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**UKRAINIAN
HELSINKI
HUMAN RIGHTS
UNION**

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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

Rehabilitation of the armed conflict victims: what can the local community of Sumy and Sumy Oblast offer? *(links are in Ukrainian)*

In late 2018, the Program released [analytical review](#) “Rehabilitation of the victims of the conflict”. Later the Program hosted a series of local-level discussions (including [in Sumy](#)) with the conflict-affected communities in order to jointly develop measures to be implemented by the region/city-level officials, because in fact a lot can be done in a decentralized way. Another fruit of Program’s labor is our [new review](#)¹ that describes situation specifically in Sumy and Sumy Oblast with remedial recommendations to public officials.



Program helps Crimeans to enjoy financial and bank services in the status of Ukraine’s residents *(links are in Ukrainian)*

After more than five years, since the National Bank of Ukraine in its [decree №699](#) labelled all Crimeans as non-residents and deprived them of their guaranteed rights, the USAID Human Rights in Action Program has been making every advocacy, legal and analytical effort to fight this egregious discrimination and abuse. As an [apogee of this shared work](#) with multiple government agencies, the National Bank through its [new decree №31](#) unchained Crimeans from this financial “non-residents ghetto”, easing their access, among other things, to basic bank services in mainland Ukraine².

UHHRU/Program joins expert potential with NRC to tackle the issues of ruined property midst conflict



Jointly with the Norwegian Refugee Council the Program co-hosted a [press-conference](#) on property rights violations in the context of armed conflict in the east of Ukraine. A just-in Program-co-authored thematic report has also been [revealed](#) for perusal, which, among other things, provides rights protection mechanism for the victims, explains how to better navigate legal system based on Program’s extensive experience. Other from that, here are also [thoughts from our experts](#), enveloped as an interview, that speak to the current event/report³.



¹ Its finalized text will be available soon.

² However, according to [the Law of Ukraine](#) №1636 of 2014 on creation of a free economic zone “Crimea”, Crimeans continue to be treated as non-residents for the taxation purposes and customs procedures. Hence, human rights defenders call the government to repeal this law and instead to develop and adopt a new one regulating peculiarities of economic activity in the temporarily occupied territory that will be in line with human rights standards.

³ [Here](#) is also another subject-matter publication from Program’s legal aid center in Dnipro.



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UN committee highlights challenges faced by Ukraine's IDPs and other conflict-affected persons, reiterates Program's stance (*links are in Ukrainian*)

The mission of our February [trip](#) to Switzerland was to present a 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 responsible committee. As a follow-up, recently this committee [released its recommendations to the GOU](#), which back Program's remedial recommendations to ease people's burden.

Program's analysis of Kremlin's new IHL/IHRL-breaching decision to alienate land plots that legally belong to Ukrainian nationals or other non-Russians (*links are in Ukrainian*)

Kremlin lifts to the next level its own design of victimizing Ukraine's nationals in Crimea, sets a new [trend of violating their property rights](#). According to Putin's fresh decree, foreigners, stateless persons and foreign legal entities are not allowed to own land plots near the coast line. This also refers to Crimea's residents unless they are the Russian passport holders. In practice, this means legitimate pre-occupation land lords are now forced to sell it within a year, obtain the Russian citizenship or switch ownership in favor of a Russian legal entity. Program's analysis of this decision awaits [under this link](#).

What can Ukraine's education system do to overcome armed conflict's aftermath and contribute into transitional justice model? (*link is in Ukrainian*)

[Here are remarks](#) of UHHRU/Program educational coordinator, who explains what educators can do to battle negative aftermath of the armed conflict – spoiler alert: truth-telling is among the possible efforts.



Amidst COVID-19 outbreak, UHHRU/Program is ready to play its part as human rights defender in this period of great concern and turmoil (*links are in Ukrainian*)

- UHHRU/Program processes the GOU's developing decisions, as well as those of the Kremlin-backed occupational authorities in Donbas and Crimea to raise Ukrainian nationals' awareness on how to protect their infringed rights if any, navigate nuances of these quarantine measures, cross the entry-exit checkpoints, and at the same time always prioritize personal and public health concerns. Please find the relevant informational by clicking [this link](#).
- UHHRU Executive Director Pavlichenko delivered a "human rights talks" video to touch upon the COVID-19 crisis that Ukraine faces and what risks it brings not only to the public health dimension, but also in connection to the ongoing armed conflict. [This Program's post](#) can supply everyone with the video itself, but [this one](#) also offers an all-round compilation of media releases that speak in more details to all points of concern Mr. Pavlichenko highlighted.
- UHHRU/Program and other signatories in a shared [public statement](#) warn the leadership of Ukraine that certain [poorly unjustified] anti-COVID-19 measures might weaken Ukraine's positions in its warfare/lawfare against the aggressor state, the RF, and also might provoke political speculations that have nothing in common with actual anti-virus motives.



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- The threat of COVID-19 and quarantine are changing the education system, which is why residents of the temporarily occupied territories should [acquaint themselves](#) with the changes that are already taking place in Ukraine's educational space, as well as with the challenges that university entrants will face in 2020.

Thanks to human rights defenders Ukrainians are allowed to enter/exit occupied Crimea during quarantine period

Jointly with allies USAID Program managed to persuade the GOU not to prohibit access to/from the occupied Crimea amidst the coronavirus outbreak for those citizens having a humanitarian reason. Following a shared [public appeal](#) and consultations with human rights groups and humanitarian organizations, the Cabinet of Ministers amended its decree No 291-p, thus [allowing](#) Ukraine's State Border Guard Service to decide on entrance to/from occupied Crimea.

Other related activities by UHHRU in brief:

- **Statement on the new wave of arrests in occupied Crimea**

On March 11, representatives of the Russia's Federal Security Service conducted mass searches in seven houses, 4 Crimean Tatars were detained. The so-called "court" had three of them put in a pre-trial detention facility and placed the fourth one under house arrest. UHHRU and other human rights organizations strongly condemn these actions and urge Kremlin to immediately cease all political persecutions. We also call for the international community to intensify pressure on the RF's leadership. *A relevant public statement is placed on our website – in [English](#) and in [Ukrainian](#).*

It should be noted that the persecution is systematic and ongoing. Another one victim is Dilyaver Ibragimov, who was [detained](#) in Dzhankoy, on March 16, after a search and later released (*link is in Russian*). On the same day, a search was conducted in Dzhankoy district in the home of the Crimean Tatar Osman Kurtaliyev who has not been living in Crimea for some time now ([link 1](#), [link 2](#), in Russian).

- **UHHRU statement on establishment of advisory board as part of Mink peace process to possibly enable direct negotiations between Ukraine diplomats and representatives of illegal Donbas' "republics"⁴**

Following a regular meeting of the Trilateral Contact Group, an alarming trend that has been set as Kremlin-backed armed groups might be included into negotiations with equal rights as part of new advisory board. UHHRU finds that inadmissible as direct involvement of illegal armed groups might entails their legitimization and Russia acquires the status of a guarantor along with Germany, France and the OSCE – *more detailed statement with full list of "red lines" not to be crossed rests [under this link](#), in Ukrainian.*

- **UHHRU's fresh infographics on the use of prohibited methods of warfare during Kremlin's occupation of Crimea is now available in English**

Using civilians as "human shields" during military operations is being one of those prohibited methods, so UHHRU will not rest until violators of IHL and international human rights law are punished and brought to justice in adherence with international standards – [here is](#) the latest thematic infographic in English. Its *Ukrainian version is also [available here](#) and UHHRU's full analytical account on the use of prohibited methods of warfare – [here](#).*

⁴ [News release on the President's website.](#)



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STRATEGIC LITIGATIONS

Within this direction USAID Human Rights in Action Program supports strategic legal cases domestically and internationally to protect public interests⁵, 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 176.

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

[This particular story](#) is about Sergiy Robak, a businessman from occupied Donetsk who survived captivity in the so-called "DPR" (*link is 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.



Other related activities by UHHRU in brief:

Application to the European Court of Human Rights

- The application has been lodged on behalf of a person "sentenced" to 12 years in prison on trumped-up espionage charges. The applicant was subjected to torture and lost access to his property (namely, apartment and car). After spending 2 years in the "DPR" captivity, he was released during prisoners' swap in December 2019.
- The submitted application relates to the following events: having arrived for a meeting with the head of the Avdiyivka Civil-Military Administration of Donetsk Oblast, the applicants were escorted outside by unidentified armed men, forced inside cars and brought to an industrial area which is close to the war zone. The assailants took the applicants' personal belongings, questioned and beaten them while accusing them of working for the illegal armed groups and the Kremlin. Since the applicants are well-known local activists, it is likely that the assault and abduction were connected to their civic actions.

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.

⁵ 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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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.

Latest infographics to illustrate legal aid network's performance

The Program continues regular reporting on the LACs' performance. We are glad to present information covering [February 2020](#) with thematic, regional and gender disaggregation.

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

- What is a war crime documenting? Lawyer of the Dnipro LAC (which operates on the base of the "SICH" human rights NGO), was [interviewed](#) by the 5 Channel outlet, sharing why it is important to document such crimes, who should be doing it and why the victims should not stay silent. This process, which is not an investigation but a recording of human rights violations, serves to establish historical truth and bring to justice not only those who committed the crimes but also Russia itself as the direct initiator and participant of the armed aggression against Ukraine.
- Sumy legal aid center [explains](#) how quarantine affects IDPs and their social benefits. [Another](#) comment on this subject.
- UHHRU's LAC in Kramatorsk developed [recommendations](#) devoted to the rights and obligations during a state of emergency.
- Pokrovsk legal aid centre [provides clarification](#) as for staying in dormitories of Ukrainian educational institutions during quarantine period.
- Dnipro-based LAC [gives advice](#) on how to protect one's labour rights during quarantine, since the lawyers are being asked more and more whether employers are allowed to force employees to take time off at their own expense or even to outright fire them. Spoiler alert: the answer is a definite no.

Legal assistance to those affected by the armed conflict and occupation (*links are in Ukrainian*)

- When can monthly payments to IDPs get cancelled and how to reassert one's rights in case of their violation? Dnipro LAC [answers this](#) using one of its cases as an example: single mother from Yasynuvatsky district, who is raising a PWD son, had lost her monthly targeted assistance. For 10 months the family had been deprived of the payments they needed to cover living expenses, including utility bills, before turning to the LAC for help.
- At the beginning of the month, the Donetsk District Court [satisfied the claim](#) regarding the tax debt cancellation in the Joint Forces Operation's area in one of the cases supported by the Mariupol legal aid center. [In another case](#), litigated on behalf of an IDP pensioner, the court ordered the Ukraine's Pension Fund to pay the debt accumulated after her pension's suspension.
- Mariupol LAC informs that in March 2020 the court ruled that the Pension Fund has to pay the debt to an IDP pensioner.



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MAIN EVENTS IN HUMAN RIGHTS AREA

High Representative Josep Borrell-Fontelles, on behalf of the European Union, released declaration on Crimea

[The statement](#) once again emphasizes that the EU remains steadfast in its commitment to Ukraine's sovereignty and territorial integrity.

USAID Human Rights in Action Program used this opportunity to remind everyone on the necessity to de-occupy and reintegrate the invaded territories and that our well-tailored transitional justice model awaits [to play its part](#) in this process.

Ministry for Veterans Affairs, Temporarily Occupied Territories and IDPs has been officially divided

The GOU splitted the said Ministry: instead, two following ministries are now operational – the Ministry for Veterans Affairs and the Ministry for Reintegration of Temporarily Occupied Territories – [link in Ukrainian](#).

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