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UHHRU Annual Report 2020

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Information on UHHRU's achievements in 2020

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LEADERSHIP

Preface



Oleksandr Pavlichenko,
Executive Director
of Ukrainian Helsinki
Human Rights Union

THE YEAR 2020 will undoubtedly go down in history and our memory as the first year of the coronavirus pandemic. This year was distinct since the whole country, all processes went online, with the quarantine, restrictions on face-to-face events, reduced activities, as well as specific human rights violations related to the implementation of restrictive measures aimed at preventing the spread of the epidemic, such as the story of Ivano-Frankivsk mayor who demanded that Romani people living in the local park be taken outside the city because they were in a public place, or the temporary suspension of convict transfers, which led to the death of a convict in the Kharkiv Pretrial Detention Center, who never received the treatment he needed ...

The COVID-19 pandemic has become an additional factor that has joined the traditional issues of common human rights violations directly linked to the conflict in east Ukraine, the occupied Crimea, and the issue of protecting the rights of the population affected by this conflict.

In 2020, the UHHRU worked on strategic areas related to the fundamental principles of transitional justice, exploring, among other things, the options of amnesty and prosecution and the right to historical truth, as well as documenting crimes committed during the armed conflict.

The Ukrainian Helsinki Human Rights Union worked on overcoming these violations and their effects by providing legal protection and support, working directly, in the field, through our public reception offices and providing strategic protection in international bodies.

The organization tackled these challenges by solidifying itself as a team in a network of multiple organizations, working on a variety of issues – the occupied Crimea and the conflict in Ukraine's east, protecting activists and providing practical assistance to detainees, and providing tangible help to those whose rights have been violated.

Analytical work



Olena Semyorkina,
UHHRU lawmaking expert



TRANSITIONAL JUSTICE

We continued work as part of the Human Rights in Action Program (USAID) on introducing fundamental principles of transitional justice in legislation and the activities of public authorities:

- 1 In conjunction with the Parliamentary Committee on Human Rights, Deoccupation and Reintegration of Temporarily Occupied Territories in Donetsk, Luhansk Oblasts and the Autonomous Republic of Crimea, National Minorities and Interethnic Relations, we:



- 1) supported a two-day visit (extended field trip) of the Committee (February 11-12, 2020) to Kherson Oblast to study the problems of residents of the temporarily occupied Crimean peninsula; participated in the Committee's meetings and events as well as in the preparation of the Committee's Recommendations; held a training event on international humanitarian law and international human rights law (IHL and IHRL) for MPs during the Committee's extended visit to Kherson Oblast (February 11, 2020, Kherson) – for members of the Committee and their assistants as well as the staff of the Committee's Secretariat;
- 2) held a thematic meeting entitled "The Role of Dialogue in Overcoming the Trend of Polarization, Radicalization, and Formation of Divided Communities in Ukrainian Society Caused by the Military Aggression of the Russian Federation" (in conjunction with the Institute for Peace and Common Ground and the National University of Kyiv Mohyla Academy). November 19, 2020;

► <https://cutt.ly/7I3gc2x>

► <https://cutt.ly/2I3gfXc>

► <https://bitly.su/VkHX>

3) As part of the Committee’s working group, UHHRU representative participates in the development of proposals for legislative amendments on invalidating the Law of Ukraine “On Creating the Free Economic Zone Crimea and the Particulars of Conducting Economic Activities in the Temporarily Occupied Territory of Ukraine”.

II We continued work on preparing a legal position on restoring public confidence in the government as part of ensuring non-recurrence of human rights abuses (as part of the fourth element of transitional justice): Expert discussion entitled “Approaches to Determining Principles for the Liability/ Non-Criminal Liability of Persons who Collaborated with the Occupying Administration / by Type of Lustration /” (February 28, 2020)

► <https://bitly.su/NgOLNE1X>



We took part in a series of webinars on international approaches to restoring public confidence in the government as part of ensuring non-recurrence of human rights abuses (as part of the fourth element of transitional justice). Download a presentation on Olena Semyorkina’s webinar on restoring public confidence in the government [here](#)

► <https://bit.ly/34UYaaR>

III We continued work on finalizing the Methodology for Checking Ukrainian Legislation and Bills for Compliance with International Humanitarian Law and the Principles of Transitional Justice in Terms of Ensuring the Rights of Persons Affected by Military Aggression.

IV Our Analytical Department (O. Semyorkina) and Documentation Center (O. Bida) continued work on developing, on the basis of the UHHRU Documentation Center and the documenting experience of other human rights organizations, a state system for monitoring and documenting violations of human rights and international humanitarian law as well as other violations committed in the course of Russia’s military aggression, by:

- studying state databases to find out whether they have a system for collecting information related to Russia's military aggression;
- establishing cooperation with the Ministry for the Reintegration of the Temporarily Occupied Territory of Ukraine (Reintegration Ministry) on creating a state monitoring and documenting system;

We provided methodological assistance to the Ministry of Justice of Ukraine in the preparation of information materials on transition justice:

► <https://www.facebook.com/minjust.official/posts/1098419160579760>

МІНІСТЕРСТВО
ЮСТИЦІЇ УКРАЇНИ

ДОВІРА
СПРАВЕДЛИВІСТЬ
ЗАКОН

ПЕРЕХІДНЕ ПРАВОСУДДЯ (TRANSITIONAL JUSTICE) – комплекс заходів, які застосовуються для справедливого переходу від стану війни до стану миру, або від авторитарного режиму до демократії, подолання наслідків війни (чи тоталітаризму)

4 базові напрямки перехідного правосуддя:

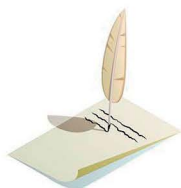


Кримінальне судочинство (Criminal prosecutions)/ припинення безкарності – ефективне переслідування винних у вчиненні воєнних злочинів та грубих порушень прав людини; правовий захист жертв збройного конфлікту; вдосконалення законодавства, судової та слідчої практики.



Відшкодування (Reparations) – визнання страждань жертв; створення національних механізмів відшкодування збитків, виплати їм компенсацій за спричинену фізичну шкоду та моральні страждання; моральна сатисфакція; відновлення порушених прав та стану, що існував до вчинення грубих порушень МГП та МППЛ (реституція).

Гарантії неповторення та інституційні реформи (Institutional reforms) – перевірка посадовців чи кандидатів на публічні посади на причетність їх до порушень прав людини під час конфлікту; реформи (відновлення верховенства права) сектору безпеки, правоохоронних органів, судів; зміцнення громадянського суспільства, а також світоглядні зміни в сферах освіти, культури тощо.



Констатація істини (Truth-telling)/право на правду - реалізація права жертв запитувати і отримувати інформацію про причини, які поставили їх в положення жертв, і про причини і умови, що призвели ведуть до грубих порушень МГП і МППЛ, і знати правду про ці порушення.

helsinki.org.ua/articles

Cooperation with the National Platform “Dialogue for Peace and Safe Reintegration” and the Ukrainian Center for Independent Political Research:

- 1) We conducted and presented a study entitled “Amnesty and Lustration: Mechanisms of Transitional Justice for the Future of Ukraine” (authored by Oleg Martynenko /amnesty/ and Olena Semyorkina /lustration/).



- 2) We took part in a working meeting of the Parliamentary Committee on Human Rights to discuss approaches to the implementation of transitional justice and amnesty in the context of the armed conflict, as well as to present takeaways from the study “Amnesty and Lustration: Mechanisms of Transitional Justice for the Future of Ukraine” (October 21, 2020).
- 3) On May 26, 2020, the thirteenth meeting of the Dialogue for Peace and Safe Reintegration was held, entitled “Ukrainian Scenario of Transitional Justice: How Not to Repeat Others’ Mistakes”. UHHRU representative proposed to discuss the development of a legal position on ways to resume the activities of Ukrainian public authorities in the deoccupied territories (lustration);

Український сценарій перехідного правосуддя:

як не повторити чужих
помилко?



In 2020, **with the support of the German Foundation for International Legal Cooperation**, we held an expert discussion on determining the principles of liability (non-criminal) for those who collaborated with the occupying administration and illegal armed groups (IAGs) in the temporarily occupied territory (Iustration) based on Germany's experience.

ANALYSIS OF LEGISLATION AND LAWMAKING ACTIVITIES

We continued work on developing legislative amendments designed to address the issues of pretrial investigations and trials in cases where case files are not available or were destroyed in the temporarily occupied territory.

We prepared and sent to the relevant lawmaking bodies our analysis of the following bills:

draft Law of Ukraine "On Amendments to the Law of Ukraine 'On Public Television and Radio Broadcasting of Ukraine' in Regards to Eliminating Conflicts over the Appointment and Dismissal of Members of the Supervisory Board of the Public Broadcasting Company of Ukraine" (reg. No. 4413-1 of December 8, 2020) / of December 15, 2020/;

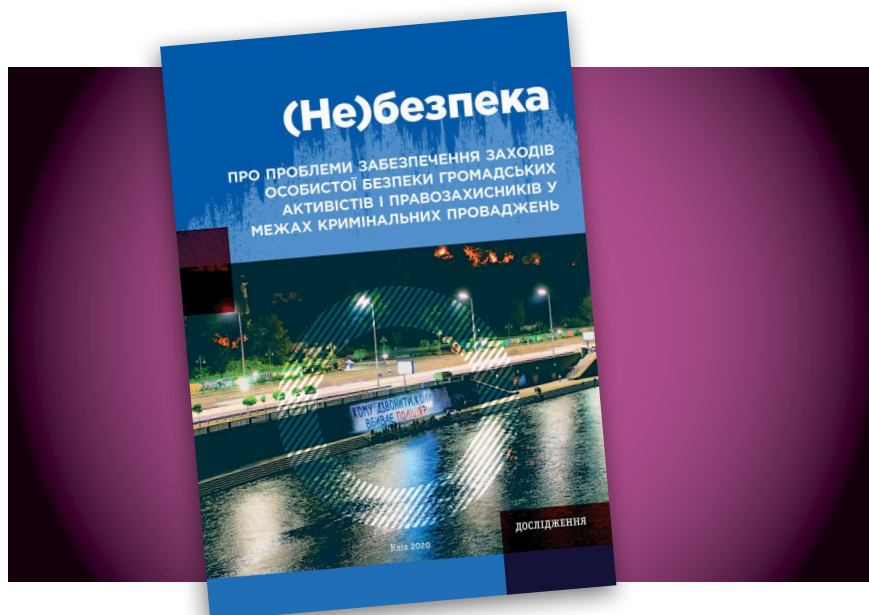
draft Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine concerning the Ukrainian Parliament Commissioner for Human Rights" (reg. No. 3312 of April 7, 2020) / of December 15, 2020 /.

SUPPORT AND PROTECTION OF CIVIL SOCIETY IN UKRAINE

In 2017-2018, a wave of attacks on activists swept through Ukraine. UHHRU experts set out to analyze security measures that were provided to activists and human rights defenders in the course of pretrial investigations and compare them against those prescribed by Ukrainian law. The research confirmed our suspicions that the most common problem faced by activists who witness or combat crime and who fall victim to attacks and threats is the reluctance of law enforcement to investigate these cases and take steps to ensure the activists' safety, despite the fact that such measures are prescribed by the law of Ukraine.

On September 25, 2020, we presented a study entitled “(In) security. Regarding Issues Related to Exercising Security Measures for the Protection of Civil Society Activists and Defenders during Criminal Investigations”, which was prepared by our analysts [UHHRU Status Pravozaahyst](#).

The study was conducted as part of the project “Support and Protection of Civil Society in Ukraine”, with the backing of the Embassy of the Netherlands in Ukraine and the EUAM Ukraine.



We developed a plan on advocacy measures aimed at promoting the recommendations contained in the study. We have already presented the study to the Secretariat of the Cabinet of Ministers as part of the work on the National Strategy for Promoting the Development of Civil Society, as well as to the Parliamentary Provisional Committee for Supervising the Investigation of Attacks on Activists.

On UHHRU's initiative, the following new norms were introduced into the draft Decree of the President of Ukraine on amendments

to the National Strategy in the Field of Human Rights developed by the Ministry of Justice, into the strategic goal of “ensuring freedom of speech, opinion, expression, and belief, as well as access to information”:

Tasks aimed at achieving the goal:

- **to ensure protection** of the professional activities of journalists and human rights defenders
- **to ensure effective investigation** of crimes against journalists and human rights defenders

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

In support of the legislative changes, which the UHHRU started working on back in 2019 and which were aimed at allowing public associations, charities, and religious organizations that provide services to groups at high risk for HIV, TB, and viral hepatitis as well as to people living with HIV, to rent state and municipal real estate on preferential terms, in 2020, taking into account the changes made to the Law of Ukraine “On Lease of State and Municipal Property”, we prepared adjustments to the Comparative Table to the draft Law of Ukraine “On Amendments to Article 15 of the Law of Ukraine ‘On Lease of State and Municipal Property’ on Promoting the Provision of Services to People at High Risk for HIV, TB, and Viral Hepatitis, as well as to People Living with HIV, TB, and viral hepatitis”.

UHHRU representatives took part in the preparation of the final report on the implementation of the National Strategy in the Field of Human Rights (“Strategy”), as well as the Action Plan to it, following the entire 5-year implementation period, and suggested priorities to include in the new Action Plan for the next 2-3 years.

▶ <http://www.hro.org.ua/index.php?id=1590308681>

In February 2020, UHHRU analyst and lawmaker Olena Semyorkina joined the renewed Coordinating Council on Non-Discrimination and Gender Equality. With the ongoing coronavirus pandemic, HIV and TB patients have become even more vulnerable. According to the WHO, people at advanced stages of HIV, with low CD4+ cell count and high viral load, as well as people that are not receiving antiretroviral therapy (ART), are generally **at higher risk of contracting various infections and related complications**.

In addition, due to their dependence on ART, these groups are at risk of being deprived of their right to medical care because of the overburdened health care system and the budgets cuts for the procurement of special medicines enacted by the Ministry of Health. In these circumstances, protecting the rights of these groups becomes even more important.

On March 23, 2020, the UHHRU issued a [formal statement](#) regarding the need to implement measures to **protect sick people in prisons** from COVID-19. In their statement, UHHRU human rights defenders called on penitentiary institutions to take immediate steps to prevent the spread of the infection among inmates and, among other things, to consider releasing inmates that are most at risk, filing appropriate requests with the courts. The activists also proposed to consider postponing the execution of sentences for the time of the pandemic, releasing people from serving their sentences through courts.

Since the authorities had no reaction to this, we sent a submission to the Committee of Ministers of the Council of Europe, along with a shadow report on Ukraine's implementation of ECtHR judgments in cases involving failure to provide timely and adequate medical care to HIV-positive convicts and detainees. Among the cases considered by the ECtHR, we sent to the Committee of Ministers, among others, the case of [Kats and Others v. Ukraine](#). The submission also provided statistics on HIV-positive people in prisons and those among them who are receiving treatment. When provided with incorrect treatment or when it is not done promptly enough, HIV-positive people are at risk of developing additional illnesses, rapidly progressing and life-threatening. In 2020, the situation worsened significantly due to the global COVID-19 pandemic. So far there have been no studies on the effects of COVID-19 on HIV patients, even those receiving ART. However, HIV itself along with related diseases, such as hepatitis and TB, puts these people at risk. The submission mentions a number of problems: shortage of medical staff, lack of conditions for the provision of specialized medical care and for licensing certain types of medical treatment, and lack of legal mechanisms for the release of HIV-positive convicts due to health problems, which are only made worse by quarantine.

¹ <https://network.org.ua/vooz-pytannya-i-vidpovidi-po-covid-19-vil-ta-art/>



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

► <http://hro.org.ua/index.php?id=1590308681>

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

In 2020, UHHRU experts continued monitoring the implementation of the National Strategy in the Field of Human Rights. Together with other NGOs, we prepared a monitoring report entitled “Assessment of the Implementation of the National Strategy in the Field of Human Rights in 2016-2019”.

OVERALL PROGRESS OF THE STRATEGY'S IMPLEMENTATION



▶ <http://hro.org.ua/index.php?id=1595322960>

▶ <http://hro.org.ua/index.php?id=1607370077>

▶ <http://hro.org.ua/files/docs/1609416271.pdf>

▶ <http://hro.org.ua/files/docs/1609416347.pdf>

On May 26, there was a public discussion of the implementation of the National Strategy in the Field of Human Rights and the Action Plan for its implementation until 2020. The Strategy's successes and challenges were discussed during the the event.

In 2020, the Ministry of Justice of Ukraine established a working group to develop amendments to the Decree of the President of Ukraine "On Approving the National Strategy in the Field of Human Rights" and a new Action Plan for its implementation until 2023, holding about 35 meetings to develop these documents.

On December 3, an online discussion entitled "National Strategy in the Field of Human Rights. Results and Next Steps" was held.. During the event, the results of a survey on how to improve the Strategy's effectiveness in the future were presented. The survey involved 9 in-depth interviews with representatives of various ministries, international organizations, as well as national NGOs and initiatives.

General takeaways

- The key to success is a clear Action Plan, adopted at the level of the Cabinet of Ministers and various ministries, with set deadlines and performance criteria
- Setting priorities as well as specific and realistic goals for the next 3 years
- Putting in place an effective system for monitoring the Strategy's implementation comprising representatives of the government, NGOs, and international partners



General takeaways

- Flexible cooperation through working groups with specific tasks comprising representatives of the government, NGOs, and international organizations: adapting to change through constant revisions and course adjustments
- Interim work plans, with dates not just for reports, for also for completion
- Awareness-raising activities and, when necessary, further explanations for government representatives
- Strengthening analytical work and bringing in experts



The UHHRU continues monitoring Ukraine’s implementation of international human rights treaties.

2020 marked the end of the interim term of the third cycle of Ukraine’s Universal Periodic Review. The Universal Periodic Review (UPR) is a procedure under which each UN member state reports to the United Nations on how it ensures observance of human rights and freedoms. NGOs prepared and sent to the UN a report on the state of human rights observance in Ukraine and on Ukraine’s efforts to implement the recommendations provided to it in 2017.

► <http://hro.org.ua/index.php?id=1608021225>

On December 15, the Ministry of Justice held a public discussion of the draft interim report on the implementation of recommendations under the Universal Periodic Review, during which NGOs presented results of their monitoring efforts and provided comments regarding the government’s report.

ОЦІНКА СТАНУ ІМПЛЕМЕНТАЦІЇ РЕКОМЕНДАЦІЙ УНІВЕРСАЛЬНОГО ПЕРІОДИЧНОГО ОГЛЯДУ

Методика оцінювання:

ВИКОНАНО	ПОМІТНИЙ ПРОГРЕС	ТЕХНІЧНО ВИКОНАНІ	НЕ ВИКОНАНО
повне виконання	вживаються заходи, але їх недостатньо, рекомендація щойно почала впроваджуватися і потрібен час для подальшої реалізації	вживаються заходи, але вони не сприяють виконанню рекомендації, вжиті заходи не стосуються рекомендації	не виконується взагалі

Зі 190 рекомендацій

ЗАГАЛЬНА ОЦІНКА ІМПЛЕМЕНТАЦІЇ РЕКОМЕНДАЦІЙ





Oleksiy Bida,
coordinator of the UHHRU
Documentation Center

UHHRU DOCUMENTATION CENTER

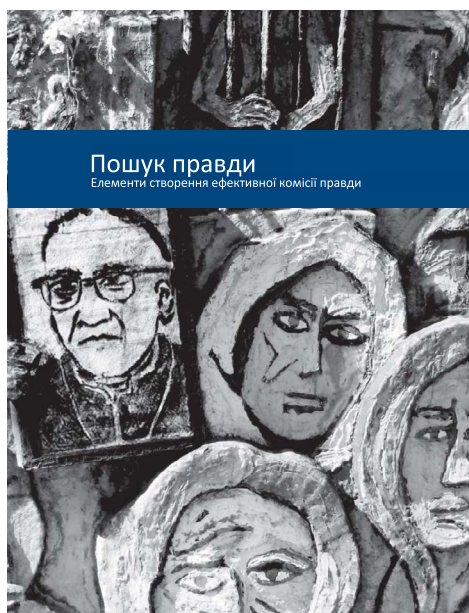
Quarantine restrictions impacted the frequency of our monitoring visits. In 2020, we conducted 6 monitoring trips to interview witnesses and victims of the conflict in east Ukraine. The number of interviewees, however, has increased due to the adoption of technical means for interviewing and recording testimonies online.

With the consent of our clients, all facts were verified and entered in standardized form into the database of our Documentation Center, which by the end of the year contained 56,310 units of information (facts / names / evidence) related to human rights abuses and war crimes. The Documentation Center continues using the OpenEvSys database, which was specifically designed for documenting human rights abuses amidst the armed conflict.

Our system for documenting human rights abuses was audited. On an expert's advice, the database was transferred to Microsoft Azure hosting. One of the significant advantages this provides is the ability to process and analyze big data.

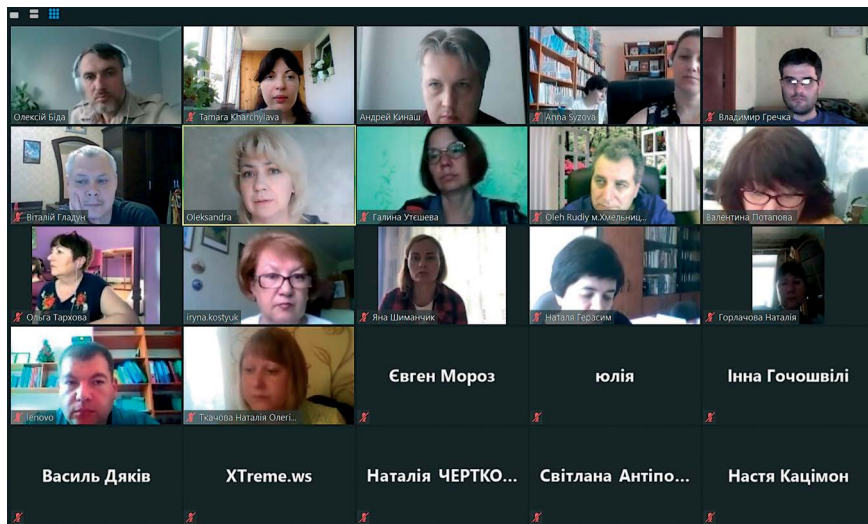
Collected information is passed on to our Strategic Litigation Center, to be used as evidence in court proceedings at the national and international level. The information also plays an important role in our advocacy campaigns and thematic and shadow reports, as well as serves as a subject of discussion with the government and partner NGOs. The Documentation Center's reports were used in a report by a UN working group on the use of mercenaries as a means of violating human rights.

We also translated the book "Search for Truth. Elements of Creating an Effective Truth Commission".



► <https://helsinki.org.ua/articles/vidbuvsia-pershyy-vebinar-dlia-vchyteliv-yak-vyklady-okremi-pytannia-shchodo-zbroynoi-ahresii-rf/>

Experts of the UHHRU Documentation Center took part in numerous conferences and educational events dedicated to various aspects of transitional justice.



► <https://helsinki.org.ua/articles/perekhidne-pravosuddia-dlia-studentiv-shcho-vvychaly-uprodovzh-4-misiachnoho-praktykumu-v-uhspl/>

Transitional justice for students. What was taught during a 4-month workshop at the UHHRU.



On September 5, during the Opinion Festival in Sievierodonetsk, UHHRU experts and festival attendees had a debate entitled “When I Grow Up, I Will Also Go to War: How to Break This Vicious Circle”. The discussion was focused on the issue “The Right to the Truth: Should Controversial and Touchy Historical Subjects Be Taught in Schools”. The speakers were Oleksiy Bida, head of the UHHRU Documentation Center, and Oleksandra Kozorog, a teacher. The event was moderated by Valentyna Potapova, head of UHHRU’s Education Department.

► <https://helsinki.org.ua/articles/nashidity-maiut-pravo-znaty-vsiu-pravdu-pro-rosiysku-ahresiiu-na-skhodi-persh-za-vse-pro-te-shcho-viyna-tse-bil-i-strazhdannia-konkretnykh-liudey/>

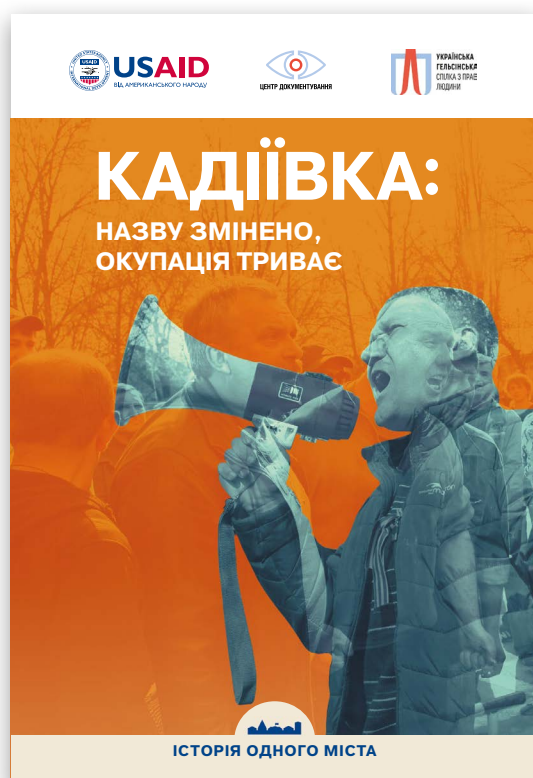
► <https://helsinki.org.ua/articles/ukrainski-pedahohy-maiut-velykyy-potencial-dlia-myrobuduvannia-ta-vprovadzhennia-perekhidnoho-pravosuddia-pidsumky-kruhloho-stolu-pravozakhysnykiv-ta-osvitiian/>

► <https://helsinki.org.ua/articles/opryliudneno-zvit-dokaz-hibrydnoi-okupatsii-rosiieiu-shakhtars-koho-mista-kadiivka-stakhanov/>



The Center conducts field and pilot research, preparing its own analytical materials or collaborating on those with other organizations.

The Center also continues chronicling the events of the hybrid armed conflict in Ukraine. Two new reports were published in the series “The City Where War Began”: “Kadiyivka: The Name Has Changed, the Occupation Goes On”.



and “Dovzhansk: Armored Vehicles from Russia Bound for Kyiv”

► <https://helsinki.org.ua/articles/zvit-uhsp-trykordonny-sverdlovsk-z-2016-roku-dovzhansk-stav-pershym-zafiksovanym-punktom-perekydannya-v-ukrainu-rosiyskoi-viyskovo-tekhnika-zhyvoi-syly/>

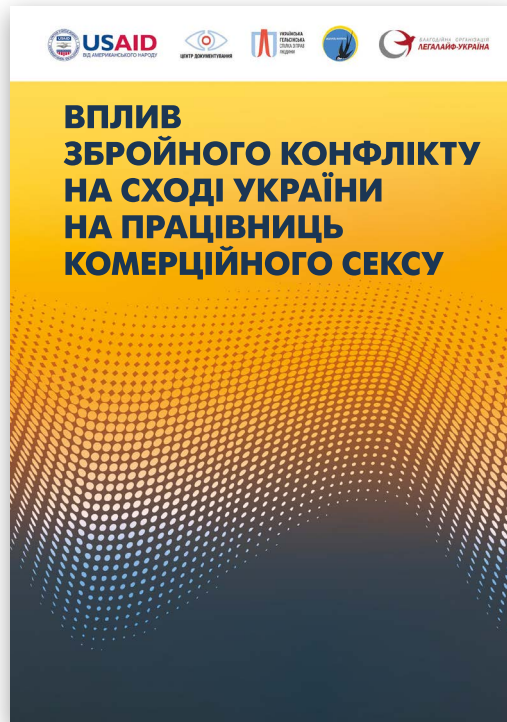


This year, our partners from the Coalition “Justice for Peace in Donbas” published the long-awaited second part of the report about the events of 2014 in Slovyansk entitled “The City Where War Began”. We held a number of joint presentations in Slovyansk and other cities of Ukraine



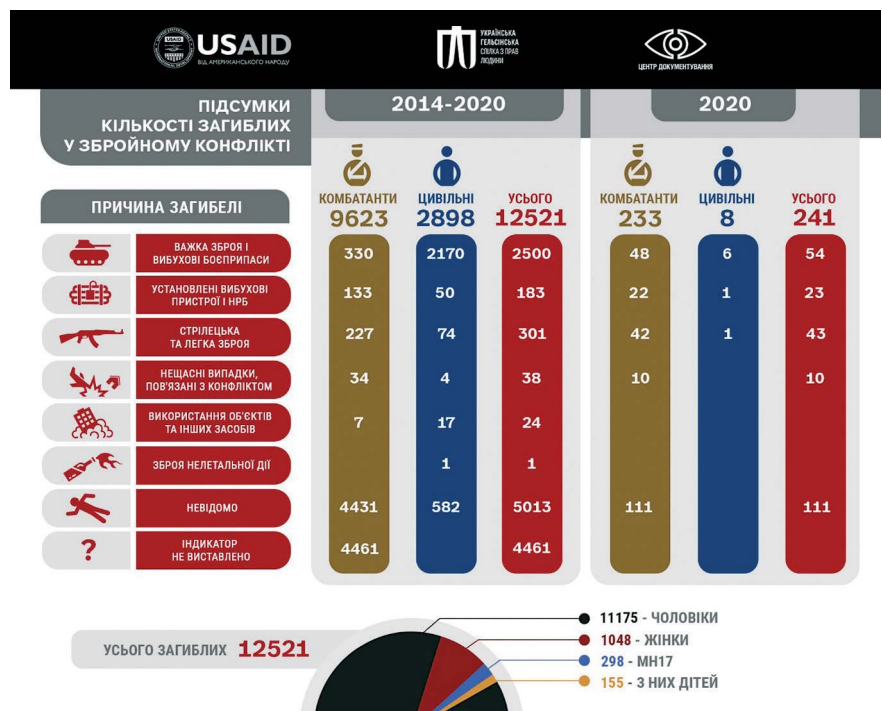
► <https://helsinki.org.ua/articles/uhspl-razom-z-bo-lehalayf-ukraina-prezentuvaly-doslidzhennia-vplyv-zbroynoho-konfliktu-na-skhodi-ukrainy-na-pratsivnyts-komertsynoho-seksu-foto/>

At the beginning of the year, together with stakeholder organizations, we presented a study entitled “Impact of the Armed Conflict in East Ukraine on Commercial Sex Workers”.



The Documentation Center maintains and updates UHHRU’s interactive website Memorial Map, which contains a visual database of 12,521 people killed in the armed conflict that have been identified so far.

► <https://memorialmap.org/>



Litigation



Mykhailo Tarakhkalo,
Strategic Litigation Director



Kateryna Naumenko



In 2020, our Strategic Litigation Center (SLC) handled over 200 strategic cases at the national, European, and international level. Over 100 cases concerned the conflict in east Ukraine, 31 cases were within the framework of the PLHIV project, and over 20 cases were aimed at protecting activists.

EAST UKRAINE

In 2020, as part of the project on providing assistance to civilians affected by the Anti-Terrorist Operation in east Ukraine, we provided the following legal assistance:

- **sending** our legal positions to the European Court of Human Rights regarding cases communicated by the Court. The cases concern illegal detentions, torture, and extrajudicial executions of Ukrainian servicemen during 2014-2015
- **sending requests** to the ECtHR to take urgent measures concerning civilians illegally detained by IAGs in the NGCA
- **submitting applications** to the ECtHR on behalf of persons released from captivity in December 2019
- **supporting 12 cases** involving claims for property destroyed in east Ukraine in national courts and submitting 15 new applications to the ECtHR
- **supporting 3 new cases** involving civilians that received injuries in east Ukraine in national law enforcement agencies and the ECtHR
- **supporting 7 cases** in national courts involving people whose property was commandeered by the Ukrainian military
- **supporting a case** in national courts on collecting pecuniary and non-pecuniary damages for the destruction of property, infliction of injuries, and death of a civilian as a result of the explosion of ammunition depots in Svatovo
- **supporting 5 cases** on behalf of civilians on obtaining the status of a person disabled as a result of war

- **supporting a pension-related case**, in which the court ordered to recalculate the pension
- **supporting a case** involving a land owner's denied request for compensation, which the court found unlawful and ordered to reconsider

During 2020, legal assistance was provided both at the national level and in the ECtHR in the following cases:

- [Oleksandr Akhunzyanov](#), businessman from Dokuchayevsk, who was expelled by Zakharchenko's decree
- [Oleksandr Marchenko](#), Russia's political prisoner, who was illegally detained in the "DPR" and handed over to the FSB
- [Oleksandr Lobur](#), civilian, who still remains in the DPR
- owner of a regional publishing house in Luhansk Oblast, which was seized by representatives of the IAGs
- [Sergiy Robak](#), released prisoner
- [Maryna Chuykova](#), nurse, had been held in captivity by "DPR's" IAGs for over a year

PROTECTION OF THE RIGHTS OF PLHIV, REPRESENTATIVES OF KEY PLHIV COMMUNITIES, AND PERSONS WITH TUBERCULOSIS

During 2020, 31 cases were supported under the project "Developing a Legal Network for Protecting the Rights of People Living with HIV/AIDS, Representatives of Key PLHIV Communities, and People with Tuberculosis". In 2020, 7 cases were initiated at the national level and 2 strategic cases in the ECtHR. The ECtHR found a violation by Ukraine of Article 3 of the Convention in one case, where the applicant was denied ART by the administration of the Kyiv Pretrial Detention Center. The ECtHR also delivered an interim judgment, under Rule 39 of the Convention, regarding the applicant who is serving her sentence in the NGCA. The Court stressed to Russia and Ukraine that she must be provided with medical treatment. The Court also pointed out to Ukraine that it must take steps to return the applicant to the GCA.

► <https://helsinki.org.ua/articles/sprava-natali-z-shcho-maiemo-zaraz-i-shcho-treba-bulo-robyty-shche-vchora/>

Protection of the rights of PLHIV in the NGCA. Story of N.

Natalya Z. who was undergoing substitution maintenance therapy for her opioid dependence in Donetsk since November 2007. She was taking buprenorphine hydrochloride.

After the ATO/JFO began, Natalya Z. moved to Vinnytsia and registered there as an IDP.

In November 2017, Natalia Z. decided to visit her mother in Donetsk.

On November 5, 2017, Natalia Z. crossed the demarcation line at the Olenivka checkpoint. At a checkpoint of the so-called “DPR”, she was detained by representatives of the “DPR” on suspicion of transporting drugs.



► <https://helsinki.org.ua/articles/yak-vyrishyty-problemu-zakhystu-prav-i-zdorov-ia-uv-iaznenykh-uprodovzh-pandemii-covid-19/>

SLC lawyer Yevgen Chekaryov shared his thoughts on how to improve the situation with the protection of the rights of vulnerable groups in Ukraine, in particular HIV-positive prisoners, during the COVID-19 pandemic.



PROTECTION OF ACTIVISTS

Two applications were submitted to the ECtHR concerning the ineffective investigation of three consecutive assaults on an activist, two of which were attempted murders, as well as campaigns by high-ranking officials to prosecute the applicant for self-defense during the most recent attack. The second application concerns the lack of an effective investigation into three attacks on the activist and the applicant's prosecution for self-defense during the third attack.

Another application was sent to the ECtHR in the case of Oleg Mykhailyk. Our client is a public figure and activist; he has been fighting against illegal construction in the green areas of his city and has repeatedly criticized local authorities, intending to run for mayor himself. In 2018, there was an attempt on his life – unknown individuals shot him near the heart and then drove away. An investigation into the assassination attempt was launched, but so far it has been ineffective. It is currently stalled due to the absence of important physical evidence – the bullet, which was removed during an operation in Munich and remains in Germany to this day.

In 2020, an application was sent to the ECtHR regarding another assault on an activist, Stanislav Sergiyenko. In April 2017, in the afternoon, the applicant was attacked by two men, who stabbed both of his thighs. An investigation was launched, but, despite the considerable amount of evidence collected and provided to the investigators by the lawyer (videos, phone numbers of eyewitnesses, etc.), the investigation has yielded no results, and the perpetrators remain unpunished.

Another application sent to the ECtHR concerns Vsevolod Novokhatko, journalist and public activist who has been investigating corruption-related crimes and illegal construction projects in the city of Dnipro. In May 2018, the applicant was attacked near his own home. Earlier that day, he had arranged for a personal meeting with the head of the regional police department to hand over documents confirming illegal construction of kiosks on one of the city's streets. The attackers inflicted minor injuries on the applicant and stole his flash drive. The client immediately reported this to the police, but the investigation has not been effective so far – it has had periods of unjustified inaction, and due to delays in investigative actions, it is now impossible to obtain certain evidence, or such actions would now provide little results (the investigators failed to collect CCTV footage; a facial composite was made and the neighbors were interviewed only six months after the attack, etc.)

**Ostroluzky
v.
Ukraine****CASES OF INTEREST**

In July 2014 and January 2015, our client underwent heart surgery at the Heart Institute of the Ministry of Health in connection with an infarction. He paid for these operations. There were complications after the first operation – our client’s kidneys began to fail (this stopped after 7 days), his vision deteriorated, he lost some sensitivity in his legs and chest, his wounds took a long time to heal; since the operation, he was experiencing periodic hypertension episodes and encephalopathy. Rehabilitation after the second operation was also complicated. Believing that he did not receive proper medical care, he wrote a letter to the Ministry of Health. The clinical and expert examination found that our client never needed surgery in the first place and did not confirm the diagnosis of myocardial infarction. An application was lodged with the ECtHR in this regard.

**Gyrya
v.
Ukraine**

The applicant is a 6-year old child with a genetic disease – Werdnig-Hoffman disease ([spinal muscular atrophy](#)) – who can’t walk, sit or eat on his own and requires constant care. This rare neuromuscular disease is caused by a genetic defect that weakens signals from neurons so that they are unable to reach the muscles of the back, legs, and partially arms, resulting in eventual atrophy. In Ukraine, SMA is recognized as a rare disease, but there is no national clinical protocol for treating it, or a state register of such patients. The application alleges a violation of the child’s right to medical treatment for a life-threatening condition, as well as ill-treatment and inhuman treatment of both applicants.

**Maksymchuk
v.
Ukraine**

The case concerns an accident at a utility company which killed the applicant’s wife; the application alleges the ineffectiveness of the criminal investigation, as a result of which the applicant’s wife was posthumously considered a suspect for a long time. We also sent comments to the ECtHR regarding the government’s reply.

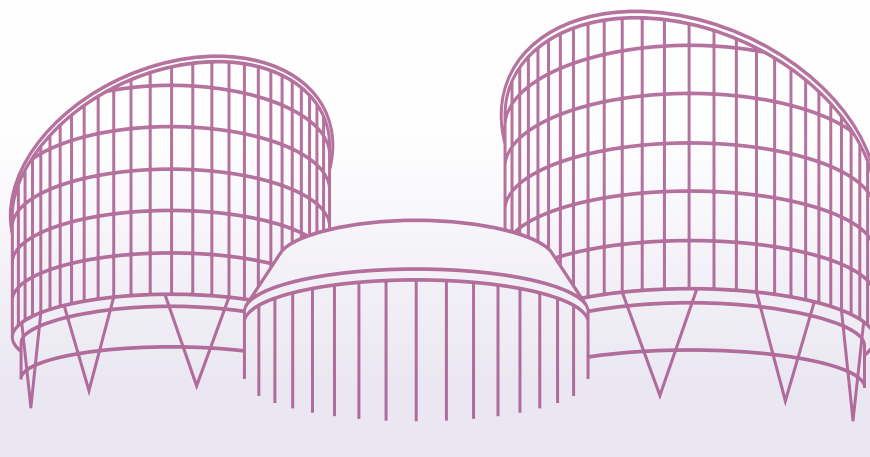
**Baylo
v.
Ukraine**

The applicant, sentenced to life imprisonment, was denied transfer to a correctional facility that was closer to the place of residence of his mother and relatives. The State Penitentiary Service of Ukraine and domestic courts ignored his request, as he believes, because he has been complaining about ill-treatment at the hands of representatives of the penitentiary service, who beat him and confiscated his property during a fire at the Sokal Correctional Facility No. 47.

**Starenky
and others
v. Ukraine**

Case of 16 applicants sentenced to life in prison who complained to national authorities about being subjected to mass beatings during their transfer from the Sokal Correctional Facility No. 47 in 2012, when a fire broke out there, as well as about the confiscation of their property, poor conditions during the transfer, and failure to provide them with adequate medical care.

SUCCESSFUL CASES IN THE EUROPEAN COURT OF HUMAN RIGHTS



Sili
v.
Ukraine

In 2020, the ECtHR delivered judgments in which it found a violation of Article 3 of the Convention due to the absence of an effective mechanism for the release of lifers in Ukraine. This decision reinforces the Court's findings in *Petukhov v. Ukraine* No.2.



Borzykh
v.
Ukraine

The case concerns the applicant's detention in the Cherkasy and Kyiv pretrial detention centers, which lasted 2 years, 8 months and 19 days, as well as the excessive duration of the applicant's detention during the pretrial investigation – 9 months and 8 days; he also was not provided with an effective mechanism to appeal his detention. The ECtHR declared admissible under Article 3 and Article 5 § 3 of the Convention the first complaint of Oleksiy Borzykh concerning the conditions of his detention in the Kyiv Pretrial Detention Center and the absence of grounds for his pretrial detention.



Goncharuk
v.
Ukraine

The case concerns inhuman and degrading treatment of the applicant by representatives of the Kyiv Pretrial Detention Center and the Starobabanivsk Correctional Facility. The violation involved failure to provide the applicant with ART and subsequent interruption of the treatment that is vitally important to him, as well as failure to run appropriate tests and medical examinations necessary for effective and timely decision-making regarding prescriptions, treatment of related diseases, and effective HIV treatment. The Court found here a violation of Article 3 of the Convention on account of inadequate medical care and awarded compensation.



Raspryakhin
v.
Ukraine

The Court found that there had been a violation of Article 3 of the Convention in the applicant's detention conditions at the Kirovograd Pretrial Detention Center. The Court also found that there had been a violation of Article 5 §§ 1 and 3 of the Convention on account of his arbitrary detention from November 4 to December 13, 2011, and from August 5 to September 3, 2012, as well as due to the absence of sufficient grounds for his detention. The applicant was awarded compensation.



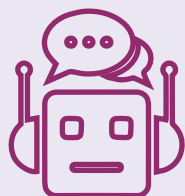
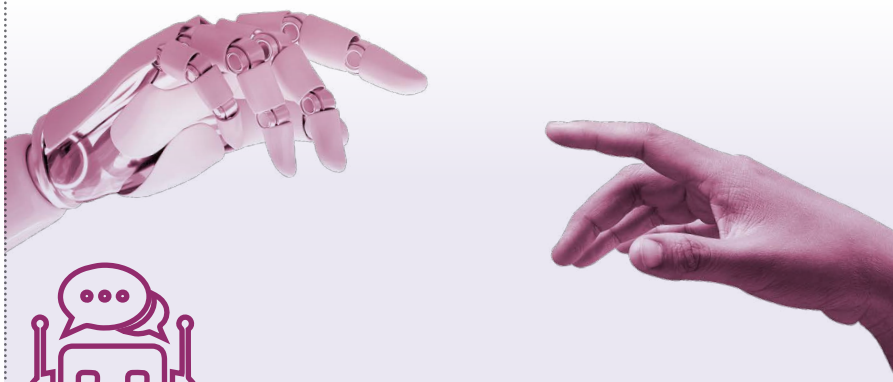
Antonuk
v.
Ukraine

The applicant complained about ill-treatment at the hands of the police, ineffective investigation of his complaints, and unfairness of the criminal proceedings against him. The Court found that there had been a violation of Article 3 of the Convention.



Gordus
v.
Ukraine

The applicant was arrested on suspicion of being involved in drug trafficking and was questioned without his lawyer present. In order to force a confession, police officers kept him handcuffed to the radiator for twelve hours, beating him with their fists and batons, etc. The applicant also complained about the length of his pretrial detention. The Court found that there had been a violation and awarded him compensation.



To simplify access to legal aid amidst the pandemic, in 2020 UHHRU experts created

- a **bot** that creates a court application on collecting child support based on the user's information
- a bot that creates an application on collecting unpaid pension for IDPs and residents of the NGCA

Find the bot here:

 [@Pensionuabot](https://web.telegram.org/#/im?p=@Pensionuabot) web.telegram.org/#/im?p=@Pensionuabot

 www.messenger.com/t/108267534228372

 www.facebook.com/Pensionuabot

Network of public reception offices

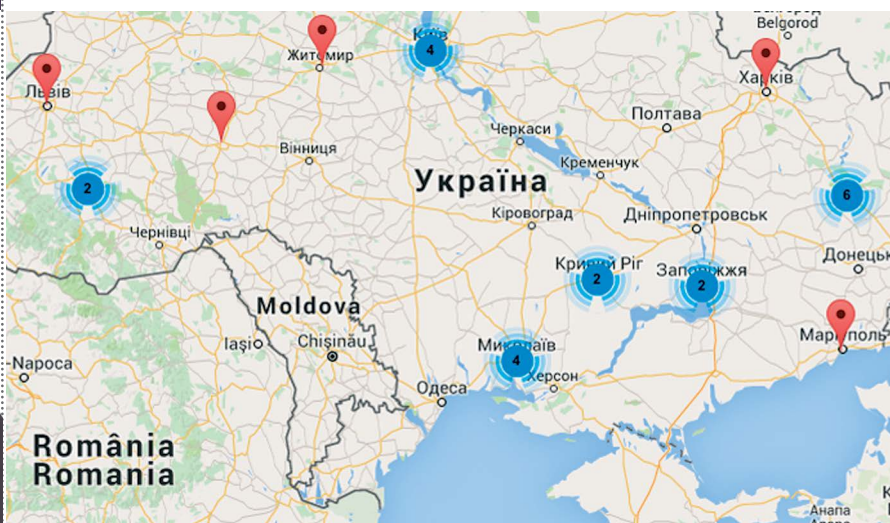


Maksym Shcherbatyuk,
head of the UHHRU public
reception network



Natala Kozarenko,
Deputy Head of Legal Aid
Department UHHRU

UHHRU's network of public reception offices is the largest network of human rights organizations in Ukraine and is aimed at helping people uphold their rights and bringing about positive changes in the field of human rights.

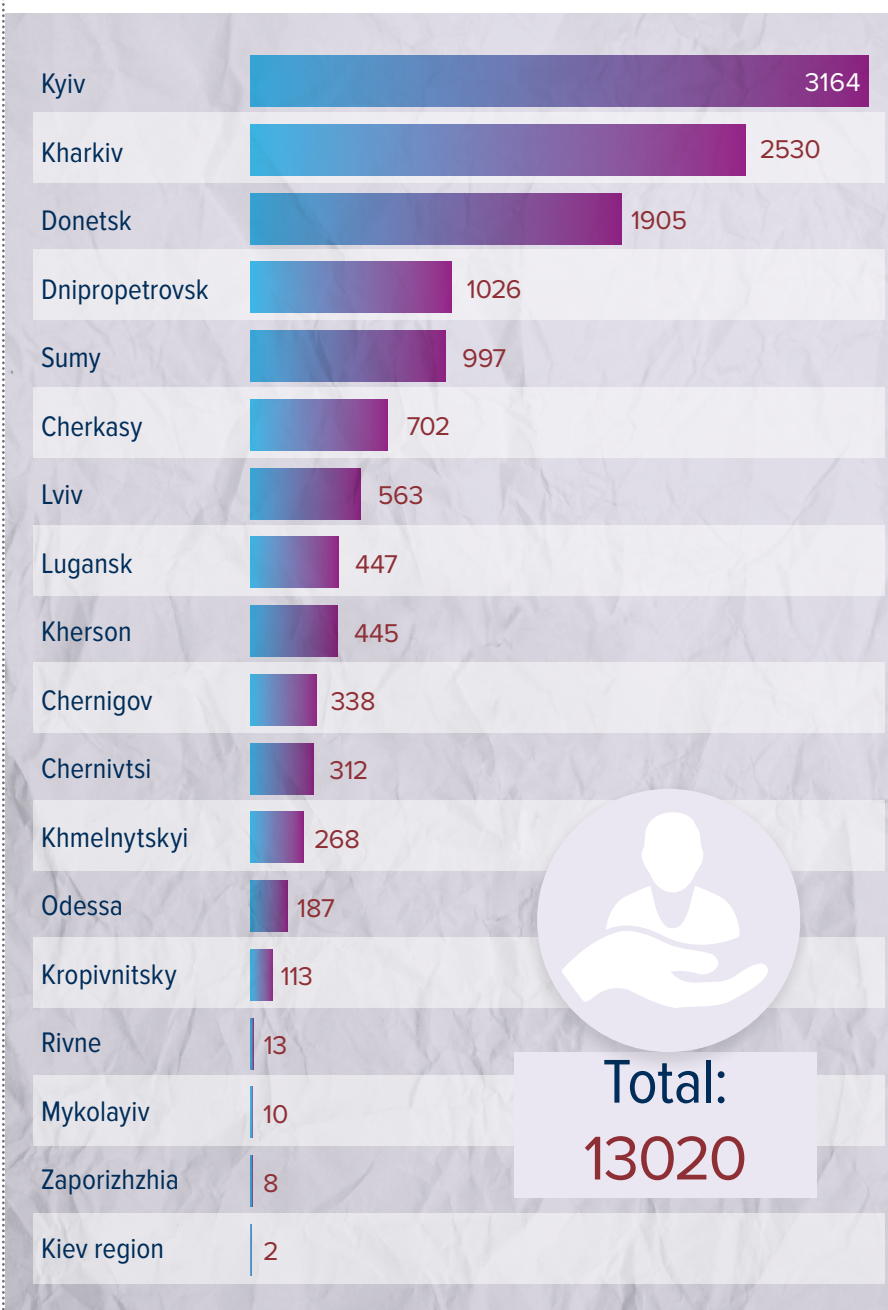


Our PROs:

- **provide** free legal aid (by providing consultations and representing people in court), especially in situations involving human rights violations.
- **hold** awareness-raising activities to make the public more knowledgeable about legal matters and legal culture;
- **promote** positive changes in the field of human rights – both at the local and national level.

All PROs share the same standards and procedures when it comes to processing applications and providing consultations, as well as in regards to the quality of their legal aid.

In 2020, UHHRU PROs provided 13,020 consultations, although 2020 proved a difficult year for the network due to having to adapt to pandemic-related restrictions



PRO lawyers prepared 575 procedural documents and represented our clients in court in 238 cases. In addition, they prepared and sent 647 petitions to various government agencies for our clients.

As a result of an error in calculation, a single mother from Toretsk was not receiving social benefits for six months. UHHRU lawyers intervened.

► <https://helsinki.org.ua/articles/cherez-nepravyl-nyy-pidrakhunok-odynoka-maty-v-torets-ku-pivroku-ne-otrymuvala-nalezhu-iy-sotsdopomohu-vtrutylysia-iurysty-uhsp/>

- ▶ <https://helsinki.org.ua/articles/pereselenets-z-luhanshchyny-vs-pensynnyy-fond-iaak-cholovik-vyhrav-sud-ta-maie-otrymaty-nevyplachenu-pensiuu-za-mayzhe-shist-rokiv/>



- ▶ <https://helsinki.org.ua/articles/dyskryminatsiynyy-taryf-pereselentsi-zvernulyisia-do-sudu/>
- ▶ <https://helsinki.org.ua/articles/vymushena-pereselenka-dovela-u-sudi-zalyshyla-sviy-dim-vnaslidok-zbroynoi-ahresii-rf/>

- ▶ <http://sich-pravo.org/problemy-pereselentsiv-z-okupovanyh-terytorij-derzhava-gasyt-pozhezhi/>

IDP from Luhansk Oblast vs Pension Fund: how the man won his lawsuit and will receive six years' worth of pension that he is owed.



Discriminatory rates: IDPs went to court

83 applications were prepared and sent to international bodies.

A serious challenge in 2020 was the fact that in the sixth year of Russia's military aggression in the east, our country's legislation still has systemic problems when it comes to ensuring the rights of those affected by the conflict, in particular IDPs. With its Order No. 909-r of November 15, 2017, the Cabinet of Ministers of Ukraine approved the Strategy for the Integration of Internally Displaced Persons and Implementation of Long-Term Solutions on Internal Displacement until 2020. The relevance of this document is obvious, since with the forced displacement going on in the country, people should not have to deal with their problems on their own, especially considering that the government has been promising IDPs all possible help and support since the start of the conflict, and the document in question takes into account international legal instruments on humanitarian law that Ukraine has ratified.

From January 1 to December 31, 2020, we received 4,554 applications from IDPs, residents of host communities, and residents of the NGCA of Donetsk and Luhansk oblasts.

During the reporting period, there was an increase in applications regarding pension legislation and problems related to social benefits and compensation compared to previous periods. Such applications have been the most common for several years, reaching 29.3% of the total number of applications in the second half of the project year, which is 6.6% more than in the previous period.

A lot of applications are from IDPs seeking to resume payment of their suspended pensions and social benefits. The issue of IDPs' pensions was previously raised in a model case of the Supreme Court of Ukraine and remains unresolved at the legislative level to this day.

AWARENESS-RAISING ACTIVITIES – IMPORTANT PART OF THE WORK OF UHHRU PUBLIC RECEPTIONS OFFICES

In 2020, we conducted 749 awareness-raising activities on human rights. This helped communicate information about human rights protection to a large audience. The events were done in various formats – seminars, roundtables, briefings, street actions, and public examinations of regulations. On their web pages, UHHRU PROs post explanations of new legislation and guides on protecting one's rights. On average, each post is viewed by up to 300 people, while the most topical articles get over 35,000 views.

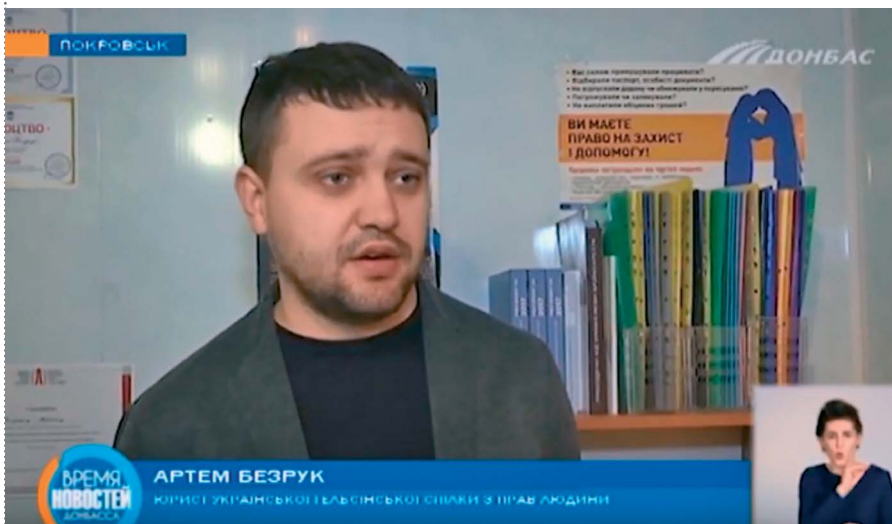
► <https://helsinki.org.ua/articles/pravozakhysnyky-prezentuvaly-analitychnyy-ohliad-reabilitatsiia-zherty-konfliktu-shcho-mozhe-zaproponuvaty-hromada-sum-ta-sums-ka-oblast/>



- ▶ <https://helsinki.org.ua/articles/oseredok-zakhyshchenosti-do-pryymalen-uhspl-u-2020-mu-zvernulosia-ponad-dvi-tysiachi-pereselentsiv/>



Island of Safety: over 2,000 IDPs turned to UHHRU PROs for help in 2020



- ▶ <http://sich-pravo.org/kompensatsiya-za-zrujnovane-zhytlo-na-donbasi-mify-ta-realnist/>
- ▶ <https://www.youtube.com/watch?v=3LkklxX8eEQ&feature=youtu.be>
- ▶ <https://www.facebook.com/ugspl.kramatorsk/posts/864873267378852>

Press conference entitled “Compensation for Homes Destroyed in Donbas: Myth and Reality” was held at the Media Center Vidkrytyi, which was attended by Kseniya Onyshchenko, lawyer of the UHHRU Dnipro PRO.

Roundtable for representatives of admission commissions working at the education centers “Donbas of Ukraine”

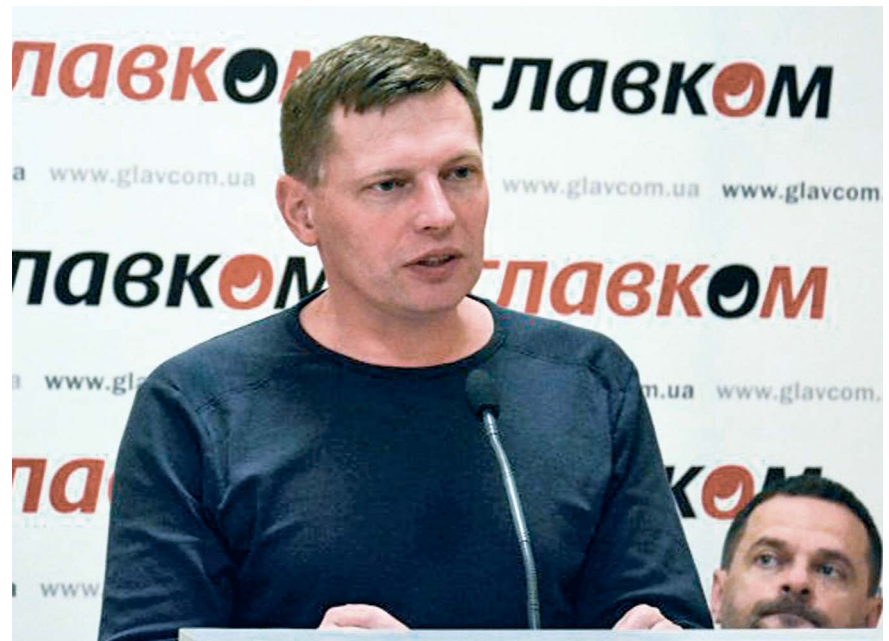
An equally important area of work for UHHRU PROs involved providing assistance to people living with HIV/AIDS, representatives of key PLHIV communities, and people with TB. During 2020, **2,874 people** turned to us for help.

- ▶ <https://helsinki.org.ua/articles/mariia-ihnatushyna-bo-100-zhyttia-zbilshennia-vyhranykh-sudovykh-keysiv-shchodo-zakhystu-prav-predstavnykiv-urazlyvykh-hrup-a-takozh-informatsii-a-pro-nykh-v-zmi-bude-posyliuvaty-virus-liudey-v-te-shch/>
- ▶ <https://helsinki.org.ua/articles/za-zapytom-advokata-uhspl-provedeno-monitorynh-dotrymanna-prav-khvorykh-z-opioidnoiu-zalezhnistiuiaki-ie-uchasnykamy-prohramy-zpt-u-mykolaivskiy-oblasti/>

Mariya Ignatushyna (Charitable Organization 100% Life): “Successful court cases help convince vulnerable groups that protecting their rights is not just what they can do but also what they should do”.



At the request of an UHHRU lawyer, we monitored observance of the rights of people with opioid dependence that are undergoing substitution maintenance therapy in Mykolayiv Oblast.



- ▶ <https://helsinki.org.ua/articles/advokaty-uhspil-prodovzhuiut-zakhyst-prav-vil-u-viaznynykh-pid-chas-pandemii-covid-19/>
- ▶ <https://helsinki.org.ua/articles/yak-peretvoryty-efekt-metelyka-na-bumeranh-abo-iaak-pravozakhysna-hrupa-sich-zakhyshchaie-prava-vil-pozytyvnykh-liudey/>

UHHRU lawyers continue protecting the rights of HIV-positive prisoners amidst the COVID-19 pandemic.

How to turn the butterfly effect into a boomerang effect, or how the Human Rights Group SICH protects the rights of HIV-positive people.



- ▶ <https://helsinki.org.ua/articles/yakshcho-ne-diiaty-v-pevnyy-moment-mozhe-staty-zanadto-pizno-komentar-uhspil-shchodovyhranooho-sudovoho-keysu-proty-rishennia-rivnens-koi-mis-krady/>

“If we don’t act now, at some point it may be too late to start.” UHHRU comments on a successful court case against a decision of the Rivne City Council.

PROTECTING THE RIGHTS OF HUMAN RIGHTS DEFENDERS IS AN IMPORTANT COMPONENT OF THE WORK OF THE UHHRU LAWYER NETWORK

In 2020, we published a report entitled “Situation of Activists and Human Rights Defenders”. In it, we examine the most common problems that human rights defenders and civil society activists face, mention specific instances of persecution they have experienced, including attempts to hold them liable under criminal, civil, and administrative legislation, threats, physical violence (including murder, beatings and damaged property), surveillance, and defamation campaigns.



In 2020, our PROs received 1,806 applications from activists and human rights defenders.

► <https://helsinki.org.ua/articles/ya-komus-neuhodnyy-aktyvistu-z-cherkashchyni-pidpaly-kamaz-cherz-zakhyst-stavkiv/>

“Someone doesn’t like me”: activist from Cherkasy Oblast had his KAMAZ truck set on fire for protecting ponds



► <https://helsinki.org.ua/articles/nova-profspilka-z-chym-pov-iazani-pohrozy-na-adresu-koordinatora-prymal-ni-uhsp/>

New labor union. Where the threats against the coordinator of an UHHRU PRO come from.



► <https://helsinki.org.ua/articles/yak-politsiia-ta-prokuratura-dnipra-ta-oblasti-vzhe-dva-roky-sabotuiut-rozsliduvannia-napadu-na-aktivista/>

► <https://helsinki.org.ua/articles/chyhyrynskiy-rayon-proty-mil-iardera-yak-aktivisty-zablokuvaly-shkidlyve-budivnytstvo/>

For two years, the police and prosecuting authorities of Dnipro and Dnipropetrovsk Oblast have been sabotaging the investigation into an attack on an activist.

Community against a billionaire. Activists from Chygyrinsky Rayon blocked harmful construction. The villages of Ratseve and Yasnoziryia are located in the same oblast – Cherkasy Oblast, and even in the same rayon – Chygyrinsky Rayon. Between them – a mere 100 kilometers. But this is not the only thing they have in common: for several years now, the residents of these villages have been fighting against the plans of the Mironivsky Hliboproduct company to build poultry farms on their land.

They finally managed to stop the environmentally damaging project, but there is no telling for how long. To do this, they had to weather several years of struggle, attacks, and several criminal cases that are still ongoing.

Local activists are supported in their fight against the agricultural giant by UHHRU's Cherkasy PRO as well as NGO Ekodiya.





Maxim Tymochko,
lawyer UHHRU



Anastasia Martynovska,
lawyer UHHRU

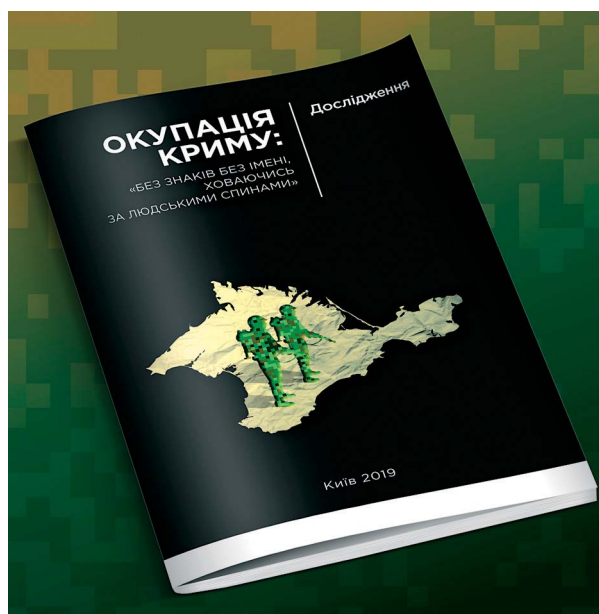
► https://helsinki.org.ua/wp-content/uploads/2020/01/Web_Okupation_Crimea_ukr_A4.pdf

LEGAL ISSUES RELATED TO THE ANNEXATION OF CRIMEA

In 2020, UHHRU's SLC continued supporting cases involving human rights violations in the occupied territory of the Crimean peninsula. In total, the Center is handling 53 cases and has over 75 clients.

In 2020, updates on 25 cases were prepared and submitted to the ECtHR.

In January 2020, UHHRU experts presented their analytical study entitled "Occupation of Crimea: No Marks, No Names, Hiding Behind Civilians", which concerns gross violations of IHL by Russia's Armed Forces, committed during the active phase of Crimea's occupation in February-March 2014.²



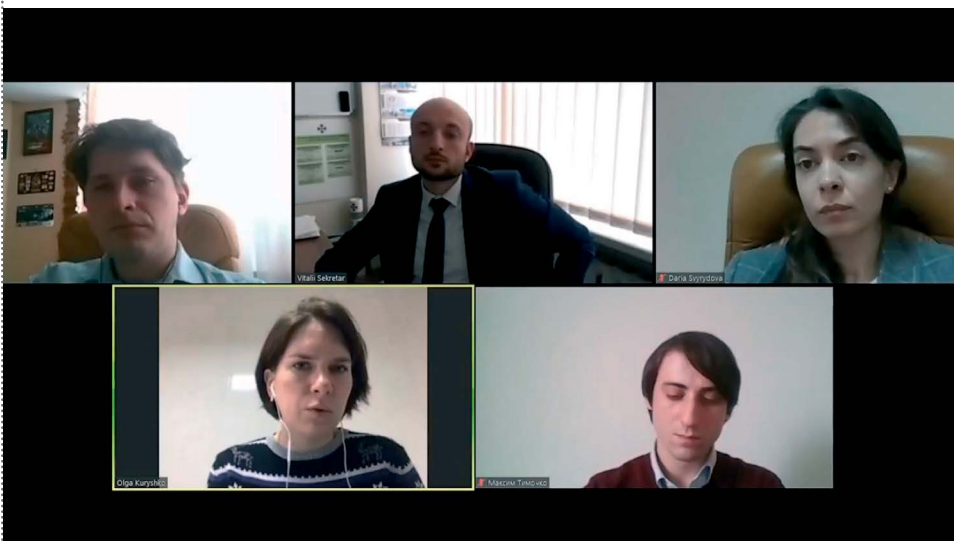
Together with the Prosecutor's Office of the Autonomous Republic of Crimea and the city of Sevastopol, we sent a submission to the ICC regarding the systematic persecution of journalists by Russia in the temporarily occupied territory of the ARC and Sevastopol. The submission contains, in particular, facts confirming the occupying power's policy aimed at eliminating independent journalism in Crimea.

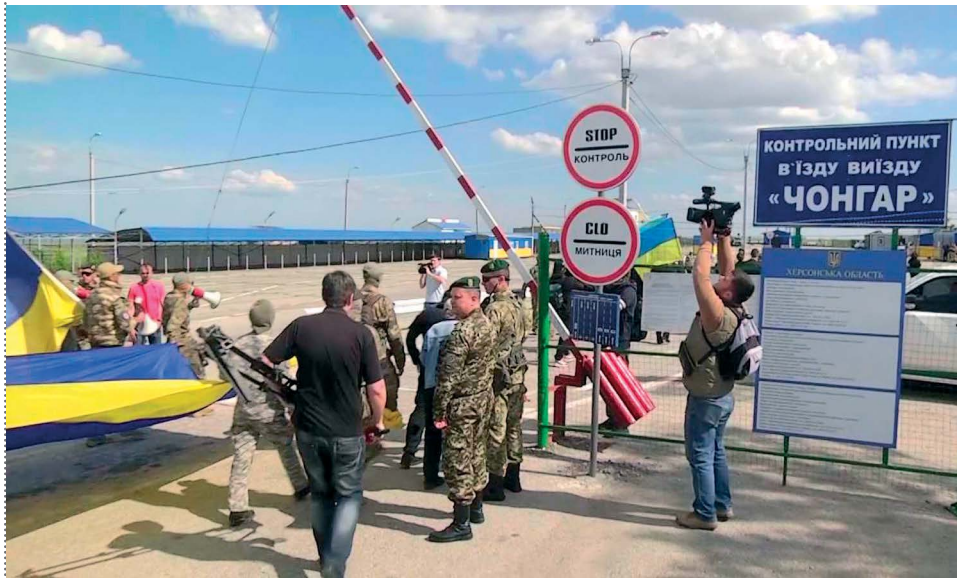
In September 2020, the UHHRU together with the Mission of the President of Ukraine in the ARC and the CrimeaSOS NGO presented a [Telegram chatbot](https://t.me/CrimealsUaBot) – CrimealsUaBot (t.me/CrimealsUaBot) – which allows residents of the temporarily occupied Crimea to get answers to frequent questions, such as those related to passports, registration of births/deaths that took place in the temporarily occupied territory, and the most up-to-date procedures for crossing the administrative border via checkpoints.

² <http://www.ppu.gov.ua/ru/pro-doslidzhennya-okupatsiya-krymu-bez-znakiv-bez-imeni-hovayuchys-za-spynamy-tsyvilnyh/>

Also, during May-September 2020, UHHRU lawyers together with the Mission of the President of Ukraine in the ARC developed the concept of remote notarization to improve access of the population of the temporarily occupied territory to notarization services. We are currently in talks with key stakeholders to implement the ideas set out in the concept in Ukrainian legislation.

In May 2020, an [online briefing](#) was held, entitled “How to Protect One’s Land Rights in the Temporarily Occupied Crimea”, during which UHHRU lawyer Maksym Tymochko voiced our advice that people should start collecting the necessary documentation right away and determine the current value of their land, as well as inform us of any issues so we could help them with litigation. UHHRU lawyers prepared an [explanation of the implications](#) of the Russian President’s Decree No. 201 of March 20, 2020.





In 2020, UHHRU lawyers continued providing legal advice and support regarding human rights violations to residents of the occupied peninsula on account of quarantine restrictions introduced in connection with COVID-19. In particular, our lawyers prepared a [guide](#) on crossing the administrative border with Crimea during the pandemic.



Як захистити право власності на землю в окупованому Криму



20 березня 2020 року указом Президента РФ № 201 розширено перелік прикордонних територій, на яких іноземним громадянам та особам без громадянства заборонено мати у власності земельні ділянки. До складу таких територій включено більшість районів на тимчасово окупованій території Автономної Республіки Крим та м. Севастополь.



РИЗИКИ ЗАСТОСУВАННЯ УКАЗУ

Якщо у власності особи є майно, яке в силу Указу не може їй належати, це майно має бути відлучене власником протягом року з моменту виключення права власності на майно. Якщо власник цього не зробить, ділянка може бути вилучена примусово на підставі рішення окупаційних судів. Крім того, датою володіння земельною ділянкою окупаційна влада визначила 20 березня 2021 року.



НА КОГО ПОШИРЮЄТЬСЯ ДІЯ УКАЗУ?

громадян України, які проживали на території Криму до окупації або проживають там досі, але не отримали паспортний документ окупаційної влади та мають у власності земельні ділянки на території АР Крим та міста Севастополь



громадян України, які ніколи не проживали в Криму, не мають там реєстрації, але набули у власність земельні ділянки, розташовані на території АР Крим чи міста Севастополь



іноземці (окрім громадян РФ), які набули права власності на земельні ділянки на території АР Крим чи міста Севастополь відповідно до законодавства України

ЯК ЗАХИСТИТИ СВОЇ ПРАВА?

- 1 Зібрати документи, які підтверджують право власності відповідно до законодавства України та які підтверджують процедуру вилучення ділянки окупаційною владою
- 2 Звернення до українських органів правопорядку з повідомленням про факт вилучення земельної ділянки в прокуратуру АР Крим з метою реєстрації кримінального провадження за фактом вчинення кримінального правопорушення на території тимчасово окупованого Криму
- 3 Співпраця з прокуратурою АР Крим для направлення матеріалів до Офісу Прокурора Міжнародного кримінального суду для проведення розслідування по ситуації в Україні. Дія окупаційної влади є воєнним злочинним згідно ст. 8 Римського Статуту.
- 4 Направлення індивідуальної скарги до Європейського суду з прав людини, оскільки держава-окупант порушує право на мирне володіння майном, гарантоване ст.1 Протоколу 1 до Європейської Конвенції з прав людини.

КОНТАКТИ ДЛЯ ОТРИМАННЯ КОНСУЛЬТАЦІЙ ТА ЮРИДИЧНОЇ ДОПОМОГИ:

Представництво України в АР Крим
 Для звернень громадян: 73003, м. Херсон, проєкт Ушакова, 42 (пошта): +38(0552)49-59-39
 ✉ zvernenia@ppu.gov.ua
 ☎ 0 800 502 192
 @ppuark
 facebook.com/ppu.gov.ua

Прокуратура Автономної Республіки Крим (м. Київ)
 Для звернень громадян: 03150, м. Київ, вул. Ділова, 24 (центральний офіс та адреса для листування), м. Херсон, вул. Кривинчука, 69 (3 поверх)
 ✉ zvern01@ark.gov.ua
 Прокуратура Автономної Республіки Крим (вт.-чт., з 10:00 до 13:00)
 ☎ 044 596 73 57, 096 700 16 00
 prok.arkym

Українська Гельсінкська спілка з прав людини
 ☎ 050 140 25 65, 099 793 64 18 (в робочі дні з 10:00 до 18:00)
 ☎ 066 883 11 49, в Херсоні (в робочі дні з 10:00 до 18:00)
 krym.priemnay@gmail.com

CRIMEA SOS Крим SOS
 ☎ 063 077 16 19, 036 031 53 97, 096 684 88 47, 095 560 52 38
 ☎ 085 277 53 55, в Херсоні
 krymasos_legal (для тих, хто знаходиться у Криму)
 help@krymsos.com
 krymasos.com

Регіональний центр прав людини
 Для звернень громадян: 01054, Україна, Київ, вул. Ярославів Вал, 21Е, оф. 59
 ☎ 044 235 59 10
 rchr.sev@gmail.com
 rchr.org.ua

Special projects



Maxim Petrov,
UHHRU Communication
Manager

IN 2020, with the support of Freedom House, the project “Protection and Expansion of Public Space” was implemented in Ukraine, which was aimed at protecting the rights of the LGBTQI+ community and activists.

The project’s educational component consisted of training modules on the protection of the rights of the LGBTQI+ community and activists, as well as on the analysis of state and local policies on LGBTQI+ protection. The first one was attended by 21 lawyers and attorneys, the second one – by 16 LGBTQI+ activists and representatives of LGBTQI+ organizations.

To achieve the project’s goals, we conducted a survey on security during LGBTQI+-themed peaceful gatherings among 33 experts – representatives of LGBTQI+ organizations (Fulcrum, Insight, Alliance. Global, Gender Z, LGBT Association LIGA, LGBT Human Rights Center NASH MIR), human rights and watchdog organizations (Center for Civil Liberties, UHHRU, Association UMDPL, Human Rights Initiative), international non-governmental organizations (Freedom House, Amnesty International), international intergovernmental organizations accredited in Ukraine (OSCE, EUAM), as well as the National Police of Ukraine, Secretariat of the Ukrainian Parliament Commissioner for Human Rights, lawyers and activists.

Taking into account the survey’s results, we conducted a [study](#) entitled “Security during LGBTQI+ Peaceful Gatherings: Communication Problems between Organizers, Police and Local Governments”, which involved monitoring the situation in 6 cities of Ukraine (Mariupol, Mykolayiv, Odesa, Uzhhorod, Chernivtsi, and Kharkiv).

As part of the efforts to change the attitude of law enforcement toward investigating hate crimes, we held a public event entitled “Will the Attitude toward Hate Crimes against the LGBTQI+ Community Change in 2021?”, during which the situation was discussed from the points of view of a police officer, an activist, and a lawyer.

We also analyzed lectures on human rights, non-discrimination, and hate crimes published on the Training Portal of the National Police of Ukraine (for active police officers), as well as the standards of higher education and curricula of the Kharkiv National University of Internal Affairs and Odesa State University of Internal Affairs. Recommendations were prepared based on the study’s results.

Another component of the project involved the creation of a database of hate symbols, which are sometimes used in hate crimes. The document should be ready in 2021.

As part of the advocacy component of UHHRU's activities in the field of protecting the rights of the LGBTQI+ community and activists in 2020, we prepared over 20 publications on security during LGBTQI+ peaceful gatherings, on the activities of regional LGBTQI+ organizations, the attitude of the police toward investigating hate crimes, the motives for committing hate crimes and the use of hate symbols, as well as on LGBTQI+ rights amidst the pandemic.

We also sent petitions regarding homophobic and discriminatory statements made by Mykola Kuleba, Presidential Commissioner for Children's Rights (June 2, 2020), and the attack on the participants of the event "Let's Walk Together! All Will Be Pride!" by supporters of the Tradition and Order organization (September 1, 2020).

Education work



Valentyna Potapova,
Leader of Educational
direction UHHRU

On this front, UHHRU worked on the following



1 As part of formulating state policy on human rights education

- Assessing the implementation of the [National Strategy in the Field of Human Rights for 2016-2019, Section “Ensuring the Right to Education”](#)



- Developing and integrating the Strategy for the Development of Civic Education until 2030 in the Concept of the Development of Civic Education in Ukraine.
- Developing an Action Plan for the implementation of the Concept of the Development of Civic Education until 2024. UHHRU’s proposals on providing civic education to residents of the temporarily occupied territory were taken into account in Section VII “Current Challenges in the Development of Civic Education in Ukraine and the Action Plan for Its Implementation”.



2 As part of responding to the challenges presented by the humanitarian crisis and the armed conflict in Ukraine, including those related to the COVID-19 pandemic, we

- prepared materials for the online service of the Ministry of Education and Science that provides consultations to children and potential entrants from the NGCA.
- held seminars for representatives of the UHHRU and our PROs entitled “Holding Training Activities and Awareness-Raising Campaigns in the Interests of Protecting the Right to Education of Residents of the Occupied Territories.

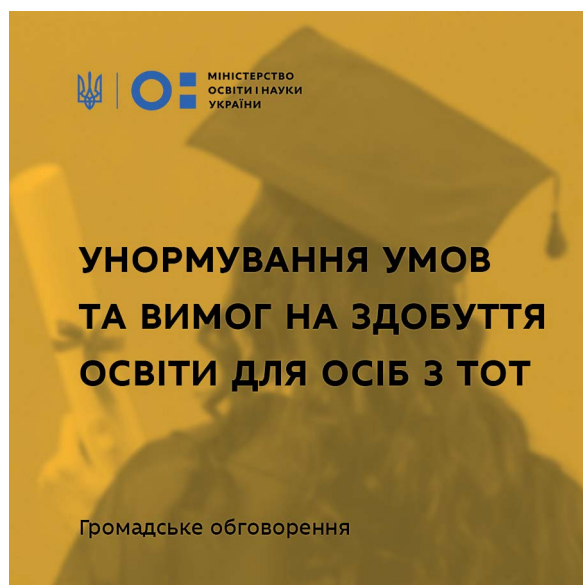
► <https://cutt.ly/sgPinzZ>

▶ <https://goo-gl.su/tUpqt9Q>

▶ <https://goo-gl.su/GnD3vRA>

▶ <https://bitly.su/3dmUUE8>

- Prepared comments and suggestions regarding the Law of Ukraine “On Complete General Secondary Education” and draft amendments to the Orders of the Ministry of Education and Science No. 560 and No. 697
- Prepared recommendations for the field meeting of the Parliamentary Committee on Human Rights in Kherson for improving the situation with ensuring the right of Crimean residents to education
- Established cooperation with the Ministry for the Issues of Veterans, Temporarily Occupied Territories and Internally Displaced Persons of Ukraine on developing a draft concept for returning the children and youth from the NGCA their Ukrainian identity
- Prepared recommendations, together with other NGOs, for simplifying admission to Ukrainian higher education institutions for youth from the occupied territories
- Prepared the draft order of the Ministry of Education and Science of Ukraine [“On Adopting the Procedure for Admission to Higher, Professional Pre-Higher, and Vocational Education for Persons Living in the Temporarily Occupied Territory of the Autonomous Republic of Crimea and the City of Sevastopol, Temporarily Occupied Areas of Donetsk and Luhansk Oblasts, and Settlements Located along the Contact Line”](#)



- Prepared, as part of a working group of the Mission of the President of Ukraine in the ARC, the [List of Persons Involved in the Militarization of the Educational Space of Crimea and the Destruction of the National Identity of Crimean Children](#)

- Established cooperation on Detailed Measures with the Directorate of Justice and Criminal Justice, which will involve gradual implementation of the government's action plan for 2020, conducting an awareness-raising campaign on transitional justice, and informing the public about the course and effects of the armed conflict
- Monitored changes and challenges in the teaching of children from the occupied territories amidst the COVID-19 pandemic and analyzing key problems in the field of education faced by residents of the occupied territories in connection with quarantine restrictions
- Prepared proposals for the public discussion of the draft order "On Introduction of the Pilot Project on Special Training Courses" meant to prepare NGCA residents for admission to higher education institutions
- Prepared a study entitled "[Educational Field in the Temporarily Occupied Territories of Ukraine \(2014-2019\)](#)"



3 Practically-oriented implementation of human rights in higher education through strengthening partnerships between non-governmental organizations and universities

- We continued cooperation with the higher education institutions of Kyiv (Tavriya National University, Kyiv National University of Culture and Arts, Taras Shevchenko National University of Kyiv, Kyiv Mohyla Academy); 36 students underwent internships at the UHHRU
- Workshop on Human Rights Activities (Legal Clinic of Human Rights) for students of the Institute of International Relations of the Taras Shevchenko National University of Kyiv. In the course of the workshop, students gained knowledge about the fundamentals of transitional justice and got involved in our work under the USAID project related to the protection of human rights
- We signed a Memorandum of Cooperation with the State Institution "All-Ukrainian Youth Center"
- We took part in a series of expert discussions entitled "Protection of Rights in Higher Education"



4 Promoting the principles of transitional justice and international humanitarian law

- We prepared textbooks [“Studying International Humanitarian Law in Educational Institutions”](#) and [“Story of a City: How to Teach Certain Issues of the Military Aggression of the Russian Federation in East Ukraine”](#)
- We held a series of webinars entitled “How to Teach International Humanitarian Law in Educational Institutions” for teachers and educators of the institutes of postgraduate pedagogical education, education departments, teachers of history and social sciences as well as representatives of NGOs
- We presented our textbooks “Studying International Humanitarian Law in Educational Institutions” and “Story of a City: How to Teach Certain Issues of the Military Aggression of the Russian Federation in East Ukraine” to educators and residents of Luhansk Oblast during the Opinion Festival 2020 in Sievierodonetsk
- We held a roundtable entitled “Transitional Justice Mechanisms and Educational Practices as Tools of Post-Conflict Regulation in Ukraine”
- We held an online discussion entitled «What the Strategy of Transitional Justice Should Be Like (Through the Prism of the Right to the Truth)” during the NonConference 2020, dedicated to Ukraine’s current challenges in the field of human rights
- We held a series of expert discussions on transitional justice (Odesa, Kyiv, Dnipro)



5 Training course for judges and lawyers “Protecting Human Rights in the Context of the Armed Conflict in Ukraine”

- Face-to-face seminar as part of the training course “Protecting Human Rights in the Context of the Armed Conflict in Ukraine” (for the first part of the group)
- Face-to-face seminar as part of the training course “Protecting Human Rights in the Context of the Armed Conflict in Ukraine” (for the second part of the group)



Nazar Losuk,
Personnel Manager
UHHRU

- Mock trial as part of the training course “Protecting Human Rights in the Context of the Armed Conflict in Ukraine”
- Regional meeting of graduates of UHHRU training courses (Chernihiv)
- Regional meeting of graduates of UHHRU training courses (Odesa)

DIGITALIZATION OF BUSINESS PROCESSES

Our organization continues digitalizing our business processes and moving our current activities and documents to the cloud. In the spring of 2020, at the beginning of quarantine, we managed a painless transition to remote operation, maintaining the momentum necessary to continue our projects.

Our people quickly mastered Teams and Zoom, allowing us to conduct any event remotely.

During August-September 2020, we created a database in SharePoint for keeping track of personnel, equipment, office locations, projects, and the tasks of those involved in implementing our projects.

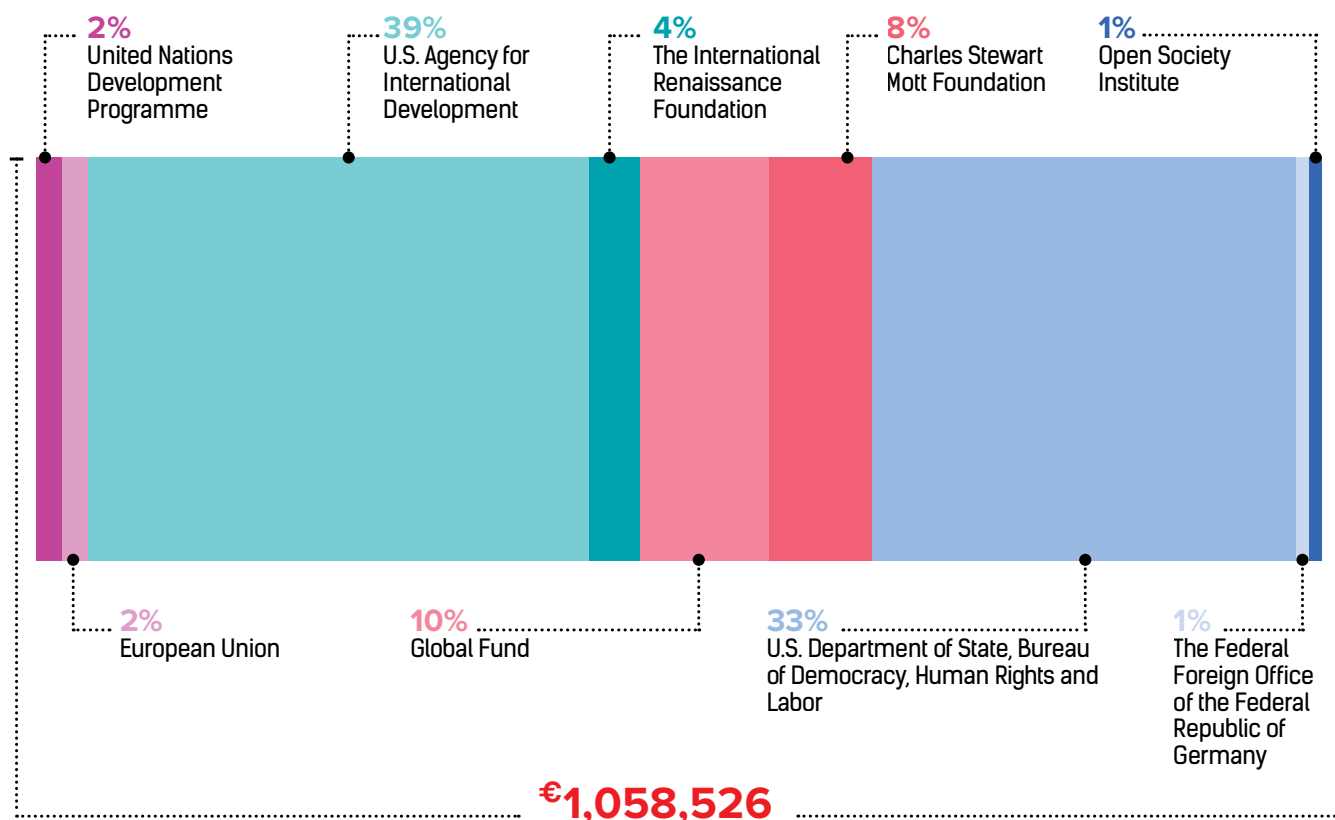
Also, in September 2020, using Teams, we deployed a Knowledge Database with over 1,000 documents, which covers all possible needs for information and allows our people to work autonomously, without the need for additional communication.

In 2021, our IT team plans to automate the most frequently used business processes, which will allow us to adapt business processes to our policies and procedures, to systematize collection and storage of reports, to assess the workload on our team, and to identify bottlenecks that affect our deadlines and result in reputational damage to the Union.

In addition, to improve computer literacy among the office staff and other members of the Union, we plan to conduct remote training activities on the use of cloud storage and the building of cloud infrastructure using Office 365.

Financial report of the UHHRU for 2020

INCOME:



SOURCES OF FINANCIAL SUPPORT:

Global Fund	€107,178
U.S. Agency for International Development	€407,847
U.S. Department of State, Bureau of Democracy, Human Rights and Labor	€348,057
European Union	€19,861
United Nations Development Programme	€21,793
Charles Stewart Mott Foundation	€87,561
The Federal Foreign Office of the Federal Republic of Germany	€8,867
The International Renaissance Foundation	€44,228
Open Society Institute	€13,134
TOTAL	€1,058,526

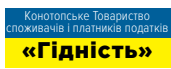
PROGRAM COSTS:

Salary	€282,598
Support of Public Reception Offices	€119,958
Fees for lawyers and litigation related costs	€102,830
Fees for experts	€63,944
Translations	€4,490
Publications and promo-materials	€14,101
Fact-finding mission	€1,070
Public events	€7,090
Working meetings	€2,822
Trainings and other educational activities	€13,765
Educational events for staff	€943
Meetings of governing bodies	€690
Participation in national and international events and studies	€7,390
Maintenance and update web-sites and databases	€2,979
Travel	€369
Delivery and postage	€2,169
Equipment and furniture	€870
Consumables and office supplies	€1,962
Softs	€59
Services, maintenance and upgrade of office equipment	€519
Books, periodicals and data bases	€1,987
Communications	€1,748
Office rent	€24,803
Subgrants to partner organisations	€226,510
Contingency	€15,080
Total for Program Costs	€900,746

ADMINISTRATIVE COSTS:

Salary	€201,652
External audit	€15,063
Communications	€393
Equipment and furniture	€204
Office rent	€5,818
Delivery and postage	€457
Bank fees	€2,810
Consumables and office supplies	€460
Contingency	€2,925
Total for Administrative costs	€229,782
GRAND TOTAL	€1,130,528

UHHRU composition:



NGO Dignity – Konotop, Sumy Oblast



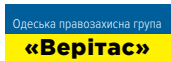
Kirovograd Association “Civic Initiatives” – Kropyvnytskyi



NGO MART – Chernigiv



NGO Public Bureau “Pravozahyst” – Sumy



NGO Human Rights Protection Group “Veritas” – Odesa



NGO All-Ukrainian Society of Political Prisoners and Victims of Repressions – Kyiv



Civic Committee for the Protection of Constitutional Rights and Civil Liberties – Kyiv



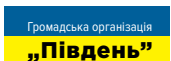
Congress of Ethnic Communities of Ukraine – Kyiv



Center for Legal and Political Studies “SIM” Web: centre7.org.ua – Lviv



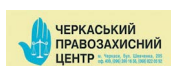
Kherson Regional Branch of the Committee of Voters of Ukraine – Lviv



NGO Docudays – Kherson



Kharkiv Human Rights Protection Group – Kharkiv



Cherkasy Human Rights Protection Center – Cherkasy



Chernigiv Public Committee for Human Rights Protection



Chortkiv City NGO “Helsinki Initiative XXI” – Chortkiv



Odesa Regional Branch of the Committee of Voters of Ukraine – Odesa



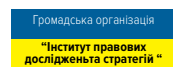
NGO Flora – Kropyvnytskyi



NGO “Territory of Success” – Kropyvnytskyi



Ecological and Humanitarian Association “Green World” – Chortkiv



NGO “Institute of Legal Research and Strategies” – Kharkiv



Charitable Organization “Foundation of Mercy and Health” – Kherson



NGO “Eastern-Ukrainian Center for Civic Initiatives” – Kyiv



NGO “Podil Legal League” – Khmelnytskyi



Chuguyiv Human Rights Protection Group – Chuguyiv



NGO Human Rights Group “SICH” – Dnipro



NGO “Center for Community Growth” – Kovel



NGO “Northern Human Rights Protection Group” – Sumy

Leadership

Yevgen Zakharov



Chairman of the Board, Chairman of Kharkiv Human Rights Group

Olexander Stepanenko



Chairman of the NGO «Green World», Chortkiv

Volodymyr Yavorsky



an independent expert

Lydia Topolevska



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

[Anatoly Boyko](#)



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

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

[Natalia Bimbiraite](#)



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

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



UNDP



European Union (EU)



Global Fund to Fight AIDS, Tuberculosis and Malaria



Charles Stewart Mott Foundation



National Democratic Institute for International Affairs (NDI)



Auswärtiges Amt

Ministry of Foreign Affairs of the Federal Republic of Germany



International Renaissance Foundation



Open Society Institute (OSI-ZUG)

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