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**CONTENTS**

USAID HUMAN RIGHTS IN ACTION PROGRAM UPDATES .....	2
HUMAN RIGHTS MONITORING, ANALYTICAL ACTIVITY AND ADVOCACY .....	2
STRATEGIC LITIGATIONS .....	3
FREE LEGAL AID.....	4
HUMAN RIGHTS EDUCATION AND AWARENESS RAISING .....	5
MAIN EVENTS IN HUMAN RIGHTS AREA.....	6



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## USAID HUMAN RIGHTS IN ACTION PROGRAM UPDATES

### HUMAN RIGHTS MONITORING, ANALYTICAL ACTIVITY AND ADVOCACY

**If adopted, Ukraine will finally have legislative mechanisms to protect those imprisoned as a result of Russia's aggression against Ukraine as well as their families (*links are in Ukrainian*)**

Ukraine's President [submitted](#) to the Verkhovna Rada the draft law No 6104 "On social and legal protection of persons deprived of their personal liberty in result of armed aggression against Ukraine and of their family members" (marking it as an urgent one) along with a number of accompanying draft laws. This piece of legislation, being an integral part of the Crimea Platform "legislative package", is extremely important for the legislative settlement of issues relating to the social and legal protection of the said categories of Ukrainian citizens.

This is the issue that [has been raised](#) at the very beginning of the armed conflict by human rights groups (including UHHRU/USAID Human Rights in Action Program), continuously advocated for many years through different means, and finally completed in cooperation with the responsible state bodies (e.g. Presidential Mission in Crimea and the Reintegration Ministry).

Through a series of tailored advocacy measures, UHHRU/USAID Program and ally domestic human rights groups decided to call on the Verkhovna Rada to urgently consider this draft law. This, among other efforts, includes a [street performance](#)<sup>1</sup> on the occasion of Volodymyr Dudka's birthday (*see photo*), a detained Ukrainian naval officer being one of the Kremlin's political prisoners, as a sound example of Kremlin's blatant wrongdoings.



**Attending Opinion Festival 2021 (*links are in Ukrainian*)**



UHHRU/USAID Program took part in the Opinion Festival 2021, fourth in a row, hosted in Severodonetsk of Luhansk Oblast. Two topics were given voice under Program's active participation: 1) "[How Ukraine has created a unique state monitoring and documentation system and what are its purposes?](#)", jointly with the Reintegration Ministry; 2) "[Militaryization of education field in Donbas and Crimea: what should Ukraine do?](#)". Going extra mile, UHHRU/USAID Program met with Luhansk Oblast Prosecutor's Office to officially [bond with them](#) for the sake of no war-related crime to escape attention of documentators and be uploaded into system's database.

<sup>1</sup> [Additional link](#), in Ukrainian.



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## Initiative to preserve truth about Crimea's occupation released in partnership with government structures

On September 14, a [presentation](#) (*link is in Ukrainian*) of a video collection took place retrospectively displaying the issue of Crimea's occupation based on memories of witnesses, other evidences. This is a part of so-called oral history project "Crimea. Occupation" by the Ukrainian Institute of National Memory and Mission of the President of Ukraine in Crimea, into which UHHRU/USAID Program is glad to make a contribution.

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

- UHHRU/Program welcomes [adoption](#) of an action plan to protect schools in conflict-affected territory and stands ready to provide any expert support needed to strengthen this protection.
- UHHRU/Program's Dnipro legal aid center [released remarks](#) concerning Security Service of Ukraine's initiative to make combatants from self-proclaimed republics in Donbas, who hasn't committed any grave crimes, surrender and return to government-controlled area of Ukraine with minimized or absent further criminal prosecution – in LAC's opinion, though it is overall helpful in terms of post-conflict settlement yet some practical flaws should not be ignored.
- UHHRU/USAID Program took part in the Forum of IHL Friends, held by Geneva Call humanitarian organization at the Ukrainian Catholic University in Kyiv, to [become a strong voice for](#) nation-wide monitoring, documenting human rights and IHL violations amid Kremlin's aggression in Ukraine.



## STRATEGIC LITIGATIONS

Within this direction USAID Human Rights in Action Program supports strategic legal cases domestically and internationally to protect public interests<sup>2</sup>, as well as assures their broad media coverage among professional community and public. Total number of the conflict-related cases, which have been supported by UHHRU's Strategic Litigation Centre (SLC) within the Program is over 200.

## Hundreds of Ukrainians are unable to get compensation for forcibly alienated, requisitioned property in the Joint Forces Operation zone

Owners whose property (land, facilities, vehicles etc.) has been used by the Ukrainian Army for war purposes deserve compensation, but a clear legal mechanism for that is still absent, [insists our strategic litigations lawyer](#) (*link is in Ukrainian*). She is responsible for several cases in this field

<sup>2</sup> Strategic litigations are one of the most powerful tools of human rights protection; conducted in the interests of a citizen or a group of citizens to achieve systemic changes in the legal field for the benefit of society and used for the purpose of creating the case-law (precedents).



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and hopes their successful outcome will help to form a solid case law to eventually find a way out of this problem where hundreds of Ukrainian citizens are stuck

### **USAID Program's lawyer suggests ways to win legal challenge with pre-conflict cases lacking some paper files due to occupation**

A [released legal analysis](#) (*link is in Ukrainian*) is aimed at solving the issue of pre-conflict cases files of which were left in the temporarily occupied territories, lost or destroyed amidst occupation turmoil (Donbas, Crimea). This author's analysis might be a boon to the Justice Ministry (drafting a corresponding legislation to find ways out of this problem) and prosecutor's offices of Ukraine and Crimea (dealing with such cases). Throughout the text our litigation lawyer offers a number solution in legal field that can be implemented by Ukraine's legal system.

### **FREE LEGAL AID**

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[UHHRU network](#) of legal aid centers (LACs) keeps on delivering free legal aid (including outreach legal consultations in the remote areas), holding information and awareness raising events in the sphere of human rights as well as documenting war crimes and conflict-related human rights abuse. USAID supports activities of the UHHRU's legal aid centers in [Toretsk](#), [Mariupol](#), [Kramatorsk](#), [Pokrovsk](#) of Donetsk oblast, [Stanytsa Luhanska](#), [Sumy](#) and [Dnipro](#) providing legal aid to conflict-affected population, as well as a [Kyiv-based Specialized LAC](#) targeting both Crimean and Donbas residents and IDPs from their along with a Specialized Crimea-oriented LAC in Kherson.

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

- A former volunteer combatant and a released detainee, who suffered plenty, has [finally been awarded damages](#) after Dnipro-based LAC put its best together to support his years-long bureaucracy struggle. This legal aid center also [released](#) a step-by-step graphic guide on how former detainees can receive a lump sum payment in the amount of UAH 100K to help them recover, and from now on this algorithm can be considered successfully tested in a real-life case!
- Stanytsia Luhanska lawyers celebrate another victory after helping an [IDP woman inherit](#) her father's pension. Ukraine's Pension Fund has already paid some of the funds; the legal dispute for the rest continues.
- Government agents sometimes tries to curtail the right of a mother raising children until they reach the age of three to receive benefits covering living expenses, namely utility bills. One of the excuses for this – women allegedly often fail to notify the authorities about a change in family composition. Some officials conveniently choose to interpret the legislation in the government's favor rather than that of citizens, as [explained](#) by our lawyer using one of our successful cases as an example.







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**Latest infographics to illustrate performance of USAID-sponsored legal aid network of UHHRU**

USAID Human Rights in Action Program continues regular reporting on the LACs’ legal aid delivery in conflict-affected regions. Here is the data for [August 2021](#) with thematic, regional and gender disaggregation.

**HUMAN RIGHTS EDUCATION AND AWARENESS RAISING**

UHHRU keeps on organizing human rights training events as well as formulating a comprehensive national human rights education policy. This activity is implemented under Ukraine-wide Educational Program [“We Understand Human Rights”](#) (WUHR)<sup>3</sup>, which is being the only informal educational system that has the material basis for its activities – Educational Human Rights House-Chernihiv.

**Another phase of the “Protecting human rights under situation of the armed conflict in Ukraine” course for judges and lawyers wraps up**

The [learning](#) (*link is in Ukrainian*) dealt with international humanitarian law and investigation of international crimes at the national level. The participants did practical exercises to solidify their newly acquired knowledge, all based on real life cases. They were particularly shaken by the story of Charlie Company – a documentary about soldiers that committed massacre in Vietnam, killing over 300 civilians in local villages. This once again reminded everyone that IHL is about practice, not theory, especially considering how relevant upholding IHL is for Ukraine today amidst the ongoing hybrid armed conflict with Russia.



<sup>3</sup> Launched in 2007, the Program envisages development of informal human rights education, contributing to cultivating a human rights culture, strengthening respect for the rule of law in Ukraine, promoting intercultural understanding and principles of peaceful conflict resolution. The Program currently counts more than 3,500 alumni from all regions of Ukraine.



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## MAIN EVENTS IN HUMAN RIGHTS AREA

### **Abduction of Crimean Tatars in the occupied Crimea, again**

On 3-4 September 2021, Russia's FSB conducted 5 searches, followed with [detaining](#) five Crimean Tatars: Eldar Odamanov, Aziz Akhtemov, Shevket Useinov, Asan Akhtemov and Nariman Dzhelial (First Deputy Chairperson of the Crimean Tatar People's Mejlis and a public activist who openly claimed gross human rights violations in the occupied Crimea).

Statement of human rights organizations and more details can be found from [this link](#).

Additionally, we would like to bring to the spotlight an infographic depicting the overall trend of politically motivated detainments that sadly lives on in Crimea despite some rare moments of Kremlin's sanity – [at least 45 new persons](#) have been detained since the latest release of 11 individuals in September 2019. As of now, [at least 127 Ukrainian nationals](#) remain caged in Crimea and the RF, charged with fabricated crimes (both links are in Ukrainian).

### **Simplified verification procedure enabled for temporarily occupied territories residents to help them with pensions and social payments**

A [remote verification procedure](#), based on state-run "Diia" app paired with person's account on Pension Fund's web portal, has been adopted by the government on 22 September 2021 – the Reintegration Ministry (*link is in Ukrainian*).

### **Cabinet of Ministers developed and approved action plan to enforce Crimea De-occupation and Reintegration Strategy (*links are in Ukrainian*)**

This is pursuant to the Presidential Decree No 117/2021 of March 24 to adopt the said Strategy. More details are given [here](#); [link to the action plan](#).

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