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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

Human rights training for MPs held during their field sitting in Kherson (*links are in Ukrainian*)

USAID Human Rights in Action Program held a [human rights training](#) for the Parliamentary Human Rights Committee's members during [their field sitting](#), which also included a monitoring visit to the entry-exit checkpoints at the administrative border with Crimea and meetings with human rights defenders. In view of the purpose of this field sitting – to study the state of ensuring the rights of Crimea's residents – training attendees considered the differences between the occupation regimes of Crimea and NGCA in Donbas to deepen their subject-matter awareness. Also, during visits to the service zones at the exit-entry checkpoints "[Chongar](#)", "[Kalanchak](#)" and "[Chaplynka](#)", the most widespread violations of the rights and freedoms of Crimeans¹ were [reported by the Program](#), and our training allowed to assess these violations from the standpoint of IHL and international human rights law².



What can Ukraine's Parliament do to deal with effects of the armed conflict?

The USAID Program attended "Reforms Forum: on the Road to Vilnius", preceding the annual Ukraine Reform Conference in Lithuania in summer 2020. Human rights defenders spotlighted a [10-steps roadmap](#) (backed by 18 NGOs, including UHHRU; *link is in Ukrainian*) that consists of priority actions public officials should complete to foster sustainable peace and to protect its own citizens amidst external aggression³.



Marking 6th anniversary of Crimea's resistance to occupation (*links are in Ukrainian*)

UHHRU/ Program attended [the Age of Crimea Forum](#) devoted to anniversary of resistance of the Crimean residents to peninsula's occupation by the RF. Among other speakers Program's invitee Ms. Iryna Marchuk from the University of Copenhagen (Denmark), who is a recognized international expert in IHL and human rights law, [spoke about](#) «lawfare» as an element of Kremlin's warfare against Ukraine⁴.

¹ [Accompanying information](#).

² As well, [here is](#) how the Human Rights Committee sees outcomes of their field sitting.

³ [Additional link](#).

⁴ [President's remarks at the event](#).

Public statement on “Twelve Steps Toward Greater Security in Ukraine and the Euro-Atlantic Region” plan

UHHRU/Program outlines inadmissibility of certain provision of this plan (also known as “Munich Peace Plan”). Human rights defenders [believe](#) (*link is in Ukrainian*) it brings changing/confusing concepts, weakening sanctions against the RF as the aggressor state, “de-legitimizing” international security treaties.

UHHRU/Program spoke in Geneva about challenges faced by Ukraine’s IDPs and other conflict-affected persons

The mission of our [trip](#) (*link in Ukrainian*) to Switzerland was to present the Program-authored [submission](#) on the VII Cycle State Party Report of Ukraine on Implementation of the International Covenant on Economic, Social and Cultural Rights (in part that touches upon conflict-generated human rights violations) amid session of a UN’s responsible committee.

Program hosted an expert discussion on non-criminal liability for the collaborators

[It goes about those](#) who committed no crimes but were still part of the occupation regime, held elective office or were heads/ employees of local enterprises and organizations (*link in Ukrainian*). The term “liability” is used to generally indicate approaches to determining procedures for the security check/ lustration/ “purification of power” in regard to such persons. The State needs to establish these approaches as part of ensuring non-recurrence of the conflict, which is one of the four components of the Program-backed transitional justice model for Ukraine.



Analysis of a new bill on establishment of national agency to overcome consequences of Kremlin’s armed aggression

The bill⁵ carries some positive ideas, but still plenty of moments [remain unclear or risky](#) – for instance, how efficient is creation of this agency from the financial standpoint; its duties and responsibilities that duplicate duties and responsibilities of the other look-alike public bodies etc. (*link is in Ukrainian*).

⁵ Background information: The Golos political party [promotes](#) new bill №3057, saying new nation-wide agency should be established to calculate Kremlin-done damage.



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Urging Ukraine's Ministry of Education and Science to take into account our comments and recommendations

UHHRU/ USAID Program's experts delivered their [feedback](#) on the Ministry's recent decrees (*link is in Ukrainian*), which touch upon equal access to the higher education for residents of NGCA of Ukraine and temporarily occupied Crimea. To put it all together, these decrees carry some positive ideas on board, but still contain numerous drawbacks and discriminatory provisions. We also submitted our improvement recommendations directly to the Ministry.

Some noteworthy Crimea- and Donbas-related interviews and comments from our experts (*links are in Ukrainian*)

- [On possible search missions](#) to find persons went missing in NGCA.
- [On broader reintegration](#) issues of Donbas.
- [On human rights situation](#) in Crimea.
- [Remarks](#) at presentation of "Encyclopedia of Repressions in Crimea" prepared by our partners.

STRATEGIC LITIGATIONS

Within this direction USAID Human Rights in Action Program supports strategic legal cases domestically and internationally to protect public interests⁶, as well as assures their broad media coverage among professional community and public. Total number of conflict-related UHHRU Strategic Litigation Centre's (SLC) cases within the Program equals 165.

Program tells stories of former civilian hostages and political detainees who fell victims of pro-Kremlin occupational forces in Donbas and Crimea



This [particular article](#) tells the story of Ms. Maryna Chuykova, a nurse from occupied Horlivka and a "spy" who survived captivity in the so-called "DPR" (*link in Ukrainian*).

Through such human-centered essays UHHRU/Program wants to urge people be more careful when visiting Ukraine's NGCA and instruct how they can receive legal support in case their human rights are at stake.

⁶ 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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Can Ukraine prosecute those responsible for war crimes in Donbas?

It is no easy task as confirmed by the domestic case law. Our lawyer and other experts [discussed](#) this issue in detail on the “UA: Donbas” channel ([link in Ukrainian](#)).

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 [Toretsk](#), [Mariupol](#), Kramatorsk, [Pokrovsk](#) of Donetsk oblast, [Stanytsa Luhanska](#), [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

USAID Program’s new LAC now [welcomes](#) visitors in Stanytsa Luhanska, Luhansk Oblast ([link is in Ukrainian](#)). The legal aid center operates at the premises of NGO “Stanytsia Luhanska Center for Legal Information and Legal Assistance” located at 11 2nd Liniya Street.

How can IDPs from occupied territories exercise their right to quality education?

During a training [seminar](#) ([link in Ukrainian](#)), representatives of UHHRU’s as well as state-run legal aid centers discussed issues faced by IDPs trying to get accepted by the Ukrainian higher education institutions. These include, among other things, the limited selection of institutions, since residents of Donetsk and Luhansk Oblasts who apply to “Donbas-Ukraine” education centers are only allowed to choose among 19 education institutions that have relocated from the NGCA.

Other issues were also discussed, so let us know if you need legal advice or a thematic training on human rights protection amidst the armed conflict and occupation – UHHRU’s/Program’s experts will be enthusiastic to help.



Dnipro LAC still fights for the rights of IDPs from Pavlohrad who live in atmosphere of total disrespect ([links are in Ukrainian](#))

As Pavlohrad’s saga with [unfairly raised](#) utility tariffs for residents of a modular village still has no end in sight, USAID Program’s lawyers continue protecting those in need. This includes, among other things, [meetings with the OSCE](#) representatives that showed interest in the case we have



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been litigating. If successful, this fight for people's rights might positively contribute to a wider situation with similar Ukraine's mobile villages for IDPs, lawyers believe.

Events to raise people's awareness on how to protect their rights *(links are in Ukrainian)*

- Do IDPs always have to pay court fees? [Lawyers say](#) no.
- [Guide](#) on obtaining the status of a child affected by war or armed conflict.
- [Explanation](#) on free meals in education institutions for internally displaced children.

Latest infographics to illustrate legal aid network's performance

USAID Human Rights in Action Program continues regular reporting on the LACs' performance – we are glad to present [information](#) for January 2020 with thematic, regional and gender disaggregation.

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)⁷, which is being the only informal educational system that has the material basis for its activities – Educational Human Rights House-Chernihiv.

Why aren't Crimea youth getting education in mainland Ukraine if Crimean diplomas are only recognized in Russia?

UHHRU's/Program's education coordinator delivered comments concerning perspectives of the Crimean youth who chose or do not chose to apply for higher education in the mainland Ukraine. What are current trends so far – *can be found from [this link](#), in Ukrainian.*

What students learned during our 4-month human rights practicum

Over the past academic semester, 13 international lawyers-to-be attended lectures and seminars entirely based on actual cases considered by UHHRU/USAID Program or on people's applications to our LACs. This year's course titled "Human Rights Practicum" was completely [focused](#) on transitional justice issues and human rights protection mechanisms in the armed conflict context *(link in Ukrainian)*.



⁷ 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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MAIN EVENTS IN HUMAN RIGHTS AREA

Verkhovna Rada of Ukraine failed to support a bill on pensions for NGCA residents

A bill No 2083д has not passed its first reading, just like its background bill No 2083 (which consequently has been sent to rework) – [link in Ukrainian](#).

To safeguard Crimean cultural heritage under Kremlin's occupation, Ukraine seeks protection from UNESCO

A draft law has been registered in the Verkhovna Rada aiming to make Ukraine a State Party to the Second Protocol to The Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict 1999 – [link one](#) and [link two](#), in Ukrainian.

26 February is now Ukraine's annual Day of Resistance to Occupation of Crimea and Sevastopol

President Volodymyr Zelenskyy [announced](#) signing of a subject-matter decree.

“Court” in occupied Crimea released a political Crimean Tatar detainee Degermendzhi

Mustafa Degermendzhi was accused in frames of the so-called “February 26th criminal case”, and just recently charges were dropped from him – [link in Ukrainian](#).

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