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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

Privatbank leaves Crimeans in endless disbelief concerning its motives: USAID Program's just-in report displays facts of non-returned deposits and numbers to endorse theories on bank's lasting abuses (*links are in Ukrainian*)

Despite Ukraine's National Bank in its decree No 31 dd. 17 March 2020 [ruled](#) that the Crimea residents must be returned their Ukrainian residents status, there are still plenty of unsolved issues in the field of restoring Crimean's fractured financial and property rights in full. The UHHRU/ USAID Human Rights in Action Program [reveals](#) its new [analytical product](#) to alert everyone that Privatbank's case goes way beyond just Crimeans' frozen deposits – it strips much more complex issues behind bank's deliberate delays in litigation of lawsuits, deliberate reporting of false information to the court, and attempts to evade their obligations, as our lawyer reckon.

Report's executive summary in English is placed [here](#).

As well, this analytical paper, based on numerous legal aid applications received by the USAID-sponsored Crimea-focused legal aid centre of UHHRU starting from 2014, provides legal advice to the victims.

To have a better grasp of the situation, we remind of Program's previous publications to explain the underlying issues, scale of the problem – [one](#), [two](#), [three](#).



СТАТИСТИКА СУДОВИХ РІШЕНЬ

2970

РІШЕНЬ ВИНЕСЕНО УКРАЇНСЬКИМИ СУДАМИ ЗА ПОЗОВАМИ ФІЗИЧНИХ ТА ЮРИДИЧНИХ ОСІБ ПРО ПОВЕРНЕННЯ КОШТІВ З КРИМСЬКИХ РАХУНКІВ, ЗГІДНО ДАНИХ ЄДИНОГО ДЕРЖАВНОГО РЕЄСТРУ СУДОВИХ РІШЕНЬ УКРАЇНИ

2854

РІШЕННЯ В ЦИВІЛЬНИХ СПРАВАХ (ЗА ПОЗОВАМИ ФІЗИЧНИХ ОСІБ, З ЯКИХ



З усіх рішень приблизно 3/4 винесено на користь позивачів, 1/4 на користь відповідача, тобто Приватбанку

116

РІШЕНЬ В ГОСПОДАРСЬКИХ СПРАВАХ (ЗА ПОЗОВАМИ ЮРИДИЧНИХ ОСІБ, З ЯКИХ



Примітка: аналіз даних єдиного державного реєстру судових рішень України може бути не точним через різні алгоритми пошуку, тому фактична кількість судових справ може незначним чином відрізнятися від наведених даних



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Program’s Documentation Center released report touching upon eastern Ukrainian city of Dovzhansk to secure transitional justice’s right to the truth (*links are in Ukrainian*)



UHHRU/Program is pleased to announce the immediate availability of another “Story of city” series’ report on war crimes committed by the Kremlin – based on victims’ testimonies and evidences, this analytical account familiarizes readers with a story of Dovzhansk (former Sverdlovsk) of Luhansk Oblast. The locality is particularly known among documentators for being the first confirmed entry point for Kremlin’s war machines and troops invading Ukraine’s Donbas.

The report also contains lists of the identified deceased during occupation who amount to 22 civilians, 65 Ukraine’s military and 10 members of illegal armed groups. Report’s public presentation was backed by [first-hand remarks](#) from one of eye-witnesses.

Germany’s international broadcaster Deutsche Welle [released its own publication](#) to echo ours, reminding the public about Kremlin’s blatant hybrid war methods in Donbas.

Report of UN Working Group on the Use of Mercenaries as a means of violating human rights and impeding the exercise of the rights of peoples to self-determination

Some people might still have doubts that Russia uses mercenaries in Donbas against Ukraine, but it seems that the said UN Working group [has none](#) (*link in Ukrainian*). We are proud that in-depth thematic reports of the UHHRU/ USAID Program were among the sources that helped provide proof for this – see below.



In Ukrainian: <https://bit.ly/3kQkfyz>
In English: <https://bit.ly/3oLIUYB>

In Ukrainian: <https://bit.ly/3jR4TIs>



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In one sentence. Activities under USAID Program's and its experts' participation aimed at overcoming the consequences of the armed conflict and occupation (*links are in Ukrainian*)

- Ally Regional Center for Human Rights established a new format of expert discussions named "Crimean UpShot", spanning a variety of Crimea-related issues that result from peninsula's occupation – its [first sitting](#) was devoted to forced passportization of Crimeans by Russia.
- To proceed further, Program Chief of Party Taras Tsymbrivskyy [delivered remarks](#) to the Suspilne Krym media outlet to depict Kremlin's forced colonization of Crimea, passportization of its residents even in breach of its own norms and common sense, and the necessity to properly document these and other flagrant human rights abuses.
- A presentation devoted to amnesty-vs-lustration issues and its part in the system of Ukraine's transitional justice [took place](#); among other things, its authors paid respect to all those initiatives who contributed, inspired or informed the transitional justice implementation processes.
- UHHRU Executive Director Oleksandr Pavlichenko delivered remarks on Crimea's militarization by the RF, particularly [summoning children](#) into military-oriented training activities in breach of the international humanitarian law along with propaganda methods.

Прокуратура АРК і правозахисники повідомляють, що надіслали до Гааги дані про мілітаризацію дітей у Криму



Taken from [Crimea. Realities](#)

- Since de-occupation of people is as important as de-occupation of territories, [here is](#) an eye-opening post, informed by real-life human stories, to spread reconciliation ideas among those Ukrainians who are still convinced that Donbas' non-government of Ukraine-controlled areas are completely inhabited by antagonistic individuals.
- To delve deeper into the topic of forgiveness as part of transitional justice stream, our lawmaking expert [shared her thoughts](#) concerning the lustration processes that hopefully should filter out simple collaborators from war criminals and other brutal not-to-be-allowed pardon abusers.
- To highlight efforts made to bring de-occupation of Crimea to a brand new level, i.e. to establish a separate multi-level international negotiation platform on Crimea¹ (in parallel to the Donbas-oriented Trilateral Minsk contact group), here are several releases to confirm that such a platform-to-be has already been endorsed by a number of foreign countries including [the USA](#)

¹ [According](#) to the First Deputy of the Ukrainian Minister of Foreign Affairs Emine Dzhaparova, this platform will work on several levels: the first is the highest political level, which will be joined by foreign heads of states; the second is the level of foreign ministers and defense ministers; the third is the inter-parliamentary level: and the fourth is the level of experts.



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[and Poland](#), [Slovenia and the UK](#), [Turkey](#); it also received [positive feedback](#) from the representatives of the EU and NATO.

- [Reiterating our unbending stance](#), aligned with Ukraine governmental position, that temporarily occupied Crimea and at least 32K Kremlin military agents dislocated there will not enjoy water supply stream from Ukraine's mainland unless unconditional de-occupation takes place (however, we still remain focused on reintegration of the Crimean population and assisting anyone who wishes to strengthen their bonds with the Ukrainian nation ([including via our free of charge legal aid](#))).
- In cooperation with the Foreign Affairs Ministry, the Embassy of the Slovak Republic in Kyiv and other allies, UHHRU [co-hosted](#) two parallel photo-exhibitions "Occupied Crimea by eyes of persecuted photographers, 2016-2020" at the GLOBSEC-2020 Bratislava Forum and the Slovak Republic Parliament (*additional [link 2](#) and [link 3](#) in English*).



Photo credit by Ukrinform News Agency

Other related activities by UHHRU in brief:

- A [public address](#) to voice out another instance of Kremlin's flagrant fabrication of charges and applying unlawful methods to suppress pro-Ukrainian people in Crimea. This time it goes about Oleksandr Sizikov, a physically challenged person, who has been forced into undergoing a punitive medical "treatment" in a mental hospital without sensible reasons, as experts believe.

UHHRU, just like other human rights organizations, strongly condemns Kremlin's actions and calls to release all political prisoners, including the domestic and international actors to intensify pressure on the RF's leadership.



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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.

Events to raise people's awareness on how to protect their rights and further informational activities adhering to Program's objectives (*links are in Ukrainian*)

- Full-time IDP university and vocational school students are entitled to 1,000 UAH monthly payments, [says](#) UHHRU Sumy LAC coordinator.
- To mark the International Day of Older Persons, Sumy LAC [raises awareness](#) about issues faced by senior IDPs and what services are available to this sub-category of conflict-affected people particularly through Program's LACs.
- Dnipro-located lawyers on a continual basis make every effort – whether it means bringing a lawsuit to the domestic court system or the European Court of Human Rights – to help people who survived purgatory of the armed conflict in Donbas, but lost immeasurably much – from loved ones to their only property. This [publication](#) has a couple of stories to tell, pointing out both Government of Ukraine's reluctance to help and Kremlin's war crimes committed.
- As the pandemic has triggered plenty of additional legal choke points for IDPs, our lawyers are here to explain what entitlements remain adamant for the them even under conditions of COVID-19. Particularly, the point of concern within our [recent awareness raising post](#) is pensions and other social payments remaining in place during a quarantine.
- Ukraine's Parliament passed a law that exempts IDPs from paying the tourism tax – see [Kramatorsk LAC's take on this](#).
- Mariupol LAC [explains](#) what should IDPs do if their employment record book is lost.
- Once again addressing the painful subject of [compensation](#) for property destroyed in result of the armed hostilities in the country's east.

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

- *Officials realized their mistake and agreed to grant payments to an IDP child*
Sumy LAC [helped](#) a newborn baby – in fact, an IDP just like her mother even despite the baby was born after displacement – whose law-prescribed monetary assistance was put under question by local authorities. In this case no court involvement was needed as woman's arguments informed by our lawyer's consultations were well convincing.



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- *Dnipro LAC claims victory in an unprecedented pension case vs the Pension Fund of Ukraine*

A physically challenged internally displaced man from Luhansk Oblast, a patriot, is now free to enjoy accumulated backpayments for nearly 6 years he spent in the non-government-controlled area of Ukraine, [court judges](#). The Program lawyers say a game-changer in this case was the fact that for the first time ever the court, guided by principles of the international law, took into account medical documents issued by the occupational authorities which may help courting justice into similar lawsuits to come. ([Sister link](#), in Ukrainian.)



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)², which is being the only informal educational system that has the material basis for its activities – Educational Human Rights House-Chernihiv.

Training course for practicing legal professionals goes ahead



Participants of the training course “Protecting human rights under the situation of the armed conflict in Ukraine” have been studying remotely for over eight months, learning about international humanitarian law as well as the relationship between IHL and international human rights law. At the same time, since all participants are practicing legal professionals – lawyers and judges – it is important to not only expand their theoretical knowledge, but also to develop their practical skills, which will be of help to them in their future efforts. Practical exercises can also involve such high-profile cases as downing of MH17 or capture of Ukrainian

seamen in the Kerch Strait, both of which were discussed during our next [seminar](#) ([link in Ukrainian](#)).

² 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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NB. Yes, we constantly use hand sanitizers, ventilate the premises, monitor the participants' health condition and follow recommendations of public authorities concerning the requirements for in-door activities during the coronavirus pandemic.

Putting bricks into preserving historical truth for future generations concerning the Kremlin-inspired armed conflict (*links are in Ukrainian*)

- The third webinar held to convey ideas to teachers and methodical experts on how to teach war-related sensitive issues at school: On October 16, the [webinar](#) engaged 30 educators which were given a chance to get acquainted with the Program-generated methodical recommendations based on "[Story of a city](#)" thematic reports.
- In Bila Tserkva of Kyiv Oblast, Program [co-hosted](#) jointly with the Justice for Peace in Donbas Coalition a public presentation, mostly for community of a local humanities college, of the Program-backed analytical materials compiled under a shared name "A city where the war started" devoted to Slovyansk of Donetsk Oblast.

Lawyers from regions show interest in the subject of transitional justice

Realizing that everyone will eventually have to work with the concept of transitional justice, lawyers, judges, prosecutors and other legal professionals from regions are interested in getting acquainted with it and discussing its main elements. Of particular interest to them so far is the prospect of a special mechanism being created in Ukraine to prosecute those responsible for crimes committed in the context of the armed conflict. Thus, UHHRU/USAID Program in partnership with other stakeholders organized a number of thematic meetings; select [this link](#) to find out what they were discussing particularly in Odesa (*link is in Ukrainian*).

MAIN EVENTS IN HUMAN RIGHTS AREA

UN Secretary-General published his third report on the situation of human rights in Crimea, Ukraine, temporarily occupied by the RF

The report covers the period of 1 July 2019 to 30 June 2020 and is primarily based on [monitoring and documentation of violations](#) of international humanitarian law and international human rights law in Crimea.



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