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USAID HUMAN RIGHTS IN ACTION PROGRAM**

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## USAID HUMAN RIGHTS IN ACTION PROGRAM UPDATES

### HUMAN RIGHTS MONITORING, ANALYTICAL ACTIVITY AND ADVOCACY

#### **Defending rights of people whose health has suffered because of the armed conflict (*links are in Ukrainian/Russian*)**

- Expert of the USAID Human Rights in Action Program, being implemented by the Ukrainian Helsinki Human Rights Union (UHHRU), [visited](#) eastern conflict-challenged towns of Kramatorsk and Sloviansk<sup>1</sup> to present Program's analytical account "[Rehabilitation of the conflict victims](#)". We not only reminded that rehabilitation services should be provided to people with conflict-caused health problems, but also discussed that the subject-matter recommendations should be elaborated for the regional and local authorities.
- The Program also helps individuals to prove that they obtained disability in result of hostilities and therefore are entitled to appropriate social benefits. Here is one of such stories: since 2018 Vitaliy from Kramatorsk, despite having all the necessary paperwork, has not been able to link his disability to the armed conflict, so our lawyers will bring his case to the [court](#)<sup>2</sup>.

#### **In search of a mechanism for securing the release of Ukrainian hostages of Kremlin and ensuring observance of their rights**

The Program would like to report several events that all together make up a subject-matter advocacy campaign:

- [Co-hosting side event on Ukraine's sanctions policy against human rights violators](#)

On April 11, a side event "Is Global Sentsov Act possible? Ukrainian strategy in order to make life of human rights abusers more complicated" was [organized](#)<sup>3</sup> amid the Kyiv Security Forum 2019. It touched upon imposition of the personal sanctions as one of the key ways of the Western countries' reaction to the Russia's aggression against Ukraine, as well as hostile activities towards the EU and the US.

- [Visit to Germany to advocate towards protection of Kremlin's detainees](#) (*links are in Ukrainian*)

Our advocacy expert [attended](#) screening of a documentary film "Putin's hostages" and a series of meetings with the German MPs, activists and news outlets<sup>4</sup>. The main message was that a negotiation platform to discuss the release of Crimeans and other Ukraine's citizens held in the RF, is still non-existent.

Later, she delivered a subject-matter interview on Espresso TV ([video footage](#)).

- [Series of awareness-raising publications](#)<sup>5</sup>

We continue telling stories related to international practices in order to help release Kremlin's hostages. This time it is devoted to "[changes in political landscape](#)", "[historical moment](#)" and "[cultural or regional aspects](#)" factors in the liberation process.

<sup>1</sup> In continuation of the tour around eastern cities, the first part of which covered Mariupol, Pokrovsk, Toretsk and Sumy.

<sup>2</sup> An accompanying [post on Facebook](#).

<sup>3</sup> An accompanying [post on Facebook](#).

<sup>4</sup> An accompanying [post on Facebook](#).

<sup>5</sup> Launched jointly with the ally "Media initiative for Human Rights" NGO and "Euromaidan Press" public initiative.



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## **Attending summit of actors working to minimize consequences of armed conflict in eastern Ukraine**

Our representatives [visited](#) Humanitarian to Development Nexus Coordination Meeting in Sloviansk of Donetsk Oblast ([link in Ukrainian](#)), which generated interest among different international organizations, NGOs, and USAID-supported programs.

## **Control over implementation of the Law of Ukraine No. 2505-VIII “On the legal status of missing persons” ([links are in Ukrainian](#))**

UHHRU/Program representatives [joined](#) sitting of the Parliamentary Human Rights Committee, agenda of which included discussion on how the GOU implements the said piece of legislation. Unfortunately, the Cabinet of Ministers delegated no one to explain why the progress in law’s execution is extremely slow. Reminding that earlier the Committee [released a public address](#) calling the GOU to speed up the process.

### **Other related activities by UHHRU in brief:**

- **Joining international scientific conference “Deoccupation and reintegration of Crimea’s information space”**

Participants discussed consequences of violations of international law and Ukraine’s sovereign rights by the RF relating to communications and broadcasting in the temporarily occupied territory, the issue of observance of the rights and freedoms of Crimeans, and the fight against information blockade and censorship. Based on the takeaways, recommendations will be prepared for Ukraine’s Government.

- **Online campaign to stop Russia’s plan on lifting sanctions in the Council of Europe**

UHHRU [joined](#) this campaign aimed at keeping in place sanctions against the RF that were imposed because of the military aggression in Donbas and Crimea’s occupation ([Facebook post](#)). It was launched ahead of the PACE [voting](#) for a corresponding resolution.

- **UHHRU’s Executive Director attended a meeting of Ukrainian civil society groups with members of the U.S. Congress**

Participants [discussed](#) parliamentary reform, anti-corruption initiatives, human rights, and the critical role civil society plays in shaping Ukraine’s democracy.

## **STRATEGIC LITIGATIONS**

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Within this direction the USAID Human Rights in Action Program supports strategic legal cases domestically and internationally to protect public interests<sup>6</sup>, as well as assures their broad media

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<sup>6</sup> Strategic litigations are one of the most powerful tools of human rights protection; conducted in the interests of a citizen or a group of citizens to achieve systemic changes in the legal field for the benefit of society and used for the purpose of creating the case-law (precedents).



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coverage among the professional community and the public. Total number of UHHRU Strategic Litigation Centre's (SLC) cases within the Program equals 251.

### Other related activities by UHHRU in brief

- The second application to the European Court of Human Rights (ECtHR) has been filed regarding the applicant's unlawful transfer from the territory of Ukraine (Crimea) to Russia (Omsk). Since the occupying authorities relocated him forcibly and without consent, this raises the issue of violation by RF of its commitments under the European Convention on Human Rights and the Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War.
- Human rights defenders, including UHHRU, [submitted](#) to the ECtHR the evidences concerning illegal detention and torture of civilians in 2014 in Sloviansk as well as Kremlin's involvement into occupation of this city. One of the key issues to be decided by the Court is whether the Russia exercised its jurisdiction over the territory of Slovyansk in April-July 2014.

## **FREE LEGAL AID**

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[UHHRU network](#) of legal aid centers (LACs) keeps on delivering free legal aid (including outreach legal consultations in the remote areas), holding information and awareness raising events in the sphere of human rights as well as documenting war crimes and conflict-related human rights abuse. USAID supports activities of the UHHRU's legal aid centers in Sloviansk, [Toretsk](#), [Mariupol](#), Kramatorsk, [Pokrovsk](#), [Sumy](#) and Dnipro providing legal aid to conflict-affected population, as well as a [Kyiv-based Specialized LAC](#) targeting both Crimean and Donbas residents and IDPs and a Specialized Crimea-oriented LAC in Kherson.

### **Events to raise awareness of citizens on how protect their rights** *(links are in Ukrainian)*

- Mariupol LAC released a [post](#) on the peculiarities of the divorce procedure for IDPs.
- Sumy-based LAC prepared an [article](#) describing changes in the procedure for requesting and issuance of electronic permits for crossing the demarcation line within Luhansk and Donetsk Oblasts, which as of March 28 are issued for unlimited term.
- During recent months, all LACs have been engaged into network-wide IDP-focused outreach campaign to assist them to better navigate the presidential election process and to exercise their voting right to the fullest extent possible. For instance, [here's](#) one of the publications from LAC in Dnipro.
- Is it possible to get legal remedy thousands of miles away from Ukraine, including pecuniary and non-pecuniary damage? Who will take responsibility for the property destroyed during military aggression and health damaged after months spent in captivity? Lawyers from Dnipro LAC [discussed](#) these and other issues with students majoring in international law.
- Talking once again about transitional justice: (1) Dnipro LAC [held](#) a workshop for employees of the Probation Center in Dnipropetrovsk Oblast entitled "Safe society under conditions of transitional justice and human rights observance using example of the probation system"; (2) Pokrovsk LAC [organized](#) a training session for schoolchildren.



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- Sumy LAC [prepared](#) a publication on occasion of the International Day for Mine Awareness and Assistance in Mine Action.

#### **Assistance to victims of the conflict and occupation** (*links are in Ukrainian*)

- Dnipro-based LAC won precedent case: court obliged DTEK energy company [to pay](#) unpaid salary to the former “DPR” hostage for the period of time she spent in captivity.
- LAC lawyers visited the Sumy Geriatric Boarding House for Veterans of War and Labor, which hosts 11 senior IDPs, to provide them with legal advice and learn about their needs in order to determine further assistance to be delivered.
- New developments in the protection of residents of a modular town for IDPs in Pavlohrad, Dnipropetrovsk Oblast: LAC lawyers had a [working meeting](#) with representatives of Pavlohrad City Council’s Executive Committee, utility company, and people living there to learn more about their situation and seek solutions to issues involving unjustified utility bills.
- Another victory over Ukraine’s Pension Fund: this time the Pokrovsk LAC successfully [defended](#) in court the right of female IDP to her pension.
- LAC in Dnipro helped an IDP-dentist to protect the right to safe working conditions – *full story can be taken from [this link](#)<sup>7</sup>.*

#### **Holding thematic trainings for the legal aid centers** (*links are in Ukrainian*)

- Program [works](#) to prepare LACs representatives as regional monitors ready to conduct thematic monitoring visits by themselves or in partnership with the Program-supported Human Rights Abuse Documentation Center. It should be mentioned that documenting instances of human rights abuse and war crimes has a direct impact on the conflict resolution around the world<sup>8</sup>.
- One more [training session](#) was dedicated to study of the peculiarities of external communication and adjustment of the network-wide 2019-2020 communication strategy of the legal aid centers, which would better suit the Program’s objective on informing the public about transitional justice model for Ukraine.

## **HUMAN RIGHTS EDUCATION AND AWARENESS RAISING**

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UHHRU keeps on organizing human rights training events as well as formulating a comprehensive national human rights education policy. This activity is implemented under Ukraine-wide Educational

<sup>7</sup> Facebook [link](#).

<sup>8</sup> As a reminder, process of documentation of the conflict-related human rights violations is an integral part of the transitional justice model, which is developed by the USAID Human Rights in Action Program (currently, shaped as a [bill](#)), and which can provide a comprehensive mechanism to overcome consequences of the armed conflict. Learn about other elements of this system [here](#).



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Program “[We Understand Human Rights](#)” (WUHR)<sup>9</sup>, which is being the only informal educational system that has the material basis for its activities – Educational Human Rights House-Chernihiv.

### Program-supported training course “Human rights standards in legal practice of lawyers and judges” proceeds, module three is completed



On April 5-7, Program [hosted](#) the third in-class seminar devoted to the right to fair trial, its international standards, admissibility criteria, evidence obtained in result of crime’s provocation; observance of fair trial guarantees when dealing with criminal cases in absentia ([link in Ukrainian](#)). Also, certain elements of international humanitarian law have been studied, including additional restrictions and obligations imposed on the state under conditions of the armed conflict and occupation. The invited expert this time

was Vasyl Lukashevich, senior lawyer of the ECtHR Registry.

## MAIN EVENTS IN HUMAN RIGHTS AREA

### Russia’s President simplifies Russian citizenship process for Eastern Ukrainians from NGCA

By his decree dd. April 24, Putin made it easier for Ukrainians from the NGCA of Donbas to receive Russian passports. He called this decision of a humanitarian nature “based on universal principles and norms of the international law”, and having its goal “to protect human and civil rights”.

The GOU considers such actions as continuation of aggression and another Russia’s interference in the internal affairs of an independent state, a brutal violation of country’s sovereignty, territorial integrity and unity. As well as a complete trampling by Russia on its obligations in the Minsk Agreements’ framework.

*UHHRU [condemns](#) this decision as it undermines the efforts to resolve the conflict within the Minsk Agreements. At the same time, we would like to draw attention to the fact that such practices have already been applied by the Russia’s authorities in Georgia in 2008, before the beginning of armed aggression, in order to legitimize the military presence there.*

<sup>9</sup> Launched in 2007, the Program envisages development of informal human rights education, contributing to cultivating a human rights culture, strengthening respect for the rule of law in Ukraine, promoting intercultural understanding and principles of peaceful conflict resolution. The Program currently counts more than 3,500 alumni from all regions of Ukraine.





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## **PACE adopts resolution which keeps sanctions against Russia in place**

The Parliamentary Assembly of the Council of Europe [adopted](#) a resolution on “the PACE challenges”, which contains amendments that do not allow lifting sanctions from Russia and returning it to the Assembly without fulfilling its obligations. The resolution proposed a new complex mechanism for imposing sanctions, which would have canceled the existing procedure. However, thanks to the revision, the adopted resolution noted that the new procedure would be an annex to the existing one.

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