



**USAID**  
FROM THE AMERICAN PEOPLE



**DIGEST No 10(52) BY UKRAINIAN HELSINKI HUMAN RIGHTS UNION,  
USAID HUMAN RIGHTS IN ACTION PROGRAM**

**July-August 2019**

**CONTENTS**

USAID Human Rights in Action Program updates .....	2
Human rights monitoring, analytical activity and advocacy .....	2
Strategic litigations.....	6
Free legal aid.....	8
Human rights education and awareness raising.....	11
Main events in human rights area .....	13



**USAID**  
FROM THE AMERICAN PEOPLE



## USAID HUMAN RIGHTS IN ACTION PROGRAM UPDATES

### HUMAN RIGHTS MONITORING, ANALYTICAL ACTIVITY AND ADVOCACY

**Constant focus of USAID Human Rights in Action Program is on the right to rehabilitation for the armed conflict' victims**

- *Just-in memo to be useful for those whose health was damaged in result of the armed conflict:* USAID Human Rights in Action Program released the [infographics](#) in addition to the recent [thematic report](#) in order to help those people, who suffered physical injuries or faced any other health issues, to better navigate legal procedures when applying for an official status of a suffered person and guaranteed social benefits (*links are in Ukrainian*).

**ЯК ЦИВІЛЬНІЙ ОСОБІ ДОВЕСТИ ЗВ'ЯЗОК УШКОДЖЕННЯ ЗДОРОВ'Я**  
(поранення, контузії, каліцтва або захворювання) з військовими подіями, отримати статус інваліда війни та захист з боку держави  
(згідно Постанови КМУ №306 від 25 квітня 2018 р.)

**ХТО МАЄ ПРАВО?**

- ✓ **особи, які до 1 грудня 2014 року** одержали поранення чи інші ушкодження здоров'я від вибухових речовин, боєприпасів і військового озброєння на території проведення АТО/ОСС;
- ✓ **особи, які з 1 грудня 2014 року** одержали поранення чи інші ушкодження здоров'я від вибухових речовин, боєприпасів і військового озброєння на території проведення АТО/ОСС, де органи державної влади здійснюють свої повноваження, та в населених пунктах, розташованих на лінії зіткнення (розмежування).

**ЯК ДІЯТИ?**

Якщо вам встановлено інвалідність внаслідок ушкодження здоров'я на території проведення АТО/ОСС, слід надіслати на розгляд Міжвідомчої комісії з питань встановлення факту отримання особами поранень чи інших ушкоджень здоров'я, одержаних від вибухових речовин, боєприпасів і військового озброєння на території проведення АТО (далі – Міжвідомча комісія), утвореної при Державній службі у справах ветеранів війни та учасників антитерористичної операції, наступні документи:

- ✓ заява постраждалої особи встановленого зразка;
- ✓ **копії паспорта** та документа, що засвідчує реєстрацію фізичної особи у Державному реєстрі фізичних осіб – платників податків, виданого органом доходів і зборів;
- ✓ **копії** первинної медичної документації;
- ✓ **висновок** медичного експерта, що засвідчує факт отримання поранень чи інших ушкоджень здоров'я від боєприпасів;
- ✓ **копія** довідки МСЕК про групу і причину інвалідності;
- ✓ **довідка** про відсутність (наявність) судимості за злочин проти основ національної безпеки України або злочин проти громадської безпеки;
- ✓ **витяг** з Єдиного реєстру досудових розслідувань про відкриття кримінального провадження стосовно факту отримання постраждалою особою поранень чи інших ушкоджень здоров'я від боєприпасів;
- ✓ **інші документи**, які можуть засвідчити отримання вами ушкодження здоров'я від боєприпасів на території проведення АТО/ОСС.

**ЯКИЙ ТЕРМІН РОЗГЛЯДУ ЗАЯВИ?**

Рішення приймається в **місячний строк з дня отримання документа**. Ухвалене комісією рішення повинно бути надіслано вам протягом трьох робочих. Рішення про відмову можна оскаржити у судовому порядку.

**ЯКІ ПІДСТАВИ ДЛЯ ВІДМОВИ?**

- ✓ **Навний** судовий вирок за злочини проти основ національної безпеки та злочини проти громадської безпеки;
- ✓ **поранення** чи інші ушкодження здоров'я отримані внаслідок вчинення злочину або адміністративного правопорушення, у стані алкогольного, наркотичного чи токсичного сп'яніння, навмисного спричинення собі тілесного ушкодження чи іншої шкоди своєму здоров'ю, не в період і не на території проведення АТО/ОСС;
- ✓ **у разі підроблення** документів або подання недостовірної інформації.

**ЩО РОБИТИ ПІСЛЯ ОТРИМАННЯ РІШЕННЯ?**

На підставі рішення міжвідомчої комісії **МСЕК** протягом **п'яти днів** встановлює **причинний зв'язок одержаної інвалідності з ушкодженням здоров'я від боєприпасів** та дає вам довідку про групу та причину інвалідності.

**ЯКІ ПЕРЕВАГИ ЦЕ НАДАЄ?**

Встановлення причинного зв'язку інвалідності з отриманими пораненнями чи іншими ушкодженнями здоров'я від боєприпасів надає вам право на **визнання особою з інвалідністю внаслідок війни та користування пільгами для цієї категорії осіб**. Пільги, на які мають право особи з інвалідністю внаслідок війни, встановлені в ст.13 Закону України «Про статус ветеранів війни, гарантії їх соціального захисту».



**USAID**  
ВІД АМЕРИКАНСЬКОГО НАРОДУ

**УКРАЇНЬКА ГЕЛЬСІНЬКА СПІЛКА З ПРАВ ЛЮДИН**

- *Is Ukraine taking steps to help IDPs with disabilities lead self-sufficient and protected lives in their communities? Are they provided with psychological and rehabilitation assistance?* The answer is, the government shows little concern for IDPs and people with disabilities, and if you happen to fit into both of these categories – IDPs and PWDs – this will actually lower your chances to receive the aid. In 2020, Ukraine is supposed to report on the implementation of the Convention on the Rights of Persons with Disabilities. The UN Committee on the Rights of Persons with Disabilities is currently preparing questions for Ukraine's government, and UHHRU [has its own vision](#) in this regard.
- *Despite thousands of civilians have been injured in result of the armed hostilities in eastern Ukraine, only 66 applied for a "veteran of war" status and 43 of them were granted with it. The*



**USAID**  
FROM THE AMERICAN PEOPLE



vast majority of affected persons are given with the disability status too, but the one linked to the general disease, which deprive them of access to the quality rehabilitation services. Program's lawyers [give advice](#) (*link is in Ukrainian*) to the civilian victims on how to prove a war-caused health damage in order to get a disability status with all law-prescribed benefits.

- *Is the government aware of the numbers of people that sustained injuries, trauma and illnesses in result of the armed conflict?* USAID Program experts conducted a survey among IDPs from Dnipropetrovsk Oblast and arrived at the conclusion that our country still lacks relevant statistics. Thus, it has no idea [what kind of support these people require](#) (*link in Ukrainian*).

### **Commemorating de-occupation of localities in Donetsk oblast, which was remembered in Ukraine on July 5<sup>1</sup>**

Five years ago, Ukrainian servicemen liberated Slovyansk and Kramatorsk from the invaders, with casualties among the military and civilians as well as with residential buildings and educational institutions damaged by artillery fire. Now Ukrainians in these cities are slowly recovering after these nightmarish events, while we are working hard to make sure that no crime will be left unpunished.

Pursuing this purpose, USAID-supported Documentation Center [released](#) one more mini-chronicle belonging to “Story of a city” series – this telling a story of Slovyansk, which was the first one to face the Kremlin’s armed invasion. From our point of view, current recording of the historical events will allow to avoid political speculations in the future.



### **Groundwork for much-needed legislative protection of Kremlin’s detainees has been laid (*links are in Ukrainian*)**

Draft law [No 8205](#) “On the legal status and social guarantees for persons illegally deprived of their liberty, hostages, or convicted in temporarily occupied territories of Ukraine and abroad” was supported by the Verkhovna Rada after a long period of wandering MPs’ cabinets. To refresh it in mind, UHHRU/USAID Program in concert with ally NGOs were campaigning strongly towards adoption of the such legislation-to-be because it lays a basis for much needed legislative protection of the detainees.

Still it is the bill with very a mixed feedback, but at the same time it is a leap-forward development in terms of detainees’ protection as a whole. Human rights defenders will [continue campaigning](#) to amend bill’s language in line with Program’s/other NGOs’ recommendations before its second reading in the Parliament.

### **Submission to the Committee of Ministers of the Council of Europe concerning unpaid pensions to IDPs**

It mostly touches upon the necessity to introduce an effective mechanism for protecting people against long-term non-enforcement of court decisions, including those of the European Court of Human Rights (ECtHR), which is currently very sluggish in Ukraine. A two-year term given to the GOU for resolving this problem comes to an end this fall.

<sup>1</sup> It also seems appropriate to recall here the [fifth anniversary](#) of the liberation of Stanytsia Luhanska and the Program’s thematic report from the same “Story of a City” series.



**USAID**  
FROM THE AMERICAN PEOPLE



Despite UHHRU/Program achieved numerous successes in courts reaffirming the IDPs' right to pension, plenty of judgements are still pending to be executed, depriving disadvantaged pensioners their only source of income. So, [in its submission](#) (*link is in Ukrainian*) UHHRU/Program gave examples of such cases, outlined threats that Ukraine might face in light of judgements non-enforcement and also provided recommendations towards improving the situation.

### **Being at the forefront of developing policy on reintegration of occupied territories**

Two our experts [have entered](#) (*link is in Ukrainian*) the Legal Reform Commission [established](#) on 7 August 2019 as consultative and advisory body under the President of Ukraine. Together with the Presidential Representative of Ukraine in Crimea, representatives of academic, judicial community and donor organization, Crimean Prosecutor, and other human rights defenders they constitute a Working Group on Reintegration of Temporary Occupied Territories. It is expected that the functioning of this Working Group will allow to lay to develop a legislative basis for the smooth reintegration of NGCA and their residents back to Ukraine<sup>2</sup>.

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

- **Human rights defenders will not stop until the last Kremlin's detainee is free** (*links are in Ukrainian*)
  - ✓ *Fabricated Hizb ut-Tahrir case against the Crimean Tatar people:* Ahead of court sitting in Moscow on 11 July, we [called](#) Kremlin to immediately stop political persecution of all Crimean Tatars and release them, as well as called representatives of international organizations to visit this sitting as monitors to ensure a degree of transparency<sup>3</sup>.
  - ✓ *UHHRU joined awareness raising and advocacy tour across Ukrainian cities*<sup>4</sup>: The purpose of this tour, which began in Odesa ([links 1 and 2](#)) and [Kherson](#), is to help the prisoners and their families and show the solidarity of various Ukrainian cities in the fight against Russia's military aggression.
  - ✓ *European MPs [adopted](#) resolution on Ukrainian political prisoners, stayed firm as for Kremlin's aggression against Ukraine:* UHHRU in partnership with ally human rights organizations have been [using every opportunity](#) to offer our suggestions, monitoring and analytical findings and views to enrich the resolution's text with proper as regard support of detained Ukraine's nationals and urging Russia to act in line with its international obligations.
  - ✓ *Cooperating with the state agencies:* Our representative attended a meeting at the Presidential Office devoted to protection of the detained Ukraine's nationals and [voiced a position](#) agreed with partnering organizations regarding the necessity to adopt a comprehensive law, create position of a President's Commissioner for Protection and Release of Kremlin's Detainees along with a subject-matter Coordinating Council under the Presidential Office (which among others, has to involve the civil society representatives).
- **Calling on Kremlin to ensure respect of civil and political rights in occupied Crimea**

Together with ally Ukrainian civil society groups, UHHRU [prepared 19 recommendations](#) to the RF, as an occupying power, which relate to human rights violations in the occupied

<sup>2</sup> [Some thoughts](#) in this regard.

<sup>3</sup> A relevant [Fb post](#).

<sup>4</sup> Full schedule of the tour that will last August to October is given [here](#).



**USAID**  
FROM THE AMERICAN PEOPLE



peninsula. This being part of a “shadow” report to the RF’s VIII Periodic Report on implementation of the UN International Covenant on Civil and Political Rights.

- **Monitoring over implementation of legislation pertaining to armed conflict and occupation** (*links are in Ukrainian*)

The [Law of Ukraine](#) No. 2505-VIII “On the Legal Status of Missing Persons” came into force a year ago, yet the appropriate Commission has not held a single meeting. Still there is no register of missing persons, and the budget does not foresee payments for their families. *Find more on this [here](#).*

- **Statement on necessity to conduct an investigation due to alleged involvement of Ukraine’s Ombudsperson into corruption schemes**

UHHRU and other human rights NGOs [called on](#) (*link is in Ukrainian*) the Ombudsperson Denisova to officially explain the matter concerned, the law-enforcement bodies to conduct independent investigation into alleged violations, the Parliament to create a temporary special commission as prescribed by the law to find out whether there are grounds for the Ombudsperson’s dismissal.

- **Just-in infographics to echo analytical account on observance of advocates’ rights in Ukraine’s occupied territories** (*links are in Ukrainian*)

Reminding that analytical account titled “[Advocates under occupation: situation with observing the advocates’ rights in the context of the armed conflict in Ukraine](#)” was released back in December 2018. Now, we would like to share an [attributed infographic](#) to introduce everyone with report’s main findings in an visualized manner.

### ОСНОВНЫЕ СТАНДАРТЫ И ГАРАНТИИ профессиональной деятельности адвокатов

**ИСТОЧНИКИ:**

- международные акты** (Основные принципы, касающиеся роли юристов, Конгресс ООН, 27.08-07.09.1990 г.)
- европейские акты** (Рекомендация № R (2000) 21 Комитета министров о свободе осуществления профессии адвоката, Совет Европы, 25.10.2000 г.)
- национальное законодательство** (Закон Украины «Об адвокатуре и адвокатской деятельности» (05.07.2012 г.))

**СТАНДАРТЫ И ГАРАНТИИ:**

- ДОСТУП К КЛИЕНТУ
- ПРИВИЛЕГИИ В ОТНОШЕНИИ С КОЛЛЕГАМИ
- КОММЕНДАЦИОННОСТЬ
- ЛИЧНАЯ БЕЗОПАСНОСТЬ И ИММУНИТЕТ
- НЕ ОТОЖДЕСТВЛЕНИЕ С КЛИЕНТОМ
- ПРАВО ОТСТАИВАТЬ В СУДЕ ИНТЕРЕСА КЛИЕНТА
- СВОБОДА ДОСТУПА К ИНФОРМАЦИИ
- СВОБОДА ВЫРАЖЕНИЯ МНЕНИЯ

### ВОЗМОЖНОСТЬ ОСУЩЕСТВЛЕНИЯ профессиональной деятельности после оккупации

**АР КРЫМ И СЕВАСТОПОЛЬ:** с марта 2014 года крымским адвокатам, состоящим в Едином реестре адвокатов Украины, было необходимо:

**ОРДЛО:** с 2015 года украинским адвокатам на оккупированной территории органы юстиции предлагали продолжить деятельность, для чего, необходимо:

- ✓ получить паспорт гражданина РФ
- ✓ сдать квалификационный экзамен на знание законодательства РФ
- ✓ передать в «Министерство юстиции» («ЛНР» или «ДНР») документы, подтверждающие личность и свидетельство о праве на занятие адвокатской деятельностью
- ✓ пройти специальную проверку в «органах безопасности» (для «ЛНР»)
- ✓ пройти регистрацию в «налоговых органах «ЛНР» и «ДНР»

### ОТДЕЛЬНЫЕ РЕКОМЕНДАЦИИ

**1. ОРГАНАМ АДВОКАТСКОГО САМОУПРАВЛЕНИЯ УКРАИНЫ:**

- выдать разъяснения по продолжению осуществления профессиональной деятельности адвокатами на оккупированных территориях
- проводить системную работу по мониторингу фактов нарушений прав адвокатов в Крыму и ОРДЛО и их защите
- восстановить и обеспечить полноценную работу органов адвокатского самоуправления АР Крым и города Севастополя на территории, подконтрольной украинским властям
- при разработке актов НААУ, проводить правовую экспертизу их проектов для исключения принятия дискриминационных норм по отношению к адвокатам, имеющим связь с оккупированными территориями

**2. ОРГАНАМ ВЛАСТИ, ПРАВООХРАНИТЕЛЬНЫМ ОРГАНАМ УКРАИНЫ:**

- провести расследование фактов преследований адвокатов
- осуществлять регулярный мониторинг фактов нарушений прав адвокатов и предпринимать возможные меры по недопущению подобных нарушений в будущем

**3. ОККУПАЦИОННЫМ ВЛАСТЯМ РФ:**

- прекратить практику преследования адвокатов и препятствования в осуществлении ими профессиональной деятельности
- прекратить практику принуждения к принятию гражданства РФ в отношении лиц, изъявивших желание заниматься адвокатской деятельностью в Крыму



Материал подготовлен на основе доклада «Адвокаты в оккупации». С полным текстом можно ознакомиться здесь: на русском <http://bit.ly/2T09e8p>, на английском <http://bit.ly/21m885U>



Материал подготовлен на основе доклада «Адвокаты в оккупации». С полным текстом можно ознакомиться здесь: на русском <http://bit.ly/2T09e8p>, на английском <http://bit.ly/21m885U>



**USAID**  
FROM THE AMERICAN PEOPLE



- **Promoting a transitional justice model for Ukraine** (*links are in Ukrainian*)<sup>5</sup>
  - ✓ In the [nearest plans](#) of UHHRU, as a member of the Legal Reform Commission (Working Group on Reintegration of the Temporarily Occupied Territories), is to finalize a tailored national transitional justice model and to ensure ratification of the Rome Statute of the ICC.
  - ✓ Human Rights Agenda coalition, which includes UHHRU, [publicly presented](#) a list of 13 strategic steps for the Parliament of Ukraine to improve the human rights situation in the country (adoption of the UHHRU-contributed draft legislation is in the list, in particular, a transitional justice bill). It was followed by meetings with representatives of political forces. A summarizing media event [was organized](#) to share with the public how political parties see their role in protecting human rights in the immediate future.
- **Open appeal to President Zelensky to protect voting rights of IDPs**

Unfortunately, the Ukrainian Parliament of the 8th convocation failed to safeguard the rights of IDPs and some other categories of voters. [We hope](#) that the new Parliament will have proper respect for human rights and that the inability of IDPs to vote will be addressed before local elections (*link is in Ukrainian*).
- **Crimea-focused events hosted by newly appointed Permanent Representative of Ukraine's President in Crimea Anton Korynevych** (*links are in Ukrainian*)
  - ✓ UHHRU representative took part in a monitoring visit to the Chongar checkpoint at the administrative border with Crimea to examine the issue of proper equipping entry-exit checkpoints – *additional info can be found from [the link](#)*. Our lawyer managed to disseminate recommendations on how to improve the situation on the ground.
  - ✓ In a [working meeting](#) to discuss operation plan of President's Representative in Crimea, including areas of his cooperation with the civil society, protection of Kremlin's hostages and priority legislative initiatives that should be adopted to ensure protection of Crimeans' rights. Following the said event Mr. Korynevych [visited UHHRU](#) to proceed with cooperation talks in more details.

## STRATEGIC LITIGATIONS

---

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

### Kremlin's detainee Serhiy Lytvinov released

Mr. Lytvinov had been kept in detainment in the RF for several years in a fabricated politically-motivated case. After efforts have been made on many levels, by the governmental bodies and

---

<sup>5</sup> Developed in frames of the USAID Human Rights in Action Program.

<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).



**USAID**  
FROM THE AMERICAN PEOPLE



NGOs, he was transferred to a Ukrainian penitentiary facility to continue serving his “sentence”. Currently, Ukraine lacks systemic solutions to such a misconception, but still a particular case might be solved with the help of human rights defenders. To this end, UHHRU lawyers, backed by ally public officials, stepped in to help Mr. Lytvinov and had been staying at his disposal until [release](#) (*link is in Ukrainian*).

### **Legal opinion prepared in response to the Constitutional Court of Ukraine’s request**

It touches upon whether the legislative amendments introduced in the area of religious freedom are in line with the Constitution of Ukraine. To specify, it goes about the constitutionality of the amendments to the Law of Ukraine “On freedom of conscience and religious organization”, which oblige “religious organizations, included in the structure of a religious organization, the center of which is located in the state that committed military aggression against Ukraine/ or temporarily occupied parts of its territory, to indicate such an affiliation in its name”. Our lawyers believe that the limitations imposed by the state are contrary to Ukraine’s Constitution and ratified international treaties, and therefore violate the freedom of religious in Ukraine. [Link in Ukrainian](#).

### **Issue of compensation for property destroyed during armed conflict is still trending (*links are in Ukrainian/ Russian*)**

USAID Program experts [prepared](#) a step-by-step guide on how to get such compensation as well as on the documents that should help protect one’s right to property.

[Here](#) is a recent media coverage regarding compensation for property destroyed in result of shelling in the military operation area along with comments from our strategic litigation lawyer.

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

- **Applications to the European Court of Human Rights**
  - ✓ An application has been submitted regarding the unlawful detention of Ukraine’s citizen at a pre-trial detention center in the occupied Donetsk. The applicant had been detained in 2011 on suspicion of felony and the pre-trial investigation took several years, so when the case was finally sent to the court, the armed conflict had already begun. The applicant’s case is currently being examined by a “court” from the so-called “DPR”.
  - ✓ An application has been submitted regarding the abduction, torture and murder of clergymen in Slovyansk for their religious views by members of illegal armed groups.
  - ✓ Legal positions have been prepared in five cases against Ukraine and Russia regarding human rights violations committed at various points of the conflict. The applicants include soldiers that were part of the 24 August 2014 captives’ parade in Donetsk; one of the cases concerns a colonel who was tortured for being a member of the Ukrainian Armed Forces.
- **“Court” in occupied Crimea changed restraint measure for our client to a milder one**

Kremlin’s detainee Edem Bekirov has been [released](#) (*link is in Russian*) from pre-trial detention facility after spending there more than 8,5 months under the obligation to appear in court. Despite a fabricated lawsuit against him is still far from being solved, this came as a great relief because the defendant is a gravely ill person and staying in a detention without professional medical treatment poses threat to his life. Just reminding that UHHRU lawyers have been litigating



**USAID**  
FROM THE AMERICAN PEOPLE



actively before ECtHR to help ensure that proper medical care is provided to our client (in accordance with the Rule 39 of ECtHR)<sup>7</sup>.

- **On the risk of falling victim to human trafficking for migrant workers**

We bring to your attention an [interview](#) (*link in Russian*) regarding the risks that migrant workers may be facing abroad, specifically the instances when Ukraine's citizens were forced into drug distribution in Russia and later prosecuted for this by the Russian law enforcement bodies<sup>8</sup>.

## 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 Starobilsk of Luhansk oblast, [Toretsk](#), [Mariupol](#), Kramatorsk, [Pokrovsk](#) of Dnetsk oblast, [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.

### **New legal aid center in Luhansk oblast joined a USAID-sponsored legal empowerment network**

Starting from 1 August, a LAC in Starobilsk of Luhansk oblast joined Program-supported network<sup>9</sup>. It will be functioning on the base of the Center for Joint Development "Effective Community" [Dieva Hromada] in the interest of the conflict-affected and displaced people. The contacts are 23a Chernyshevskogo Str. (former "Druzhba" movie theatre), office 109.

### **Legal assistance to victims of the armed conflict and occupation (*links are in Ukrainian*)**

- *Dnipro LAC helped an IDP to link his disability to severe working conditions he was working in – court of appeals reaffirmed decision of a lower-instance court.* A coal miner from non-government controlled areas of Donbas spent over 20 years in health-damaging working conditions and thus should be given a PWD status with all law-prescribed social benefits. To finalize status-granting procedure, public officials demanded one last document that could be received only from de-facto occupational authorities. Our lawyers believed this was unlawful and took up man's case to the court system. In May 2019, we have received a positive court judgment, and now we would like to report a [success achieved in court of appeals](#). Whether the cassation stage in this case is to follow or not, now a court judgement is to be executed anyway.
- *Pokrovsk LAC [helps to document](#) crimes committed by Kremlin's proxy "authorities":* lawyers documented the fact that a woman's husband has been "sentenced" to more than 10 years in prison by so-called "court" in occupied Donbas. Lawyers believe this case had been created

---

<sup>7</sup> You can read the previous news about this case [here](#).

<sup>8</sup> A relevant [article](#) on World Day Against Trafficking in Persons.

<sup>9</sup> To replace one in Slovyansk.



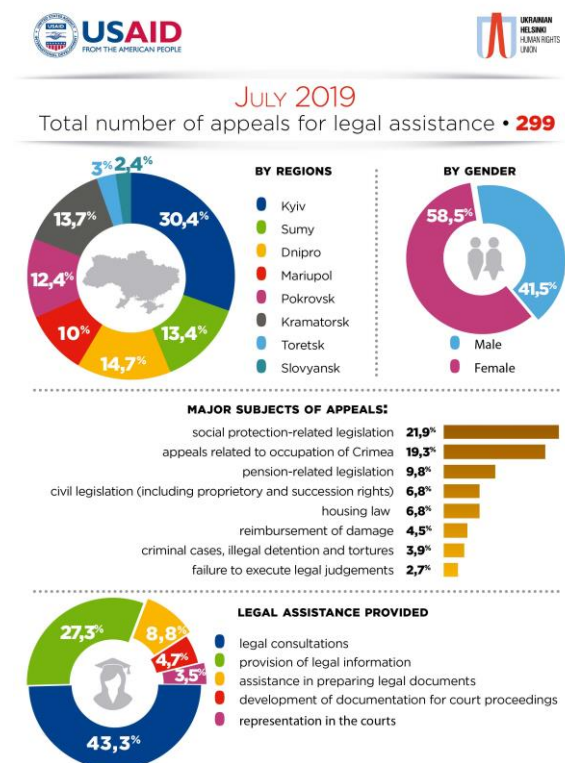
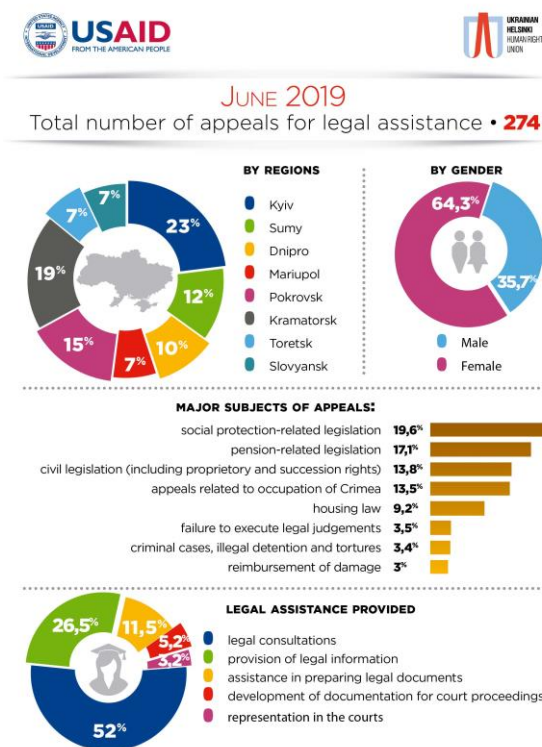


out of whole cloth, so they turned to Program-supported UHHRU Documentation Center which collects facts of wartime human rights violation to be later considered in litigations. Besides, LAC lawyers provided legal consultation to the woman as she requested help with conflict-related paperwork.

- LAC lawyer [helped](#) a family of refugees from Armenia and IDPs from Donetsk get Ukraine’s passports.
- Another typical case concerning suspension of payments by the Pension Fund of Ukraine – as always, without clear reasons. Unfortunately, most people find out about this at the worst time possible, as can be seen [in this story](#) from the Pokrovsk LAC.

**Latest infographics to illustrate LACs’ performance, in Ukrainian**

The Program initiates regular reporting on results of the legal network’s work – we are glad to present information for [June](#) and [July](#) 2019 with thematic, regional and gender disaggregation.



**LAC joins a flash mob on voting rights for IDPs and other mobile citizens within the country**

Sumy LAC supported an [initiative](#) (*link in Ukrainian*) aimed at drawing the attention of newly elected MPs to the need of restoring the political rights of Ukrainian citizens that were forced to leave their homes in result of the armed conflict and occupation. These people have been paying taxes in their new communities for six years now, and want to finally be able to elect their local government, but instead they essentially appear as “invisible voters”.



**USAID**  
FROM THE AMERICAN PEOPLE



## Lawyers from Kramatorsk LAC of UHHRU became finalists of American Bar Association 2019 International Human Rights Award

We have some outstanding news to share! Oleksandr Kadievsky and Maryna Kuprikova were recognized as distinguished human rights defenders who *“are performing life-saving human rights work as they help those displaced by the conflict get back on their feet, receive just compensation for their losses, and get the legal backing they need to start over”*.



Noteworthy that these are first-ever Ukrainian human rights defenders who [became nominees](#) of this award.

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

- Crimea-focused LAC [delivers practical advice](#) on how to react to unlawful actions of Ukraine’s Border Guard Service’s officers, as recently we’ve been informed of increase in the number of such cases (namely, related to the search for passports issued by the aggressor state, threats and bribery if they are found).
- [Clarification](#) of the Decree No. 306 of the Cabinet of Ministers “Certain issues concerning the establishment of a link between a disability and injuries or other health problems”. By using it to pass the required procedure, conflict-affected people will be able to get the status of a person with a war-related disability and benefits that come with it.
- Dnipro LAC analyst [shares](#) what guarantees will be provided to former detainees should the law on the status and social protection of prisoners be adopted and what disadvantages it brings.
- After July 2019, the monthly targeted assistance for IDPs to cover living expenses, including housing and utilities, should see an increase. Who among IDPs can count on extra money – Summy LAC answers this question in its [post](#).
- On July 17, the government adopted a new procedure for crossing the demarcation line in eastern Ukraine – *click [this link](#) to learn the details*.
- Here is [infographics](#) devoted to signing declarations with primary care physicians by residents of temporarily occupied territories. It is aimed to them better navigate the procedure of obtaining their family doctor, following Ukraine’s recent healthcare reform.



**USAID**  
FROM THE AMERICAN PEOPLE



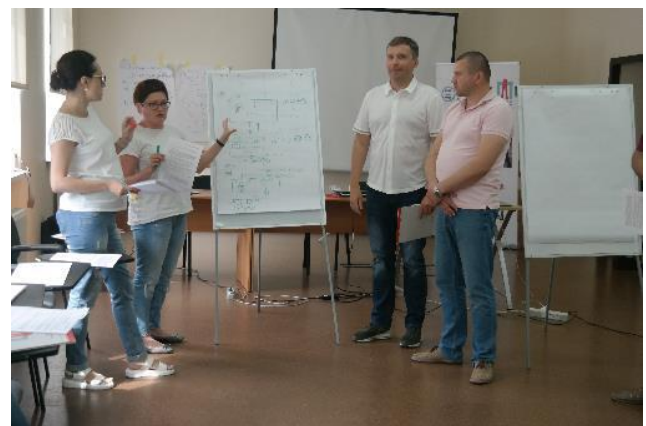
- Dnipro-based LAC launched its VLOG “Ask a human rights defender” – *while a pilot episode is available from [this direct link](#), the following ones you can find from LAC’s Fb page’s [video section](#).*
- Dnipro LAC experts write about [vital but still unresolved issues](#) that concern persons gone missing in the course of the hostilities in eastern Ukraine as well as their families.
- The government approved a decree of the Ministry of Temporarily Occupied Territories and IDPs that [establishes](#) a new mechanism for allocating temporary housing to IDPs.

## 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 Program “[We Understand Human Rights](#)” (WUHR)<sup>10</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” is nearing its end, module five is completed**

On 26-28 July, in frames of the named course the Program held the fifth, final, on-site seminar. It was aimed at discussing the right to peaceful enjoyment of possessions (Article 1 of the Protocol 1 to the to the European Convention on Human Rights). As usual, special focus was made on exercises involving cases relating to human rights violations committed in context of the armed conflict in Ukraine.



<sup>10</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.



**USAID**  
FROM THE AMERICAN PEOPLE



**We explain how the country can go on after the war and how it will overcome the effects of the armed conflict (*links are in Ukrainian*)**

- Coordinator of Program-supported Human Rights Abuse Documentation Center hosted a [discussion](#) amid Human Rights Educational Festival, mostly touching upon transitional justice model for Ukraine and what are the Program's ideas of overcoming hybrid warfare consequences. The main takeaway here is non-recurrence of the conflict as a top priority, which can be achieved by implementing four pillars of transitional justice, particularly through the truth-telling.
- We must never forget that human rights should remain the highest value not only during peacetime but also during armed conflicts, because at wartime the number of violations is actually on the increase. What violations are characteristic of armed conflicts, what types of conflicts exist, and what one should know about international humanitarian law – this and much more could be learned during a lecture marathon co-organized by the Program<sup>11</sup>.



*If you've missed one of our events, you can read about them [here](#), [here](#) or [here](#)<sup>12</sup>, and then keep an eye for new announcements, for we have a lot more topics to cover.*

- Have you ever talked to your children about war? Most parents think it is best to avoid such conversations, but they are wrong. Program Director shared his thoughts on this in this [mini interview](#).

**Female human rights defenders who change Ukraine (*links are in Ukrainian*)**

We continue sharing interviews authored by UHHRU/USAID Program gender expert, which all together make a series about female human rights defenders who make efforts to change Ukraine for better. This time the interviewees are the [coordinator](#) of our Dnipro LAC's educational direction and [her peer lawyer](#).

<sup>11</sup> Jointly with the Regional Center for Human Rights.

<sup>12</sup> A [video coverage](#) on this subject.



**USAID**  
FROM THE AMERICAN PEOPLE



## MAIN EVENTS IN HUMAN RIGHTS AREA

### **OSCE Parliamentary Assembly designates Ukrainian sailors captured by Kremlin as prisoners of war**

The Assembly condemns the unprovoked act of the armed aggression and unjustifiable and disproportionate use of military force by the Russian Federation against Ukrainian vessels and their crews. *More in [English](#) and [Russian](#).*

### **European Parliament resolution of 18 July 2019 on Russia, notably the situation of environmental activists and Ukrainian political prisoners has been adopted**

[In its text](#), among other things the EU strongly condemns Russia's continued violations of fundamental principles and norms of international law, particularly its refusal to comply with the decisions of international tribunals and courts; urges the RF to implement the decisions of the ECtHR on the violation of the human rights of persons detained in the Crimean peninsula and in the RF. Besides, a huge accent is put on the release of political detainees and POWs. Bullets points that most of all relate to Ukrainian armed conflict problematic can be found from a Mission of Ukraine to the European Union's [post](#), in Ukrainian.

### **Government of Ukraine introduced out-of-court procedure to reimburse property damage/loss amid armed conflict**

In particular, the [procedure](#) envisages the maximum compensation at the level of UAH 300,000.

*UHHRU lawyers consider this as a positive sign, however, they still pay attention to procedure's existing drawbacks – [link in Ukrainian](#).*

### **Two political detainees fewer from now on**

Ukraine's national Oleksandr Steshenko was [released](#) from Crimean prison. He was arrested on politically-motivated charges in April 2018. As well, Roman Ternovsky was [released](#) from the Russian prison due to the end of his term of imprisonment. In 2018 he was convicted for being a member of 'the Right Sector' organization.

### **Legal Reform Commission is established under the President of Ukraine**

The [Commission](#) is a consultative and advisory body, whose main task is to promote the further development of Ukraine's legal system on the basis of the constitutional principles of the rule of law, priority of human and civil rights, and country's international obligations<sup>13</sup> (*link is in Ukrainian*).

### **Draft decision on the parliamentary committees is approved by the Preparatory Deputy Group**

---

<sup>13</sup> However, civil society activist [stress](#) that the Commission includes publicly trusted candidates along with dishonorable and compromised ones.



**USAID**  
FROM THE AMERICAN PEOPLE



According to group's deputy head Ruslan Stefanchuk, 23 committees of the Verkhovna Rada of IX convocation [will be operational](#). In particular, the existing Committee on Human Rights, National Minorities and Interethnic Relations will be transformed into the Committee on Human Rights, De-occupation and Reintegration of Temporarily Occupied Territories in Donetsk and Luhansk Oblasts, de-occupation of Crimea, Rights of National Minorities, Inter-Ethnic Relations.

---

*This Digest is made possible by the generous support of the American people through the United States Agency for International Development (USAID) in the framework of the Human Rights in Action Program implemented by the Ukrainian Helsinki Human Rights Union. The contents are the responsibility of the Ukrainian Helsinki Human Rights Union and do not necessarily reflect the views of USAID or the United States Government.*

*USAID is the world's premier international development agency and a catalytic actor driving development results. USAID's work demonstrates American generosity, and promotes a path to recipient self-reliance and resilience, and advances U.S. national security and economic prosperity. USAID has partnered with Ukraine since 1992, providing more than \$3 billion in assistance. USAID's current strategic priorities include strengthening democracy and good governance, promoting economic development and energy security, improving health care systems, and mitigating the effects of the conflict in the east. For additional information about USAID in Ukraine, please call USAID's Development Outreach and Communications Office at: +38 (044) 521-57-53. You may also visit our website: <http://www.usaid.gov/ukraine> or our Facebook page at <https://www.facebook.com/USAIDUkraine>.*

**USAID Human Rights in Action Program, contact information:**

The Ukrainian Helsinki Human Rights Union  
3/34 Frolivska St., Kyiv, Ukraine  
Phone: 044 485 17 92, fax: 044 425 99 24  
Contact email: [t.tsymbriivskyi@helsinki.org.ua](mailto:t.tsymbriivskyi@helsinki.org.ua)  
Website: <http://helsinki.org.ua/>