

**UKRAINIAN HELSINKI
HUMAN RIGHTS UNION**

Annual Report

2019





UHHRU Annual Report 2019

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Information on UHHRU's achievements in 2019

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Introduction



Oleksandr Pavlichenko,
Executive Director
of Ukrainian Helsinki
Human Rights Union

THE UKRAINIAN HELSINIAN HUMAN RIGHTS UNION differs from many other human rights organizations in that it tackles strategic human rights challenges. These are often delicate enough to require years or even decades to resolve and are virtually impossible to address in a single year or even several. This often involves going to a series of court instances and the European Court of Human Rights as well as other international human rights institutions. The ECtHR could take 5 or even 10 years to reach a decision after the reported systemic violation had been committed, and the changes in a state that should follow such a decision could take even longer to be implemented. It is this tectonic effect brought about through legal efforts - representing people in domestic courts, making submissions to international tribunals, providing legal submissions (amicus curiae) to the Constitutional Court of Ukraine or the European Court of Human Rights, shaping or contributing to bills - this is what UHHRU is all about.

2019 was an eventful and complicated year, given the changes that took place at the highest levels of government, including the change of government and the composition of the supreme legislative body. Any change can mean a suspension or reset of current projects as well as an opportunity to suggest issues and recommendations to new candidates for government positions on how to deal with systemic problems in the field of human rights in Ukraine.

UHHRU has never ventured into with politics and never acts as political player; we judge any power shifts in the country on whether they improve or complicate our ability to protect human rights in Ukraine and whether they cause or help to overcome challenges arising in civil society.

One example of positive changes in the power circles in 2019 was the acceptance of the issue of transitional justice at new levels and platforms - an issue UHHRU has been long working on in the context of our efforts to help address the consequences of the armed conflict caused by the aggression of the Russian Federation.

As relevant as ever is also the issue of implementing the National Strategy in the Field of Human Rights, in the development and subsequent monitoring of which UHHRU has been closely involved and which requires elaboration and adjustment. Fortunately, there exists political will to press on with the implementation of the Strategy's goals, which were defined back in 2015.

UHHRU's strategic vectors in 2019 consisted of the following:

- **assisting** those affected by the armed conflict in Ukraine's east caused by Russia's aggression after its occupation of Crimea in 2014;
- **documenting** crimes committed as a result of Russia's aggression;
- **assisting** vulnerable groups through our PROs located all over Ukraine;
- **defending** activists that have fallen victim to various attacks; providing them with legal protection;
- **work** in places of detention, with a particular focus on monitoring the quality of medical care there;
- **analytical** and legislative work;
- **partnerships** with other NGOs or coalitions.

This report is essentially an overview of the organizations' effectiveness, which is determined first and foremost by those performing this work, and I would like to express my personal gratitude to each of my colleagues in the Ukrainian Helsinki Human Rights Union for their dedication and very substantial results, for without them nothing of note could have been accomplished in the first place, including this publication.

Analytical work



Olena Semyorkina,
UHHRU lawmaking expert



TRANSITIONAL JUSTICE

In 2019 UHHRU continued building a legal framework for the introduction of transitional justice, laying the foundation for the practical implementation of some of its instruments in the activities of public authorities.

Cooperation continued with responsible central executive bodies, which had been initiated in the previous years. Together with the Ministry for Temporarily Occupied Territories and IDPs of Ukraine (as part of working groups), we finalized the following documents:

- draft law of Ukraine «On Amendments to Certain Legislative Acts of Ukraine concerning the Introduction of Administrative Procedure for State Registration of Births and Deaths that Occurred in the Temporarily Occupied Territory of Ukraine»;
- draft law of Ukraine «On Social and Legal Protection of Persons Deprived of Their Liberty as a Result of the Armed Aggression against Ukraine».

In addition, at the Ministry's request, UHHRU experts assisted with formulating the technical and normative framework for the Register of Violations of the Rights and Freedoms of Person and Citizen (International Humanitarian Law and International Human Rights Law) in Connection with the Temporary Occupation of Parts of Ukraine. The groundwork for the Register consists of the knowledge accumulated by the UHHRU Documentation Center.

Together with the Ministry of Justice of Ukraine (as part of a working group), we developed amendments to the Law of Ukraine "On the Legal Status of Missing Persons".

Within the framework of the Coordinating Council for the Development of Legislative Proposals on the Implementation of Transitional Law of the Parliament's Commissioner for Human Rights, we finalized the draft law of Ukraine «On the Principles of State Policy for Human Rights Protection in the context of Overcoming the Consequences of the Armed Conflict» (Ukrainian transitional justice model). The draft law was submitted for further elaboration and promotion to the Working Group for Reintegration of the Temporarily Occupied Territory of the Commission on the Legal Reform of the President of Ukraine.

Cooperation was established on the implementation of human rights standards in the work of the newly elected Parliament, in particular with the Parliament Committee on Human Rights, Deoccupation and Reintegration of Temporarily Occupied Territories in Donetsk, Luhansk Regions and Autonomous Republic of Crimea, National Minorities and Interethnic Relations.

UHHRU's proposals were taken into account in the Committee's Work Plan for 2019 and the third sitting in 2020. As part of the Plan, activities were conducted together with the Committee during which UHHRU-developed documents on the protection of human rights in the context of the armed conflict were presented. Training for MPs and their assistants entitled «The role of Parliament in protecting human rights» was held on October 19-20, 2019 (together with partners from Human Rights for Ukraine of the UNDP in Ukraine, ZMINA Human Rights Center, Educational Human Rights House Chernihiv, NGO «Civil Holding GROUP OF INFLUENCE», and Office for the Parliamentary Reform on Legislative Process and Parliamentary Control). Based on practical examples involving violations of the rights of residents of the temporarily occupied Crimean peninsula featured during the training, proposals were developed on how to address the problems of «non-resident Crimeans».

- ▶ <https://rada.gov.ua/fsview/182849.html>
- ▶ <https://org.zmina.info/event/pravozahysnyj-forum-gromadski-organizacziyi-predstavlyly-u-vr-dorozhnyu-kartu-podolannya-naslidkiv-vijny/>
- ▶ <https://rada.gov.ua/news/Novyny/184871.html>
- ▶ <https://helsinki.org.ua/articles/eksperty-obhovoryly-4-stratehichni-tsili-kontseptsii-perekhidnoho-pravosuddia-v-ukraini/>



- ▶ <https://helsinki.org.ua/articles/eksperty-obhovoryly-4-stratehichni-tsili-kontseptsii-perekhidnoho-pravosuddia-v-ukraini/>

- ▶ <https://civilmplus.org/news/ii-mezhdunarodnyj-forum-po-vostochnoj-ukraine-video/>

- ▶ <https://helsinki.org.ua/articles/uhsp-rozrobyla-dorozhniu-kartu-pravosuddia-perekhidnoho-periodu-dlia-ukrains-koho-suspilstva-v-umovakh-zbrojnoho-konfliktu/...>

Presented during the Human Rights Forum «Overcoming the Consequences of the Conflict: Agenda for the New Parliament» (October 16, 2019) were interim results of the UHHRU working group for resolving issues in regards to pre-trial investigation and trial in criminal proceedings where the case files are inaccessible or have been destroyed in the temporarily occupied territory.

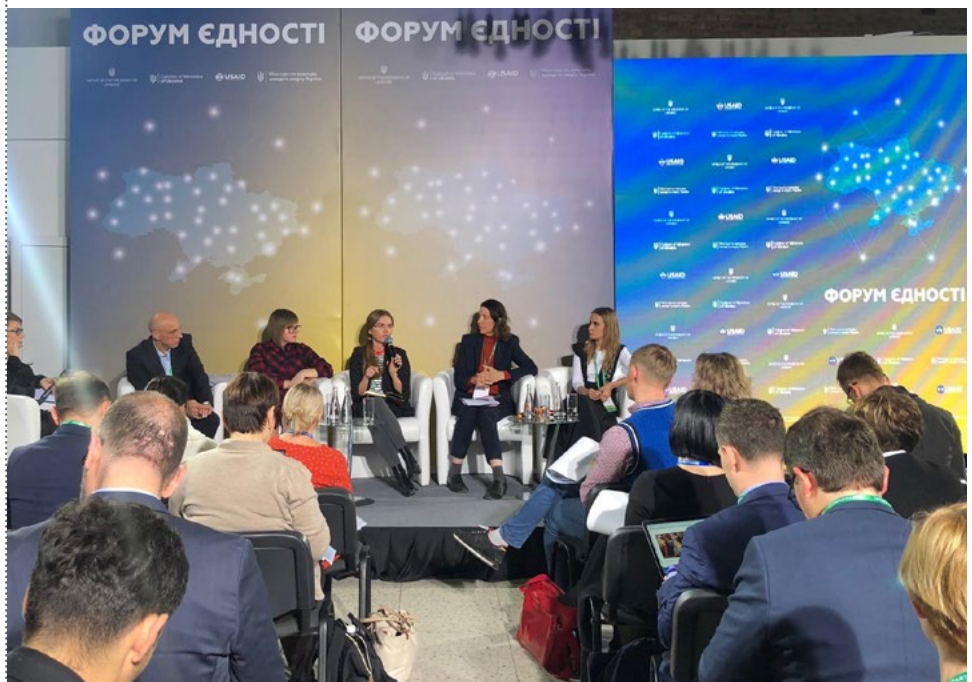
In the course of the expert discussion entitled «Implementing the principles of transitional justice as part of preparing for state policy in the post-conflict period, deoccupation of territories and reintegration of the population» (November 26, 2019), the Transitional Justice Roadmap was presented, as well as proposals on how the government should go around implementing all the components of transitional justice, and an overview of dialogue initiatives that would promote understanding in society and help improve the task of communicating Ukraine's state policy to the public.

Efforts continued involving international advocacy for the protection of human rights in the context of the armed conflict. As part of the CivilMplus platform of civil society organizations (CivilM+), UHHRU experts participated in the expert seminar entitled «Restoring justice and dialogue in OSCE conflict regions - two angles of transitional justice» (June 25-26, 2019, The Hague) <https://civilmplus.org/news/usiliya-grazhdanskogo-obshhestva-dlya-osvobodzeniya-uderzhivaemyh/> as well as the Second International Donbas Forum «Reintegration in East Ukraine - improving the humanitarian situation and expanding ties between people living on different sides of the contact line»

The Transitional Justice Roadmap is a milestone for UHHRU's many years of work on implementing transitional justice standards.

► <https://www.facebook.com/Ugsp/posts/2525124664202141>

The Roadmap was presented during the Human Rights Forum “Overcoming the Consequences of the Conflict: Agenda for the New Parliament” (October 16, 2019) and the expert discussion “Implementing the principles of transitional justice as part of preparing for state policy in the post-conflict period, deoccupation of territories and reintegration of the population» (November 26, 2019).



► <https://helsinki.org.ua/appeals/pytannia-ta-chervoni-linii-dlia-prezydenta-ukrainy-volodymyra-zelens-koho/>

UHHRU continued monitoring whether the issue of human rights in the context of the conflict was being taken into consideration in various documents and political statements in domestic and foreign policy.

Thus, in regards to the October 1, 2019 statement of the President of Ukraine Volodymyr Zelensky on the discussions and agreements reached during the meeting of the Trilateral Contact Group in Minsk on October 1, 2019, UHHRU published its comment, entitled «Issues and Red Lines for President of Ukraine Volodymyr Zelensky”.

As part of implementing a DRA project, expert workshops «Transitional justice: approaches to its implementation, roadmap, info strategy and partner network», «Expanding the role of civil society in the negotiation process in Donbas: reducing risks and improving communication channels with the public» were conducted within the framework of the Second International Forum on East Ukraine «Reintegration in Donbas - Improving the Humanitarian Situation and Restoring Interpersonal Contacts in the Conflict Zone» (November 13-14, 2019, CivilM+, Kyiv)..

► <https://civilmplus.org/uk/announcements/2-j-mizhnarodnij-forum/>



Policy Papers entitled “International Experience and National Mechanisms for Providing Compensation to Victims of the Conflict in Ukraine” were developed and published within the framework of the CivilM+ platform.

The principles of transitional justice were presented during seminars:

- for 94 chiefs of territorial police departments in Donetsk and Luhansk oblasts;
- for students of the Military Institute of the Taras Shevchenko National University of Kyiv.
- for students participating in the National Competition of Legal Clinics of Ukraine on Client Counseling.

► <https://www.facebook.com/photo.php?fbid=2531983460420994&set=a.1386702134949138&type=3&theater>

► https://helsinki.org.ua/articles/bezpechna-reintehratsiia-pro-shcho-ydet-sia-mova/?fbclid=IwAR38oH6R5favkUsZwwH4z5Ybzu1ozMGn-TwzUw5GaAlbhQBkZ1f_zl74Uo



An analysis was conducted in cooperation with the National Platform «Dialogue for Peace and Safe Reintegration» regarding the prospects of implementing amnesty and vetting mechanisms, and cooperation was conceived between experts in the field of transitional justice, peacebuilding and mediation.

► <https://www.facebook.com/photo.php?fbid=2526933300926010&set=a.1386702134949138&type=3&theater;>

► <https://www.facebook.com/photo.php?fbid=2703518599879160&set=pcb.2703518649879155&type=3&theater>



Olena Semyorkina,
UHHRU lawmaking expert

ANALYSIS OF LEGISLATION AND LAWMAKING ACTIVITIES

UHHRU developed a Methodology for Examining the Legislation and Draft Laws of Ukraine in Terms of Compliance with International Humanitarian Law and the Principles of Transitional Justice in the Context of Ensuring the Rights of Persons Affected by Armed Aggression.



On the basis of the Methodology, an examination of relevant legislation was conducted (civil legislation - in the context of providing compensation to those affected), and recommendations were developed on finalizing the Methodology as well as improving legislation and administrative practice.

The Methodology and results of the examination conducted on its basis were presented during the expert discussion on ensuring the rights of conflict-affected persons through ensuring the quality of legislation (September 30, 2019), as well as during the presentation of the examination's results (December 19, 2019).



► <https://helsinki.org.ua/articles/uhspl-rozroblyla-metodolohiiu-udoshkonalennia-zakonodavstva-shcho-stosuiet-sia-osib-iaki-postrazhdaly-vnaslidok-zbrojnoi-ahresii/>

► <https://helsinki.org.ua/articles/pravozakhysnyky-prodovzhuut-protydiu-dyskryminatsiynym-zakonom/>

An important aspect of UHHRU's work involved developing legislative amendments to address issues in pre-trial investigation, trial and execution of sentences in relation to suspects/accused whose case files are unavailable (located in the occupied territory) - these efforts are ongoing.



On **September 27, 2019**, together with representatives of the Supreme Court, law enforcement and other state bodies, as well as lawyers and NGOs, UHHRU took part in the roundtable «Consideration of cases in court where the case files are located in the NGCA and the occupied Crimea», during which the draft law «On Amendments to the Criminal Procedure Code of Ukraine on the Particulars of Pre-trial Investigation and Judicial Proceedings in Cases Where the Case File is Unavailable or Has Been Destroyed in the Temporarily Occupied Territory» was presented.

In addition, comments were provided regarding the following bills:

- 2019 «On Amendments to the Law of Ukraine 'On Free Legal Aid' (for Ensuring the Rights of Persons Unlawfully Deprived of Their Liberty to Free Secondary Legal Aid)»;
- draft Law of Ukraine No. 1009 of August 29, 2019 «On Amendments to Certain Legislative Acts of Ukraine for Improving Certain Provisions of Criminal Procedure Legislation», submitted by the President of Ukraine.

► <https://helsinki.org.ua/articles/pravnyky-pratsiuut-nad-vyrishenniam-pytannia-rozghliadu-sudamy-sprav-materialy-iakyykh-perebuvauiut-na-nepidkontrol-nykh-terytoriakh-ta-v-okupovanomu-krymu/>

Experts of UHHRU's Strategic Litigation Center performed legal analysis of a number of Ukrainian legal documents:

- 1 [Draft law](#) on bringing criminal legislation in line with international law in cases related to the armed conflict and occupation.
- 3 [Draft law](#) No. 3343 «On Amendments to the Law of Ukraine 'On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine' « in regards to the mechanism for restoring lost case files.
- 4 [Draft laws](#) on collaborationism in regards to its compliance with international legal standards.
- 5 [Resolution](#) of the Cabinet of Ministers of Ukraine (CMU) No. 788 of August 21, 2019 on social benefits for IDPs.

This year saw the continuation of efforts aimed at protecting people living with HIV/AIDS and the LGBTI community as part of the project «Development of a legal network to protect the rights of people living with HIV/AIDS, representatives of key communities of PLHIV and people with tuberculosis».

Thus, together with the National MSM Consortium #MSM_PRO, the following proposals were developed:

- supporting the provision of assistance to people from high-risk groups for HIV infection, TB and viral hepatitis, as well as people living with HIV, TB and viral hepatitis (amendments were developed to the Law of Ukraine «On Lease of State and Municipal Property» and the CMU Resolution "On Amendments to the Methodology for Calculating Rent for State Property and Proportions of Its Distribution");
- draft law «On Civil Partnership» was developed and presented during the XII National LGBTI Conference attended by foreign guests, under the slogan «Path to Equality: Changing the Country Together» (September 11-13, 2019), as well as during the meeting of experts on October 23, 2019.

Work also continued as part of the Working Group for Preparing Proposals on Revision of Tables of Small, Large and Particularly Large Amounts of Narcotics in Illegal Circulation, approved by Order of the Ministry of Healthcare of Ukraine No. 188 of August 1, 2000.

► <https://www.unn.com.ua/uk/announce/1238058-xii-natsionalna-lgbti-konferentsiya-z-mizhnarodnoyu-uchastyu-pid-gaslom-shlyakh-do-rivnosti-zminyuyemo-krayinu-razom-11-13-veresnya>

The reason why we have stepped up our efforts to promote amendments to the Ministry's Order No. 188 is due to the **danger of a disproportionate rise in criminal prosecution of drug addicts** arising from the entry into force on January 1, 2020 of amendments to part 1, Article 309 of the Criminal Code of Ukraine introduced by the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine concerning the Simplification of Pre-trial Investigation of Certain Categories of Criminal Offenses".



UHHRU Executive Director Oleksandr Pavlichenko:

“At this meeting we conducted a general audit of the state of criminalization of drugs in connection with the revision of their amounts. We believe that anti-drugs law enforcement should concentrate their efforts on drug traffickers rather than addicts who, in our opinion, simply require medical help.”

Cooperation continued with the community of women living with HIV to promote anti-discrimination initiatives in the field of reproductive healthcare:

On October 16, 2019 UHHRU participated in the Fifth National Women's Forum on HIV and AIDS attended by foreign guests, holding a presentation there on the work of UHHRU PROs and our advocacy efforts aimed at promoting the rights of HIV+ women;

UHHRU Workshop took place on December 10, 2019 as part of the IV National Human Rights nonConference.

► <https://helsinki.org.ua/articles/uhspl-prodovzhuie-robotu-z-reformuvannia-zakonodavstva-v-sferi-zakhystu-prav-vrazlyvykh-hrup/>

► <https://helsinki.org.ua/articles/uhspl-zvituie-na-p-iatomu-natsional-nomu-zhinochomu-forumi-z-vil-ta-snid/>

► <https://helsinki.org.ua/events/iv-natsional-na-pravozakhysna-nekonferentsiia-yak-dekryminalizuvaty-seks-pratsiu-vzhyvannia-medychnoi-konopli-vil-status/>



Kseniya Semyorkina
monitoring coordinator of
the implementation of the
National Strategy in the
Field of Human Rights

IMPLEMENTATION OF THE PROVISIONS OF THE NATIONAL STRATEGY IN THE FIELD OF HUMAN RIGHTS RELATED TO THE ARMED CONFLICT

PROTECTION OF THE RIGHTS OF INTERNALLY DISPLACED PERSONS

- On April 20, 2016 the Ministry for Temporarily Occupied Territories and IDPs was established
- On November 15, 2017 the Strategy for the Integration of IDPs and Implementation of Long-Term Solutions regarding Internal Displacement by 2020 was adopted; on November 21, 2018, the Action Plan for its implementation was adopted.

IT IS NECESSARY

FOR THE UKRAINIAN PARLIAMENT:

! To adopt a law that would establish a mechanism for ensuring IDPs voting rights, in particular during in local elections.

✓ This could be draft law No. 6240 "On Amendments to Certain Laws of Ukraine (regarding the Voting Rights of IDPs and Other Mobile Citizens within the Country)"

FOR THE CABINET OF MINISTERS OF UKRAINE:

! To develop a procedure for providing compensation for damaged property with mandatory indication of: the mechanism for granting such compensation and funding sources for it, the mechanism for attracting donors and investors.

! To develop methodological recommendations for conducting examination of draft regulations concerning the rights of IDPs, to ensure their compliance with the UN Guiding Principles on Internal Displacement.



USAID Monitoring of the implementation of the National Strategy in the Field of Human Rights is carried out as part of the United States Agency for International Development (USAID) program Human Rights in Action, which is implemented by the Ukrainian Helsinki Human Rights Union. Find out more about USAID in Ukraine on their official website ukraine.usaid.gov as well as facebook.com/USAIDUKRAINE.

► <https://helsinki.org.ua/articles/za-3-roky-natsionalnu-stratehiyu-u-sferi-prav-lyudyny-v-chastyni-zbrojnoho-konfliktu-vykonano-menshe-niz-na-tretnyu/>

MONITORING THE IMPLEMENTATION OF THE NATIONAL STRATEGY IN THE FIELD OF HUMAN RIGHTS

In 2019 UHHRU experts continued monitoring the Strategy's implementation and advocating for adjustments to its Action Plan. However, due to a change of government, the draft amendments were returned to the Ministry of Justice in accordance with procedure. In 2020 UHHRU intends to coordinate preparation of new strategic documents in the field of human rights.

Since 2016 UHHRU, together with other NGOs, has been monitoring the implementation of the Strategy and its Action Plan. The results of our periodic analysis have been disappointing. Thus, as of July 2019, the implementation of the Strategy and its Action Plan, in regards to provisions related to the armed conflict, was only 27% complete. In general, the Action Plan is a mere one third complete. According to the estimates of the Ministry of Justice, less than half of the Action Plan's objectives have been accomplished. Human rights activists, UHHRU among them, have repeatedly stressed that the government's efforts on addressing systemic human rights violations related to the armed conflict are insufficient.

ВИКОНАННЯ НАЦІОНАЛЬНОЇ СТРАТЕГІЇ У СФЕРІ ПРАВ ЛЮДИНИ В ЧАСТИНІ ЗБРОЙНОГО КОНФЛІКТУ



ЗАХИСТ ПРАВ ВНУТРІШНЬО ПЕРЕМІЩЕНИХ ОСІБ



● 20.04.2016 засновано МІНІСТЕРСТВО З ПИТАНЬ ТИМЧАСОВО ОКУПОВАНИХ ТЕРИТОРІЙ (ТОТ) ТА ВНУТРІШНЬО ПЕРЕМІЩЕНИХ ОСІБ (ВПО)

● 15.11.2017 схвалено Стратегію інтеграції ВПО та впровадження довгострокових рішень щодо внутрішнього переміщення на період до 2020 року та 21.11.2018 затверджено План заходів на її реалізацію.

НЕОБХІДНО

ВЕРХОВНІЙ РАДІ УКРАЇНИ:



! ПРИЙНЯТИ законопроект щодо механізму забезпечення виборчих прав ВПО, зокрема щодо реалізації виборчого права на місцевих виборах виборчого права на місцевих виборах

✓ ЦЕ МОЖЕ БУТИ законопроект №6240 «Про внесення змін до деяких законів України (щодо виборчих прав ВПО та інших мобільних всередині країни громадян)»

КАБІНЕТУ МІНІСТРІВ УКРАЇНИ:



! РОЗРОБИТИ порядок компенсації вартості пошкодженого майна з обов'язковим зазначенням: механізму нарахування компенсації та джерел її виплати, механізму залучення донорів та інвесторів

! РОЗРОБИТИ методичні рекомендації щодо проведення експертизи проектів нормативно-правових актів, що стосуються прав ВПО, на відповідність Керівним принципам ООН з питань переміщення всередині країни



USAID
ВІД АМЕРИКАНСЬКОГО НАРОДУ

Моніторинг виконання Національної стратегії в сфері прав людини здійснюється в рамках Програми Агентства США з міжнародного розвитку (USAID) «Права людини в дії», яка впроваджується Українською Гельсінкською спілкою з прав людини. Детальнішу інформацію про USAID в Україні можна отримати на офіційному веб-сайті ukraine.usaid.gov та сторінці facebook.com/USAIDUKRAINE.



УКРАЇНЬКА ГЕЛЬСІНЬСЬКА СПІЛКА З ПРАВ ЛЮДИНИ

UHHRU continues working with Parliament on monitoring the Strategy's implementation. The newly elected members of the Parliament Committee on Human Rights, Deoccupation and Reintegration of Temporarily Occupied Territories in Donetsk, Luhansk Regions and Autonomous Republic of Crimea, National Minorities and Interethnic Relations have designated proper implementation of the Strategy as one of their priorities.

On November 27, 2019 the Committee had a sitting entitled «Progress of the implementation of the National Strategy in the Field of Human Rights». The sitting featured updates from representatives of central executive bodies responsible for the implementation of the Strategy's Action Plan's provisions that are within the Committee's purview as well as reports from NGOs about their monitoring of the implementation of the Strategy and its Action Plan.

► <http://hro.org.ua/index.php?id=1575376888>

► http://kompravlud.rada.gov.ua/news/main_news/74127.html

► https://org.zmina.info/event/pravozahysnyky-provely-trening-dlya-narodnyh-deputativ-i-yihnih-pomichnykiv/?fbclid=IwAR2PrHL44ZN2bV1A2rMI9tAnFnxliN_HGQEVcA3RnzkrGldqwBqDgfgmwig4

UHHRU took part in thematic events as part of the Human Rights Week in Parliament.

Together with the Educational Human Rights House Chernihiv, ZMINA Human Rights Center and Group of Influence, and with the support of the UNDP in Ukraine, on October 19-20 UHHRU conducted training for Ukrainian MPs and their assistants entitled «The role of Parliament in human rights protection».



UHHRU continues monitoring the implementation by Ukraine of its commitments under international human rights agreements.

In 2019 UHHRU provided coordination and expert support to the UNDP network of civil society hubs and the Legal Development Network for the preparation of a shadow report to the UN Human Rights Committee. On January 23, 2019 this report on Ukraine's implementation of the provisions of the International Covenant on Civil and Political Rights was discussed with public authorities.

► <http://hro.org.ua/index.php?id=1548274748>



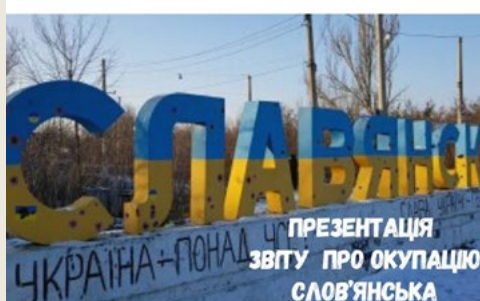
Oleksiy Bida,
coordinator of the UHHRU
Documentation Center

► <https://helsinki.org.ua/publications/misto-z-yakoho-pochalasya-vijna-na-holovnu-rol-pryznachen-zvit-tsentru-dokumentuvannya-pro-okupatsiyu-slov-yanska/>

► <https://helsinki.org.ua/articles/zhyttya-pislya-obstriliv-uhsp-zadokumentuvana-vypadky-porushen-prav-u-berdyanskomu-sopinomu-lebedynskomu-hranitnomu/>

► <https://helsinki.org.ua/articles/37366/>

► <https://helsinki.org.ua/articles/7-podannya-do-mizhnarodnoho-kryminalnoho-sudu-uhsp-peredala-cherhovi-dokazy-vchynennya-rf-vojennyh-zlochyniv-na-shodi-ukrajiny/>



► <https://helsinki.org.ua/articles/prohrama-usaid-prava-liudyiny-v-diji-yaka-vprovadzhuetsya-uhsp-prezentuvata-tur-istoriya-odnoho-mista-dlya-pidlitktiv-donechchyny/>

► <https://helsinki.org.ua/events/do-6-richnytsi-zvil-nennia-slov-ians-ka-pravozakhysnyky-prezentuiut-seriiu-zvitiv-pro-porushennia-prav-liudyiny-pid-chas-okupatsii-mista/>

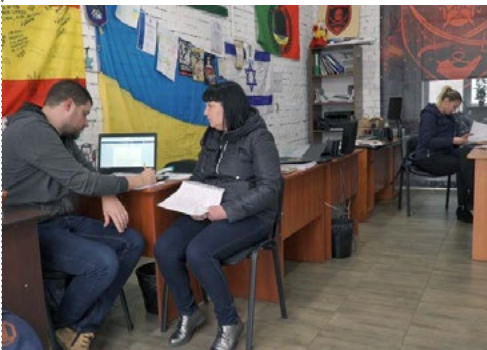
UHHRU DOCUMENTATION CENTER

The Center conducts field and pilot research, producing its own analytical materials or developing them in collaboration with other organizations.

The Center continues chronicling the events of the hybrid armed conflict in Ukraine with a story about the liberation of the city of Sloviansk. This is one of the two-part publication «The City Where the War Began», which was prepared together with member organizations of the Coalition «Justice for Peace in Donbas». It provides a general overview of the activities of Russia-controlled illegal armed forces and of their commander I. Girkin in particular during the capture and occupation of Sloviansk in 2014.



In 2019 we conducted 10 monitoring trips to interview witnesses and victims of the conflict in eastern Ukraine.



With the clients' consent, all information was verified and entered in standardized form into the Center's database, which by the end of the year contained 54,636 units of data (facts/persons/evidence) related to human rights violations and war crimes. The Center continues using the OpenEvSys database, which was methodologically developed and tailored to document human rights violations during the conflict. Also, a digital audit was conducted to ensure protection of data from cybercriminals.

► <https://helsinki.org.ua/articles/4-roky-z-chasu-vybukhiv-na-skladakh-boieprypasiv-v-svatovomu-postrazhdali-dosi-bez-kompensatsii-zhyvut-u-zruynovanykh-oseliakh/>

► <https://helsinki.org.ua/articles/pravozahysnyky-napravlyly-do-evropejskoho-sudu-z-prav-lyudyny-dokazy-prychetnosti-rosiji-do-okupatsiji-slov-yanska/>

► <https://helsinki.org.ua/articles/pro-zbroynny-konflikt-dlia-ditey-hromads-ki-orhanizatsii-rozroblyly-osvitni-kursy-u-navchal-nykh-zakladakh/>

Collected information is sent to UHHRU's Strategic Litigation Center, which uses it as evidence in court proceedings at the national and international level. This information is also an important element of advocacy campaigns and thematic and shadow reports, as well as a subject for discussion with public authorities and partner NGOs.

Based on the information from analytical reports «Story of a City», the UHHRU Education Department developed methodological recommendations entitled "Story of a city. How to teach certain subjects related to Russia's armed aggression in eastern Ukraine».

In the course of the year, a study entitled "Impact of the Armed Conflict in East Ukraine on Commercial Sex Workers" was conducted in conjunction with relevant organizations.

Experts of the Documentation Center together with the Prosecutor General's Office of Ukraine prepared a submission to the Office of the Prosecutor of the International Criminal Court. The submission contains information regarding extrajudicial executions of members of the Armed Forces of Ukraine by representatives of the pro-Russian militant group «Cossack Union 'Domain of the Army of Don'» during the battles for Ilovaisk in 2014 and for Debaltseve in 2015.

► <https://helsinki.org.ua/articles/pozasudovi-straty-ta-nasyl-nyts-ki-znyknennia-polonenykh-viys-kovosluzhbovtziv-do-mks-peredaly-informatsiyme-povidomlennia-shchodovchynennia-rf-voiennykh-zlochyniv-pid-chas-boiv-za-ilovays-k-ta-deba/>

► <https://helsinki.org.ua/articles/tsentr-dokumentuvannia-uhspl-pryyniav-uchast-u-stvorenni-filmu-v-bytyi-v-poloni-rozsliduvannia-hromads-koho-video/>

► <https://helsinki.org.ua/articles/tsentr-dokumentuvannia-uhspl-pryyniav-uchast-u-stvorenni-filmu-znykli-v-poloni-rozsliduvannia-hromads-koho-video/>

► <https://memorialmap.org/>



UHHRU Documentation Center experts assisted Hromadske TV in creating documentaries based on the information gathered.

The Center maintains and updates UHHRU's interactive web resource Memorial Map, which contains, in visual form, a database of 12,355 identified persons killed in the course of the armed conflict.

Litigation



Mykhailo Tarakhkalo,
head of the UHHRU Strategic
Litigation Center



The MAIN AREA of WORK for UHHRU's Strategic Litigation Center in 2019 involved supporting over 300 strategic cases at the national, European and international levels. Over 200 of those concerned the conflict in eastern Ukraine. The Center continued analytical and monitoring work, while also developing legislative initiatives and working with the Constitutional Court of Ukraine.

CRIMEA

Over the course of the year, work continued on representing those affected by political persecution in Crimea. The Center's lawyers lodged new complaints with the European Court of Human Rights, actively corresponding with it on the subject of 15 cases.

One of the most important cases concerned the persecution of [Edem Bekirov](#).



On December 12, 2018 Russian security forces detained Ukrainian citizen and Crimean Tatar Edem Bekirov on the administrative border with the occupied Crimean peninsula. The activist was going to Crimea to visit his mother and other loved ones. On December 13 a Russian court issued an order to take Bekirov into custody on suspicion of transporting more than 10 kilograms of TNT and 190 rounds of ammunition, ignoring the fact that the man has a first group disability due to a number of serious health problems and requires constant medical supervision, which cannot be provided

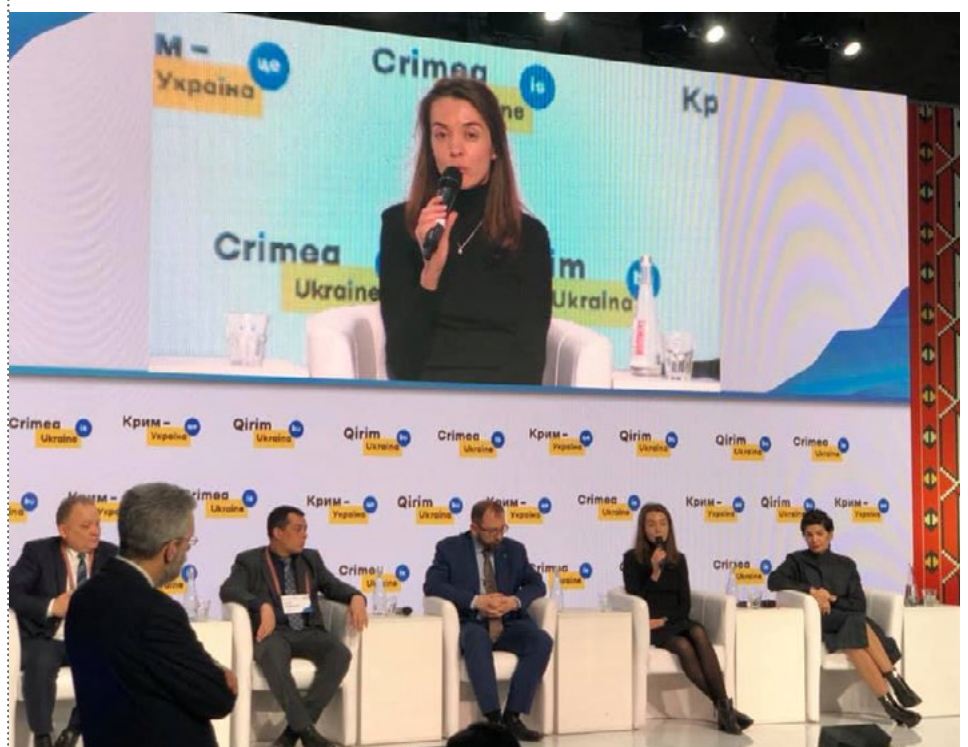
► <https://ua.krymr.com/a/bekirov-interviu/30160733.html>

in a pre-trial detention facility. Fortunately, Edem Bekirov [was able to return](#) to mainland Ukraine as part of the September 7, 2019 prisoner exchange. Meanwhile the ECtHR has been examining his complaints about Russia's unlawful actions against him.

In 2019 UHHRU issued numerous statements regarding Crimean issues, in particular regarding the political persecution of Nariman Memedeminov, the massive crackdown on civil society activists and others in the occupied Crimea, the threat to the life and health of Edem Bekirov, the persecution of lawyers and human rights defenders in the occupied Crimea and many other unacceptable actions perpetrated by the occupying power.

On February 21, 2019 a new submission was sent to the ICC regarding the use of civilians by the Russian military during the capture of various targets on the Crimean peninsula in 2014. The submission was prepared by UHHRU and Regional Center for Human Rights together with the Prosecutor's Office of the Autonomous Republic of Crimea.

UHHRU took part in the [V International Forum «Occupied Crimea: 5 Years of Resistance»](#). The forum consisted of 3 panels and was meant to show the world that the so-called referendum that had taken place 5 years ago was a crime perpetrated by Russia against Ukraine, a military occupation. The participants discussed at a high level national and international instruments for returning Crimea, as well as once again drew attention to human rights violations on the occupied peninsula.



► <https://helsinki.org.ua/articles/5-rokiv-oporu-v-krymu-tsyfry-i-fakty/>

UHHRU took part in the preparation of two major analytical reports on the occupation of the Crimean peninsula:

- ✓ [Peninsula of Fear: Five Years of Imprisonment in Crimea](#), which contains general facts and shows the timeline of Crimea's capture by the Russian military and security services.
- ✓ Also, the end of the year saw the release of the fifth issue of the analytical review «Crimea Beyond Rules» entitled [«Occupational Justice. Part 1»](#).

In 2019 we also published a [study prepared together](#) with the Media Initiative for Human Rights regarding the abduction of Reshat Ametov - the first victim of Crimea's occupation - as well as his activism, which became Radio Liberty's exclusive.

UHHRU continues establishing and strengthening ties with other NGOs and government agencies to coordinate our stance on Crimea. Thus, as of March 2019, the checkpoints on the border with the occupied Crimea now have [contact information of all organizations](#) that can be of help in case of rights violations. Also, on October 2, 2019 Presidential Representative in the ARC Anton Korynevych and UHHRU executive director Oleksandr Pavlichenko signed a [Memorandum of Cooperation](#).

Continuing its efforts to maintain a unified stance on Crimea, UHHRU developed and signed the [Crimean Agenda](#) for the President of Ukraine.

UKRAINE'S EAST

As part of the project on the provision of assistance to civilians affected by the Anti-Terrorist Operation in East Ukraine in 2019, legal assistance was provided in the following areas:

- provision of compensation for destroyed property through domestic courts. Supporting 22 cases in domestic courts. Six cases are currently awaiting consideration by the Supreme Court of Ukraine.
- expropriation of property by the Ukrainian military (5 cases in domestic courts). This issue has been covered multiple times by the [media](#) in 2019.
- supporting 6 cases in domestic law enforcement bodies and the ECtHR regarding injuries suffered by civilians in East Ukraine.

- getting compensation of pecuniary and non-pecuniary damages sustained as a result of destruction of property, injury or death of a civilian victim as a result of the explosion of ammunition depots in [Svatove](#) through domestic courts.
- obtaining the status of a person with a disability developed as a result of war for affected civilians (12 cases);
- supporting 2 cases on appealing refusals to acknowledge an injury (damage to health) caused by explosives, ammunition and other weaponry in the ATO zone, on the grounds that injuries were received in the NGCA in January 2015.
- appeal against a refusal to pay financial assistance to a prisoner by the Commission for Consideration of Issues related to the Provision of Assistance to Persons Deprived of Personal Liberty by Illegal Armed Forces, Occupying Administration and/or Authorities of the Russian Federation in the Temporarily Occupied Territory of Ukraine and/or Russian Federation due to the Civil or Political Activities of Such Persons, as well as for Support of Such Persons and Their Families.
- payment of pensions to IDPs. Supporting 6 cases on terminated pensions and 1 case on recalculation of pension, with three cases having resulted in the resumption of payments. An application was lodged with the ECtHR in a case on violation by Ukraine of Article 14 of the Convention and Article 1 of Protocol I to the Convention on behalf of an IDP woman. In April 2017 her pension account was frozen in accordance with CMU Resolution No. 637 of November 5, 2014, which prevented her from getting her pension from April 2017 to October 2019.
- supporting 2 cases concerning the termination of insurance payments by the Social Insurance Fund, both of which were a success and ended in the Fund resuming payments as well as paying accrued debts.
- supporting 4 cases in domestic law enforcement agencies and courts as well as the ECtHR concerning the torture of civilians by representatives of illegal armed forces of the «DPR» and «LPR».

In 2019, SLC sent their legal submissions to the ECtHR in response to the objections submitted by the governments of Ukraine and Russia in twenty cases involving human rights violations committed during the armed conflict in Ukraine. These cases concerned various stages of the conflict between May 2014 and January 2015, in particular the events that took place during the capture of Sloviansk and Donetsk, the Ilovaisk battle of August 2014, the parade of captives of August 24, 2014 in Donetsk, the capture of the Donetsk airport, the Stepanivka tragedy (death of Ukrainian soldiers that

were sent to rescue the pilot of the SU-25), and the military operation in Debaltseve. The most serious violations included:

- ✔ torture and inhuman treatment of civilians and combatants;
- ✔ violation of the right to life;
- ✔ unlawful detention for protracted periods of time;
- ✔ forced labor;
- ✔ ineffective investigation at the national level.

In addition, SLC lawyers lodged 7 new complaints with the ECtHR alleging violations of the rights of civilians who had been unlawfully detained, tortured and prosecuted by bodies controlled by illegal armed forces.

Issues with obtaining the status of a person with a disability developed as a result of war were discussed in the media

[Why authorities do not use correct wording when granting civilians the status of a person with a disability sustained as a result of hostilities](#)

as well as briefing sessions on ensuring the rights of civilians that developed health problems as a result of the armed conflict

[Rehabilitation of conflict victims: opinions of residents of frontline settlements](#)

► <https://helsinki.org.ua/articles/reabilitatsiya-zhertv-konfliktu-dumky-zhyteliv-pryfrontovyyh-naselenykh-punktiv/?fbclid=IwAR1dAyMvNBmCbFaBVlaDive4uf8HBvteVovSaAvHfoAQ7aTBtb-Bjx4fwc>



[UHHRU's commentary regarding the Resolution of the Grand Chamber of the Supreme Court of September 4, 2019 on Compensation for Property Damage](https://helsinki.org.ua/articles/komentar-uhsp- postanovy-velykoi-palaty-verkhovnoho-sudu-vid-04-09-2019-roku-pro-vidshkoduвання-maynovoi-shkody/?fbclid=IwAR34eB9BUeP556K1DbKCaB3WTQbXD1-VGXSGchffZ7fz9gCjWS7b1Zhd8Y)

► <https://helsinki.org.ua/articles/komentar-uhsp- postanovy-velykoi-palaty-verkhovnoho-sudu-vid-04-09-2019-roku-pro-vidshkoduвання-maynovoi-shkody/?fbclid=IwAR34eB9BUeP556K1DbKCaB3WTQbXD1-VGXSGchffZ7fz9gCjWS7b1Zhd8Y>



WORK WITH THE CONSTITUTIONAL COURT OF UKRAINE

In 2019 SLC lawyers provided four legal submissions (amicus curiae) to the Constitutional Court of Ukraine regarding certain aspects of human rights protection in Ukraine:

- 1 On January 11, 2019 UHHRU sent a [legal submission](#) to the Constitutional Court regarding the issue of compliance of the early release mechanism with the provisions of the Constitution of Ukraine.
- 2 UHHRU's legal submission regarding the constitutionality of certain provisions of the Law of Ukraine "On Cinematography" and the provisions of Article 6 of the Law of Ukraine "On Television and Radio Broadcasting". This submission concerns the restricting of the rights of persons that have been put on the list of persons that pose a threat to national security, specifically the prohibition of screening films with their participation.
- 3 Legal submission of the UHHRU and the Labor Initiatives NGO regarding the compliance with the Constitution of Ukraine of part 3, Article 40 of the Labor Code of Ukraine. This submission concerns the issue of preventing the dismissal of an employee by the employer or their authorized body during the employee's temporary incapacity to work, as well as during the employee's vacation.
- 4 On July 25, 2019 UHHRU sent a [legal submission](#) to the Constitutional Court regarding the protection of the right to freedom of religion. This concerned amendments introduced to the Law of Ukraine «On Freedom of Conscience and Religious Organizations», which made it necessary for the Ukrainian Orthodox Church (Moscow Patriarchate) to indicate in its name its affiliation with Russia.



In 2019 the Constitutional Court ruled on two cases in which UHHRU had expressed its position on declaring certain provisions of Ukrainian law as unconstitutional and violating human rights:

- 1 On June 6, 2019 the Constitutional Court [ruled](#) that electronic declaration of income by anti-corruption civic activists was contrary to the Constitution of Ukraine. SLC lawyers had submitted UHHRU's legal position in this case.
- 2 On June 25, 2019 the Constitutional Court [ruled](#) on a constitutional complaint submitted by SLC lawyers on the repeal of part 5, Article 176 of the Criminal Procedure Code of Ukraine regarding the lack of mitigations for restraining measures in certain categories of cases.

PROTECTION OF THE RIGHTS OF PEOPLE LIVING WITH HIV/AIDS, REPRESENTATIVES OF KEY COMMUNITIES OF PLHIV AND PEOPLE WITH TUBERCULOSIS.

In 2019, 41 cases were supported under the project "Development of a legal network to protect the rights of people living with HIV/AIDS, representatives of key communities of PLHIV and people with tuberculosis", 10 of those in the ECtHR. In 2019, 15 cases were initiated at the national level; 7 strategic cases were initiated in the ECtHR in 2019. 6 cases initiated in 2018 have been a success.

In 2019, 2 applications and a response to the government's comments were submitted. The applicants are serving sentences in penal colonies and suffer from a number of serious illnesses, proper treatment of which requires for them to be released. Also, a positive outcome was reached in the ECtHR in the case of [Logvinenko](#), a lifer serving his sentence in a penal colony. Mr. Logvinenko has HIV and TB, and in 2011 the ECtHR already stated that Ukraine failed to provide him with proper treatment. Due to his existing conditions, he developed hepatitis C as well, treatment for which is virtually impossible to get in Ukrainian prisons. What calls for particular attention in this case is the poor conditions of detention in the colony: the cells are tiny, humid and cold; the walks outside are insufficient, as well as personal hygiene measures; the lighting and nutrition are poor. The ECtHR noted the lack of effective remedies, as neither the domestic courts nor the prosecutor's office were able to resolve this situation.



[Petukhov](#)
v.
[Ukraine N°2](#)

SUCCESSFUL CASES IN THE EUROPEAN COURT OF HUMAN RIGHTS

The ECtHR ruled in the case of Volodymyr Petukhov, a Ukrainian sentenced to life imprisonment, strongly condemning the practice of life sentences as there is no “realistic prospect” for release from this sentence in Ukraine. The Court also found that the President’s pardon, which does exist in Ukraine, gives no hope to lifers anyway since this procedure is hard to understand and does not meet international standards.



[Melnyk](#)
v.
[Ukraine](#)

On November 21, 2019 the ECtHR ruled in Melnyk v. Ukraine (application no. 28412/10), finding a number of violations against the applicant, namely: the use of force by police officers for getting a confession; lack of effective investigation following the applicant’s complaints of torture at the hands of police officers; poor conditions of detention in the three penal colonies where the applicant was held; lack of remedies that could help alleviate said conditions of detention; violation of the right to a fair trial.



[Gorbatyuk](#)
v.
[Ukraine](#)

In Gorbatyuk v. Ukraine, the ECtHR found that incapacitated persons in Ukraine were unable to get access to court until 2017, declaring this a violation Article 6 of the Convention - the right of access to court. The applicant had been unable to regain her civil capacity due to legal barriers preventing incapacitated persons from turning to court.



[Mazur](#)
v.
[Ukraine](#)

The ECtHR found that the applicant had been tortured by police officers with the aim of forcing testimony and using this evidence to prosecute. The Court found that the Government of Ukraine failed to provide any explanation for the fact that the applicant had sustained injuries while being held at the police station. Moreover, the prosecutor’s office failed to take appropriate investigative steps to look into the applicant’s version of events in regards to the origin of his injuries. Thus, the Court found that the applicant’s right guaranteed by Article 3 of the Convention (Prohibition of torture) had been violated.



[Gnatenko](#)
v.
[Ukraine](#)

The ECtHR declared unlawful the applicant’s protracted detention and unfounded - the decisions of the domestic court to extend the applicant’s detention (Article 5 of the Convention - right to liberty and security). The Court noted that the domestic court cited the gravity of the crime, the risk of evading investigation or interfering with the investigation as grounds for said decisions. All decisions on keeping the applicant in detention contained general and repeated phrases. Thus, the ECtHR concluded that the domestic court did not base its decisions on specific facts, failed to consider alternative measures and was extending the applicant’s detention on the grounds that were insufficient to justify the detention’s duration.



[Yakushchenko](#)
[v.](#)
[Ukraine](#)

The applicant's case concerned a fraudulent sale of his apartment in Odesa. The applicant appealed against the sale in court to repossess the apartment but was unsuccessful. The ECtHR found that the decisions of the domestic courts were unfounded and that they ignored important arguments raised by the applicant concerning a violation of his rights (Article 6 of the Convention). The ECtHR also found that the applicant lacked effective remedies to fight the fraudulent sale of his apartment (Article 13 of the Convention).



[Kostyukov](#)
[v.](#)
[Ukraine](#)

The ECtHR found a violation of the applicant's right to a fair trial, as his trial was being examined in courts of three instances for over nine years. The Court also found that the applicant lacked effective remedies to uphold his right to a reasonable duration of his trial at the national level.



[Chernega and Others](#)
[v.](#)
[Ukraine](#)

The ECtHR reached a final decision in this case. The applicants were detained by municipal guards (hired muscle) on May 28, 2010 in Gorky Park during a protest against tree felling. The domestic court applied the most severe punishment for the applicants - administrative detention. The ECtHR found a violation of Article 6 § 1 of the Convention due to the failure to ensure the applicants' presence during the appellate proceedings, as well as a violation of Article 11 of the Convention on account of their unjustified arrest and punishment.



[Logvinenko](#)
[v.](#)
[Ukraine](#)

A positive outcome was reached in the ECtHR in the case of Logvinenko, a lifer serving his sentence in a penal colony. Mr. Logvinenko has HIV and TB, and in 2011 the ECtHR already stated that Ukraine failed to provide him with proper treatment. Due to his existing conditions, he developed hepatitis C as well, treatment for which is virtually impossible to get in Ukrainian prisons. What calls for particular attention in this case is the poor conditions of detention in the colony: the cells are tiny, humid and cold; the walks outside are insufficient, as well as personal hygiene measures; the lighting and nutrition are poor. The ECtHR noted the lack of effective remedies, as neither the domestic courts nor the prosecutor's office were able to resolve this situation.



[Kobileva](#)
[v.](#)
[Ukraine](#)

The ECtHR ruled in the applicant's favor in the Kobileva case. In 2008 Ms. Kobileva divorced her husband and in 2009 went to court to divide their shared property, in particular their apartment. Since the domestic court mistakenly used the 2002 Family Code instead of the 1969 Marriage and Family Code which was in force at the time of the purchase of the apartment, the ECtHR found a violation of the right to a fair trial.

INTERNATIONAL CRIMINAL JUSTICE

The Ukrainian Helsinki Human Rights Union, together with partners from International Partnership for Human Rights, Global Diligence LLP and Truth Hounds, sent its [seventh submission](#) to the Office of the ICC Prosecutor. This submission contains numerous pieces of evidence of war crimes and crimes against humanity committed against the civilian population in eastern Ukraine in the context of the armed conflict, including mass killings, extrajudicial executions and torture. These are mostly testimonies of witnesses and victims documented by representatives of human rights organizations. Evidence also includes videos, reports, documents, public statements and other materials gathered from public sources and thoroughly analyzed by our lawyers.

► <https://helsinki.org.ua/articles/7-podannya-do-mizhnarodnoho-kryminalnoho-sudu-uhsp-peredala-cherhovi-dokazy-vchynennya-rf-vojennyh-zlochyniv-na-shodi-ukrajiny/>



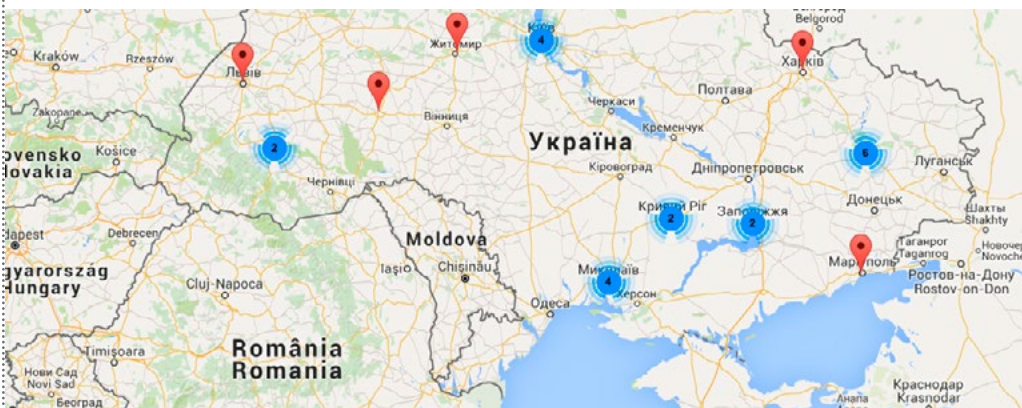
On June 13, 2019 a meeting was held between civil society representatives and representatives of the Office of the ICC Prosecutor to discuss topical issues of the preliminary investigation of the armed conflict in Ukraine. UHHRU representatives provided the Prosecutor's Office with information on the state of investigation of war crimes and crimes against humanity at the national level and announced future communications to the ICC.



Network of public reception offices

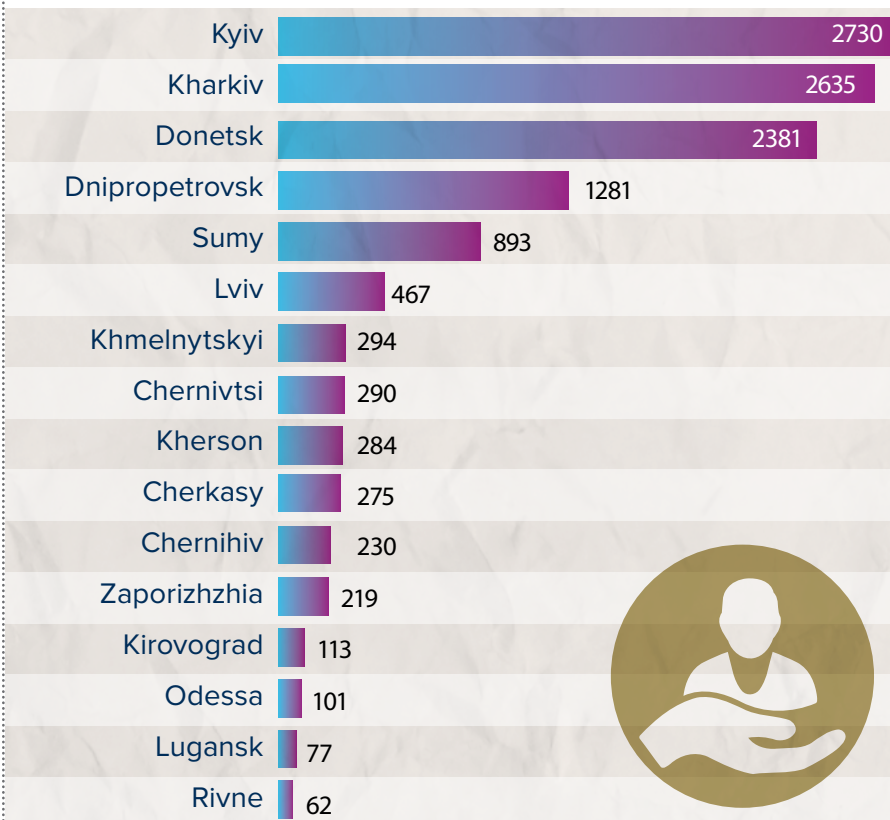


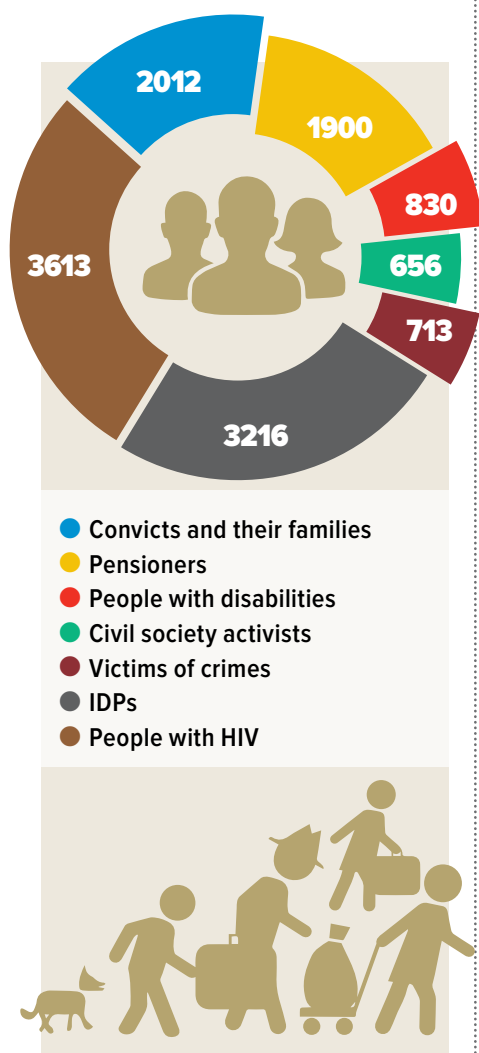
Maksym Shcherbatyuk,
head of the UHHRU public
reception network



UHHRU’s public reception network unites 20 offices all over Ukraine. Their main purpose is the provision of free legal aid in case of human rights violations. In 2019 the network was implementing projects of the United States Agency for International Development (USAID) under the Human Rights in Action program; of the charity organization All-Ukrainian Network of People Living with HIV/AIDS under the project Development of a Legal Aid Network for People Living with HIV/AIDS, People Vulnerable to HIV and People with Tuberculosis; and of the Norwegian Refugee Council (NRC) and the Human Rights Fund of the Embassy of the Kingdom of the Netherlands under the project Ensuring Legal Protection of Human Rights Defenders and Activists in Ukraine.

In 2019 UHHRU’s PRO network helped **12,332** people.





In 2019, 3,216 IDPs turned to our PROs for legal assistance.

This figure represents the stories of real people who were forced out of their homes by the hostilities. Six years ago a war broke out in Ukraine and millions of people had no choice but to leave their homes. Many lost their loved ones, jobs, property, social ties, and their hardships did not end there, as even now, in their new homes, they are still facing problems with getting or resuming social benefits, labor disputes, registration of births and deaths that occurred in the NGCA, and collection of loans and other debts.

The most frequent issues among IDPs that contacted us in 2019 concerned **pension legislation and problems related to the payment of social benefits and compensation**. This issue, which was already raised in the model case of the Supreme Court of Ukraine regarding the payment of pensions to IDPs, still has not been addressed at the legislative level, which forces IDPs to seek remedies through Ukraine's justice system. In order to respond to the large number of such appeals, in early 2019 PRO lawyers developed an algorithm detailing the steps required to resume payments, which is now actively used to assist IDPs.¹

A serious problem remains with non-enforcement of numerous court decisions, including those on the resumption of payments to IDPs and conflict victims, which calls into question the ability of Ukraine's judicial system to ensure the rights of IDPs.²

The need to resolve this issue has been brought up at various levels of government, including Parliament³, yet it remains as critical as ever, with the state budget for 2019 providing for a mere UAH 50 million for «paying pensions arrears following a court decision», which is not nearly enough.

The issue of compensation for destroyed property and other property issues that can be resolved through the use of tools provided by the Civil and Civil Procedure Codes make up a significant part of appeals to our PROs in 2019.

In 2019 there was a large number of appeals from Crimeans, many related to the registration of legal facts (mostly births and deaths), to resuming pensions or recovering bank deposits, in particular from PrivatBank, as well as to temporary restrictions on the right to leave Ukraine.

¹ <https://helsinki.org.ua/articles/yurysty-uhspl-rozroblyly-rekomendatsiji-schodo-ponovlennya-pensijnyh-vyplat-vpo-ta-meshkantsyam-nepidkontrolnyh-ukrajini-terytorij/>

² As a reminder: on May 3, 2018, the Supreme Court ruled in the model case No. 805/402/18 on appeal against a termination of an IDP's pension and resumption of payments. The claim was satisfied in full, with the Court ordering resumption of payments. On September 4, 2018, the Grand Chamber of the Supreme Court rejected the appeal of the Pension Fund of Ukraine and upheld the above decision

³ <https://portal.rada.gov.ua/news/Novyny/176956.html>

► <https://www.facebook.com/1736763313242313/posts/2435198113398826?sfns=mo>

EXAMPLES OF CASES IN WHICH LAWYERS OF THE UHHRU PRO NETWORK WERE ABLE TO HELP OUR CLIENTS:

Lawyers from the Pokrovsk PRO helped an IDP from occupied Donetsk, an orphan, to resume pension payments.



► <https://www.facebook.com/Ugspl/photos/a.180853561962608/2493081617406446/?type=3&theater>

Lawyers from the Mariupol PRO provided legal advice to an IDP and helped her with her inheritance-related case. By the way, the issue of «occupied» inheritance is quite relevant among IDPs right now.

► <http://sich-pravo.org/yakshho-vy-inozemets-ta-vpo-yak-vidstoyaty-porusheni-prava/?fbclid=IwAR1A8dRERx81tTRZeanZrimshEufzBMiaLFWBOXo9oZww72X69UZEpwAybQ>

It is also a frequent occurrence when IDPs are citizens of other countries and it results in even greater difficulties and injustices in public services for them - the Dnipro PRO has much to say about such incidents.

► http://sich-pravo.org/kolyshnya-polonena-v-sudah-boretsya-za-povernennya-zarplatni-zachas-polonu/?fbclid=IwAR0lrgAaB5cS8uxs3LK6QcQLxe0DV2knR3gfnk9zVWbirEcz2LxaJ6_QsDI

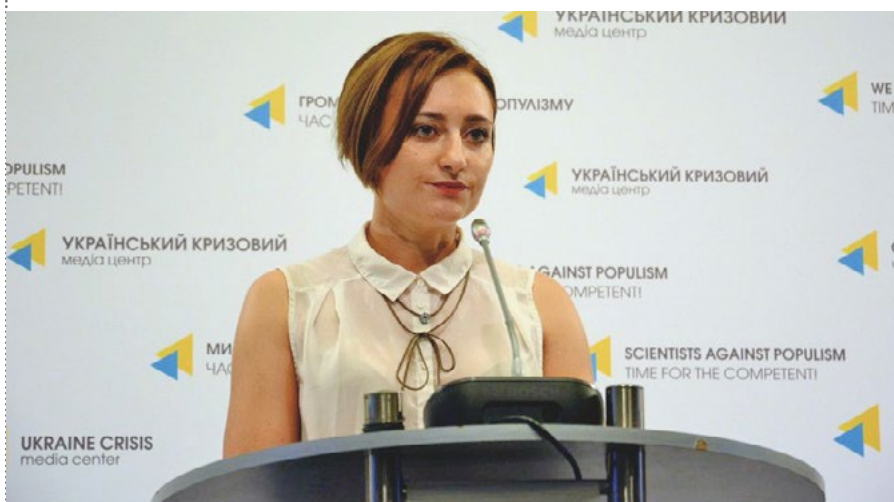
Human rights activists from the Dnipro PRO are helping a former captive in court to get her wages that she had been unable to collect in captivity.

► <https://helsinki.org.ua/artides/sanktsiynny-spysok-i-prykra-pomylka-pensionerka-dovela-shcho-ne-dopomahala-provodyty-vybory-v-t-z-dnr/>

Human rights activists from the Toretsk PRO helped a local woman uphold her rights that had been violated as a result of an unconstitutional decree by the President of Ukraine.

► <https://helsinki.org.ua/articles/uhspl-vyhrala-cherhovu-sudovu-spravu-shchodo-zakhystu-prav-lzhv/>

On October 22, 2019 Yuliya Lisova, lawyer of the UHHRU PRO in Odesa, **won another lawsuit, upholding the right of an HIV-positive man and a father to be involved in the life of his child.**



UHHRU Odesa PRO lawyer **Yuliya Lisova**: "In my professional activities as a lawyer for UHHRU's PRO in Odesa, being part of a project aimed at providing free legal aid to people living with HIV, I often encounter violations of the rights of this group. Few cases make it to court, however, which, in my opinion, can be explained by two factors. 1) some cases get resolved out of court 2) this group often has negative experience dealing with public authorities, discouraging them from defending their rights in court. Still, in my experience, I haven't encountered any bias in courts in my cases."

On June 27, 2019 UHHRU lawyers won another case in the ECtHR - Nikitenko v. Ukraine.

► <https://helsinki.org.ua/articles/ukrajina-platyty-platyt-i-bude-platyty-abo-chomu-vyhrana-v-espl-sprava-nikitenko-vs-ukraine-ne-bude-ostannoju/>

UHHRU Kyiv PRO lawyer Victoriya Petruk: "Our main claim before the court was that the applicant's health had strongly deteriorated during his detention, yet the court ignored these complaints and didn't bother to justify why the deterioration wasn't enough grounds for changing the restraining measure."



► <https://helsinki.org.ua/articles/zhintsi-vpo-dopomohly-vidnovyty-vyplatu-pereselenskyh-hroshej/>

► <https://helsinki.org.ua/articles/pereselentsyu-povemuly-zamorozheni-pensijni-vyplaty/>

UHHRU lawyers in Sumy helped an IDP woman in court to have her IDP benefits resumed.

In Dnipro, IDPs from Donetsk won a lawsuit against the Pension Fund with the help of human rights defenders. The case was supported by lawyer Maryna Kiptila from UHHRU's Dnipro PRO.



UHHRU lawyers in Dnipro won a case, succeeding in having the refusal of the National Police to pay a one-time monetary benefit declared unlawful. «The Main Territorial Department of the National Police in Dnipropetrovsk Oblast groundlessly denied the applicant (a former police officer) a lump-sum payment in connection with disability developed as a result of an illness that stemmed from his service in the police. See details.

► <https://helsinki.org.ua/articles/uhspl-vyhrala-spravu-schodo-vyznannya-nezakonnymy-vidmovy-natsionalnoji-politsiji-u-vyplati-odnorazovoji-hroshovoji-dopomohy/>



UHHRU Dnipro PRO lawyer
Maryna Kiptila.

AWARENESS-RAISING EVENTS - AN IMPORTANT ASPECT OF THE WORK OF THE UHHU PRO NETWORK

In addition to legal aid, PROs regularly organize activities aimed at imparting important knowledge about human rights to the public. Seminars, press conferences, briefings for the media - the formats differ but the goal remains the same: to convey information to multiple audiences.

In 2019, 382 such events of various formats were held, including seminars, roundtables, briefings, street actions and public examinations of regulatory documents. On their web pages, UHHRU PROs post clarifications of new legislation and guides on how to protect one's rights. Each post is viewed by up to 100 people on average, with the most topical articles reaching over 10,000 views.

Awareness-raising event «Ensuring the rights of civilians who developed health issues as a result of the conflict» was held on March 19, 2019 in Sumy. Among the participants were representatives of social protection services, doctors, employees of the center of social services for families, children and youth and the regional center of social and psychological assistance, as well as civil society activists and representatives of the FLA system. The event was also attended by IDPs with health issues or those with relatives that have such issues.

► https://www.facebook.com/events/376500826279754/?active_tab=about

On March 13, 2019, at the civic space «Without Restrictions», Bogdan Moysa from UHHRU's analytical department and Bogdan Myronenko, information coordinator of the Pokrovsk PRO, conducted an awareness-raising event entitled «Rehabilitation of conflict victims».

► <https://www.facebook.com/ugsp1POKROVSK/posts/2276687959249843>



UHHRU Kramatorsk PRO Maryna Kuprikova conducted an awareness-raising event for law students at the Donbas Institute of Engineering and Management of the Y. Bugay International Scientific and Technical University. The subject was "Protection of human rights amidst the conflict. Basics for future lawyers." In addition, the Legal Alphabet of an Internally Displaced Person was presented.



► <https://www.facebook.com/118571815342338/posts/673913999808114/>

The majority of those who applied to the UHHRU PRO network for help in 2019 (3,613) were **people living with HIV/AIDS, representatives of key PLHIV communities and people with tuberculosis.**

In 2019 our lawyers provided 3,055 legal consultations to people living with **HIV/AIDS.**

165 cases of legal support ended in victory, with people successfully upholding their rights in government agencies as well as in courts.

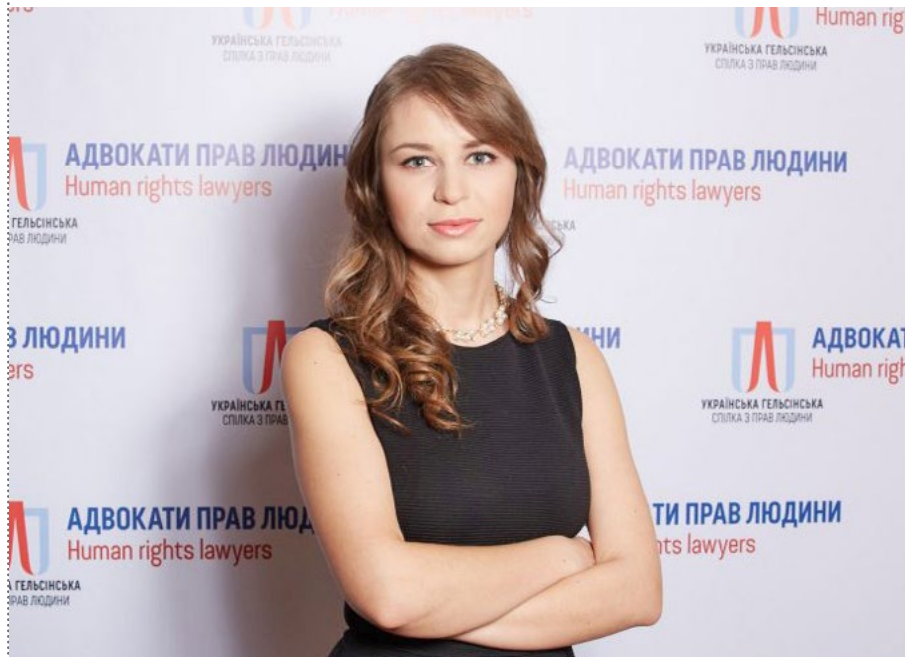
For the first time a court acquitted a Ukrainian citizen for growing cannabis for alleviating his pain condition. The fight for justice in the «Rumyantsev case» had eventually turned into a war of attrition against the man, who lives in a remote village located 60 kilometers away from the court and has difficulties speaking and moving without assistance (1st group disability). The accused was represented in court by UHHRU SLC lawyer **Oleksandr Prutyán.** [Ukrainian Helsinki Human Rights Union.](https://helsinki.org.ua/articles/sud-vpershe-vypravdav-ukraintsia-za-vyroshchuvannia-kanabisu-zadlia-likuvannia-bol-ovoho-syndromu/)



► <https://helsinki.org.ua/articles/sud-vpershe-vypravdav-ukraintsia-za-vyroshchuvannia-kanabisu-zadlia-likuvannia-bol-ovoho-syndromu/>

On February 22, 2019 UHHRU won a lawsuit and reunited a mother with her child. The case would have been a simple one if not for the fact that the child was born in a place of detention, after which both the mother and child developed tuberculosis. The **case was handled in court** by UHHRU SLC lawyer Olena Protsenko.

► <https://helsinki.org.ua/articles/advokaty-uhspl-zahystyly-prava-hvoryh-na-tuberkuloz-u-skladnomu-sudovomu-kejsi/>



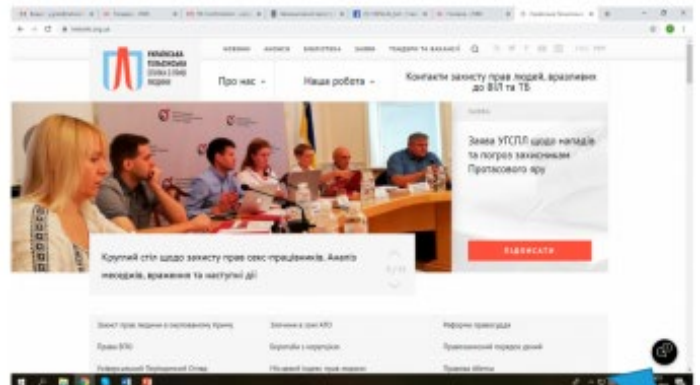
At the end of 2019 UHHRU together with the 100% Life NGO unveiled a special chatbot to help us respond quicker to inquiries from people living with HIV/AIDS, those vulnerable to HIV and people with TB. The chatbot can be found on the websites of the UHHRU and 100% Life as well as on Facebook, Instagram and Viber.

Юр.бот 100 % ЖИТТЯ

Працює на сайтах

БО «100 ВІДСОТКІВ ЖИТТЯ»

УГСПЛ



COOPERATION WITH OTHER UHHRU DEPARTMENTS



► <https://helsinki.org.ua/articles/yurysty-uhspl-perevirlyy-pervomays-ku-vypravnu-koloniiu-117>

► <https://helsinki.org.ua/articles/uhspl-prodovzhuje-perevirku-kolonij-yaki-rezultaty-na-lypen-2019/>

► <https://helsinki.org.ua/articles/monitorynhovij-vizyt-uhspl-do-derzhavnoji-ustanovy-boryspilska-vypravna-koloniya-119/>

► <https://helsinki.org.ua/articles/uhspl-prodovzhuje-perevirku-kolonij-yaki-rezultaty-na-lypen-2019/>

MONITORING VISITS BY PRO NETWORK LAWYERS

In 2019 UHHRU conducted 10 monitoring visits to places of detention to inspect conditions of detention there, the quality of medical case and provision of legal aid to the inmates.

The relevant reports are available on UHHRU's website.

Special projects



Oleg Martynenko,
UHHRU project head and expert

► <https://helsinki.org.ua/blogs/?blog-topic=dopomoha-romam>

► <https://helsinki.org.ua/artides/stykhiyni-romski-poselennia-chym-mozhe-dopomohy-vlada/>

PROJECT «PROMOTING SOCIALIZATION OF THE ROMA POPULATION AND PROTECTING THEIR RIGHTS» (INTERNATIONAL RENAISSANCE FOUNDATION)

The project was implemented by a working group comprising representatives of the UHHRU and partner NGOs, as well as the Office of the Parliamentary Commissioner for Human Rights, Kyiv City State Administration, Ministry of Culture of Ukraine and National Police of Ukraine.

In the course of the project, a number of important materials were developed:

- ✓ «Algorithm of actions for executive authorities and local self-government bodies on prevention of conflicts on ethnic grounds as well as harmonization of public safety considerations and the interests of the Roma community when discovering encampments of representatives of the Roma national minority». The algorithm was submitted to the Interdepartmental Working Group for the Implementation of the Roma Strategy 2020, to be adopted as a regulatory document.
- ✓ Project «Concepts of socialization of the Roma population and prevention of violations of Roma rights».
- ✓ Booklet «**Legal education course** for Roma children in encampments».
- ✓ Booklet for Roma communities on communicating with public authorities and the police.

Training for representatives of the police and local self-government bodies revealed a separate issue in regards to regulatory uncertainty in the provision of public utilities to residents of encampments. Almost every aspect here is in need of improvement: legislative regulation of the rights and responsibilities of citizens in the use of recreational areas, elaboration of the status of nature zones, land and municipal territory; adjustment of local self-government budgets to account for encampments; procedure for procuring and concluding contracts on the transfer of municipal property to temporary balance (chemical closets, electric generators, garbage containers, water tanks, etc).

The project succeeded in convincing government officials to communicate and work with encampments, such as initiating budget and city programs together with various local government bodies, building up the capacity of responsible services in accordance with their duties, preventing human rights violations and conducting awareness-raising events.

As part of the project, UHHRU lawyers provided legal support in four cases involving representatives of the Roma community as victims of human rights violations.



«Combating radicalism and populism, protecting the rights of the LGBTQI community, organizations and initiatives specializing in protecting LGBTQI rights and combating discrimination, through educational and advocacy activities.»

Керівник проекту М. Петров

In 2019, with the support of the United States Embassy in Ukraine, the project “Combating radicalism and populism, protecting the rights of the LGBTQI community, organizations and initiatives specializing in protecting LGBTQI rights and combating discrimination, through educational and advocacy activities” was implemented.

It consisted of 3 training seminars for police officers (patrol officers and detectives), 2 trainings and 1 webinar for representatives of human rights organizations and initiatives specializing in protecting LGBTQI rights and combating discrimination. The activities attracted about 100 participants from every region of Ukraine.

The project also produced [recommendations](#) for law enforcement on how to deal with attacks on LGBTQI activists during public events and as with SOGI-based crimes, as well as a [methodology](#) for monitoring the observance of LGBTQI rights by the police. The work on these documents involved meetings and consultations with representatives of the [Ministry of Internal Affairs](#) and the National Police.

An important part of the project involved a [pilot test](#) of the instrument for monitoring police performance in regards to ensuring the rights and freedoms of the LGBTQI community in Zaporizhia, Kyiv, Kryvyi Rih and Kharkiv.

With the support of the Freedom House Ukraine office, policy brief “**Goals for 2019-2020 on the protection of certain rights of the LGBTQI community and access to justice**” was developed and [presented](#) during the reporting period, containing a brief description of existing mechanisms for ensuring legal protection of the LGBTQI community in Ukraine as well as issues arising when trying to make use of these mechanisms.

In addition, the first training session was [conducted](#) for lawyers and advocates as part of a training module on the **protection of the rights of LGBTQI people and activists**.

In the context of promoting LGBTQI rights, a [statement](#) was issued by human rights organizations against the decision of the Chernivtsi City Council to ban LGBT events in the city, and an [article](#) was published on security at the largest LGBT events in Ukraine and communication between activists and police.

«PROTECTION AND EXPANSION OF CIVIL SOCIETY IN UKRAINE»

In 2019, with the assistance of Freedom House Ukraine, the project «Protection and expansion of civil society in Ukraine» was implemented, which, among other things, provided legal protection for civil society activists (5 cases).

Analytical work included an analysis of incidents involving violations of the rights of civil society activists in Ukraine and development of recommendations for civil society, international organizations and public authorities on how to reduce the number of such incidents. The document's presentation is scheduled for January 15 and 27, 2020.

The project's advocacy component involved a [panel discussion](#), an [interview](#) of **UHHRU SLC lawyer Vitaliya Lebid**, UHHRU's [statement](#) in connection with the death of Cherkasy activist Vadym Komarov, as well as a [meeting](#) with representatives of the National Police on how to make the protection of civil society activists more effective.

In addition, as part of its efforts to protect activists, UHHRU issued statements in regards to [attacks on activists and others in the occupied Crimea](#), the [report](#) of the Parliament's Temporary Investigative Commission for Investigating Attacks on Kateryna Gandziuk and Other Activists, [police inaction](#) in the investigation of the attack on Ukrinform, and [attacks and threats](#) toward the defenders of the Protasiv Ravine.

As part of the human rights nonConference, the [workshop](#) «**What to expect in the field of protection of the rights of civil society activists in 2020?**» was held, and an [analysis](#) of decisions in cases on the events of 2010 was published, when Ukrainian authorities used so-called "titushky" (hired muscle) to disperse activists for the first time in the country's history.

UHHRU's educational activities



Valentyna Potapova,
UHHRU education expert

TRAINING COURSE FOR TRAINERS ON APPLICATION OF INTERNATIONAL HUMANITARIAN LAW IN NATIONAL JUDICIAL PRACTICE.

The course was aimed at preparing trainers for conducting professional advancement courses for judges and lawyers on the application of human rights standards and norms of international humanitarian law in national judicial practice in the context of the armed conflict in Ukraine.

In 2019 comprehensive training was conducted for 19 trainers (judges and lawyers), which involved:

- ✓ online training (test run of the newly developed distance course «Protection of human rights in the context of the armed conflict in Ukraine. Fundamentals of international humanitarian law»);
- ✓ two moot courts involving issues and features encountered in cases related to the consequences of the armed conflict in Ukraine;
- ✓ 4-day training for trainers on the application of IHL in national judicial practice and the basics of teaching adults.

After undergoing the course, 9 trainers from among the participants conducted 4 regional trainings for judges (2 in Kyiv and 2 in Odesa) on the subject «Application of human rights standards and norms of international humanitarian law in national judicial practice in the context of the armed conflict in Ukraine».

Afterwards, the final workshop was held to exchange experiences and share project results.



► <https://helsinki.org.ua/articles/suddi-ta-advokaty-razom-z-ekspertamy-obhovoryly-potrebu-v-otrymanni-iaakisnoi-osvity-v-sferi-mizhnarodnoho-humanitarnoho-prava/>

Experts and trainers joined their efforts to produce a manual on conducting one-day trainings entitled «Application of international humanitarian law in national judicial practice».

► <https://helsinki.org.ua/artides/startuie-vidbir-advokativ-ta-suddiv-na-navchal-nyy-kurs-zakhyst-prav-liudyny-v-umovakh-zbroynoho-konfliktu-v-ukraini/>

TRAINING COURSE FOR LAWYERS AND JUDGES «PROTECTION OF HUMAN RIGHTS IN THE CONTEXT OF THE ARMED CONFLICT IN UKRAINE»

In 2019 training course «**Protection of human rights in the context of the armed conflict**» started accepting applicants.

The course aims to increase the professional capacity of judges and lawyers in the application of international humanitarian law in national jurisprudence, specifically in regards to the classification of the armed conflict and the relationship between international humanitarian law and human rights when examining cases related to the occupation of the ARC and Sevastopol.

The course will take place in 2020 and will consist of 3 remotely taught modules:

- Module 1.** Introduction to the international human rights protection system
- Module 2.** International humanitarian law
- Module 3.** Relationship between international humanitarian law and international human rights law.

In 2019 UHHRU's educational activities were in the following areas:

INVOLVEMENT IN THE FORMATION OF STATE POLICY ON HUMAN RIGHTS EDUCATION.

In 2019 UHHRU continued work on shaping state policy in the field of human rights education. UHHRU experts (Valentyna Potapova, Sergiy Burov) were involved in the development of the [Strategy for the Development of Civic Education 2022](#). The working group consisted of representatives of the Ministry of Education and Science of Ukraine and other central executive bodies, as well as researchers, representatives of NGOs and experts of international civic education programs.

The Strategy and the Action Plan for its implementation are in line with the Concept of Civic Education Development in Ukraine, which is based on the need to create favorable conditions for the formation and development of civic competencies at every level and component of education, which will help citizens better understand and exercise their rights in a democracy, be responsible about their rights and duties, be actively involved in socio-political processes, as well as strive to foster, protect and develop democracy.

The efforts on the development of civic competencies also included participation in the working group of the Ministry of Education and Science of Ukraine to prepare methodological recommendations on the values and goals in today's schools.

Also, at the initiative of the Educational Human Rights House Chernihiv and in cooperation with other organizations and government agencies, the second part (higher education and education for adults) of the draft National Human Rights Education Program in Ukraine was prepared. The working group of the Ministry of Education and Science continues working on implementing the program in Ukraine.

An important part of these efforts involved participation in a working group of the Ministry of Justice to discuss the concept of legal education, as part of working on the draft Presidential Decree «On Adopting the National Strategy for Raising Awareness of the Population of Ukraine».

Methodological model «University - Human Rights Space» for higher education institutions was developed and successfully tested in 5 universities that have integrated human rights education into their development strategies.

As part of its efforts to improve education for lawyers, UHHRU experts joined the Ministry of Education and Science and NGOs in the organization of educational activities aimed at supporting the reform of law education. UHHRU has already done some work in this regard - the training course «Human rights standards in the practice of lawyers and judges», which is implemented with the support of the USAID Human Rights in Action program (<https://hrs-course.helsinki.org.ua/>). It is a unique educational tool aimed at enhancing the professional capacity of judges and lawyers to promote observance and protection of human rights and freedoms in Ukraine, as well as implementation of international human rights standards in the national legal system.

ACTIVITIES OF THE EDUCATION DEPARTMENT IN REGARDS TO THE CHALLENGES OF THE HUMANITARIAN CRISIS AND THE ARMED CONFLICT IN UKRAINE.

An important part of UHHRU's work was in the field of education, in response to the challenges presented by the humanitarian crisis and the armed conflict in Ukraine.

Education as a social institute is the foundation of society. It is a way to pass on current knowledge and shared culture and plays an important role in shaping productive and politically mindful citizens as well as promoting social unity. In light of the ongoing conflict, the development of the education system could be synchronized with the efforts aimed at peace-building and conflict prevention by teaching the younger generations the values, views and skills necessary for peace and tolerance.

- <https://helsinki.org.ua/events/19-rekomendatsij-rosiji-schodo-dotrymannya-hromadyanskyh-ta-politychnyh-prav-na-terytoriji-okupovanoho-krymu/>
- <https://helsinki.org.ua/articles/kryms-kyy-poryadok-denny-dlia-prezydenta-ukrainy-volodymyra-zelens-koho/>

- <https://helsinki.org.ua/articles/pro-zbroynny-konflikt-dlia-ditey-hromads-ki-orhanizatsii-rozrobyly-osvitni-kursy-u-navchal-nykh-zakladakh/>

⁴ <https://goo.gl/zjCr2D> March 6 interview on the subject «Education under occupation» (what the state has done to protect educational rights of residents of the occupied Crimea, what new challenges have arisen after 5 years. Why it is necessary to move from responding to isolated challenges to working out a uniform concept for ensuring the right to education. The unresolved issue of education certification for residents of the occupied territories is already pushing young people away from their homeland)

⁵ <https://helsinki.org.ua/articles/eksperty-obhovoryly-4-stratehichni-tsili-kontseptsii-perekhidnoho-pravosuddia-v-ukraini/>

⁶ [https://www.facebook.com/Ugsp/ posts/2212269588820985?_xts \[0\]=68.ARCY9UlvpnFlv0R3c5uHKpTP-CVqYWCAI5gBBsELRL5CEjO4MFTLQtBIMd-YstfQPvruTMvkyBxYGhQn6-QVITd-Q32SH52j_t8HY1UJmGyjuT6NjjFKx36HFVx-j_AIAeEQPTkaihtlb_Mh3TyaaGNN_XBk_cDkiyJEYNBuaylgd8_gk-Pkd2drw74oNGGYRg90X3qxQLWW86EvaXj2HhofdEG-upom477avUP9-kZH9PbqZceSX43U3k8wmlHTw5b-hqY-6qwKOGWAgkuRe83Dk266bONZ2CWj1nYwPoDPO-aq-EvuaDVTPmUytNOK-rGiermmysieVo5WVRmGXpVORQ&tn =&R](https://www.facebook.com/Ugsp/ posts/2212269588820985?_xts [0]=68.ARCY9UlvpnFlv0R3c5uHKpTP-CVqYWCAI5gBBsELRL5CEjO4MFTLQtBIMd-YstfQPvruTMvkyBxYGhQn6-QVITd-Q32SH52j_t8HY1UJmGyjuT6NjjFKx36HFVx-j_AIAeEQPTkaihtlb_Mh3TyaaGNN_XBk_cDkiyJEYNBuaylgd8_gk-Pkd2drw74oNGGYRg90X3qxQLWW86EvaXj2HhofdEG-upom477avUP9-kZH9PbqZceSX43U3k8wmlHTw5b-hqY-6qwKOGWAgkuRe83Dk266bONZ2CWj1nYwPoDPO-aq-EvuaDVTPmUytNOK-rGiermmysieVo5WVRmGXpVORQ&tn =&R)
<https://www.facebook.com/USAIDUkraine/photos/a.194645397225582/2279694045387363/?type=3&theater>

UHHRU's Education Department took part in the development of the following documents:

- ✓ «19 recommendations for Russia on the observance of civil and political rights in the occupied Crimea»
- ✓ Crimean Agenda for President of Ukraine Volodymyr Zelensky
- ✓ [Concept of ensuring equal opportunities in the exercise of the right to higher education for persons living in the temporarily occupied territory of Ukraine](#)

Cooperation was established with the Ministry of Education and Science and the Permanent Representative of the President of Ukraine in the ARC and Sevastopol on the subject «Education for the occupied territories: problems and solutions». The issues currently on the agenda include the development of the Strategy and Plan of Deoccupation, creation of the Crimean Agenda, problems related to the erasure of civic identity among children and youth in the occupied territory through formal and informal⁴ education, etc. Together with the Department of General Education of the Ministry of Education and Science, work has begun on preparing methodological materials on the armed conflict for teachers, children and youth. UHHRU and other NGOs developed educational courses for school curriculae and the textbook «History of Ukraine» for 11th grade in regards to the development of methodological materials (based on the «Story of a City»).

The subject of the role of education was covered during an expert discussion in the Parliament Committee on November 26, 2019 «Implementing the principles of transitional justice as part of preparing for state policy in the post-conflict period, deoccupation of territories and reintegration of the population»⁵.

UHHRU experts took part in the expert discussion of methods and results of the evaluation of programs aimed at the development of civic education and prevention of violent conflicts during the VII working meeting on testing and implementing the course «Culture of good neighborliness» in Ukrainian education institutions (November 22, 2019). Chernivtsi).

Consultations were held between NGOs and the Ministry of Information Policy regarding the Action Plan to the Strategy of Informational Reintegration of the Autonomous Republic of Crimea and the City of Sevastopol».

USAID⁶ Mistechko has become an important platform for disseminating information about the basic principles of transitional justice. A booth of the Human Rights in Action program was accepting visitors in 4 Ukrainian cities (Cherkasy, Kramatorsk, Sievierodonetsk, Mariupol) as part of USAID Mistechko's activities on legal aid. All were welcome to come and learn about the activities of the UHHRU and its PROs. Also, reports



«Story of a City. Maryinka: On the Line of Fire», «Story of a City. Stanytsia Luhanska», «Story of a City. The Occupation and Liberation of Sievierodonetsk» and «Story of a City. The Liberation and Defense of Mariupol» were presented. Visitors were invited to participate in the art workshop «Painting eco-bags» and learn more about the principles of transitional justice (i.e. the right to access to justice and a fair trial, the right to reparations, the right to know the truth, and guarantees of non-recurrence). Adults and children alike had the opportunity to design their own unique eco-bag and learn that our strength is in unity, especially when solidarity is required to expedite the release of political prisoners⁷. The discussions also helped people understand the importance of joint action to overcome the effects of the armed conflict, as well as the need for transitional justice.

PRACTICALLY ORIENTED IMPLEMENTATION OF HUMAN RIGHTS INTO THE HIGHER EDUCATION SYSTEM THROUGH STRENGTHENING PARTNERSHIPS BETWEEN NGOS AND HIGHER EDUCATION INSTITUTIONS

In 2019 cooperation continued with higher education institutions of Kyiv (Tavriya National University, Kyiv National University of Culture and Arts), with 63 students undergoing internships at the UHHRU. During their internship, the students received knowledge about the fundamentals of transitional justice and were involved in the implementation of the USAID project as well as other human rights related tasks.

Fourth year in a row UHHRU conducts training of masters of the Institute of International Relations of the T. Shevchenko Kyiv National University entitled «Human Rights Workshop (Legal Clinic on Human Rights)». In 2019 the course focused on the protection of human rights in the context of the armed conflict as well as on transitional justice. The key subjects were:

- ✓ «Combating impunity during the armed conflict in Ukraine» (Maksym Tymochko), practical work on the subject «Documenting during armed conflicts through interactive discussion of the film Transit Point (Oleksiy Bida)
- ✓ «Education and transitional Justice» (Valentyna Potapova)
- ✓ «Russia's use of international law in propaganda» (Maksym Tymochko)
- ✓ «Hate speech: concepts and ways of combating. Hate crimes» (Olena Sapozhnykova)
- ✓ «Peculiarities of using international law in the context of armed conflicts (relationship between IHL and international human rights law)» (Anastasiya Martynovska)
- ✓ «Mechanisms for providing compensation for damages suffered by victims of the armed conflict. Peculiarities of prosecuting those responsible for crimes committed in the ARC and ORDLO»

⁷ [https://www.facebook.com/Ugspl/posts/2427678550613420?_xts__\[0\]=68.ARAR6MRL4Q5i-pLEXcwijsna6kFq3xF0bTlxXHFdsqbbRQRJk_2vsoC2Aiu9tmNn9fUjxOA7BbOJVy1br1kMCKyq2QnLod0sYaQqvZGVn_HE_8yFxfyC41jDFdtZiFBNSE431ctowsPTCiQKkmhPoZY_3TvMj3N_X6qsG4gAGHtN9Vbd4QU6zaUv hVImGCd2E5v75SkISSwSwHyf59nglyFcWh4sWo-lgrUhW_BGR_zE2HQd-Oq_8Ca41uvBk15bg9RsAipKR7H13FgRTa6dAQzK-b267HMYddw05-2_ltdHmrkOOHNw pKjIXOk8qKcjAl00S1pJCP2WKQVLIskOw4q&tn=-R](https://www.facebook.com/Ugspl/posts/2427678550613420?_xts__[0]=68.ARAR6MRL4Q5i-pLEXcwijsna6kFq3xF0bTlxXHFdsqbbRQRJk_2vsoC2Aiu9tmNn9fUjxOA7BbOJVy1br1kMCKyq2QnLod0sYaQqvZGVn_HE_8yFxfyC41jDFdtZiFBNSE431ctowsPTCiQKkmhPoZY_3TvMj3N_X6qsG4gAGHtN9Vbd4QU6zaUv hVImGCd2E5v75SkISSwSwHyf59nglyFcWh4sWo-lgrUhW_BGR_zE2HQd-Oq_8Ca41uvBk15bg9RsAipKR7H13FgRTa6dAQzK-b267HMYddw05-2_ltdHmrkOOHNw pKjIXOk8qKcjAl00S1pJCP2WKQVLIskOw4q&tn=-R)

- ✓ «Peculiarities of taking into account historical trauma when working with witnesses: experience of the Documentation Center» (Oleksiy Bida)
- ✓ practical work on the subject «Entry of persons and movement of goods to the temporarily occupied territory of Donetsk and Luhansk oblasts: problem-solving experience of UHHRU PRO» (S. Movchan)⁸

RAISING INTEREST TOWARD HUMAN RIGHTS ISSUES

Conducting an open art installation entitled «Suitcases of Human Rights Defenders» during the Docudays UA 2019⁹.

Presenting methodological aspects of the 5th collection of documentaries for film clubs at the IV All-Ukrainian Conference «Documentaries as a Tool of Media Education on Human Rights» during the Docudays UA 2019 documentary film festival for administrators of film clubs (over 150)¹⁰. The new collection includes recommendations for the film See You in Chechnya with the aim to promote understanding of the right to truth - an important component of transitional justice.

UHHRU Documentation Center experts took part in numerous conferences, roundtables and educational events all over Ukraine.¹¹

In order to improve the quality of legal aid provision, four 2-day trainings were conducted for those providing legal support to the target group of the project dedicated to mechanisms of eliminating rights violations, cases involving PLHIV, key communities vulnerable to HIV and tuberculosis patients. The training involved not just lawyers from UHHRU PROs, but also lawyers and advocates that work with UHHRU on project-related issues in regions as well as representatives of partner organizations.

UHHRU's efforts aimed at keeping the public informed about the human rights situation have reached students of foreign universities. Thus, students from Poland got acquainted with the activities of the UHHRU and the USAID Human Rights in Action program. UHHRU and USAID Experts Oleksiy Bida, Kyrylo Sydorчук and Valentyna Potapova spoke about our mission and described UHHRU's main areas of work in the field of human rights in Ukraine, especially in Crimea and in East Ukraine areas still embroiled in the armed conflict or those in close proximity.

⁸ [https://www.facebook.com/Ugsp/ posts/2536744023040205?_xts__\[0\]=68. ARATriMX00zyv5ZVbY345GtzYWdCB P8PCfI77fUO7XS w GJJKX1Ky8a_jCC-FwflHv7plsLpXB5X1mMXhBvauHZM-74qAGyg55QKq3gNP9eZO_fhZA0foPHg 0AfMKSLi8BruXcDhiqWKY8JHdOEIoUKH3 NkWX2WNTZ229jP7aaxwkodUhw84dklN wPSr1neJa5zqKkLOFIUcrMi-3GOA_877o9 NoYeCVmoKuz1voUQEsXcveXQaN1c7 oPnEmri8nbs4a7qFge5X4_XOhSX95KH10Cus-f4gxlOuNiz_IGzjidGkEWTeXtuBqUmtUjj8cUoh qwgv133Z-Mp4FLyvw19kgA&_tn=-R](https://www.facebook.com/Ugsp/ posts/2536744023040205?_xts__[0]=68. ARATriMX00zyv5ZVbY345GtzYWdCB P8PCfI77fUO7XS w GJJKX1Ky8a_jCC-FwflHv7plsLpXB5X1mMXhBvauHZM-74qAGyg55QKq3gNP9eZO_fhZA0foPHg 0AfMKSLi8BruXcDhiqWKY8JHdOEIoUKH3 NkWX2WNTZ229jP7aaxwkodUhw84dklN wPSr1neJa5zqKkLOFIUcrMi-3GOA_877o9 NoYeCVmoKuz1voUQEsXcveXQaN1c7 oPnEmri8nbs4a7qFge5X4_XOhSX95KH10Cus-f4gxlOuNiz_IGzjidGkEWTeXtuBqUmtUjj8cUoh qwgv133Z-Mp4FLyvw19kgA&_tn=-R)

⁹ <https://www.flickr.com/photos/docudaysua/ albums/72157677355028927>

¹⁰ <https://www.flickr.com/photos/docudaysua/ albums/72157707842668794>

¹¹ <https://helsink.org.ua/articles/pravozakhysnyky-uhsp-l-vzialy-uchast-u-mandrivnomu-docudays-ua-na-l-vivshchyni/>
<https://helsink.org.ua/articles/eksperty-obhovoryly-4-stratehichni-tsili-kontseptsii-perekhidnoho-pravosuddia-v-ukraini/>
<https://helsink.org.ua/articles/studenty-z-pol-shchi-oznayomylys-z-diial-nistiu-uhsp-l-ta-prohramy-usaid-prava-liudyny-v-dii/>

COOPERATION WITH THE EDUCATIONAL HUMAN RIGHTS HOUSE CHERNIHIV

Methodological model «University – Human Rights Space» for higher education institutions was developed and successfully tested in 5 universities that have integrated human rights education into their development strategies.

126 participants of this year's Human Rights Education Festival, on top of getting to strengthen their capacity through high-level workshops, exchange of experiences and planning of joint public initiatives, developed 8 human rights education products. 25 experts conducted workshops pro bono. One of the outcomes of the Festival was the development of a project of an International Human Rights School for Young Activists, which is going to be organized by partner organizations of the Human Rights House Foundation.

15 civil society activists started training at the All-Ukrainian Human Rights School for Young Activists, which is focused on supporting and protecting human rights defenders. The School's practical stages will continue in 2020 and will include practical actions in addition to regular training.

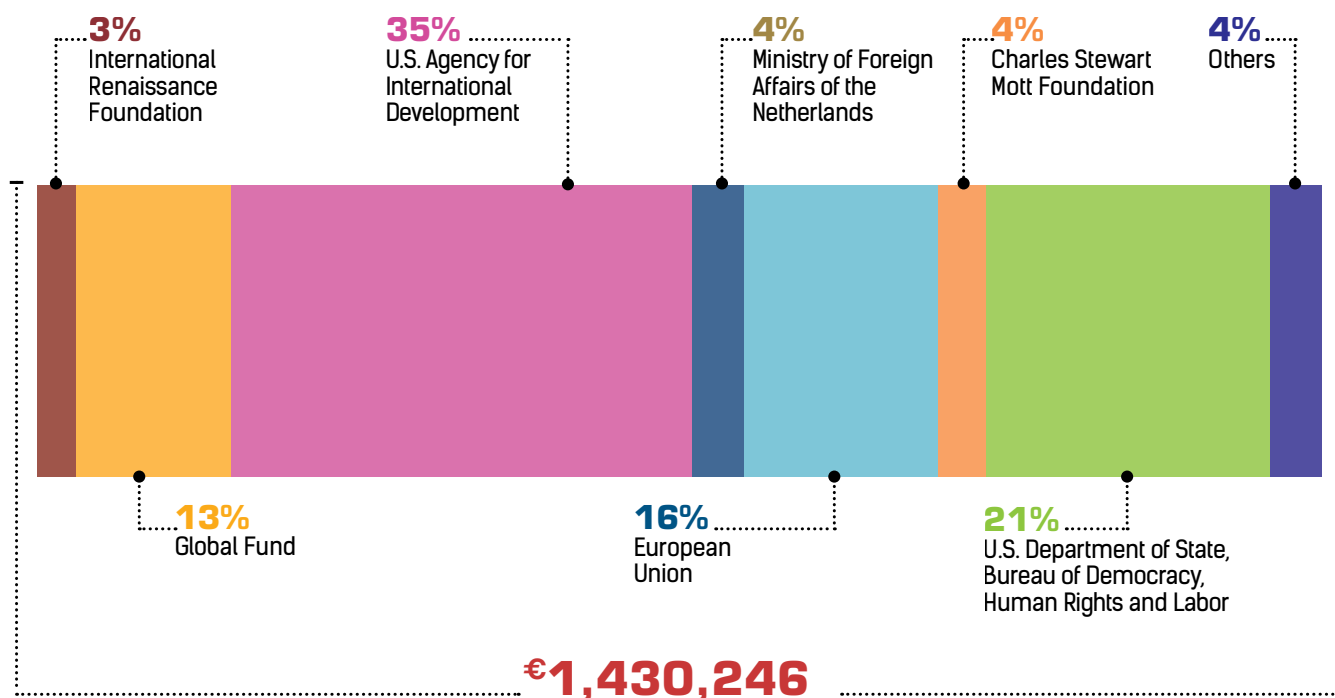
Educational Human Rights House Chernihiv and partners were involved in the preparation and holding of the training «The role of Parliament in the protection of human rights» for 17 MPs and their assistants from the Parliament Committee on Human Rights, Deoccupation and Reintegration of Temporarily Occupied Territories in Donetsk, Luhansk Regions and Autonomous Republic of Crimea, National Minorities and Interethnic Relations.

In cooperation with the UHHRU, Helsinki Foundation for Human Rights (Warsaw) and Boris Zvozkov Belarusian House of Human Rights, 30 graduates of the course «Human Rights Standards in the Practice of Lawyers and Judges» had the opportunity to improve their professional skills through internships and seminars on the use of amicus curiae, the work of the human rights system within the UN, and international humanitarian law. 13 trainers from among the graduates were trained in international humanitarian law with UHHRU's help; 2 trainings and a manual on conducting moot courts were also developed.

As part of the efforts to coordinate the activities of the international educational platform ILIA-online of the Human Rights House Foundation, together with our partners we worked out a strategic vision for the platform's development, as well as the plan for 2020 and a description of the appropriate Concept. Technical works on the platform were carried out, 4 courses were updated and 2 new ones were created. The course «International Humanitarian Law» underwent testing. All summaries for available courses for lawyers, advocates and human rights activists were translated into English.

Financial report of the UHHRU for 2019

INCOME:



SOURCES OF FINANCIAL SUPPORT:

| | |
|---|-------------------|
| U.S. Agency for International Development | €504,595 |
| Global Fund | €181,923 |
| European Union | €227,619 |
| National Democratic Institute for International Affairs | €17,391 |
| Charles Stewart Mott Foundation | €61,459 |
| U.S. Department of State, Bureau of Democracy, Human Rights and Labor | €303,365 |
| United Nations Development Programme | €14,726 |
| U.S. Embassy in Ukraine | €17,882 |
| International Renaissance Foundation | €36,610 |
| Ministry of Foreign Affairs of the Netherlands | €55,264 |
| The Federal Foreign Office of the Federal Republic of Germany | €9,412 |
| TOTAL | €1,430,246 |

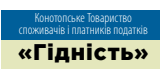
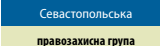
PROGRAM COSTS:

| | |
|--|-------------------|
| Salary | €304,040 |
| Support of Public Reception Offices | €106,116 |
| Fees for lawyers and litigation related costs | €112,488 |
| Fees for experts | €90,758 |
| Translations | €7,147 |
| Publications and promo-materials | €19,771 |
| Fact-finding mission | €3,035 |
| Public events | €6,974 |
| Working meetings | €7,783 |
| Trainings and other educational activities | €69,047 |
| Educational events for staff | €367 |
| Participation in national and international events and studies | €13,868 |
| Maintenance and update web-sites and databases | € 2,438 |
| Travel | €4,388 |
| Delivery and postage | € 3,242 |
| Equipment and furniture | €4,641 |
| Consumables and office supplies | € 5,501 |
| Services, maintenance and upgrade of office equipment | €1,035 |
| Books, periodicals and data bases | €2,195 |
| Communications | €2,164 |
| Office rent | €23,133 |
| Subgrants to partner organisations | € 211,778 |
| Total for Program Costs | €1,001,909 |

ADMINISTRATIVE COSTS:

| | |
|---------------------------------------|-------------------|
| Salary | €203,042 |
| External audit | €348 |
| Communications | €576 |
| Equipment and furniture | €12 |
| Office rent | €6,149 |
| Delivery and postage | €862 |
| Bank fees | €2,553 |
| Consumables and office supplies | €1,462 |
| Contingency | €1,755 |
| Total for Administrative costs | €216,759 |
| GRAND TOTAL | €1,218,668 |

UHHRU composition:

| | | | |
|---|--|---|--|
|  <p>Конотопське Товариство споживачів і платників податків «Гідність»</p> | <p>Konotop Society of Consumers and Taxpayers "Dignity" – Konotop City, Sumy Oblast</p> |  | <p>Chernihiv Public Committee for Human Rights Protection</p> |
|  <p>ГРОМАДСЬКІ ІНІЦІАТИВИ</p> | <p>Association "Civic Initiatives" – Kropyvnytskyi City</p> |  | <p>Chortkiv NGO "Helsinki Initiative-XXI" – Chortkiv City, Ternopil Oblast</p> |
|  <p>MART</p> | <p>NGO "MART" – Chernihiv City</p> |  | <p>Odesa Regional Branch of the Committee of Voters of Ukraine</p> |
|  | <p>Sumy City Civic Union "Public Bureau "Pravozakhyst" ["Human Rights Protection"]</p> |  | <p>NGO "Flora", Kropyvnytskyi City</p> |
|  <p>Одеська правозахисна група «Верітас»</p> | <p>Odesa Human Rights Protection Group "Veritas"</p> |  <p>Територія успіху</p> | <p>NGO "Territory of Success", Kropyvnytskyi City</p> |
|  | <p>All-Ukrainian Society of Political Prisoners and Victims of Repressions</p> |  <p>ЗЕЛЕНИЙ СВІТ</p> | <p>Ecological and Humanitarian Association "Green World" – Chortkiv City</p> |
|  | <p>Civic Committee for the Protection of Constitutional Rights and Civil Liberties – Luhansk City (now reside in Kyiv)</p> |  <p>Громадська організація "Інститут правових досліджень та стратегій"</p> | <p>NGO "Institute of Legal Research and Strategies" – Kharkiv City</p> |
|  | <p>Congress of Ethnic Communities of Ukraine, Website: kngu.org</p> |  | <p>Kherson Regional Charity and Health Foundation</p> |
|  <p>Севастопольська правозахисна група</p> | <p>Sevastopol Human Rights Protection Group</p> |  | <p>Eastern-Ukrainian Center for Civic Initiatives</p> |
|  <p>ЦЕНТР ПРАВОВИХ ТА ПОЛІТИЧНИХ ДОСЛІДЖЕНЬ SIM</p> | <p>Center for Legal and Political Studies "SIM", web site: center.org.ua</p> |  <p>ГРОМАДСЬКА ОРГАНІЗАЦІЯ "ПОДИЛЬСЬКА ПРАВОВА ЛІГА"</p> | <p>Khmelnytsky Regional NGO "Podillya Legal League"</p> |
|  | <p>Kherson Regional Branch of the Committee of Voters of Ukraine</p> |  | <p>Chuhuiv Human Rights Protection Group – Chuhuev City, Kharkiv Oblast</p> |
|  <p>Громадська організація "Південь"</p> | <p>NGO "South"</p> |  | <p>"Sich" Human Rights Protection Group – Dnipro City</p> |
|  | <p>Kharkiv Human Rights Protection Group</p> |  <p>ЦЕНТР ПРАВОВОЇ ДОПОМОГИ</p> | <p>Volyn Regional NGO "Center of Legal Aid" – Kovel City, Volyn Oblast</p> |
|  <p>Громадська організація "Комітет з моніторингу свободи преси в Криму"</p> | <p>NGO "Committee on Monitoring of Press Freedom in Crimea"</p> |  | <p>Northern Human Rights Protection Group – Sumy city</p> |
|  <p>ЧЕРКАСЬКИЙ ПРАВАЗАХИСНИЙ ЦЕНТР</p> | <p>Cherkasy Human Rights Protection Center - Cherkasy city</p> | | |

Leadership

Yevgen Zakharov



Chairman of the Board, Chairman of Kharkiv Human Rights Group

Olexander Stepanenko



Chairman of the NGO «Green World», Chortkiv

Natalia Bimbiraite



Chairman of the Board of Kherson City NGO «Cultural Center Ukraine-Lithuania»

Anatoly Boyko



Head of Odessa Regional Organization of the all-Ukrainian NGO «Committee of Voters of Ukraine»

Volodymyr Yavorsky



an independent expert

Lydia Topolevska



Head of the NGO «Center for Legal and Political Studies «Seven», Lviv

Alla Tyutyunnyk



member of the all-Ukrainian Public Association «Promotion of Professional Development of Representation of Public Interests and Protection of Human Rights in Ukraine»

Dmytro Reva



Head of the Human Rights Group «Sich», Dnipro

Mykola Kozyrev



Chairman of the NGO «Public Committee for Protection of Constitutional Rights and Freedoms of Citizens», Vyshgorod

AUDITING COMMISSION

| | |
|----------------------------|--|
| Inga Dudnyk | Chairman of the NGO «Territory of Success», Kropyvnytskyi |
| Lyudmila Shestakova | NGO «Territory of Success», Kropyvnytskyi |
| Natalia Kulikova | NGO «Chernihiv Public Committee for Protection of Human Rights», Chernigiv |

SUPERVISORY BOARD

The Supervisory Board consists of well-known human rights defenders and lawyers. The quantitative and personal composition of the Supervisory Board is approved by the General Meeting of the Association.

The Supervisory Board is the advisory and consultative body of the Association.

The Supervisory Board of the Union included well-known figures of the human rights movement of the 60s – 80s:

Myroslav Marynovych

[Yosyf Zisels](#)

[Vasyl Ovsienko](#)

Acknowledgments:



U.S. Agency for International Development (USAID))



U.S. State Department. Bureau of Democracy,
Human Rights and Labour



European Union (EU)



Global Fund to Fight AIDS, Tuberculosis and Malaria



Charles Stewart Mott Foundation



UNDP



National Democratic Institute for International Affairs (NDI)



International Renaissance Foundation



Ministry of Foreign Affairs of the Kingdom of the Netherlands



Auswärtiges Amt

Ministry of Foreign Affairs of the Federal Republic of Germany

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www.precedent.in.ua
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www.hro.org.ua
memorialmap.org

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The name of the person to whom the letter is addressed, p/o box 100, Kyiv, 04071

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