



UKRAINIAN HELSINKI
HUMAN RIGHTS UNION

ANNUAL REPORT

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INTRODUCTION



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.....
Borodyanka village,
Kyiv Oblast.
April 2022

2022 became a challenge full of tragedy for all of Ukraine: in February, the Russian military launched a full-scale invasion of our country, with missiles, airstrikes and ground operations.

However, even in these conditions, the Ukrainian Helsinki Human Rights Union (UHHRU) continued its efforts to ensure legal protection for everyone in Ukraine-controlled territory. In addition to providing free legal advice and handling subsequent proceedings in domestic courts, UHHRU was also engaged in a much wider range of activities: providing the public with essential information, doing analytical work, mediating civil disputes, providing secondary legal aid, and seeking redress on behalf of victims, including through the European Court of Human Rights (ECtHR).

UHHRU LEGAL AID CENTERS

18
REGIONS
OF UKRAINE



21
LACs

UHHRU's network of legal aid centers covers **18 regions of Ukraine** and includes **21 LACs** – all of them located in government-controlled territory. These LACs remain indispensable for providing primary legal assistance to war-affected IDPs that were forced to leave the Kremlin-occupied territories of Ukraine, as well serve as reliable sources of related legal information for local media, in no small part thanks to strong ties with local communities.

It's worth noting that UHHRU is constantly monitoring the situation in the regions, developing its LAC network in such a way as to ensure access to justice for as many people as possible. In light of this, in response to Kremlin's full-scale invasion launched on 24 February 2022, the network was expanded in order to tackle the enormous number of challenges created by the total war and to help millions of people that had to abandon their homes to escape the war crimes committed en masse by the Russian army.

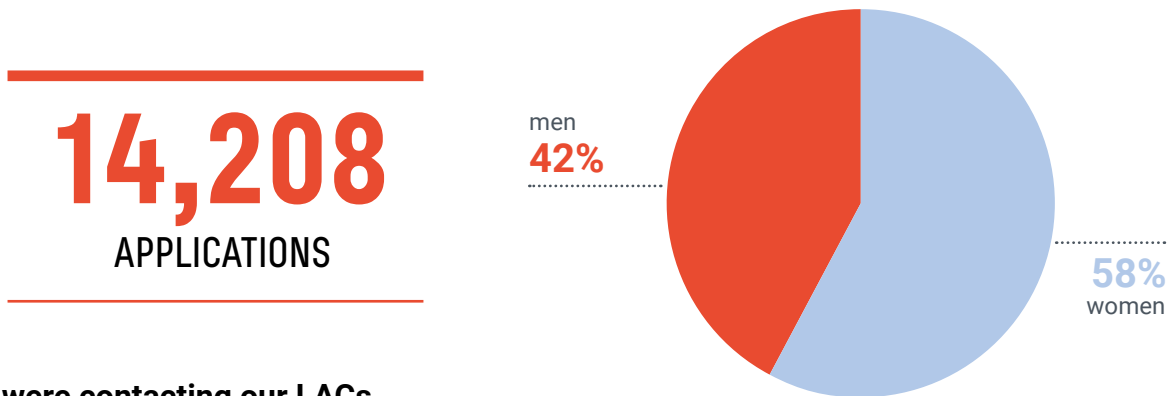
Dmytro Naumenko
in the middle
of providing
legal advice during
a visit to the Ivanivka
community in Chernihiv
Oblast, August 2022.

*Source: Facebook page
of NGO MART, which
serves as the basis for
UHHRU's Chernihiv LAC*



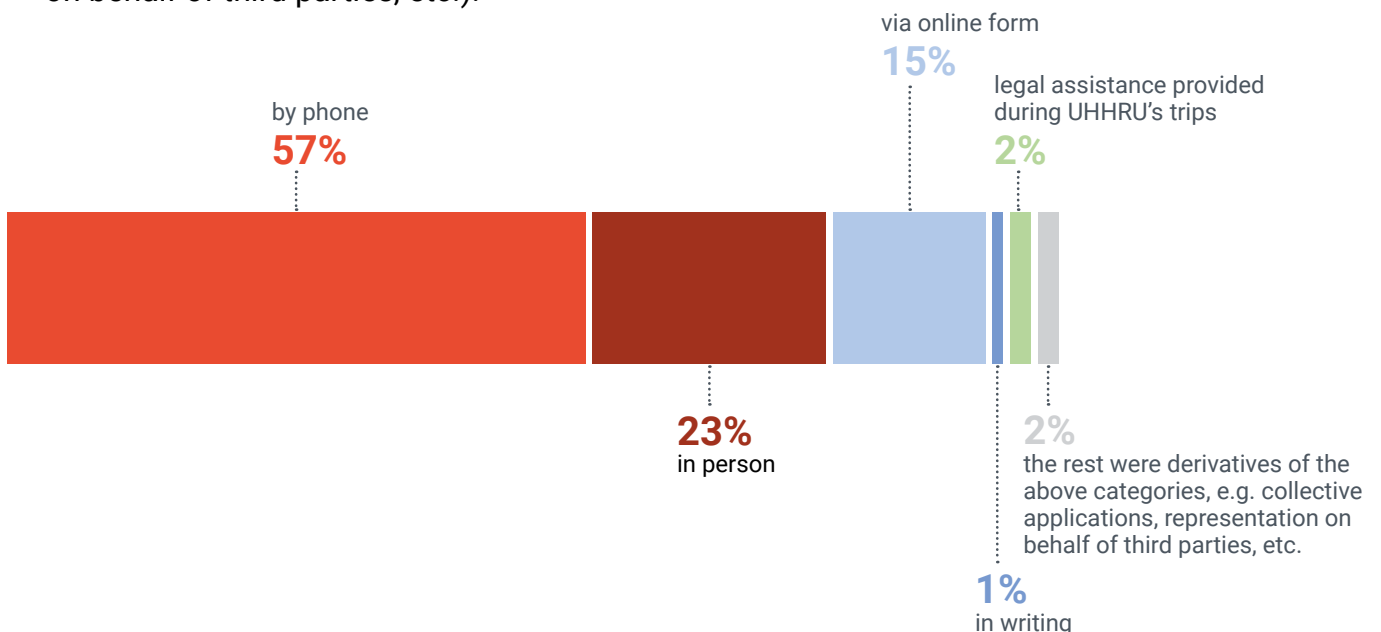
LAC lawyers continue providing a wide range of free legal services to the public – from providing legal consultations to preparing complex packages of procedural documents for pursuing litigation in national courts.

In 2022, LACs processed **14,208 applications** (42% men, 58% women). UHHRU lawyers also provided representation in **126 cases** and submitted **114 applications to international courts**.



People were contacting our LACs

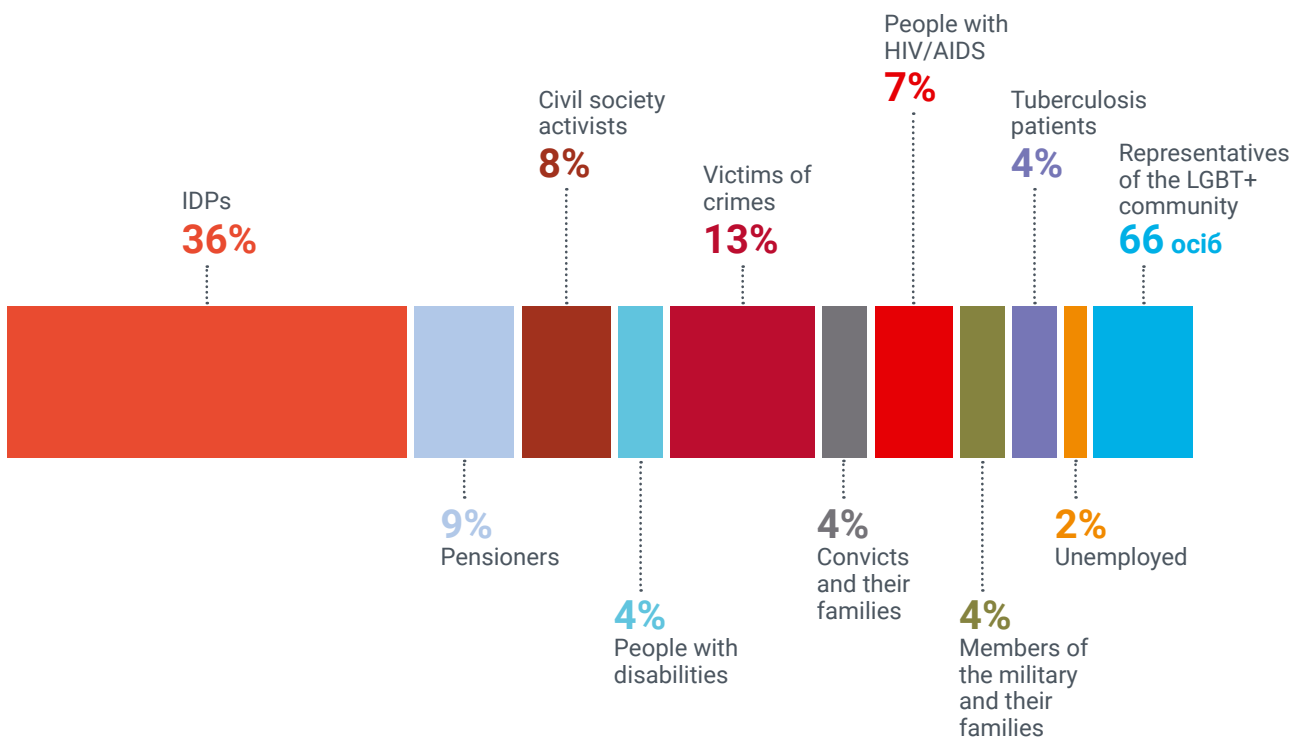
- by phone – 57% of applications
- in person – 23%
- via online form – 15%
- in writing – 1%
- legal assistance provided during UHHRU’s trips – 2% of applications (the rest were derivatives of the above categories, e.g. collective applications, representation on behalf of third parties, etc.).



CHATBOTS

UHHRU has several chatbots (managed by lawyers of the LACs and the Strategic Litigation Center (SLC) when necessary) for providing legal assistance online. Such tools are especially relevant when people are unable to visit our LACs or state authorities in person due to travel restrictions dictated by war-related security concerns.

In terms of population groups that were contacting our LACs, these include IDPs (about 36% of applications), pensioners (9%), civil society activists (8%), people with disabilities (4%), and victims of crimes (13%). A large number of applications were from convicts and their families (4%), people with HIV/AIDS (7%), members of the military and their families (4%), tuberculosis patients (4%), unemployed (2%), as well as representatives of the LGBT+ community (66 people).



ISSUES BROUGHT UP IN THE APPLICATIONS

The most common issues that people were contacting us about include:

- issues related to civil law (e.g. seeking compensation for damaged property, inheritance issues, etc. – about 15% of applications, and 14% are compensation-related),
- legislation on social guarantees (12%),
- pension legislation (3%),
- criminal law (5%),
- issues related to arbitrary conduct (3%),
- torture and ill-treatment (2%),
- violations of the right to health (3%),
- housing rights (3%),
- labor law (3%),
- violations during pre-trial proceedings (3%),
- violations during trial (4%),
- access to information (3%),
- family law (2%),
- 164 applications concern discrimination.

In the case described below, UHHRU lawyers succeeded in upholding the rights of a person who ended up homeless because of criminals:

“In 2015, unknown individuals kidnapped Yuriy Synelnyk and took him from Kyiv to an unidentified location, taking away his passport and apartment keys. It’s still unknown where the kidnappers were holding Yuriy and who they were. He was eventually released, but when he went home, he found himself unable to get into his apartment: it was occupied by people that were calling themselves legitimate owners of the apartment. That was when the perpetrators’ motives became clear. Yuriy reported this to the police, who launched a criminal investigation into the incident. However, the investigators seemed interested only in the kidnapping and didn’t bother with pressing charges against the notaries who certified the transfer of Yuriy’s property to the criminals and whose identities weren’t a secret. Left with no home and no livelihood, Yuriy [turned to UHHRU](#) for legal assistance. This complex, multifaceted case has lasted for years. Despite the seemingly obvious circumstances of the case, preparing our legal position and formulating the lawsuit proved to be a real challenge, so UHHRU is very happy with the court decision that was delivered on 30 August 2022 – to return the property to its rightful owner, Yuriy – even though it’s only the first step toward getting his apartment back.”



▲
Yuriy Synelnyk,
client of the Ukrainian
Helsinki Human Rights
Union

AWARENESS-RAISING ACTIVITIES

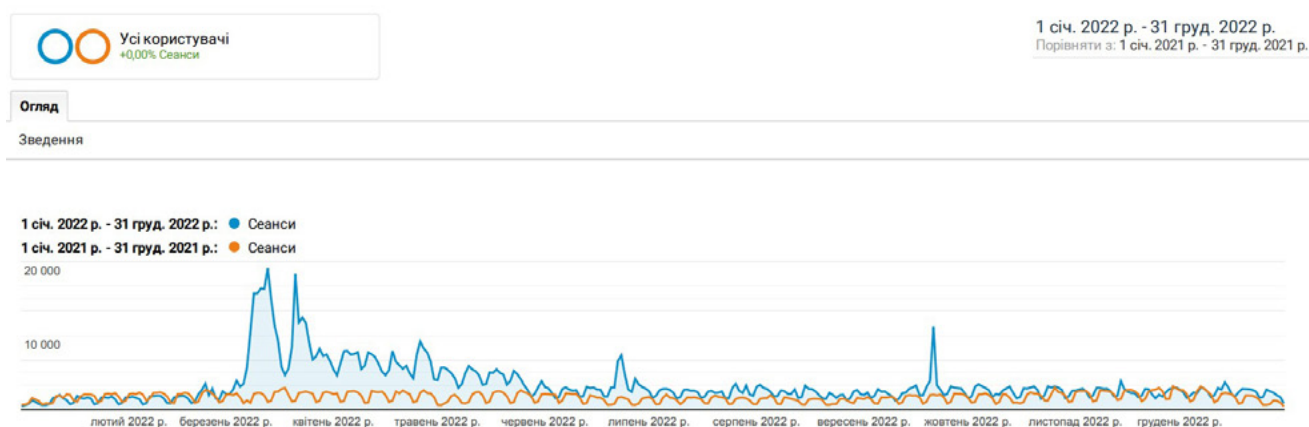
are aimed at overcoming legal nihilism and disproving the idea that it's impossible to uphold human rights. The topics covered by these activities are diverse – pensions, reforms, human rights in the context of communicating with the police, protection from domestic violence, dealing with the legal fallout of the war unleashed by the Kremlin, etc.

601

EVENTS

In 2022, **601 events** (on-site lectures and presentations, media publications and social media posts, videos and handouts, etc.) were organized/co-organized by the LACs together with UHHRU's head office, which hosts its own events or posts information to teach people how to navigate the legal system and defend their rights.

It should be noted that according to Google Analytics, in 2022 the [UHHRU website](#) had over 1.5 million views by more than [994,000 unique visitors](#). This is an outstanding result which, among other things, demonstrates the usefulness of UHHRU's materials.



▲
Google Analytics screenshot:
UHHRU website views in
2022 and 2021

To give some examples, here are ten most popular articles of the year – these are essentially of informational and educational nature (dealing with issues related to IDPs and asylum seekers as well as specific aspects of martial law in Ukraine): [TOP-10 UHHRU materials that were of interest to Ukrainians in 2022](#).

EDUCATION ON HUMAN RIGHTS

Training on main provisions of international humanitarian law (IHL) was organized for educators from 16 regions, and issues related to IHL violations committed during the Russian-Ukrainian war were clarified for students and the general public. Between May and July 2022, 1,368 people took part in the training. In addition to educators, the course also attracted civil servants working in the education system, representatives of post-graduate pedagogical education institutes and professional development centers for pedagogical workers, officials of local self-government bodies, specialists (lead specialist in military service records, department head from the State Emergency Service of Ukraine), lawyers, volunteer aid workers from the Ukrainian Red Cross Society, and college students, which demonstrates the high demand for IHL education. The demand for the online course “Studying international humanitarian law” hosted on the Prometheus platform has also risen significantly. As of August 2022, 4,570 people completed the course.

1,368
PEOPLE

Memorandums were signed with the National Agency of Ukraine on Civil Service (NADS), the Education Ombudsman, and the Higher School of Advocacy of Ukraine. In particular, a model short-term training program “International humanitarian law in the professional activities of civil servants” was developed and approved as part of the partnership with NADS, and an express course was organized for civil servants of categories B and C and representatives of local self-government bodies.

As of September 2022, with the assistance of UHHRU experts involved in the working groups of the Ministry of Education and Science, significant changes were made to school curricula on history, law, and civic education to incorporate IHL-related material. To ensure that these issues are taught properly, UHHRU experts prepared methodological guidelines “How to teach issues of international humanitarian law in history, civic education and law classes” (published on the website of the Ministry of Education and Science). Also, 25 people completed related training within the professional development system for pedagogical workers and will now be able to pass on this knowledge to teachers in regions.

From September to December 2022, practical course “Human rights activism workshop” was organized for students pursuing their Master’s degree at the Educational and Scientific Institute of International Relations of the Taras Shevchenko National University of Kyiv. The participants learned about the experience of UHHRU’s human rights defenders and our main activities and formats of work and will potentially be able to join these efforts in the future, as volunteers or otherwise.

In March 2022, UHHRU launched a marathon of webinars on IHL for various target audiences: judges, lawyers, and other legal professionals. We developed an express training course for lawyers titled “Application of the norms of international humanitarian law in national justice” – the first of its kind – as well as a series of videos designed to teach the general public about IHL in simple terms.

In 2022, UHHRU organized 44 educational events aimed at raising awareness and understanding regarding human rights in the context of armed conflicts.

**Judges, lawyers,
and prosecutors –
participants of the
training course
“Defending human
rights amid the armed
conflict in Ukraine.”
Kyiv, October 2022**



DOCUMENTING WAR CRIMES

Right now, Ukrainian society, UHHRU included, is focused on ensuring accountability for war crimes committed in Ukraine. Relevant state agencies were tasked with collecting and preserving evidence of war crimes and human rights violations for future tribunals. In addition to that, our country's political leadership is creating conditions for getting interested international partners involved in these efforts. It should be mentioned that on the very first day of Russia's full-scale invasion, national NGOs, together with UHHRU, launched two coalitions that are leading the efforts on documenting war crimes:

[Ukraine.5AM](#) and [Tribunal for Putin](#).

In 2022, UHHRU acted as part of the above-mentioned coalitions (focusing more on Tribunal for Putin) as well as resumed its own documenting work. Our legal aid centers play a key role in this by documenting war crimes in their respective regions while also keeping the victims informed regarding available legal aid and follow-up legal protection services that UHHRU offers to those affected by human rights violations.



Our legal aid centers received bulletproof vests to use in their efforts on documenting war crimes in the liberated areas



▲
Home of one of UHHRU's clients from Kherson Oblast that was damaged by Russian airstrikes

Through articles like [“The village has been liberated, but there’s nothing to return to: because of war crimes committed by the Russians, Mala Seidemynukha is now deserted”](#) we seek to demonstrate the importance of covering war crimes and to tell people how important it is to ensure justice for every crime and restitution for every survivor. The scope of our documenting work is too broad to fully cover here, of course, but, as an example, here are a few publications that deal with the Kremlin’s brutal crimes allegedly committed in specific regions of Ukraine (all documented by Tribunal for Putin): [Odesa Oblast](#), [Luhansk Oblast](#), [Kherson Oblast](#).

STRATEGIC LITIGATION

The final aspect of our work that deserves attention is strategic litigation carried out by our Strategic Litigation Center (SLC). Combined with the experience of our LACs, the cases they support have the potential to bring significant policy changes that could improve the human rights situation nationwide.

During the reporting period, the SLC maintained its ability to provide quality legal assistance in strategic cases aimed at creating precedents that would enhance human rights protection within the country, as well as ensured their coverage by the media and advocacy. To reiterate, successful strategic cases are among the most powerful tools for protecting human rights, as they don't simply improve the situation of the client in a specific case but also potentially benefit a whole category of the population, lead to changes in legislation and administrative practices, improve the work of the judiciary, create new means of legal protection, and increase accountability of the state and its agents before the public.

In 2022, the SLC supported over **100 cases** (done by UHHRU independently or together with partners).

Main categories of cases:

- war-related cases involving the death of civilians;
- cases involving injured civilians;
- kidnapping cases;
- cases involving torture and ill-treatment in Russian captivity;
- cases involving destroyed civilian property.



◀ Vitaliya Lebid, lawyer of UHHRU's Strategic Litigation Center, at the European Court of Human Rights

100
CASES



Below are a couple of noteworthy examples of the cases supported during the reporting period:



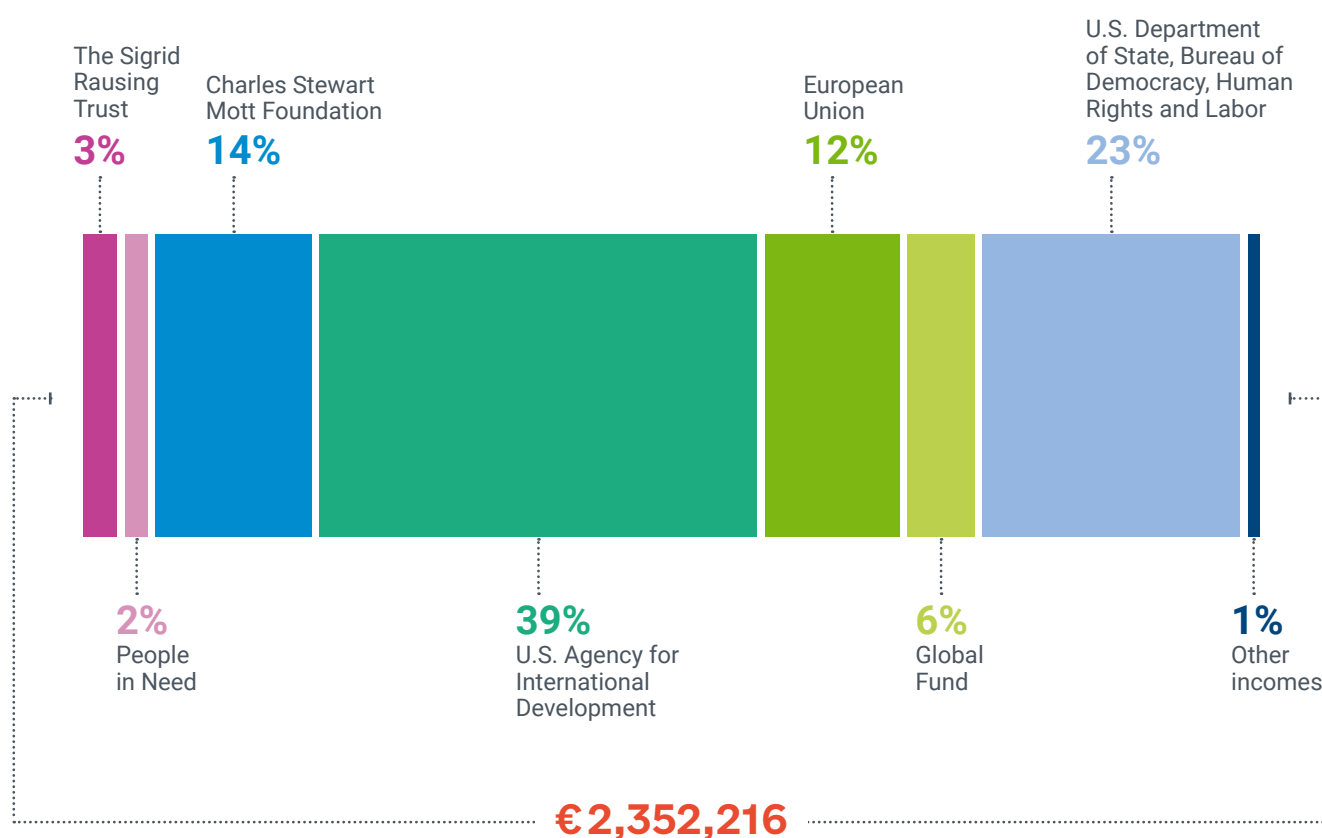
The ECtHR found a violation of Article 3 of the Convention in its procedural aspect in the case [Suslov and Batikyan v. Ukraine](#) because the authorities failed to conduct an effective investigation into a systemic issue involving complaints about ill-treatment at the hands of the police. In addition, this case raises the important issue of admitting exculpatory testimonies of witnesses that have significant probative value without investigating allegations of ill-treatment. Furthermore, the Court found that Ukraine violated the applicant's right to a fair trial, since the proceedings were conducted behind closed doors without a properly justified court order, and this issue wasn't addressed during the appeal stage. Ukraine also failed to ensure adequate conditions for the defense to prepare for the trial, undermining the principles of fair trial and equality of the parties, as well as failed to ensure the applicant's right to legal aid at the initial stage of the investigation, denying him the right to choose his lawyer. Moreover, the investigators subjected him to multiple "informal" interrogations in the absence of a lawyer, which also affected the overall fairness of the proceedings. In addition to the above, the Court found a violation of Article 3 of the Convention due to the poor conditions of the applicant's detention at the Kyiv Pretrial Detention Center. All this added to the importance of this case, as it addressed a systemic problem that exists in Ukraine: torture of detainees combined with restrictions placed on their right to legal aid at the initial stage of investigations and failure to effectively investigate allegations of ill-treatment. Hidden from the public eye, such practices usually get covered up within the penitentiary system.



In [Kupinsky v. Ukraine](#), the ECtHR found a violation of Article 3 in connection with a life sentence without the possibility of reduction that was handed to the applicant, which echoed the Court's previous conclusion in the case *Petukhov v. Ukraine*. In addition, the Court found a violation of Article 7 of the Convention because the Ukrainian courts imposed a harsher punishment on the applicant than Hungarian courts (life in prison without the possibility of reduction and life with the possibility of reduction, respectively). This is the second decision in applications against Ukraine where the Court recognized a violation of Article 7 of the Convention. It's also the first instance in the Court's case law where Article 7 was recognized as applicable in the context of the possibility of early release.

FINANCIAL REPORT OF THE UHHRU

INCOME (BY DONORS):



SOURCES OF FINANCIAL SUPPORT:

Total from the Global Fund	€ 151,100
U.S. Agency for International Development	€ 911,576
U.S. Department of State, Bureau of Democracy, Human Rights and Labor	€ 540,492
Charles Stewart Mott Foundation	€ 318,832
European Union	€ 281,955
People in Need	€ 45,000
The Federal Foreign Office of the Federal Republic of Germany	€ 352
The International Renaissance Foundation	€ 13,195
The Sigrid Rausing Trust	€ 89,714
GRAND TOTAL:	€2,352,216

PROGRAM COSTS:

Salary	€ 189,558
Support of Public Reception Offices	€ 257,612
Fees for lawyers and litigation related costs	€ 139,843
Fees for experts	€ 276,548
Translations	€ 1,490
Publications and promo-materials	€ 4,949
Fact-finding mission	€ 95
Public events	€ 3,567
Working meetings	€ 7,237
Trainings and other educational activities	€ 21,154
Educational events for staff	€ 598
Participation in national and international events and studies	€ 47,009
Maintenance and update web-sites and databases	€ 1,628
Travel	€ 533
Delivery and postage	€ 1,343
Equipment and furniture	€ 49,513
Consumables and office supplies	€ 9,139
Books, periodicals and data bases	€ 1,826
Communications	€ 434
Office rent	€ 27,566
Subgrants to partner organisations	€ 272,619
Contingency	€ 17,852
Contracted personnel	€ 255,678
Total for Program Costs	€ 51,587,791

ADMINISTRATIVE COSTS:

Salary	€ 137,748
External audit	€ 14,304
Communications	€ 573
Equipment and furniture	€ 27,895
Office rent	€ 7,104
Delivery and postage	€ 378
Bank fees	€ 4,959
Consumables and office supplies	€ 2,243
Contingency	€ 11,877
Contracted personnel	€ 28,601
Total for Administrative costs II	€ 235,682
GRAND TOTAL	€ 1,823,473