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**DIGEST No 8(50) BY UKRAINIAN HELSINKI HUMAN RIGHTS UNION,
USAID HUMAN RIGHTS IN ACTION PROGRAM**

May 2019

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USAID HUMAN RIGHTS IN ACTION PROGRAM UPDATES

HUMAN RIGHTS MONITORING, ANALYTICAL ACTIVITY AND ADVOCACY

Advocacy trip to the Slovak Republic *(all links are in Ukrainian)*

Delegates of the USAID Human Rights in Action Program, being implemented by the Ukrainian Helsinki Human Rights Union, [attended](#) the GLOBSEC 2019 Bratislava Forum, a major conference on international defense and security, democracy and sustainability issues. The purpose was to disseminate information on human rights violations in context of the armed conflict in eastern Ukraine and the occupation Crimea, including to draw more attention to the situation with politically motivated persecution of Ukrainian nationals in the occupied Crimea and Russia in order to strengthen their protection. *More details can be found from link [one](#) and [two](#).*

Later, Program's advocacy expert delivered an [interview](#) telling about the issues that have been spoken out during the GLOBSEC.

Other related activities by UHHRU in brief *(links are in Ukrainian):*

- UHHRU joined a [peaceful solidarity march](#) to remind everyone about Kremlin's detainees. According to [updated information](#), at least 115 Ukrainian nationals are persecuted for political motives (including captured seamen) in Russia and occupied Crimea, at least 129 are kept in occupied Donbas as hostages and POWs.



- *Advocacy work ahead of important [voting](#) on Russia's comeback to the PACE assembly and lifting sanctions:* On June 24, UHHRU delegates [co-hosted](#) a side-event amid PACE session, titled "Kremlin comeback is a threat to the Council of Europe and European security"¹. A bit earlier a related open appeal of human rights organizations to the PACE Committee on Rules of Procedure, Immunities and Institutional Affairs and National Delegations of the Member States to the Council of Europe has been released.

¹ Video footage is available [here](#).

Also, Program's advocacy expert delivered [an interview](#) on the coming PACE voting and why it is important for Ukraine in light of resistance to the Kremlin's aggression.



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- UHHRU announces availability of its [2018 annual report](#).

STRATEGIC LITIGATIONS

Within this direction USAID Human Rights in Action Program supports strategic legal cases domestically and internationally to protect public interests², as well as assures their broad media coverage among professional community and public. Total number of UHHRU Strategic Litigation Centre's (SLC) cases within the Program equals 251.

Program-supported precedent court judgement to compensate damage caused by military ammo depots blast in Balakleya: one of the plaintiffs was finally compensated

In winter 2019, the Program-sponsored case resulted in a successful court ruling, saying that a plaintiff must be reimbursed over 172,000 UAH since his property has been damaged/destroyed and he suffered moral damage as a consequence of the mentioned explosion. Now, we are glad to announce that the judgement has been executed – [link in Russian](#) and [link in Ukrainian](#).

Program-supported strategic litigation was marked with success, bringing Ukraine's legislation one step closer to international human rights standards

The Constitutional Court of Ukraine [found](#) unconstitutional the Part 5 of Article 176 of the Code of Criminal Procedure of Ukraine³. The Court judged that this provision was violating the rights of suspects/defendants accused of terrorism and same-level grave crimes.

Other related activities by UHHRU in brief

- **Applications to the European Court of Human Rights (ECtHR)**
 - ✓ An application has been submitted regarding the detention, torture and forced labor suffered by a family at the hands of illegal armed groups in Horlivka. The family of three was detained and subjected to torture for their pro-Ukrainian views.
 - ✓ Objections have been submitted to the comments of the Governments of Ukraine and Russia in three cases concerning persons gone missing while taking part in military actions in 2014. According to the lawyers, Ukraine failed to carry out thorough investigations and to provide support to the victims.
 - ✓ Earlier UHHRU requested the ECtHR, in accordance with its Rule 39, to help ensure that proper medical care is provided to the gravely ill applicant arrested in Crimea, on account of existing threat to his life. The European Court of Human Rights judged that the occupying state should immediately [transfer](#) this person to a hospital ([link in Ukrainian](#)). However, the RF has not yet complied with the ruling, which forced lawyers to once again turn to the Court.

² 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).

³ A related [Facebook post](#).



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- **Application to the International Criminal Court (ICC)**

UHHRU [files](#) the case with the ICC on crimes committed in relation to the missing since autumn 2014 servicemen of the Armed Forces of Ukraine.

- **Several comments on cases against RF before international courts** (*links are in Ukrainian*)

- ✓ UHHRU's Executive Director delivered [an interview](#) on perspectives of Ukraine v. Russia lawsuit at the International Court of Justice.
- ✓ [Remarks](#) of UHHRU lawyer amid a media briefing devoted to the victims of forced disappearances in occupied Crimea and possible options to counteract Kremlin in that respect.

FREE LEGAL AID

[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 to protect their rights

 (*links are in Ukrainian*)

- The Mariupol LAC [published](#) an article on the state financial support for children registered as IDPs.
- The Pokrovsk LAC [talks](#) about social scholarship for IDPs and how to apply for it.
- The Slovyansk LAC held an [awareness-raising session](#) at a local social protection department.
- The Kramatorsk LAC talks about [registration](#) at employment centers for IDPs.
Another [post](#) from this LAC, now on how an IDP can get a getting a biometric passport.
- An [article](#) from the Sumy-based LAC on the occasion of World Refugee Day that has been celebrated on June 20 since 2001.

The Sumy LAC also prepared [recommendations](#) on temporary change of voting address as an IDP to vote in the extraordinary elections to the Ukrainian Parliament.



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Latest infographics to illustrate LACs' performance

The Program initiates regular reporting on results of the legal network's work – we are glad to present information for May 2019 with thematic, regional and gender disaggregation.

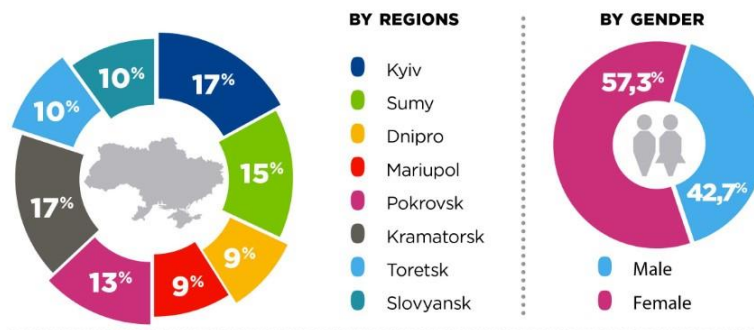


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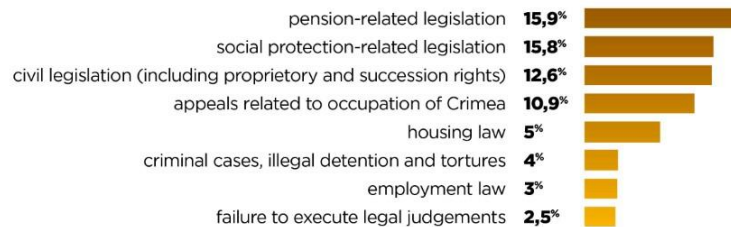


MAY 2019

Total number of appeals for legal assistance • **300**



MAJOR SUBJECTS OF APPEALS:



LEGAL ASSISTANCE PROVIDED



HUMAN RIGHTS EDUCATION AND AWARENESS RAISING

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



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Program “[We Understand Human Rights](#)” (WUHR)⁴, 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 four is completed

On 7-9 June, in course frames the Program [held](#) the fourth on-site seminar. It was aimed at discussing the basic concepts of the right to respect for private and family life and at raising the participants' awareness of the rights guaranteed by the European Convention on Human Rights and their interpretation by the ECtHR. Special focus was made on exercises involving cases relating to human rights violations committed in context of the armed conflict in Ukraine.



Program continues advancing skills of Ukrainian legal practitioners in a “game” format

Within piloting its training course on IHL, the Program [hosted](#) the second moot court sitting for a mixed group of judges, lawyers and the Crimean prosecutors ([link in Ukrainian](#)). 32 participants were simulating a trial hearing on crimes committed in course of Crimea’s occupation, and all in all announced a decision that is in harmony not only with domestic legislation but also considers international law of the armed conflict.

MAIN EVENTS IN HUMAN RIGHTS AREA

Russia’s Federal Security Service carried out new searches and arrests in Crimea

The searches by armed and masked men [began](#) early on 10 June, targeting whole Crimean Tatar families. This new “operation” came the day after hearings ended at the International Court

⁴ 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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of Justice, where Russia is trying to prove an absence of discrimination against Crimean Tatars and ethnic Ukrainians in occupied Crimea. [Alternative link](#), in Ukrainian.

As well, on June 14, new searches [appeared](#) (*link is in Russian*)⁵.

Draft law No 9438 was adopted in the first reading to subsequently bring war criminals to justice (*links are in Ukrainian*)

On June 6, the Verkhovna Rada [voted in favor](#) of the said bill to harmonize the criminal and criminal-procedure legislation of Ukraine with provisions of the international law. The aim is to criminalize in the domestic law such core crimes under international law as genocide, crime of aggression, crimes against humanity and war crimes in order to ensure compliance with the international commitments as regard fighting against impunity amidst the armed conflict.

Just reminding that earlier USAID Program released a [legal analysis](#) of draft law No 9438.

PACE voted to reinstate Russia's membership

On June 25, the Parliamentary Assembly of the Council of Europe [adopted](#) a resolution, which allows the Russian Federation to return to work in the organization without limitations to the right to vote, essentially lifting one of the most important European sanctions against it.

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⁵ Breaking updates can always be found on [Facebook page](#) of the Crimean Solidarity movement.