian citizen Volodymyr Balukh. On August 9, 2018, [a briefing](#) attended by a representative of the UHHRU was held, dedicated to the unlawful conviction of Volodymyr Balukh by the Crimean occupational court. Persecution of Mr. Balukh for his openly pro-Ukrainian views has been ongoing since the spring of 2015. On February 8, 2017, the Russian Human Rights Center «Memorial» stated that they consider Ukrainian activist Volodymyr Balukh, who had been arrested in Crimea, a political prisoner, and demanded his immediate release. On August 4, 2017, Volodymyr Balukh was sentenced to 3 years and 7 months in a penal colony. UHHRU lawyers have already submitted [two complaints to the ECtHR](#) regarding the gross human rights violations committed in the course of Balukh's persecution by the occupying authorities of Crimea.

Systemic and widespread persecution of Ukrainian and Crimean Tatar activists continues on the peninsula, with the oppression primarily focused on the right to participate in peaceful gatherings. Strategic Litigation Center lawyers submitted over 10 complaints to the European Court of Human Rights to protect the right to freedom of peaceful assembly in occupied Crimea.

On October 21, 2017, press conference entitled [The Occupants Banned Peaceful Protests in Crimea](#) took place, attended by UHHRU representatives, Crimean human rights activists, representatives of the Media Initiative for Human Rights and Crimean Human Rights Group. Strategic Litigation Center lawyer stressed that virtually any picket and peaceful gathering in Crimea is currently against the law. She emphasized that the Center's work on appealing to the European Court regarding these violations is aimed at providing an international legal assessment of this brutal interference with the freedom of peaceful assembly by the occupying power.

In March 2017, the **Mejlis of the Crimean Tatar People** submitted an application to the European Court of Human Rights in connection with the fact that after the start of the occupation of the Crimean peninsula, Russian authorities declared the Mejlis an extremist organization and banned its activities. The Mejlis and its members are represented in the European Court by lawyers from UHHRU, the European Human Rights Advocacy Centre (London) and Human Rights



Center «Memorial» (Moscow). This is the first case where EHRAC will be working in the ECtHR with Ukrainian and Russian partners, and this is an important milestone in international cooperation in human rights trials related to the armed conflict in Ukraine. On April 15, 2017, UHHRU lawyers shared their comments on Hromadske radio during the 29th installment of the [Legal ABC](#) radio program regarding the case itself and their legal stance in it.

In 2017, the issue of **pressure and persecution against Crimean lawyers** working on political cases on the peninsula became critical.

Emil Kurbedinov is one of those Crimean lawyers that are unafraid of taking on political cases and of speaking in defense of those unlawfully convicted by the occupying authorities. He was subjected to persecution by the Russian occupying authorities for his active human rights position. On January 26, 2017, he was groundlessly detained for 10 days. However, thanks to the support of the international community, we managed to stop the persecution against him. Instances of pressure on Mr. Kurbedinov were recorded, in particular, by the [Amnesty International](#).

In November 2017, Strategic Litigation Center experts turned to the European Court of Human Rights in connection with an issue that is particularly important to Crimean residents - the **demand by the occupying authorities to re-register cars** located in the Crimea that have Ukrainian license plates. The applicant in the mentioned case refused to change the Ukrainian plates on his car for those of the occupying power. He had been brought to administrative liability by the occupying authorities on several occasions. The applicant is convinced that the authorities violated his right to peaceful enjoyment of one's property. The interference of the occupying power with the applicant's rights involved forced re-registration of his vehicle and a fine for failure to comply with the demands.

UHHRU lawyers and experts continue **cooperation with certain state agencies** in the protection of people's rights in occupied territories, as well as protection of Kremlin's political prisoners.

Thus, UHHRU expert Daria Svyrydova, together with the Agent for the Government before the European Court of Human Rights Ivan Lishchyna, took part in the [National Security Issues](#) program of Chornomorska TV, where important issues related to the **prospects and duration of Ukraine v. Russia proceedings** were discussed (there are currently six such trials).

► <https://helsinki.org.ua/en/articles/uhhru-and-the-prosecutor-s-office-of-the-autonomous-republic-of-crimea-signed-a-memorandum-of-cooperation/>

► <https://helsinki.org.ua/en/articles/briefing-on-the-submission-of-reports-concerning-occupied-crimea-to-icc/>

UHHRU representatives also continue to participate in the work of the public platform for the release of Kremlin's political prisoners, created at the initiative of the Ministry of Foreign Affairs. **[Cooperation was established with the Prosecutor's Office of the Autonomous Republic of Crimea](#)** to protect human rights and victims of politically motivated persecution in the occupied Crimea and to document war crimes on the peninsula.

In September, UHHRU lawyers took part in the **roundtable entitled Human Rights in Crimea and Donbas under the Russian Occupation** held in Stockholm, Sweden, organized by the Ukrainian Embassy in Sweden and the Olof Palme International Center. Among the invited were over 40 representatives of the diplomatic corps accredited in Stockholm, politicians, representatives of Swedish non-governmental human rights organizations and international organizations, journalists, as well as the Swedish and Ukrainian public. The purpose of the event was to raise awareness regarding human rights violations and war crimes committed by Russia in Donbas and Crimea, as well as to strengthen protection for victims of such violations.

In December 2017, UHHRU lawyers, together with representatives of other Ukrainian NGOs and the Crimean Prosecutor's Office, took part in the session of the annual Assembly of States Parties of the ICC. At the event, the **2017 report** of the Office of the ICC Prosecutor was presented. During the presentation, the Prosecutor and her staff reported on their activities related to the study of the situation in Ukraine.

In addition, along with other Ukrainian NGOs and with the support of the International Renaissance Foundation, our lawyers took part in a side event of the Assembly - Role of the ICC in Promoting the Issue of Responsibility for Serious Crimes Committed in Ukraine. UHHRU lawyers spoke about the war crimes committed by Russian authorities in the occupied Crimea, namely expropriation and destruction of property, as well as about torture and ill-treatment in the «DPR» perpetrated under the control of the Russian government.

UHHRU lawyers Daria Svyrydova and Nadiya Volkova spoke about the results of the visit and other issues related to the work with the **International Criminal Court** on the **[National Security Issues program](#)**.

Also, in 2017, the next issue of the thematic review of the human rights situation under occupation was published, entitled **[Crimea beyond Rules](#)** and dedicated to the issue of citizenship. The analytical review was prepared by the experts of the UHHRU, Regional Center for Human Rights and CHROT expert-analytical group. The survey highlights the issue of enforced citizenship, the inability to refuse it, the use of «automatic citizenship» by the occupying authorities to persecute Ukrainian activists, the problems with issuance, and much more.

► <https://helsinki.org.ua/en/articles/uhhru-has-presented-the-legal-opinion-in-the-constitutional-court-concerning-the-investigation-of-crimes-by-the-investigating-authorities-of-the-state-criminal-executive-service-of-ukraine/>

► <https://helsinki.org.ua/en/articles/the-fourth-edition-of-the-analytical-law-digest-crimea-beyond-rules-is-out-now/>

UKRAINE'S EAST



One of the main areas of work for the UHHRU Strategic Litigation Center in 2017 was the protection of the rights of conflict victims in eastern Ukraine. In this area, work had been done to provide legal assistance to the victims and their families, as well as to develop analytical materials and legislative amendments.

As part of the project aimed at assisting civilians affected by the anti-terrorist operation in the east of Ukraine, legal aid was provided in 2017 to victims in the following areas:



seeking compensation for destroyed property in domestic courts. Three trials were won, with compensation awarded.



mobilization of property by the Ukrainian military; in domestic courts and in the European Court of Human Rights.



injuries and deaths as a result of artillery shelling; at the national and European level, among which were cases involving wounded and killed civilians during the January 13, 2015 attack on a civilian bus at the checkpoint in Volnovakha, the 24 January 2015 shelling on the Skhidnyi microdistrict in the city of Mariupol, and the explosion of an ammunition warehouse in the city of Svatove.



torture of civilians by representatives of illegal armed groups of the «DPR» and «LPR»; at the national and European level.

► <https://helsinki.org.ua/en/articles/uhhru-press-conference-how-to-get-compensation-for-property-destroyed-in-eastern-ukraine/>

► <https://helsinki.org.ua/en/articles/the-pechersk-court-compensated-uah-6-million-for-a-destroyed-house-in-the-course-of-ato/>

Based on the existing case law, the lawyer working on cases concerning destroyed property developed a standard **application** and an guide on how to obtain compensation for the property destroyed in the ATO zone, which was presented by the UHHRU at a **press conference**.

Other high-profile cases supported by the UHHRU include the **case** of a taxi driver killed by Ukrainian border guards, the investigation of the **explosion** of the ammunition warehouse in Svatove, and the cases concerning the **mobilization** of property by Ukrainian troops.

A lot of attention in 2017 was paid to a prisoner exchange, the date of which had been announced in advance. Comments were provided on the exchange process and the preparation for it:

 **on 5th Channel**

 **on Hromadske TV**

 **on Chornomorska TV**

CASES INVOLVING PERSONS WITH MENTAL DISORDERS

The Strategic Litigation Center continues to support cases involving persons suffering from mental disorders, which was done in the following areas: support for trials at the ECtHR and provision of aid at the national level, as well as development of methodological recommendations.

The case **Gorbatyuk v. Ukraine** concerns the violation of the right to access to court for disabled persons. In accordance with national legislation, only a guardian or guardianship authority may apply to a court to have a person's civil capacity restored. The applicant had been deprived of civil capacity in 2009, as well as of parental rights for her two children. In 2014, her mental health improved significantly. The guardian and the guardianship authority refused to apply to court for restoration of her civil capacity. On March 7, 2017, remarks were sent to the government of Ukraine regarding this case.

The case **Zoege von Manteuffel v. Ukraine** dealt with the lack of access to court for persons subjected to forced medical treatment. We submitted an application to the ECtHR regarding the unlawful detention of the person in a psychiatric hospital and the inappropriate medical treatment.

On September 26, 2017, the High Specialized Court of Ukraine for Civil and Criminal Cases satisfied the cassation appeal filed by UHHRU lawyers in a case concerning the lack of access to court for persons who had been deemed not responsible for their actions and had been subjected to compulsory medical care.

The case **Cherednychenko v. Ukraine** concerned the violation of the right to liberty and personal integrity of a person held at the state institution of the Ministry of Healthcare Ukrainian Psychiatric Hospital of Strict Supervision. In accordance with the legislation of Ukraine, psychiatrists must examine the state of health of their patients every six months, and based on the results of such examinations, the courts decide whether to continue or alter a person's compulsory medical treatment. In this case, the doctors failed to perform such an examination. As a result, the person was held in a psychiatric hospital without any legal grounds. Moreover, said person was not unable to bring the issue of the lawfulness of their situation before the court, since the law deprives people of this right in these circumstances.

In the case **Kazachynska v. Ukraine**, a complaint was filed with the ECtHR concerning the unlawful forced hospitalization of a person at the Kherson Psychiatric Hospital without judicial control. The applicant had been held there for two weeks, being given strong psychotropic substances, and had been subjected to degrading treatment. No proper investigation into the applicant's situation has been conducted since 2013.

THE MOST HIGH-PROFILE CASES OF UHHRU STRATEGIC LITIGATION CENTER IN 2017

Nedilenko and Kogut v. Ukraine. The applicants have fallen victim to numerous defamation articles posted on the Internet.

Vyshnyakov v. Ukraine. The applicant is the father of a juvenile daughter and is forbidden from communicating with the child by his ex-wife.

Andriyanova v. Ukraine. The complaint was sent to the ECtHR regarding the violation of IDPs' right to childcare support.

Lazarenko and Others v. Ukraine. On June 27, 2017, the ECtHR satisfied the complaint. The Court discovered a violation of Article 6 of the Convention, namely the principle of equality of arms.

Kutsenko v. Ukraine. On July 18, 2017, ECtHR ruled that in this case, the representatives of the state of Ukraine violated the right to life. According to the judges, the death of Volodymyr Kutsenko had been caused by beatings at the hands of the police and inadequate medical assistance. Moreover, there was no proper investigation of these crimes. The Court awarded Volodymyr's mother 72,000 euros (about UAH 2.2 million), to be paid from the state budget. **It is one of the highest compensations awarded to individuals in the entire history of Ukraine.**

▶ <https://helsinki.org.ua/en/articles/rita-pastrama-our-houses-were-burned-before-eurovision/>

▶ <https://helsinki.org.ua/en/articles/who-is-responsible-for-the-burning-of-settlements-on-the-eve-of-eurovision-2017-the-question-is-still-pending/>

Pastrama v. Ukraine. In 2017, a lot of effort was expended to protect the rights of the Roma population of Ukraine. There was communication in the case Pastrama v. Ukraine. The case concerned the fire set to a Roma settlement in Bereznyaky locality in Kyiv by police officers in 2012. The officers were performing a «cleansing» of the Roma people in connection with the Euro 2012.

In the spring of 2017, another arson in a camp took place in Kyiv, near the Lake Nyzhnyi Telbin, before the Eurovision. A police reports was filed, a [petition sent to Volodymyr Groysman](#), and a [press conference](#) held. After the press conference, the Roma that took part in it were arrested by the police near the UHHRU office. A complaint was filed in protest of the unlawful detention. The complaints are still being considered, but no actual investigation is taking place.

The «**Lake of Kachyne**» case concerns the illegal destruction of the lake and the construction in its place of a multi-storey building. The locals have been fighting the illegal construction since 2016. In 2017, the struggle in the courts continued at the national level - several parallel cases are being examined at the moment.

The ban of **yandex, vkontakte, mail.ru and odnoklassniki** websites. UHHRU is supporting a case aimed at having the unlawful decision of the National Security and Defense Council of Ukraine and the Presidential Decree on the ban of Ukrainian citizens from accessing these websites declared unlawful. The case is currently being examined by the Supreme Court. UHHRU believes that such restrictive measures violate the right to freedom of expression, including the freedom to receive and impart information and ideas without interference from public authorities. Moreover, such actions of public authorities are unlawful and not proportional to the stated purpose.

WORK WITH THE CONSTITUTIONAL COURT OF UKRAINE



During In 2017, UHHRU lawyers prepared two legal positions (*amici curiae*) for the Constitutional Court and filed a complaint on constitutionality.

Case concerning the investigative bodies of the State Penitentiary Service of Ukraine (constitutionality of part 6, Article 216 of the Criminal Procedure Code of Ukraine)

The Constitutional Court examined a case concerning the compliance with the Constitution of Ukraine of part six, Article 216 of the Criminal Procedure Code of Ukraine, which stipulates that investigations of crimes committed on the territory of the State Penitentiary Service of Ukraine are to be conducted by the investigative bodies of said Service. [In UHHRU's opinion](#), this provision does not conform to the provisions of the Constitution of Ukraine and the ECHR, since it violates the right to an effective investigation. On April 24, 2018, the Constitutional Court reached a [decision](#) in this case, taking into account the position of the UHHRU, and declared unconstitutional the powers of investigators of the State Penitentiary Service to investigate crimes in penitentiary institutions.

Case concerning peaceful gatherings (constitutionality of part 6, Article 182 of the Administrative Litigation Code of Ukraine)

On April 6, 2017, the Constitutional Court examined a [case](#) concerning the effectiveness of appeals against decisions on the ban of peaceful gatherings. UHHRU lawyers expressed the [view](#) that existing regulation regarding peaceful assembly, namely the judicial procedure, provides sufficient judicial protection within the meaning of Articles 39 and 55 of the Constitution of Ukraine. The lawyers also noted that the abolition of the disputed provision would lead to adverse consequences for the protection of the right to peaceful assembly, and in light of this, the issue of proper regulation of cases concerning restrictions on peaceful assembly should be considered by the Verkhovna Rada of Ukraine.

A complaint was submitted to have part 5, Article 176 of the Criminal Procedure Code recognized as unconstitutional. The disputed provision stipulates that persons suspected of committing crimes against national security, crimes related to terrorist activities and certain other crimes against public safety may not be released from custody

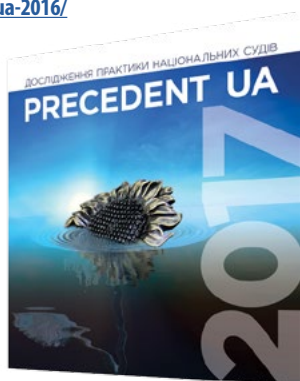
► <https://helsinki.org.ua/en/articles/uhhru-has-presented-the-legal-opinion-in-the-constitutional-court-concerning-the-investigation-of-crimes-by-the-investigating-authorities-of-the-state-criminal-executive-service-of-ukraine/>

for the duration of pre-trial investigation and trial. UHHRU **believes** that this provision violates the guarantees enshrined in the Constitution of Ukraine, namely the right to freedom and the rule of law, as well as reduces the scope of existing human rights and leads to discrimination. The Constitutional Court opened proceedings following the complaint.

Constitutionality complaints are a new mechanism of legal protection, which was introduced in Ukraine in 2016 as a result of amendments to the Constitution of Ukraine. The mechanism of constitutionality complaints provides another tool for the protection of citizens at the national level.

► <https://helsinki.org.ua/en/articles/the-fourth-edition-of-the-analytical-law-digest-crimea-beyond-rules-is-out-now/>

► <https://helsinki.org.ua/en/publications/electronic-version-of-uhhru-s-case-law-study-precedent-ua-2016/>



PRECEDENT UA – 2017

The Strategic Litigation Center continues to study the application of ECtHR case law by domestic courts. The study of national case law entitled Precedent UA-2017 examines the use by Ukrainian judges of ECtHR judgments in cases against Ukraine regarding the violation of Article 6 of the Convention (criminal proceedings). It examines 157 ECtHR judgments and about 1 million verdicts of national courts contained in the electronic Unified State Registry of Judgments.



PRECEDENT UA

Legal Aid Centers (LAC) Network



Maksym Scherbatyuk
Head of the Legal Aid Centers
network of UHHRU

The UHHRU network of legal aid centers is the largest non-governmental human rights network in Ukraine, with 21 offices all over the country. Five of them – those in the cities of Mariupol, Kramatorsk, Pokrovsk, Slavyansk and Toretsk – are located in Donetsk Oblast – in the immediate proximity to the Joint Operation Zone.



The lion's share of issues that bring people to human rights organizations for help deal with human rights violations. In 2017, 15,105 people turned to us for help (table 1). The majority of appeals came from IDPs – 4,510 (30%) (table 2). People who had been forced out of their homes by the hostilities are facing numerous problems, such as suspended social support payments, labor disputes, and problems with registration of births and deaths that occurred in non-government-controlled territory as well as with debts.

In 2017, lawyers prepared 2,781 procedural documents on behalf of clients, provided representation in 208 cases, and submitted 86 appeals to international bodies.

EXAMPLES OF SUCCESSFUL CASES:

► <https://helsinki.org.ua/en/articles/uhrulawyers-in-sumy-helped-a-large-family-to-get-the-status-of-internally-displaced-persons/>



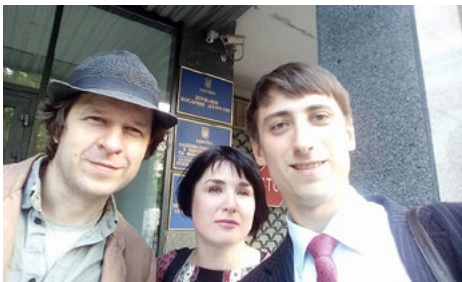
Lawyers of the UHHRU lawyers in Sumy helped a large family to obtain IDP status:

► <https://helsinki.org.ua/en/articles/ngos-in-uzhhorod-and-cherkasy-together-with-authorities-inform-ato-participants-on-their-health-rights/>



Assistance to clients was also provided in response to collective appeals. Thus, the Dnipro-based LAC was contacted by residents of the hostel of the Society of the Deaf People of Ukraine complaining about living conditions. The advocacy campaign has been a success.

► <https://helsinki.org.ua/en/articles/human-rights-defenders-spoke-about-the-availability-of-medical-services-for-ato-members-and-their-families/>



► <https://helsinki.org.ua/en/articles/uhhru-public-receptions-told-how-to-fight-for-the-rights-in-conditions-of-legal-nihilism/>

► <https://helsinki.org.ua/en/publications/success-stories-of-legal-aid-centers-network-of-the-ukrainian-helsinki-human-union-in-2016-2017-the-2nd-edition/>

In April 2017, citizen R. from Horlivka turned to the Kramatorsk-based LAC for help in connection with the death of her mother, which had occurred in Horlivka. The woman had her mother's death certificate issued in the territory of the DPR, which is considered invalid in Ukraine (on the basis of clauses 1-3, Article 9 of the Law No.1207- VII of April 15, 2014 On Ensuring the Rights and Freedoms of Citizens and Legal Regime in Temporarily Occupied Territories). The woman wanted to get social support for the funeral and her mother's remaining pension but was prevented from it by the documents. LAC lawyers filed an application with the court to establish the fact of death. Following a positive verdict, the relevant body of the Department of Justice responsible for civil registration registered the deceased woman's death and issued a death certificate which helped the daughter obtain the support she needed. Such cases are among the most common in the work of LACs.

AWARENESS RAISING AND EDUCATIONAL WORK OF UHHRU LACS

Another area of work of our LACs concerns education and awareness raising. Overcoming legal nihilism and lack of hope that human rights can be successfully safeguarded in this country constitute an important aspect of the work of human rights defenders. The subjects varied – legislative amendments, pension and medical reforms, human rights in the context of communication with the police, protection against domestic violence, etc. In the course of the year, 291 events were held to tell people about legislative changes and teach them how to protect their rights.

In the period Between From November 25 - the International Day for the Elimination of Violence against Women – until December 10 - the



International Human Rights Day, the campaign **16 Days Of Activism Against Gender Based Violence** was held in Ukraine. Its goal was to familiarize the participants with the concepts of «gender» and «gender-based violence». Also, among the objectives set by the organizers was discussion of relevant laws, of the stereotypes prevailing in society, and problems that human rights activists and civil servants face in their work.

Discussed during the event were such issues as gender, the roles of women and men in society, the legal framework for equality between men and women, existing stereotypes, and use of female-specific terms. In addition, the participants were watching videos, playing games, drawing conclusions and complementing each other.

In August 2017, UHHRU LAC working within the framework of the USAID program in Sumy, Donetsk and Dnipropetrovsk oblasts came up with the initiative to combine the efforts of governmental and non-governmental organizations that provide free legal assistance in regions. Roundtables entitled **Access to Free Legal Aid. State and Non-State Providers. Problems. Achievements. Synergy** were held, resulting in the signing of memoranda of cooperation and agreements made on client redirection.

In 2017, UHHRU LAC lawyers monitored local centers for the provision of free secondary legal aid, which was carried out with the support of the American people provided through the United States Agency for International Development (USAID) within the framework of the New Justice Program. A report was prepared to describe the key elements and performance indicators of the legal aid system in terms of accessibility, convenience and effectiveness for clients.

► <https://helsinki.org.ua/en/articles/in-sumy-the-human-rights-experience-was-discussed/>

► https://helsinki.org.ua/wp-content/uploads/2017/12/NEW_ZVIT-Rezultaty-monitorynhu-BPP3-1.pdf

Educational activities



Serhii Burov

Head of the Educational programs of UHHRU



Darya Svyrydova

Coordinator of the Educational program for Lawyers and Advocates of UHHRU

► <https://hrs-course.helsinki.org.ua/>

► http://humanrightshouse.org/Projects/ILIA_RU/index.html

► <https://helsinki.org.ua/en/articles/the-application-process-to-participate-the-course-human-rights-standards-in-the-practice-of-lawyers-and-judges-is-now-open/>

EDUCATION FOR LAWYERS AND ADVOCATES



In 2017, UHHRU worked on two main projects aimed at the training of lawyers, namely:

Training course **Human Rights Standards in the Practice of Advocates and Judges;**

Program **International Law on the Protection of Public Interests** (EH-REL course)

Training course Human Rights Standards in the Practice of Advocates and Judges

It is a unique product of the UHHRU, an educational tool for strengthening the professional capacity of Ukrainian lawyers and judges in the protection of human rights and freedoms.

As part of the training course, an online platform was created for online learning in partnership with the Human Rights Houses Network. In the future, this experience and platform can be used by other countries and organizations that wish to conduct human rights education for lawyers.

On March 1, 2017, a briefing took place on the occasion of the launch of the training course Human Rights Standards in the Practice of Advocates and Judges. A presentation was held and the start of the selection process announced.

The emphasis of the curriculum in this cycle was the protection of human rights during the armed conflict and work under conditions of transitional justice.

▶ <https://helsinki.org.ua/en/articles/the-first-seminars-of-the-course-human-rights-standards-in-the-practice-of-lawyers-and-judges-were-held/>

▶ On-site seminar: <https://helsinki.org.ua/articles/vidbulys-persh-seminari-navchalnoho-kursu-standarty-prav-lyudyny-v-praktytsi-advokativ-ta-suddiv/>

▶ On-site seminar: <https://helsinki.org.ua/articles/u-kyjevi-vidbuvsya-druhyj-ochnyj-seminar-u-ramkah-navchalnoho-kursu-standarty-prav-lyudyny-v-praktytsi-advokativ-ta-suddiv/>

▶ On-site seminar: <https://helsinki.org.ua/articles/u-kyjevi-vidbuvsya-tretij-ochnyj-seminar-dlya-advokativ-ta-suddiv-z-temy-pravo-na-spravedlyvyj-sud/>

▶ On-site seminar: <https://helsinki.org.ua/en/articles/advocates-and-judges-attended-uhhru-training-seminar-right-to-respect-for-private-and-family-life/>

▶ On-site seminar: <https://helsinki.org.ua/articles/vidbuvsya-p-yatyj-ochnyj-seminar-u-ramkah-navchalnoho-kursu-standarty-prav-lyudyny-v-praktytsi-advokativ-ta-suddiv/>

▶ <https://helsinki.org.ua/en/articles/the-barys-zvozkau-belarusian-human-rights-house-lithuania-hosted-a-workshop-on-the-right-to-a-fair-trial-for-lawyers-and-judges/>

The course team developed 5 online modules and 5 on-site seminars (expert methodologies and materials as well as tailored lectures) on 5 subjects, with participants selected from all over Ukraine. The subjects included:

- **Theory and history of human rights;** the European system of human rights protection.
- **The right to a fair trial** (Article 6 of the ECHR).
- **Prohibition of torture** and inhuman treatment and the right to liberty and security of person (Articles 3 and 5 of the ECHR).
- **The right to respect** for private and family life (Article 8 of the ECHR).
- **The right to peaceful** enjoyment of one's possessions (Article 1 of Protocol №1).

Course materials are being constantly updated. Work is under way to prepare and introduce 2 new courses – on the protection of the rights of lawyers, and on international humanitarian law.

Over 300 candidates had applied for the course, with 35 participants selected by the course team, experts and partners - 17 advocates and 18 judges from 18 regions of Ukraine. The format of joint long-term training for judges and advocates has been successfully implemented.

2 international study trips were organized:

- **The right to a fair trial:** the standards of Article 14 of the ICCPR and Article 6 of the ECHR in the context of criminal proceedings, August 25-27, 2017 (Vilnius, Lithuania).
- **Individual applications to the United Nations Human Rights Committee** and other mechanisms for the protection of human rights in the UN system, December 8-10, 2017 (Vilnius, Lithuania).

It is also worth mentioning among the current results of the course the active participation of trainees in the preparation of the UHHRU report on the risks of lawyer work under conditions of the armed conflict in Ukraine (publication pending)

The current cycle of the course will continue until May 2018.



International Law on the Protection of Public Interests (ILIA Stronger) Program



It is a project for lawyers and human rights activists implemented by the Human Rights Houses Network with partners from 5 countries (Azerbaijan, Belarus, Moldova, Russia and Ukraine), with the aim of training lawyers and human rights defenders in the use of international instruments for the protection of human rights, promoting the implementation of international human rights standards in national practices, and ensuring better protection of human rights defenders and victims of human rights violations.

As part of the program this year, the Ukrainian team participated in the overall coordination of the update and development of the program's new cycle - ILIA Stronger – as well as in the implementation of the program's individual elements at the national level;

The team organized the participation of Ukrainian alumni in the HELP course of the Council of Europe in partnership with the ILIA Stronger program, and organized the visit of Ukrainian lawyers to the bodies of the Council of Europe.

In addition, several expert consultations and educational events were held during the year on the following subjects:

- **Human rights protection** under conditions of the armed conflict in Ukraine, in cooperation with the Association for the Development of Judicial Self-Government of Ukraine
- **Documentation and investigation** of war crimes, for UHHRU lawyers and partners among lawyers and advocates of the Regional Center for Human Rights and the Crimean Prosecutor's Office.



Oleksandra Kozorog

Coordinator of the Formal Learning program of UHHRU

FORMAL LEARNING



Advocacy of the fulfillment of state commitments regarding the implementation of the National Human Rights Strategy, to raise human rights awareness and introduce human rights education in the national education system

At the initiative of the Ukrainian Helsinki Human Rights Union and the Educational Human Rights House Chernihiv, as well as with the support of the Ministry of Education and Science of Ukraine, activities were organized to optimize cooperation within the framework of the implementation of the National Human Rights Strategy in raising awareness regarding human rights issues, as well as to combine efforts and intensify the dialogue between human rights NGOs and state authorities.

On September 26, an expert meeting was held at the Ministry of Education and Science, during which the participants discussed the actual state of fulfillment of the commitments set out in the Action Plan for the implementation of the National Human Rights Strategy, and agreed on further activities. A press conference was held in Kyiv on December 29 at the Ukrinform news agency regarding the new working group of the Ministry of Education and Science formed on the basis of an existing team of experts. The working group was tasked with developing a draft National Program on Human Rights Education and the Action Plan for its implementation. It is important that the event brought together representatives of three ministries - Ministry of Education and Science, Ministry of Justice and Ministry of Information Policy, as well as NGOs - Ukrainian Helsinki Human Rights Union, Educational Human Rights House Chernihiv, Parents SOS, and representatives of international organizations - OSCE project coordinator, Swiss-Ukrainian educational project Development of civil competency in Ukraine (DOCCU), and Amnesty International Ukraine.

Work with schools on the formation of educational space based on human rights

Within this activity, the second cycle of the all-Ukrainian practical educational course **School as a Human Rights Territory** was implemented, which consisted of two trainings for teams from participating schools, five local trainings for school communities, distance sessions and an assessment of the state of human rights implementation in participating schools.



Five more participating schools from Khmelnytskyi, Kherson, Dnipropetrovsk, Volyn, and Lviv oblasts committed themselves to creating an atmosphere of respect for human rights in their institutions. These educational institutions perform an analysis of legislative acts and amendments to them. An effective system of school self-government is being formed, involving all participants of the teaching process in decision making. In these schools, trainings were held for all representatives of the teaching process - students, teachers, parents and the administration - to establish cooperation and formation of effective mechanisms for the implementation and protection of human rights in these schools. The program was attended by 60 students, 30 parents, 40 teachers and 20 representatives of school administrations. All institutions are introducing systematic study of human rights in the educational process, as well as working with parents and teachers in this area.

Educational tools have been created - methodological manual, law analysis, teaching materials for use in the next stages of the project – and distributed among the participating institutions and other stakeholders, for the purpose of subsequent introduction of sustainable and effective changes in education and for the promotion of human rights principles and standards.

A network of schools that expressed the wish to expand their educational space was formed, based on the principles of human rights. The schools are holding joint events - promotions, flash mobs, online conferences and discussions, exchanging experience on Facebook, in the group **School as a Territory of Human Rights**.

Developing a culture of human rights, as well as raising awareness and disseminating information regarding relevant human rights issues through educational activities

The traveling educational exhibition **Everyone Has the Right to Know Their Rights** played an important role in advancing human rights values. Between January and August, the exhibition was visited by more than 12,500 people in 17 cities of ten Ukrainian regions (of those, 10 are located in Luhansk and Donetsk oblasts, which has to do with the challenges posed by the armed conflict in the east). 190 guides from among students had been trained for the exhibition.

▶ <https://helsinki.org.ua/en/articles/in-zaporizhia-the-seminar-on-preparation-of-guides-for-the-traveling-educational-exhibition-everyone-has-the-right-to-know-their-rights-took-place/>

▶ <https://helsinki.org.ua/en/articles/the-wandering-educational-exhibition-everyone-has-the-right-to-know-their-rights-visited-lviv-region/>

▶ <https://helsinki.org.ua/en/articles/for-the-first-time-the-traveling-educational-exhibition-everyone-has-the-right-to-know-their-rights-visited-kryvyi-rih/>

▶ <https://helsinki.org.ua/en/articles/the-work-of-the-travelling-educational-exhibition-everyone-has-the-right-to-know-their-rights-is-completed-in-dnipro/>

▶ <https://helsinki.org.ua/en/articles/human-right-defenders-have-awarded-students-and-teachers/>

The exhibition allowed us to draw the attention of a large number of people to human rights related problems, as well as to mobilize local communities and influence formal education through students and teachers alike, who in turn will be retransmitting human rights values in the modern world.

In addition, two competitions were held – of student essays and of educational and methodological developments in the field of human rights for teachers. The winners were selected from among 698 participants from 22 regions of Ukraine. In their works, the students expressed, among other things, their views on such issues as human rights in the armed conflict, the exercise of human rights by persons with disabilities and ethnic minorities, freedom of speech, human rights online, the right to life and the rights of the child. A significant number of essays raised the issue of relations and human rights observance in school communities between adults and children. Many works were written by children from rural areas and small towns. Children from eastern Ukraine in Donetsk and Luhansk oblasts have also started paying more attention to the issue of human rights.

The winners of the competition of educational and methodological developments were chosen from among 118 teachers from 19 regions of Ukraine. The awards ceremony took place on January 19, 2018 at the Office of the Ukrainian Parliament Commissioner for Human Rights.

In partnership with the Human Rights Information Center, a public discussion was held at America House Kyiv on October 31, entitled **Human Rights in Schools: How to Promote Values among Children**, during which the results of the pilot monitoring of human rights education and observance of human rights principles in the educational process in schools conducted by the UHHRU were presented.

Practical implementation of human rights into the system of higher education through the strengthening of partnership between NGOs and higher education institutions

Work on developing a systematic approach to involving university students in the practical implementation of the Union's program objectives began on the basis of the UHHRU office.

The Institute of International Relations of the Taras Shevchenko Kyiv National University became the first university to include the Human Rights Workshop course in the 2016-2017 curriculum for second year students pursuing their master's degree (specialization International Human Rights Protection). The joint testing of the course during the first year of the integrated combination of resources of civil society and the academic community allowed us to develop a holistic approach to teaching and to the practical acquisition of knowledge and skills. Thus, a training and methodological package for the course was developed, namely the Training

and Work Program. The Human Rights Workshop (Legal Clinic on Human Rights) has become part of the educational and professional training program for future masters of international law (specialization 293) in the field of knowledge 29 (International Relations). It is included in the list of discipline that students are able to choose. It is taught by UHHRU experts in the second semester of the second year of master's degree over the course of 120 academic hours. 14 subjects were given for consideration during the course, and UHHRU experts were also able to offer topics on the basis of new human rights challenges of contemporary Ukraine, such as:

- **Specifics and problems** of the work of Ukrainian human rights defenders during the armed conflict
- **Legal support** for ATO participants
- **Documenting human rights violations**, gathering evidence to prove violations of international humanitarian law
- **Mechanisms for Compensation** mechanisms for damage and losses caused to victims of the armed conflict. Criminal prosecution of people for crimes committed in Crimea and non-government-controlled territories.

During the 2017-2018 academic year, training course **Human Rights Workshop (Legal Clinic on Human Rights)** was taught as a separate module in March-April on the basis of the UHHRU and with the involvement of the Union's leading experts Oleg Martynenko, Alla Blaha, Oleksiy Bida, Bogdan Moysa and Sergiy Movchan. For a month each Thursday, students studied practical aspects of the work of human rights activists in various areas. The lectures were open for everyone interested, but only the future lawyers in the field of international law received practical assignments in the form of «cases» for self-learning. All cases provided by experts were related to the actual activities of the UHHRU and to the applications of citizens to our LACs.

▶ <https://helsinki.org.ua/en/articles/uhhru-launched-human-rights-workshop-course-for-students-of-international-relations-of-the-national-university-of-kyiv/>



Maxim Yeligulashvili
Coordinator of the Informal
Education program of UHHRU

► <https://helsinki.org.ua/en/articles/human-rights-education-is-always-relevant/>

INFORMAL EDUCATION



Stepping up the involvement of youth and civil society activists in the protection of human rights and their promotion

As part of these efforts, UHHRU proposed a comprehensive approach rather than one-time educational activities. Thus, networking events were held for participants of the program **We Understand Human Rights** and UHHRU's educational activities, with the help of the All-Ukrainian Human Rights School for Youth that took place in July 2017. During the event, the participants – active young people 18-28 years of age from all over Ukraine – were able to broaden their knowledge regarding human rights, mechanisms for their protection and social activism. They also learned to recognize human rights and their abuses in everyday life and to plan effective human rights activities. In order to transform knowledge into skills, a series of public peaceful initiatives were developed during a 24-hour marathon, aimed at the promotion and protection of human rights and the fight against discrimination.

A series of supporting activities – weekly internships in well-known human rights organizations, competitions within local human rights mini projects as well as networking activities – were organized to ensure interaction between alumni and participants of educational activities and to increase their professional and personal capacity, such as:

A youth event entitled **SetUp Human Rights** was held in Vinnytsia on April 21-23, during which, in addition to familiarizing the participants with human rights and mechanisms for their protection, the youth were also taught debate games to consolidate their knowledge. In Poltava, the Light of Hope charitable organization chose representatives of the local media as their target audience, educating them on the issues of domestic and gender-based violence during the event held on April 27. On May 3-5, a human rights training was organized for students from several villages of Sniatynskyi Rayon of Ivano-Frankivsk Oblast.

On May 12-13, educators, librarians and representatives of civil society were taught the principles of tolerance in Kherson's educational institutions. On July 29-30, a human rights seminar on preventing and responding to violence/ill-treatment toward children was held in



Lviv schools for teachers and school administrators. Simultaneously, another seminar took place in Ivano-Frankivsk, aimed at teaching teachers and active parents how to protect the rights of schoolchildren and at promoting understanding of human rights in the school environment. On July 26-28, the event **Human Rights for the Savvy: Approaches to Human Rights Activism** held in July brought together experienced human rights activists at the Educational Human Rights House Chernihiv.

17-On July 17-21 and July 24-28, two experts from NGO Vinnytsia Debate Club took part in the Ukraine without Torture training for civil society monitors of the National Preventive Mechanism in Kyiv, in order to broaden their knowledge, skills and competences in the development, implementation and assessment of monitoring projects in the field of human rights protection, as well as to study in detail the work of the National Preventive Mechanism. The trainees also studied the experience of the Fulcrum NGO (Kyiv) in anti-discrimination monitoring (namely the tools and mechanisms as well as methods of visualization and dissemination), and took a detailed look at the index of corporate equality.

In December, a series of local educational alumni events took place. Thus, on December 10-12, the **Introductory Human Rights Training for Civil Society Activists of Vinnytsia Oblast** was held in Khmilnyk, on December 14-15 – the training **Human Rights and Gender Equality** in Uzhgorod, on December 15-17 – the training **Human Rights for All** in Kremenchuk, and finally the training **Rights of the Child** in Ternopil was held on December 25-26.

► <https://helsinki.org.ua/en/articles/in-kyiv-a-conference-on-human-rights-education-development-in-ukrainian-schools-was-held/>

Response to challenges caused by the humanitarian crisis and the armed conflict in Ukraine

Since the beginning of the occupation of Crimea and the armed conflict in the east of Ukraine, our society has been faced with a completely new dimension of challenges. Realizing this, experts and human rights activists tried to focus their efforts on actions aimed at spreading knowledge on international humanitarian law and at dialogue building initiatives.



Thus, within the framework of the development of a course on international humanitarian law targeting various audiences, we prepared and presented educational posters, videos and guides on IHL for the general public. We tried to reach as broad an audience as possible - both professionals and civilians - to raise awareness regarding IHL provisions that are especially relevant in Ukraine's situation.

Our work was aimed not just at the development of educational products: we also tested them in practice, according to the needs of our target audiences. Thus, on 17-18 December 2017, the seminar **Fundamentals of International Humanitarian Law** was held in cooperation with the Ukrainian Association of International Law. The event, aimed at testing the teaching materials developed by the UHHRU, was attended by lecturers from various higher education institutions from Kharkiv, Odesa, Kyiv, Dnipropetrovsk and other oblasts involved in the teaching of international humanitarian law.

As for dialogue-building activities, on February 24, a roundtable entitled **Ukrainian-Russian Dialogue: Opportunities for Civil Society** was held in Kyiv. The event was a joint initiative with the Educational Human Rights House Chernihiv, meant to present and discuss the dialogue-building and peacekeeping initiatives implemented by NGOs and international institutions in order to resolve the armed conflict in eastern Ukraine.

Experts and trainers also worked on the issue of integrating and engaging displaced educational institutions. Thus, one such event was held on February 22-2 at Educational Human Rights House Chernihiv for students of the V.I. Vernadsky Tavrida National University (displaced from Crimea and currently located in Kyiv). The audience mostly consisted of student leaders (members of student councils), as well as students with an active social position who wanted to understand the philosophy and evolution of human rights and what their modern incarnation looked like. The participants mastered the basics of critical thinking thanks to the «living books» method and became acquainted with various areas of human rights work pursued by the UHHRU, as well as with the possibilities of DocudaysUA human rights documentaries as a tool for human rights education.



As a result, three initiative groups were formed for implementing mini-projects on democratization of university educational processes:

- **initiative «Level up Your Knowledge: Student Control over the University's Personnel Policy»;**
- **initiative «Group of Proactive and Ambitious Students: Providing Comfortable Conditions for the Educational Process»;**
- **initiative «Building the University together: TNU as the Center of Attraction for Active Students».**

WORK IN THE FIELD OF LOCAL DEMOCRACY AND HUMAN RIGHTS

Local communities and NGOs require not just professional advice regarding the tools available for the protection of their rights and human rights based approaches, but also help with monitoring skills, planning actions aimed at making changes and solving existing problems, as well as the means of engaging the community. For this purpose, on February 19-21, 2017, at Educational Human Rights House Chernihiv, a team of civil self-defense experts along with representatives of the Ukrainian Parliament Commissioner for Human Rights and local self-government isolated fundamental human rights that are of greatest significance to territorial communities, and determined ways of their grouping and objective measurement. During the meeting, experts from various organizations and institutions discussed the mechanism for monitoring and evaluating the activities of local authorities in the implementation and protection of human rights, as well as the indicators and system for assessing and measuring main areas of implementation and protection of human rights, based on the powers of local authorities.

The key ideas, necessary knowledge and practical recommendations voiced by the experts and tested by local activists formed the basis of the special Human Rights and Local Democracy manual developed and published by the UHHRU.



ACTIVITIES AIMED AT PROTECTING THE RIGHTS OF AND ENGAGING REPRESENTATIVES OF THE LGBTQI COMMUNITY

In response to the rising frequency of attacks on events and activists advocating for the rights of the LGBTQI or gender issues, UHHRU embarked on a long-term initiative to disseminate tools and initiatives aimed at protecting representatives of the LGBTQI community and fighting discrimination. Permanent lawyer support was established in 3 cities for members of the LGBTQI who became victims of attacks or discrimination. In addition, based on existing practical experience, a series of training events for lawyers and activists working in this field that provide assistance to representatives of the LGBTQI was organized. The events focused on highlighting and addressing current problems (in particular, issues related to sexual orientation and gender equality, hate crimes, as well as national case law on cases relating to sexual orientation and gender equality), as well as on providing practical advice in this area.

In addition, UHHRU representatives and experts participated in systematic actions aimed at promoting changes at the legislative level within the framework of the National Human Rights Strategy. We also took part in the preparation and organization of one of the key public events in this area – UHHRU's representative was on the Organizing Committee of the Kyiv Pride 2018 march, while our experts specializing in the protection of the LGBTQI provided legal aid and support to the event.

Special advocacy projects of UHHRU in 2017



Borys Zakharov
Head of the Advocacy Center
of UHHRU

ACTIVITIES HELD:

43

press conferences
and press briefings



35

roundtables
and conferences



36
times

UHHRU representatives
spoke at third
party events



5020
Number

of Twitter followers
of the UHHRU in
December 2017 - 5.020



INTERNATIONAL SCIENTIFIC CONFERENCE POST-CONFLICT JUSTICE IN UKRAINE

On May 26-27, 2017, international scientific conference Post-Conflict Justice in Ukraine was held in Kyiv, which became possible thanks to the efforts of the Ukrainian Helsinki Human Rights Union, the European Society of International Law and the Ukrainian Association of International Law.

The event was joined by more than 50 leading international law experts from Australia, Azerbaijan, Great Britain, Denmark, Italy, Kazakhstan, Canada, Netherlands, Germany, Norway, Russia, USA, Ukraine, France, Croatia and other countries.

Among them were André Nollkaemper, President of the European Society of International Law; Mykola Gnatovskyy, President of the European Committee for the Prevention of Torture; Mark Kersten, Director of Wayamo Foundation & Africa Group for Justice and Accountability Foundation; Ivan Lishchyna, Agent for the Government before the European Court of Human Rights; Gaiane Nuridzhanian, Doctor of Law at University College London; Valentyna Polunina, PhD, Ludwig Maximilian University of Munich; Mindia Vashakmadze, PhD, Senior Research Fellow at the Max Planck Foundation for International Peace and the Rule of Law in Heidelberg; Ilya Nuzov, LL.M., Legal Advisor, International Center for Transitional Justice; Vito Todeschini, PhD Fellow, Aarhus University; Dr. Sarah Nouwen, University of Cambridge; Antal Berkes, Postdoctoral re-



search fellow, University of Manchester; Vagias Michail, PhD, Senior Lecturer in Law, Faculty of Public Management, Law and Safety, The Hague University of Applied Sciences; Ralph Wilde, PhD, Faculty of Laws at University College London; Lilian Apostol, Active Expert of Council of Europe, Lawyer, Former Agent for the Government before the European Court of Human Rights, and others.

The most notable parts of the conference included the presentation of the book *East West Street* by Professor of the University College London Philippe Sands; the lecture by world-class human rights lawyer and former judge of the Constitutional Court of South Africa Albert Sachs, as well as the speech by one of the authors of international criminal law, Emeritus Professor of Law at DePaul University Cherif Bassiouni.

Discussed over the course of two days were such issues as implementation of international human rights law and international humanitarian law during and after the armed conflict; application of post-conflict justice mechanisms to «hybrid» armed conflicts; positive obligations of the state under international criminal law; the role of international judicial bodies; truth commissions; amnesty; post-conflict reconciliation; compensations to victims of armed conflicts, etc.

The urgency of the issues related to transitional justice in the world in general and in Ukraine in particular was emphasized by the active participation in the discussion of the honored judges of the European Court of Human Rights Erik Møse, Ksenija Turković and Ganna Yudkivska.

Following the two-day work, a summary of the international scientific conference Post-Conflict Justice in Ukraine was **published**.

- ▶ <https://helsinki.org.ua/en/articles/the-first-day-of-the-international-conference-post-conflict-justice-in-ukraine/>
- ▶ <https://helsinki.org.ua/en/articles/the-final-day-of-the-international-conference-on-post-conflict-justice/>
- ▶ <https://helsinki.org.ua/en/articles/post-conflict-justice-workshop-for-ukrainian-lawyers/>
- ▶ <https://helsinki.org.ua/en/articles/materials-of-the-conference-post-conflict-justice-in-ukraine/>



Olena Sapozhnikova
Coordinator of the Dumaidan 2017
advocacy campaign of UHHRU

DUMAIKAN 2017: GETTING TOGETHER AROUND THE TENT OF UNDERSTANDING



Dumaidan is a special advocacy project started by the UHHRU back in 2016. It combines several types of activities under one common theme: discussions by UHHRU's and external experts, work of Strategic Litigation Center lawyers, meetings with representatives of authorities and the public, drafting legislative amendments, discussing issues with the general public at round-tables, etc.

The Dumaidan 2017 event began in January 2017, when a pool of co-organizers and partners was formed: Ukrainian Helsinki Human Rights Union, ALL-UKRAINIAN UNION OF NGOs "CONGRESS OF ROMA OF UKRAINE, International Renaissance Foundation, Roma Women Fund Chiricli, NGO Platform of Change «Re:Design», Congress of the National Communities of Ukraine, Assembly of Nationalities of Ukraine, Council of National Communities of Ukraine, NGO Center of Law, and International Civic Organization «International Union». The project is supported by the International Documentary Film Festival of Docudays UA, Center of Ukrainian Culture and Arts, and the Institute of Pedagogy of the National Academy of Educational Sciences of Ukraine. The topic «understanding» was chosen, and the activities in this area planned. The purpose of the project was to identify the causes of misunderstanding between people from different ethnic groups and cultural background in Ukrainian society, and to find ways of eliminating such causes.

In February-March 2017, discussions on the issue of misunderstanding in Ukrainian society were held and main problems outlined in a draft resolution, along with the idea, goals, tasks, tools, etc. Also, the creation of a «tent of understanding» out of multicolored pieces of cloth started during master classes dedicated to the discussion of the topic of understanding in our society and to the search for ways of improving the situation. The presentation of the



► <https://helsinki.org.ua/en/events/dumaidan-2017-getting-together-around-the-tent-of-understanding/>

► <https://helsinki.org.ua/en/appeals/official-appeal-to-volodymir-hroisman-due-with-cleansing-of-the-roma-settlements-during-the-preparation-of-the-2017-eurovision-song-contest/>

► <https://helsinki.org.ua/en/articles/rita-pastrama-our-houses-were-burned-before-eurovision/>

► <https://helsinki.org.ua/en/articles/who-is-responsible-for-the-burning-of-settlements-on-the-eve-of-eurovision-2017-the-question-is-still-pending/>

► <https://helsinki.org.ua/en/articles/the-ukraine-wide-essay-contest-ways-of-understanding/>

► <https://helsinki.org.ua/en/articles/dumaidan-2017-decided-on-six-winners-of-the-essay-contest/>

draft resolution, the project's idea and the already created part of the «tent of understanding» took place during the March 30, 2017 International Documentary Film Festival of Docudays UA.

In April, the work on the resolution continued, as well as the creation of the «tent of understanding» at the office of the Ukrainian Helsinki Human Rights Union by everyone interested. The co-organizers submitted and published on their websites the statement regarding the events in Kyiv that resembled ethnic cleansings and an official appeal to Volodymyr Groysman regarding the destruction of Roma settlements during the preparation for Eurovision.

Press conference entitled Who is Responsible for the Burning of Settlements on the Eve of Eurovision? was held.

In May 2017, the Strategic Litigation Center supported two strategic cases within the framework of this project: 1) the burning of settlement in Kyiv near Lake Nyzhniy Telbin and forced eviction of people from it; 2) unlawful detention of persons of Roma ethnicity in Podil neighborhood in Kyiv. In particular, testimonies of eyewitnesses were taken, the circumstances of the case were investigated, the places where the events took place examined, and reports submitted to law enforcement. In addition, the All-Ukrainian Competition for Schoolchildren and Students Ways of Understanding was announced in May: 28 works from different cities were submitted.

In July 2017, an expert commission consisting of representatives of the co-organizers selected 7 winners of the All-Ukrainian Competition for Schoolchildren and Students Ways of Understanding and the awards ceremony took place on July 18 at the Ombudsperson's office.



2017

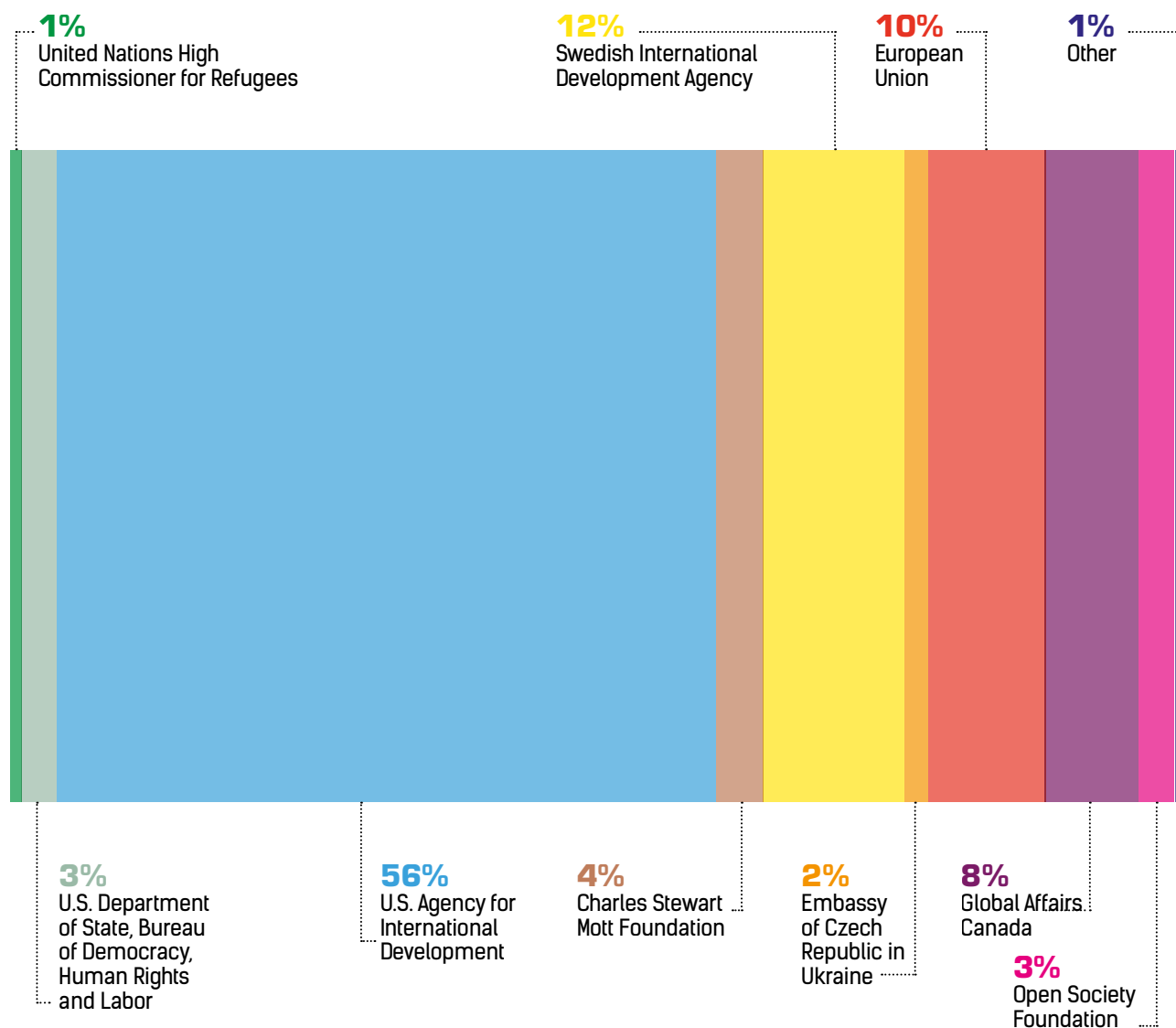


In addition, 7 events dedicated to the «tent of understanding» took place between August and December 2017.

On December 1, 2017, the issue of misunderstanding was discussed at the Event for Tolerance and Understanding in Ukraine: Dumaidan held in Chernivtsi during the congress of legal clinics.

Financial Report 2017 (In EUR)

INCOME



EXPENDITURE

PROGRAM COSTS:

Salary	€ 359 976
Subgrants for Public Reception Offices	€ 73 031
Fees for lawyers and litigation related costs	€ 147 811
Fees for experts	€ 102 619
Translations	€ 23 959
Publications and promo-materials	€ 42 640
Fact-finding mission	€ 3 649
Public events	€ 73 887
Working meetings	€ 7 655
Trainings and other educational activities	€ 80 924
Support of Human Rights House Chernihiv	€ 13 771
Educational events for staff	€ 3 645
Meetings of governing bodies	€ 341
Participation in national and international events and studies	€ 15 730
Maintenance and update of websites and databases	€ 7 954
Travel	€ 2 347
Delivery and postage	€ 4 850
Equipment and furniture	€ 14 631
Consumables and supplies	€ 2 980
Program software	€ 1 151
Services, maintenance and upgrade of office equipment	€ 45
Books, periodicals and data bases	€ 8 101
Communications	€ 1 770
Office rent	€ 20 095
Contingency	€ 209
Total for program costs	€ 1 013 771

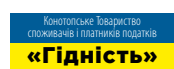
ADMINISTRATIVE COSTS:

Salary	€ 173 572
External audit	€ 11 642
Communications	€ 386
Equipment and furniture	€ 1 762
Office rent	€ 4 280
Delivery and postage	€ 1 024
Bank fees	€ 5 000
Contingency	€ 4 521
Total for administrative costs	€ 202 187

GRAND TOTAL

€ 1 215 958

The Union consists of the following organizations:



[Konotop Society of Consumers and Taxpayers "Dignity"](#) – Konotop City, Sumy Oblast



[Association "Civic Initiatives"](#) – Kropyvnytskyi City



[NGO "MART"](#) – Chernihiv City



[Sumy City Civic Union "Public Bureau "Pravozakhyst" \["Human Rights Protection"\]](#)



[Odesa Human Rights Protection Group "Veritas"](#)



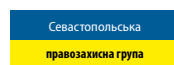
[All-Ukrainian Society of Political Prisoners and Victims of Repressions](#)



[Civic Committee for the Protection of Constitutional Rights and Civil Liberties](#) – Luhansk City (now reside in Kyiv)



[Congress of Ethnic Communities of Ukraine](#), Website: kngu.org



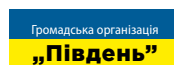
[Sevastopol Human Rights Protection Group](#)



[Center for Legal and Political Studies "SIM"](#), web site: center.org.ua



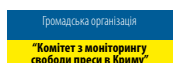
[Kherson Regional Branch of the Committee of Voters of Ukraine](#)



[NGO "South"](#)



[Kharkiv Human Rights Protection Group](#)



[NGO "Committee on Monitoring of Press Freedom in Crimea"](#)



[Chernihiv Public Committee for Human Rights Protection](#)



[Chortkiv NGO "Helsinki Initiative-XXI"](#) – Chortkiv City, Ternopil Oblast



[Odesa Regional Branch of the Committee of Voters of Ukraine](#)



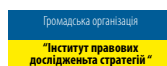
[NGO "Flora"](#), Kropyvnytskyi City



[NGO "Territory of Success"](#), Kropyvnytskyi City



[Ecological and Humanitarian Association "Green World"](#) – Chortkiv City



[NGO "Institute of Legal Research and Strategies"](#) – Kharkiv City



[Kherson Regional Charity and Health Foundation](#)



[Eastern-Ukrainian Center for Civic Initiatives](#)



[Khmelnytsky Regional NGO "Podillya Legal League"](#)



[Chuhuiv Human Rights Protection Group](#) – Chuhuev City, Kharkiv Oblast



["Sich" Human Rights Protection Group](#) – Dnipro City



[Volyn Regional NGO "Center of Legal Aid"](#) – Kovel City, Volyn Oblast

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