
ANNUAL REPORT 2014

UKRAINIAN HELSINKI HUMAN RIGHTS UNION



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HUMAN RIGHTS UNION**

CONTENT

ADVOCACY	6
The Law “On Observance of Rights and Freedoms of Internally Displaced Persons”	6
The law “On Lustration”	9
The Advocacy Centre on legal regulation of the conflict with Russia	10
Violation of citizens’ rights on part of the State Border Guard Service officers during crossing of the administrative border with the temporarily occupied Crimea	11
Struggling for abolition of discriminating provisions of Resolution of the National Bank of Ukraine regarding persons with the Crimean place of registration	14
ANALYTICS	15
Work on the National Human Rights Strategy	15
Preparation of “shady reports”	15
Work on draft laws	15
Other activities	15
Planned activities	16
Planned activities of the Analytics Department for 2015 comprise the following:	16
The tendencies in the sphere of human rights, which laid basis for the annual Report “Human rights in Ukraine – 2014”	16
Monitoring visits to the ATO zone	17
Monitoring and advocacy of efficient execution of decisions of the international institutions in Ukraine	18
CRIMEA IS UKRAINE	19
Crimean Field Mission for Human Rights	19
STRATEGIC LITIGATION	20
Prisoners of War Project	20

Strategic cases won in 2014	20
European Court protected the right of Ukrainians to a strike	20
European Court ruled that entrepreneur was kept illegally in a mental hospital for almost a year	21
Retired miner won a court case against the state for non-compliance with the Mining Law of Ukraine and was awarded a compensation of two thousand euros	22
The Supreme Court of Ukraine has closed the Vierentsov’s case	22
Cooperation with the European Human Rights Advocacy Centre (EHRAC)	23
Translations of resolutions and informational materials of the European Court	23
FREE-OF-CHARGE LEGAL AID	24
Network of the UHHRU public reception offices	24
EDUCATIONAL ACTIVITIES	26
Educational Program “We Understand Human Rights”	26
Chernihiv Educational Human Rights House (CEHRH)	27
Training for judges and lawyers	28
EVENT OF THE YEAR	29
Docudays UA International Festival	29
Travelling festival	30
SUPPORT THE ACTIVITIES OF THE UHHRU	31
FINANCIAL STATEMENT 2014	33
CONTACT US	38

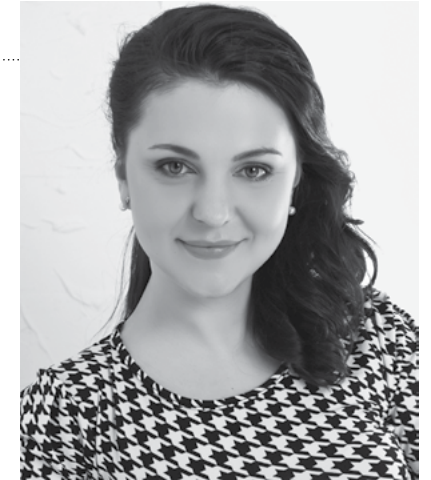
UKRAINIAN HELSINKI HUMAN RIGHTS UNION IS GRATEFUL FOR THE SUPPORT TO: THE EMBASSY OF SWEDEN IN UKRAINE, THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID), OPEN SOCIETY INSTITUTE FOUNDATION, INTERNATIONAL RENAISSANCE FOUNDATION, NATIONAL ENDOWMENT FOR DEMOCRACY (NED), CHARLES STEWART MOTT FOUNDATION, DELEGATION OF THE EUROPEAN UNION TO UKRAINE, UNITED NATIONS DEVELOPMENT PROGRAM, REGIONAL ENVIRONMENTAL CENTRE (REC, MOLDOVA), HUMAN RIGHTS HOUSE FOUNDATION AND ALL THOSE WHO HELPED US WORK MORE EFFICIENTLY AND EFFECTIVELY.

UNITED WE SUCCEED!

Tetiana Pechonchyk

Human Rights Information Centre

“Human Rights Information Centre cooperates with the UHHRU in various subjects and directions: together we hold media events, trainings; we have published two books on litigated cases that change Ukraine. We cooperate in a number of human rights coalitions and groups. The Helsinki Union is an active team of people who love their work and are easy to cooperate and be friends with”



Oleksandra Matviichuk

Centre for Civil Liberties

“To us, UHHRU is always a reliable partner for implementation of various projects and initiatives. We can say for sure that the UHHRU is more than one of the most reputable human rights organizations. Life makes us confirm the efficiency of our work every day with specific actions, and the UHHRU and its members worthily overcome such present-day challenges”



Liudmyla Kozlovska

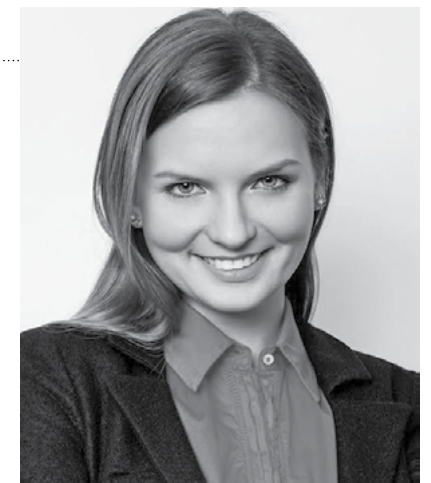
Open Dialog Foundation

“Ukrainian Helsinki Human Rights Union is, without doubt, one of the most experienced organizations in the country. The Open Dialog Foundation appreciates work of the UHHRU in the sphere of human rights.

UHHRU has many a time supported initiatives of the Open Dialog Foundation in its appeals to the Ukrainian and European politicians in the sphere of persecution of democratic opposition in the Central Asia states, protection of refugees, and human rights on the whole.

UHHRU provided legal aid to a volunteer of the Open Dialog Foundation Serhii Lefter, who, being a reporter in Sloviansk, was kidnapped by separatist armed gangs in April 2014. Also, due to the support of UHHRU we have published a guidebook regarding rights of the participants in the Anti-Terrorist Operation.

We hope for further cooperation in the sphere of human rights protection and counteracting authoritarian political regimes”



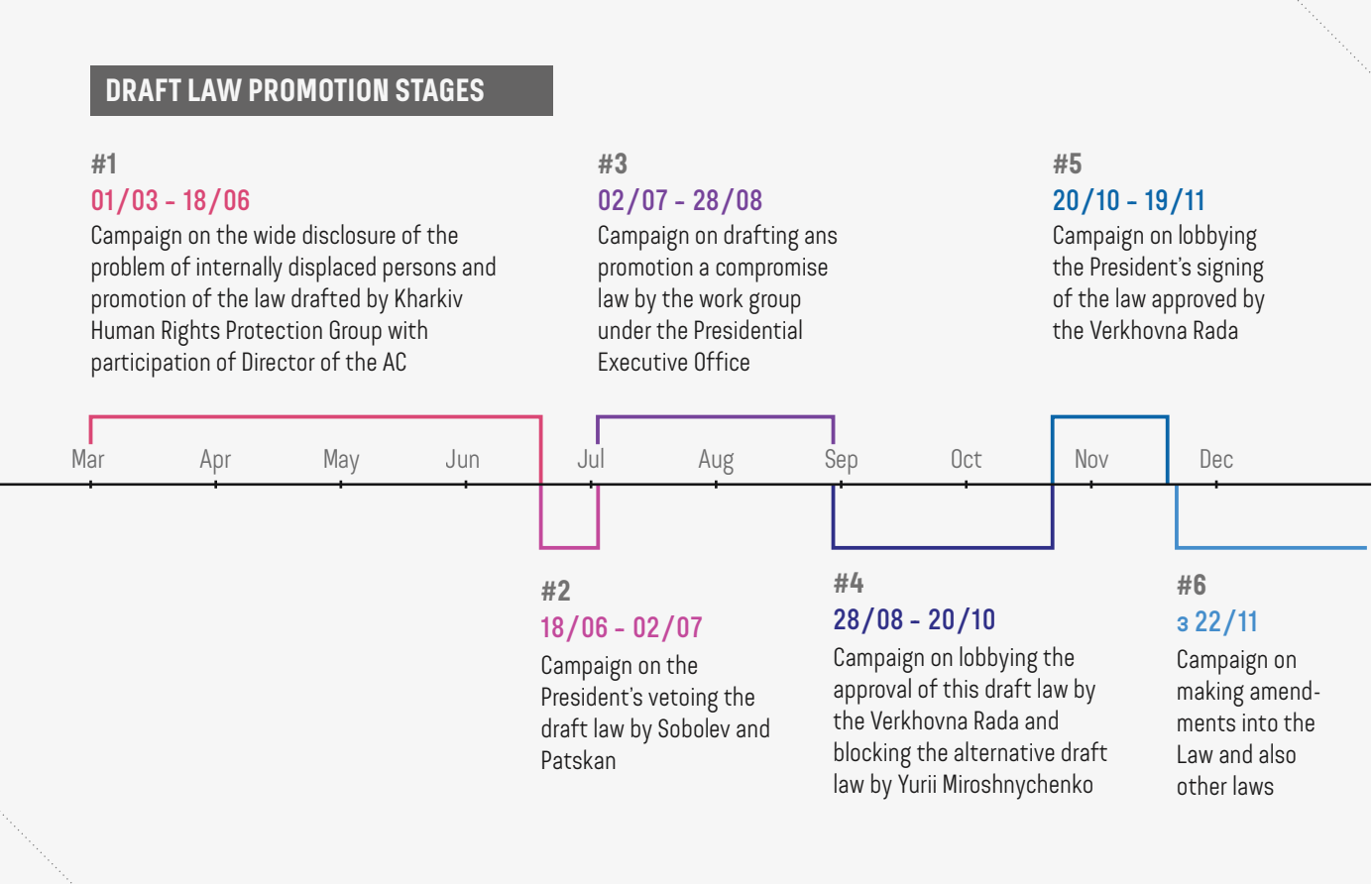
In 2014, the Ukrainian Helsinki Human Rights Union established the Advocacy Centre (AC) with the main purpose to focus the attention of authorities, media and the society on resolution of problematic issues in the sphere of human rights.

Over the year, we completed a number of successful campaigns, namely:

THE LAW “ON OBSERVANCE OF RIGHTS AND FREEDOMS OF INTERNALLY DISPLACED PERSONS”

The Ukrainian Helsinki Human Rights Union was one of the initiators of approval of the Law that promises protection to over 400 thousand people who were forced to leave their homes.

The Law grants proper rights to internally displaced persons (IDP): protection against discrimination, refolement, and assistance with voluntary comeback. It simplifies access to social and economic spheres, namely to registration of the place of residence (which is required for receiving banking services and setting up business) and also to receiving unemployment benefits.



In the course of work on the first stage we faced serious difficulties due to lack of understanding of the problem on part of the political set as well as ambitions of certain politicians in the Verkhovna Rada of the previous convocation.

The second and third stages were implemented with success.

On the fourth stage, the Law became a bargaining chip in the process of the pre-election parliamentary race. Despite the serious resistance of the Cabinet of Ministers of Ukraine, the law was approved.

On the fifth stage, the Law was prevented from the soonest possible signing by the inter-institutional inconsistencies:

The Ministry of Social Policy and the Ministry of Finance demanded from the President to put a veto. The Ministry of Justice and the Cabinet of Ministers of Ukraine did not have a clear viewpoint on this issue. And the Ministry of Internal Affairs and the State Migration Service as well as other ministries supported the approved Law.

To overcome all of the abovementioned obstacles, we had to conduct negotiations with state officials, politicians and deputies of the Verkhovna Rada. Thus, during the reporting period we

conducted over 100 negotiations (besides cooperation in the work group under the AC (July, 2 – August 28, 2014) and parliamentary committees).

We completed a certain scope of work in cooperation with the Ombudsman’s office. Together with the Crimean Human Rights Field Mission, Euromaidan SOS, Centre for Civil Liberties, Right to Protection NGO and Almenda Centre for Civic Education, we organized and held 4 press conferences (August – October 2014) in order to lobby the Law. The first two press conferences involved representatives of the Office of the United Nations High Commissioner for Refugees and MPs – Iryna Herashchenko and Valerii Patskan.

Also, during the reporting period we organized and held three acts of protest with the mass media involvement: two acts organized by the UHHRU – at the Verkhovna Rada, and one picket of the Cabinet of Ministers of Ukraine, which was held on October 19, 2014 with participation of the UHHRU.

The total number of TV appearances (exclusive interviews) dedicated to the issue of this Law makes up over 30 releases. The results of press conferences and acts of protest were covered in at least 10 TV informational report pieces. Most articles and interviews prepared due to the efforts of the AC over the reporting period dealt with the issue of the Law lobbying. More detailed information on the mass media coverage of advocacy campaigns of the AC can be found in a special section of this Report.

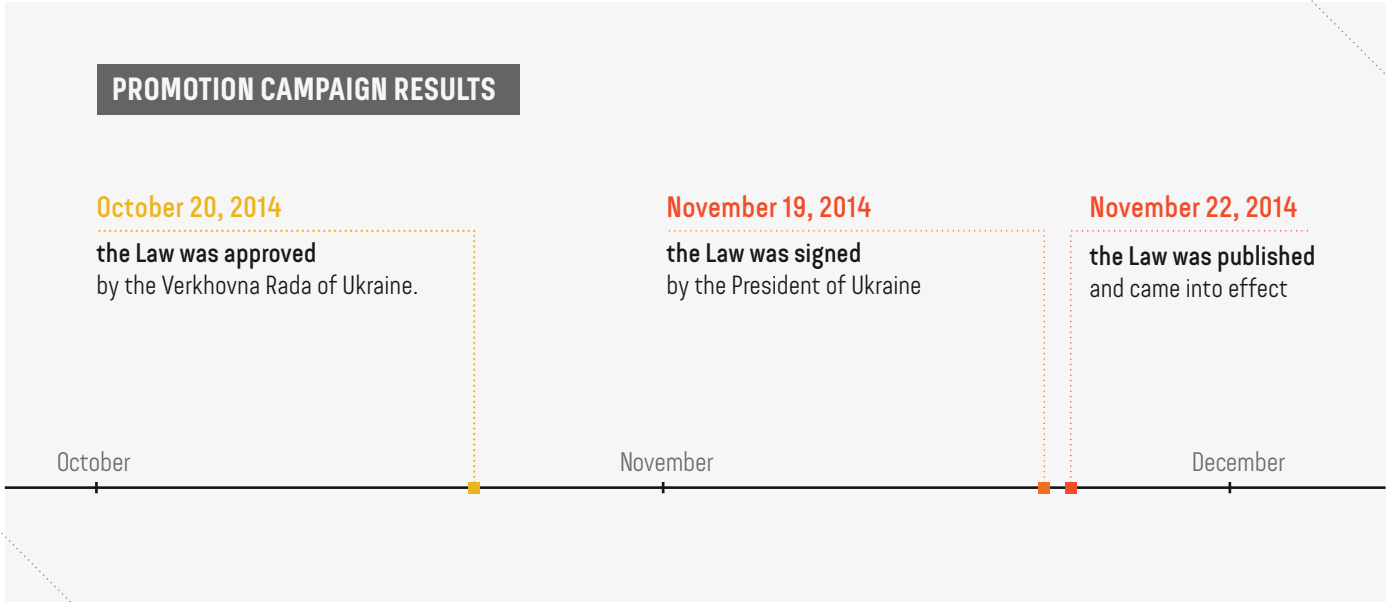
We have been working on the bylaws (Resolutions of the CMU No. 505, 509, 595) since November 22, 2014. With the efforts of the AC, partner NGOs are engaged in work groups under the Ministry of Social Policy and Human Rights Committee of the Verkhovna Rada.

THE LAW ON LUSTRATION

Work on the lustration legislation was launched in April 2014, when the Kharkiv Human Rights Protection Group developed the draft law “On Lustration”. At the initiative of the Advocacy Centre director, the “Pershyi Natsionalnyi” channel broadcasted the Ukrainian nationwide teleconference bridge dedicated to this problem. In the period from April to July 2014, numerous consultations and discussions took place. In September 2014, a work group was organized with participation of the AC, which provided a substantial analysis of amendments to the Law. Only one amendment was accepted out of all those that we proposed, and this one stipulated an exception to the list of positions subject to lustration – the position of the Verkhovna Rada Commissioner for Human Rights.

The AC’s efforts resulted in at least 10 TV appearances dedicated to this problem, including in the most high-rated talk shows.

Result: the Law passed by the Verkhovna Rada on September 16, 2014 does not comply with the human rights standards and distorts the main point of lustration. The Law was approved under the pre-election pressure and in violation of the practice, for the sake of political expediency. The Law requires substantial improvements. We continue working on its amendments.



ABOUT THE STRATEGY OF UKRAINE AS TO THE OCCUPIED TERRITORIES, AMENDMENTS TO LEGISLATION AND REGULATORY ENFORCEMENT IN THIS SPHERE

Since October 2014, experts of the UHHRU AC have been engaged in working on amendments to the Laws: “On Ensuring of Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine”, “On Establishing a Free Economic Zone of Crimea and on Specifics of Conducting Economic Activity in the Temporarily Occupied Territory of Ukraine”, “On Registering Civil Status Acts”; they also work on abolishing the discriminating resolution of the National Bank of Ukraine No. 699, 810.

During the reporting period, we arranged over 40 meetings with the Verkhovna Rada deputies, politicians, state officials, leaders of the Mejlis of the Crimean Tatar People Refat Chubarov and Mustafa Dzhemilev, other members of the Mejlis, as well as with the civic activists. We formed a work group consisting of experts of designated NGOs, which works on the project of the state strategy of returning the AR of Crimea back to Ukraine. This work group cooperates with the inter-fractional group of the Verkhovna Rada deputies in the matters of the occupied territories. The AC actively contributes to activities of this work group.

Together with the State Border Guard Service of Ukraine, we formed a work group for drafting bylaws and eliminating the flaws in the work of border guards at the administrative border with the AR of Crimea.

In this campaign, the AC constantly cooperates with the Centre for Strategic Litigation, which handles a number of strategic cases regarding violation of human rights in the occupied territories, either on part of Russia or Ukraine. In order to draw a wider response to the problem of persecution of the Crimean Tatars, we planned and arranged a relevant press conference in December 2014, however, it was cancelled at the request of the Mejlis leaders.

THE ADVOCACY CENTRE ON LEGAL REGULATION OF THE CONFLICT WITH RUSSIA

In this direction, we conducted at least 20 negotiations and working meetings with the Verkhovna Rada deputies, politicians and state officials from the Presidential Executive Office during August–December 2014.

Result: certain ideas and provisions were taken into account by representatives of the governmental authorities and international organizations. This problem is still in the process of research.

VIOLATION OF CITIZENS RIGHTS ON PART OF THE STATE BORDER GUARD SERVICE OFFICERS DURING CROSSING OF THE ADMINISTRATIVE BORDER WITH THE TEMPORARILY OCCUPIED CRIMEA

The Ukrainian Helsinki Human Rights Union advocates rights of the citizens of Ukraine leaving the occupied Crimea. Thus, we have received a great number of appeals stating that: “They demand a written certificate ‘Why does the citizen of Ukraine want to move around the territory of Ukraine?’ And in case there is no such certificate, they will not disdain another ‘paper’ certificate with the image of Hryhoriy Skovoroda on it (a 500 UAH bank note)”. In order to solve this problem, on November 4, 2014 we held the press conference “How our border guards make a profit on the Crimean Ukrainians”, which resulted in formation of the work group for the matters of statutory regulation and prevention of violation of citizens’ rights on part of the State Border Guard Service officers during crossing of the administrative border with the temporarily occupied Crimea.

The said work group developed and prepared reminder signs that were placed at the border check-points of Ukraine and contained information on the rights and obligations of citizens who cross the administrative border with the AR of Crimea, as well as information about actions that the border guards may and may not do.

Another result of the work group is development of the document “Procedure for entry into and exit from the temporarily occupied territory of Crimea”, which is submitted for consideration of the Government.



Військовослужбовці Державної прикордонної служби України, під час перебування у потягах, повинні мати представницькі картки з інформацією про особу, що здійснює контроль



Усі дії пов'язані з вимаганням коштів прикордонниками за проходження прикордонного контролю є неправомірними

— ПЕРСОНАЛУ ДЕРЖАВНОЇ ПРИКОРДОННОЇ СЛУЖБИ УКРАЇНИ ПІД ЧАС ЗДІЙСНЕННЯ ПРИКОРДОННОГО КОНТРОЛЮ ЗАБОРОНЯЄТЬСЯ:



пропонувати подорожуючим особам вийти з купе та в тамбури вагонів



приймати будь-які речі (предмети) від осіб, що слідує у потягах



вимагати кошти за здійснення прикордонного контролю



вимагати будь-які письмові підтвердження мети поїздки громадян України



запитувати у громадян України, які проживають на території АР Крим, про наявність



З питань інформування про порушення з боку військовослужбовців Державної прикордонної служби України та з метою отримання консультації
Служба «ДОВІРА» ☎ +380 44 527 63 63 цілодобово

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з прав людини



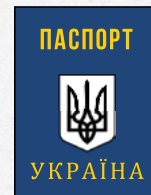
Програма розвитку ООН
в Україні



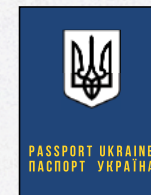
ПОРЯДОК В'ЇЗДУ ГРОМАДЯН УКРАЇНИ ТА ІНОЗЕМЦІВ НА ТЕРИТОРІЮ АВТОНОМНОЇ РЕСПУБЛІКИ КРИМ ТА ВИЇЗДУ З НЕЇ



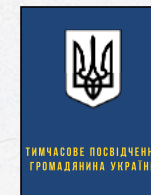
ПЕРЕЛІК ДОКУМЕНТІВ, ЗА ЯКИМИ ГРОМАДЯНИ УКРАЇНИ МОЖУТЬ В'ЇЗДЖАТИ НА ТЕРИТОРІЮ АВТОНОМНОЇ РЕСПУБЛІКИ КРИМ ТА ВИЇЗДЖАТИ З НЕЇ:



Паспорт громадянина України



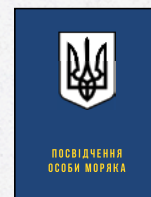
Паспорт громадянина України для виїзду за кордон



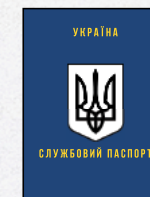
Тимчасове посвідчення громадянина України



Дипломатичний паспорт



Посвідчення особи моряка, посвідчення члена екіпажу



Службовий паспорт



Проїзний документ дитини

Громадяни України, які не досягли 14-річного віку, в'їжджають на територію АР Крим відповідно до частини другої ст. 313 Цивільного кодексу України лише за згодою батьків (усиновлювачів), опікунів та в їхньому супроводі або в супроводі осіб, які уповноважені ними, за такими документами:



У РАЗІ СЛІДУВАННЯ З ОБОМА БАТЬКІВИ:

- проїзний документ дитини
- паспорт громадянина України для виїзду за кордон одного з батьків, у який записана дитина (для дітей віком 5 і більше років в паспорт вклеюються та засвідчуються печаткою підрозділу ДМС їх фотокартки)
- паспорт громадянина України одного з батьків, в який записана дитина, та її свідоцтво про народження



У РАЗІ СЛІДУВАННЯ З ОДНИМ З БАТЬКІВ:

- проїзний документ дитини та нотаріально посвідчена згода іншого з батьків
- паспорт громадянина України для виїзду за кордон того з батьків, з яким слідує дитина, із записом про дитину в цьому документі (для дітей віком 5 і більше років в паспорт вклеюються та засвідчуються печаткою підрозділу ДМС їх фотокартки), свідоцтво про народження дитини та нотаріально посвідчена згода іншого з батьків
- паспорт громадянина України того з батьків, з яким слідує дитина, із записом про дитину в цьому документі, свідоцтво про народження дитини та нотаріально посвідчена згода іншого з батьків



У РАЗІ СЛІДУВАННЯ З ІНШИМИ ОСОБАМИ:

- проїзний документ дитини та нотаріально посвідчена згода обох батьків



ДОКУМЕНТИ, ЯКІ НЕОБХІДНІ ІНОЗЕМЦЯМ ТА ОСОБАМ БЕЗ ГРОМАДЯНСТВА ДЛЯ В'ЇЗДУ НА ТЕРИТОРІЮ АР КРИМ ТА ВИЇЗДУ З НЕЇ:

- паспортний документ
- спеціальний дозвіл

Пам'ятка розроблена юристами Української Гельсінської спілки з прав людини і Регіонального центру прав людини.
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Гельсінська
спілка
з прав людини



Програма розвитку ООН
в Україні



ABOLITION OF DISCRIMINATING PROVISIONS OF RESOLUTION OF THE NBU REGARDING PERSONS WITH THE CRIMEAN PLACE OF REGISTRATION

Human rights advocates appealed to the court demanding to abolish the unlawful provisions contained in Resolution of the NBU No. 669 regarding the Crimean Ukrainians and insisting on compensation of moral damage in the amount of UAH 16,000, since the Crimeans have limited access to basic banking services: opening accounts, foreign exchange, making payments etc. We held a number of press conferences on this issue.

UHHRU joined an open appeal of human rights organizations demanding to abolish the above said resolution of the NBU.



In 2014, the Analytics Department of the Ukrainian Helsinki Human Rights Union started its operation aiming at monitoring of the legislative activities of the state, paying monitoring visits to Eastern and Southern regions of Ukraine for the purpose of recording violations of human rights in the Crimea and the East, introducing the system of information collection and analysis on the basis of informational platform in an interactive mode, conducting public evaluation of governmental authorities and preparing “shady” reports to the international institutions, organizing joint research programs with universities and scientific centres.

One of the initial challenges of the department was participation in development of the National Human Rights Strategy, which will be the first in the history of independent Ukraine, and the work on which is still in progress.

WORK ON THE NATIONAL HUMAN RIGHTS STRATEGY

UHHRU, in conjunction with the Office of the Verkhovna Rada Commissioner for Human Rights, actively participated in development of the National Human Rights Strategy, which was formed by the Ministry of Justice of Ukraine. In the period from November to December 2014, we conducted at least 10 negotiations and work meetings with representatives of the Ombudsman's office, officials of the Ministry of Justice and Ministry of Foreign Affairs, representatives of the Presidential Executive Office, deputies of the Verkhovna Rada.

Result: On December 15, 2014 we developed the draft of the National Human Rights Strategy. In 2015, we continue working on the National Strategy.

PREPARATION OF “SHADY REPORTS”

Analytics Department prepared alternative reports regarding Ukraine's execution of provisions of the United Nations Convention against Torture and the European Social Charter.

WORK ON DRAFT LAWS

UHHRU analytics prepared notes to 19 disputed draft laws registered by committees of the Verkhovna Rada of Ukraine.

OTHER ACTIVITIES

Representatives of the Analytics Department participated in the development of the program of the Human Rights Agenda Platform and the Memorandum for the foundation of the Coalition “For Peace in Donbas”.

PLANNED ACTIVITIES

Planned activities of the Analytics Department for 2015 comprise the following:

- Extending activities in the sphere of documenting war crimes through involvement and training of volunteers, arrangement of systematic activities of public reception offices, strengthening professional capacities of monitoring missions in Southern and Eastern Ukraine.
- Completion of three studies in the sphere of legal problems related to the ATO; measures regarding implementation of rights of trade unions members, protection of rights of patients of mental care institutions. We plan to conduct public evaluations of certain areas of the activities of the Ministry of Social Policy and the Ministry of Health.
- Creating an interactive map of human rights violations in Ukraine and forming a database of the main types of human rights violations.

THE TENDENCIES IN THE SPHERE OF HUMAN RIGHTS, WHICH LAID BASIS FOR THE ANNUAL REPORT “HUMAN RIGHTS IN UKRAINE – 2014”

On December 10, 2014, on the International Human Rights Day, human rights advocates stated: occupation of the Crimea by Russian troops, artificially launched separatist movements in the East, which gradually transformed into the armed aggression and a full-scale military conflict with the Russian Federation in Donetsk and Luhansk regions, pushed human rights issues to the sidelines. This was discussed during the presentation of the main tendencies in the sphere of human rights in 2014. The event gathered over 80 participants, including: governmental officials, representatives of embassies, international organizations and human rights advocates. In general, the advocates noted that regardless of numerous mistakes, the new Administration, during the period of February 22 – November 30, 2014, managed to overcome the political and economic crisis, to form anew capable Armed Forces and security agencies, establish and train voluntary militia detachments, which together with the National Guard and special groups of the Ministry of Internal Affairs saved the country, prevented geographical expansion of the conflict with the Russian Federation beyond the territory of Donbas.

Another achievement consists in early elections of the President successfully held on May 25, as well as early elections of the Parliament on October 26, 2014. Governmental and municipal authorities started to cooperate with the society in a more effective and efficient way. Voluntary activities have become widely spread and developed, demonstrating the best examples of civic solidarity. At the same time, the military conflict that takes more and more funds and efforts, inertia of the political system, corruption in the governmental and local authorities, and the lack of reforms impede the development of the country, which has not advanced much since the times of Yanukovich's oligarchical regime, and that is why human rights and fundamental freedoms still remain under numerous threats.



MONITORING VISITS TO THE ATO ZONE

In 2014, three monitoring visits to the ATO zone took place, during which the human rights advocates visited a series of settlements, namely: Lysychansk, Sloviansk and Mariupol.

On December 6-11, 2014, the Monitoring mission consisting of representatives of the Centre for Civil Liberties and the Office of the Verkhovna Rada Commissioner for Human Rights, with participation of the UHHRU, visited the ATO zone. This monitoring was aimed at appraising the situation in the sphere of observing children's rights and at gathering information regarding facts of holding hostage in the following settlements: Kostiantynivka, Sievierodonetsk, Rubizhne, Lysychansk and Starobilsk. A written report was prepared based on the results of this visit containing video, audio and photo materials and enabling to clearly formulate the problems and determine the areas requiring most efforts for improvement of the situation with human rights violations.

Based on the visit results, we published written reports with video, audio and photo materials. They were presented at the press conference “Non-judicial executions, tortures and holding

hostages in Luhansk region in the period of occupation”, during which we disclosed evidences of witnesses and victims of violence on part of the LNR armed group in the north of Luhansk region (Sievierodonetsk, Lysychansk, Rubizhne) in the period of the region’s occupation. Human rights advocates emphasized that the state must conduct more monitoring of the human rights situation in the East of Ukraine. The press conference participants urged the government to take care not only of the captured servicemen but also of the civilians.

The monitoring reports are available by the links below:

- [Regarding condition of children’s rights observance in governmental institutions, educational establishments of Donetsk and Luhansk regions.](#)
- [“Chemical triangle” of Luhansk region during the occupation: hostages, tortures and non-judicial executions.](#)

MONITORING AND ADVOCACY OF EFFICIENT EXECUTION OF DECISIONS OF THE INTERNATIONAL INSTITUTIONS IN UKRAINE

In 2014, the Ukrainian Helsinki Human Rights Union launched the project that implies monitoring and research of reasons for Ukraine’s non-execution or inefficient execution of decisions of the European Court of Human Rights and other international institutions.

Experts shall identify the major reasons for Ukraine’s violation of international commitments and submit proposals to the Government regarding the effective ways of solving this problem.

CRIMEAN FIELD MISSION FOR HUMAN RIGHTS

Experts of the Ukrainian Helsinki Human Rights Union proactively participate in work of the Crimean Field Mission for Human Rights (CFM), especially in the process of preparing monthly [reviews of the Crimean situation.](#)

The CFM and the UHHRU Fund of Strategic Litigation conduct close cooperation in the sphere of legal and informational support of victims of human rights violations detected in the course of monitoring.

At present day, the Ukrainian Helsinki Human Rights Union supports two strategic cases regarding prohibition of entry into the territory of the occupied Crimea of representatives of the Mejlis of the Crimean Tatar People – Ismet Yuksel and Refat Chubarov. In case of the latter, the relevant petition was prepared and submitted to the European Court of Human Rights. The case of Ismet Yuksel is considered by the Russian court. The defendant in the case is the Federal Security Service of Russia – the agency that put prohibition on Yuksel’s entry.

Arkadii Bushchenko, CEO of the Ukrainian Helsinki Human Rights Union, says: *Authorities of the Russian Federation provided no substantiated evidences whatsoever confirming that the said persons pose a threat to the safety, public order or health of people. Also, the victims of deportation from the Crimea did not receive any written reasonable resolutions setting forth reasons for prohibition of their entry. Russia still ignores all legal claims regarding obtaining of such resolutions”.*



The UHHRU Fund of Strategic Litigation was established for the purpose of providing qualified legal aid to victims of human rights violations in cases of strategic significance. In 2014, the Fund experts started working on cases regarding human rights violations in the territory of the temporarily occupied Crimea. During this year, we forwarded about five strategic cases to the European Court of Human Rights, part of which relates to such critical issues as freedom of speech, peaceful assembly and freedom of movement.

PRISONERS OF WAR PROJECT

The Ukrainian Helsinki Human Rights Union launched the project on releasing the captives under the title of Prisoners of War. During 2014, within the framework of this project, we filed over 160 petitions pursuant to Rule 39 of the European Court of Human Rights (ECHR). Almost all of these cases are now still being discussed by the European Court, the Government of Ukraine and the Government of Russia. Almost 80 persons, whose relatives were provided with legal aid under this project, were released.

Starting from October 2014, the UHHRU began cooperation with the editorial team of Informational digest of free-of-charge aid system in Ukraine. Due to the joint efforts, [the digest](#) was extended with a new subsection – “European practice of legal defence”, in which lawyers of the Ukrainian Helsinki Human Rights Union publish their analytical and legal materials.

STRATEGIC CASES WON IN 2014

European Court protected the right of Ukrainians to a strike

For a long time, trade unions of railway workers, doctors and public servants tried to recognize a strike as a lawful instrument for protection of labour rights but, instead, they faced the persistent counteraction from the Government. Finally, the trade unions succeeded, with the help of the Ukrainian Helsinki Human Rights Union. In October 2014, the European Court of Human Rights approved the decision in the case of Veniamin Tymoshenko and others vs. Ukraine and recognized the importance of the protection of the right to a strike, including for airline companies, by the Convention.

According to the programming director of the UHHRU [Maksym Shcherbatiuk](#), human rights advocates could not stay aside since they understood how this case may not only change the Ukrainian legislation but also have a certain impact on the international level: “*This case is special both in the national context and beyond the territory of our country. On the one hand, the European Court of Human Rights acknowledged that the Ukrainian legislation that ensures rights of the*

trade unions and employees in the transportation sphere lacks in quality. This circumstance shall stimulate our Government to make the necessary legislative amendments which would enable to hold strikes. We will be doing everything we can to facilitate the approval of legislative changes. On the other hand, now the court may rely upon the decision of the European Court, which becomes part of our national legislation. If the relevant provisions will be stipulated in the law, the courts will have more important reasons not to prohibit a strike.

European Court ruled that entrepreneur was kept illegally in a mental hospital for almost a year

In Ukraine, people have virtually no chance to challenge an involuntary placement to a mental hospital. The European Court of Human Rights made this conclusion after having studied Mr. Anatolii Rudenko’s petition. Doctors of a mental hospital in Dnipropetrovsk declared the 52-year-old entrepreneur mentally ill and sent him for involuntary treatment.

The most interesting thing is that the previous conclusion signed by the same doctors was just the opposite – “Anatolii Rudenko does not require involuntary treatment.” The doctors have not provided any explanation why their recommendations regarding the same person were so different within such short time period. Ultimately, Mr. Rudenko spent nearly a year in a mental hospital, and was unable either to challenge his stay there, or undergo an independent examination.

Upon his release, Anatolii Rudenko contacted the Ukrainian Helsinki Human Rights Union and the Union’s lawyers arranged an independent examination for him. Doctors came to a unanimous conclusion that the man did not need any involuntary treatment.

Experts of the human rights organization also assisted Mr. Rudenko in conducting his case at the European Court of Human Rights, which ruled that Ukraine had violated Article 5 of the European Convention on Human Rights – the right to liberty and security of person.

The European Court of Human Rights pointed out that Anatolii Rudenko had been fully dependent on state authorities, which decided not to conduct an independent examination and deprived him of any chance to prove his sanity. The European Court of Human Rights also pointed out that the Ukrainian courts, which ruled on Mr. Rudenko’s involuntary treatment, had deprived him of an opportunity to participate in court sessions and defend himself. This happened because the doctors who had sent him to a mental hospital decided that he was not able to attend the hearings.

The European Court of Human Rights awarded the applicant a compensation of EUR 18,000.

Retired miner won a court case against the state for non-compliance with the Mining Law of Ukraine and was awarded a compensation of two thousand euros

An 82-year-old resident of the city of Horlivka, who had been working as a miner for 13 years, [won a case against Ukraine in the European Court of Human Rights](#) and was awarded EUR 2,000 for the refusal of the state to compensate his public utility costs.

According to Article 43 of the Mining Law of Ukraine, employees that have worked at heavy works and in dangerous and/or harmful working conditions for over ten years are entitled to a compensation of electricity, gas and central heating costs.

However, when the man tried to get his money as prescribed by the law, the state authorities informed him that although such compensation is, indeed, provided for by the Mining law, there were no relevant mechanisms to provide it in practice. Therefore, the elderly Volodymyr Budchenko would have to wait for an undefined period until the Cabinet of Ministers establishes such mechanism.

Ukrainian courts of all instances held to the same opinion.

The European Court of Human Rights disagreed with the arguments provided by Ukrainian courts, found Ukraine guilty of violating property rights, and obliged the state to pay Mr. Budchenko a compensation of EUR 2,000.

The Supreme Court of Ukraine has closed the Vierentsovs case

The Supreme Court of Ukraine finally restored justice in the case of Oleksii Vierentsov and ruled that the police and courts violated his right to freedom of peaceful assembly. However, it took three years and a ruling by the European Court of Human Rights to do so.

Oleksii Vierentsov was sentenced to three days of administrative detention for holding a peaceful demonstration near the public prosecutor's office in Lviv and for refusing to obey police officers who demanded to stop the meeting. Halytskyi District Court in the city of Lviv has passed this ruling without allowing Vierentsov's lawyer to attend the court session. Later, it became known that the Lviv Court of Appeal also considered that peaceful assembly requires authorities' permission.

The European Court of Human Rights pointed out that the Vierentsov's case "brings to light a structural problem - a 'legislative lacuna' concerning the freedom of assembly, which has remained in Ukraine since the end of the Soviet Union". The court suggested that Ukraine should develop a legislation regarding peaceful assembly and awarded Mr. Vierentsov a compensation of EUR 6,000.

Following the UCHR's ruling, the Supreme Court of Ukraine reversed the rulings of Lviv courts and finally ceased administrative proceedings against Oleksii Vierentsov.

Oleksii Vierentsov's case was supported by the Strategic Litigations Fund of the UHHRU.

In 2015 the Strategic Litigations Fund sets the priority of providing legal aid to civilian population aggrieved due to hostilities in the East of Ukraine. Also, we will give special attention to cases related to protection of the LGBT-community against discrimination; right to freedom of persons kept in mental hospitals and receiving involuntary treatment; protection of people against the arbitrariness of banks.

COOPERATION WITH THE EUROPEAN HUMAN RIGHTS ADVOCACY CENTRE

In 2014, the team of Philip Leach, one of the most famous European Court experts in the world, started cooperation with lawyers of the Ukrainian Helsinki Human Rights Union. The lawyers will work together on the matters of civic activists who have been held captive by separatists in Sloviansk. Relevant petitions have already been submitted to the ECHR.

British Professor Leach is the author and co-author of over 40 books and articles on human rights and justice of the ECHR, including the manual «Appeal to the European Court of Human Rights», which is highly popular in Ukraine. He has won a great number of actions in the ECHR.

Mykhailo Tarakhkalo, Director of UHHRU Strategic Litigations, believes that such reinforcement significantly adds to the petitioners' chances to win.

TRANSLATIONS OF RESOLUTIONS AND INFORMATIONAL MATERIALS OF THE EUROPEAN COURT

In 2014, the UHHRU completed translation of over 40 useful legal materials, including: resolutions, informational bulletins, press releases of the European Court of Human Rights etc. Materials are published at the website of the Strategic Litigations Fund [precedent.in.ua](#).

NETWORK OF THE UHHRU PUBLIC RECEPTION OFFICES

UHHRU public reception offices form a unique network of organizations whose activities are aimed at helping people to protect their rights and achieve positive changes in the sphere of human rights in our country.

Public reception offices are intended for:

1. Providing free-of-charge legal aid (either consultations or representation in courts), especially in situations relating to violations of human rights.
2. Holding informational and advocacy campaigns in order to increase the level of legal knowledge and culture of the population.
3. Facilitating positive changes in the sphere of human rights both on the local and the national level, namely through searching and handling strategic litigations.

UHHRU public reception offices often serve as human rights centres of the regions where they operate, and play an important role in activities of the local community.

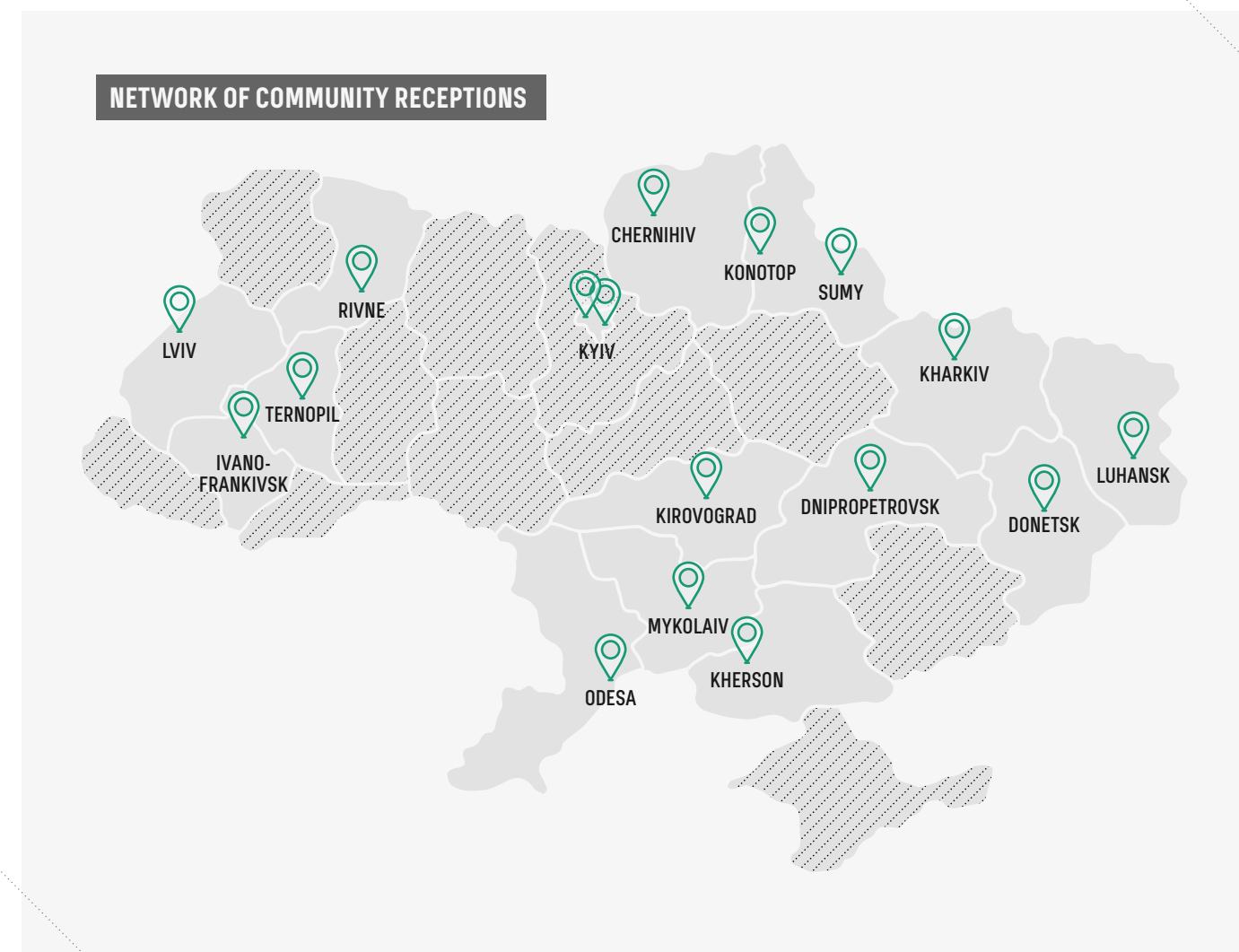
Public reception offices work under the unified standards for keeping record of appeals and consultations, operational procedures, and follow the quality standards in providing legal aid.

In 2014, the network comprised 17 public reception offices located in Kherson, Kharkiv, Chernihiv, Kirovohrad, Lviv, Mykolaiv, Luhansk, Donetsk, Ternopil, Konotop (Sumy Region), Sumy, Zhytomyr, Dnipropetrovsk, Ivano-Frankivsk, Rivne and Kyiv.

The strategy of development of the UHHRU public reception offices implies establishment of such offices in each regional centre of Ukraine as well as further enhancing of their role as regional human rights centres.

In this year, the offices accepted appeals from and provided aid to almost 14 thousand people, which is the greatest annual number of people that the public reception offices managed to help during all the years of the network's existence.

Also, it was for the first time that we conducted over 200 informational and advocacy events dedicated to human rights. This enabled to inform a large number of people in Ukraine about the protection of human rights.



EDUCATIONAL PROGRAM WE UNDERSTAND HUMAN RIGHTS

In 2014, the National Educational Program “We Understand Human Rights”, besides the “traditional” educational activities on human rights for various targeted groups, also focused on the new challenges that arose due to the occupation and hostilities in the East of our country.

We organized Human Rights Summer School for Youth, which gathered 27 young people from all regions of Ukraine, and which did not only challenge the program adaptation to the new realities of the occupation and military conflict, but also introduced a series of training events and activities on networks development.

Systematic work was launched on training human rights advocates and civic activists in human rights protection in the context of dealing with displaced persons, taking measures for documenting human rights violations in the occupied territories and the ATO zone. The total number of participants of this program made up 300 persons from all regions of Ukraine. The events held did not only help NGOs adapt to the new conditions but also ensured good-quality increase in the organizational and expert potential.

Thus, on December 6–12, 2014, the Ukrainian Nationwide School “Human Rights and Civic Activity” took place, on December 14–20, 2014 – a seven-day workshop “Preparation and implementation of civic initiatives in support of the East of Ukraine and the Crimea”, on February 17–18 Ivano-Frankivsk hosted the Training and Internship Visit as well as the II Ukrainian Nationwide Research and Practice Conference on Legal and Social Support of Internally Displaced Persons in Ukraine.

Events held within the framework of this campaign did not only contribute to professional growth of civic society organizations, human rights initiatives, enhanced the educational and expert level of their members, but also generated 14 projects and initiatives aimed at the resolution of the human rights problems on the local level.

Each project has a different subject but all of them are aimed at the resolution of the human rights problems and issues related to the situation in the East of Ukraine and the AR of Crimea. This entails informing communities of the near-front zones about the methods of control of and influence on the authorities for ensuring operation of the water supply system (including reserve water supply) in case of a military conflict. Thus, in Sievierodonetsk they launched a “Public Trolleybus” – a unique method of transferring data, which in an accessible manner transfers up-to-date information, socially important for the IDPs, as well as for the locals and city guests. Also, there are projects aimed at development of programs for support and adaptation of families of the participants in the Anti-Terrorist Operation (ATO participants), at increasing the awareness of young people through training of young leaders in the methods of independent identification of the external propaganda products, projects on passportization of the sentenced. The geography of such projects is rather wide: in Nikopol they focus on counteracting domestic violence, and in Dzerzhynsk – on the issues of the Roma community, in Zakarpattia – on resolution of problems of protecting the rights of the ATO soldiers etc.

Educational events did not only fill the gaps in knowledge and skills of civic leaders but also created conditions for networking and planning joint actions and campaigns. Thus, a network of seven public centres of legal and informational help was established, which started operating in Uzhhorod, Trostianets, Dzerzhynsk, Ternopil, Nikopol, Khmilnyk and Chernihiv. This resulted in modernization of the system of internships. Young human rights advocates received the opportunity to gain experience in civic organizations that are leaders in the human rights movement in Ukraine.

A great event for official education establishments was hosting the travelling methodological exhibition “Everyone has the right to know their rights”, which was held in Khmelnytskyi, Chernihiv, Dnipropetrovsk, Ivano-Frankivsk regions and in the city of Kyiv. The exposition was visited by around 25 thousand people, who were attended by 150 senior high school students previously trained as guides.

Opening the Chernihiv Educational Human Rights House was another significant event, since it now serves as a training and resource centre for advocates and organizations working in the sphere of human rights protection.

CHERNIHIV EDUCATIONAL HUMAN RIGHTS HOUSE

2014 marked the official opening of the first in Ukraine Educational Human Rights House in Chernihiv (EHRH-Chernihiv), which is a resource centre providing training services, conducting civic campaigns and providing temporary accommodation for human rights advocates and civic activists. One of its founders is the Ukrainian Helsinki Human Rights Union.

For implementation of this project, a house was bought in the village of Kolychivka near Chernihiv, with the total area of over 500 m². Among the founders of CEHRH-Chernihiv, there are NGOs from Uzhhorod, Luhansk, Chernihiv and the Crimea.

According to Serhii Burov, Chairman of the of CEHRH-Chernihiv, Educational Human Rights House is not just a house for holding trainings, human rights school, stay of persons, who due to certain reasons need temporary accommodation. This House is, first of all, consolidated cooperation of like-minded people – human rights advocates, whose number is constantly growing. It is an opportunity and resource for development and support of civic initiatives in the sphere of human rights for the whole Ukraine.

Over the year, the CEHRH-Chernihiv hosted seven human rights educational events, which gathered more than 185 participants. The House also sheltered two human rights advocates-refugees from the CIS countries.

In 2014, the Ukrainian Helsinki Human Rights Union transferred UAH 775,622 for equipping the Educational House. Within the USAID project of Human Rights in Action implemented by the UHHRU, UAH 113,392 was allocated for equipping the House.



▲ Human Rights House before

▲ Human Rights House after

TRAINING FOR JUDGES AND LAWYERS

The UHHRU also conducts active work on engaging lawyers into protection of human rights, namely within the program of the Human Rights Houses Network “International law for protection of social interests”.

It should be noted that the lawyers’ interest in the human rights protection has significantly increased, which is evidenced by the competition for the new course of Remote human rights training for lawyers – more than 10 candidates for one position. Due to this fact, the number of participants from Ukraine admitted to the course was increased from 25 to 40 persons.

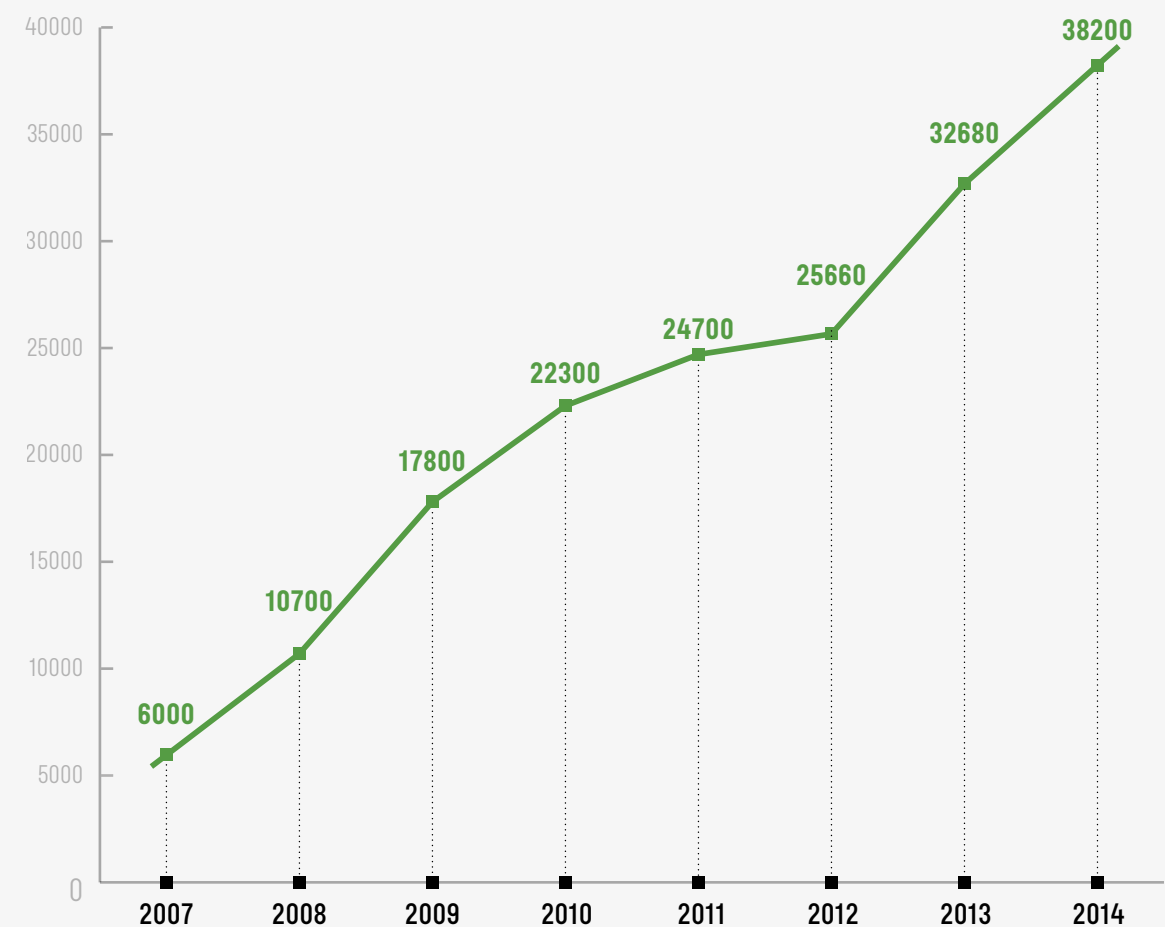
In 2014, the UHHRU, together with the Ukrainian Nationwide Charity Fund “Right to Protection”, developed and held a series of trainings for judges of administrative courts and lawyers providing free-of-charge legal aid. Trainings were dedicated to the subject of “Application of the European Convention on Protection of Human Rights and Fundamental Freedoms in the Matters of Exclusion, Extradition and Denial of Protection for Shelter Seekers”. They were developed and held with participation of experts that had completed educational programs of the UHHRU.

DOCUDAYS UA INTERNATIONAL FESTIVAL

The Festival is aimed at engaging the Ukrainian society into an open dialogue on the human rights, consolidating the human values and rule of law, understanding human dignity as the highest value, encouraging the Ukrainian citizens to protect their human rights and prevent authoritarian and dictatorial regimes in Ukraine, counteracting the corruption ideology.

XI Docudays UA presented 72 films (37 of them took part in the competition) from 32 countries: Sweden, Australia, Austria, Belgium, Bulgaria, the Great Britain, Denmark, Estonia, Egypt, Israel, Iran, Italy, Canada, Lebanon, Lithuania, the Netherlands, Germany, Norway, the UAE, Poland, Russia, Romania, Serbia, the USA, the Czech Republic, Chile, Finland, France, Croatia, Switzerland and Ukraine.

NUMBER OF VISITORS AT DOCUDAYS.UA FESTIVAL



After the movies were shown, their authors and human rights advocates held discussions with representatives of NGOs, artists, journalists.

The festival engaged over 803 participants from Ukraine (in 2013–2015): human rights experts and advocates, leaders of youth NGOs, festival partners in the regions of Ukraine, civic activists, journalists etc. Regardless of the doubts, disinformation, and even fear, 63 foreign guests arrived in Kyiv, among them there were directors, producers, experts, lawyers etc. (in 2013, there were 49 such guests).

TRAVELLING FESTIVAL

In 2014, the travelling festival of Docudays UA visited 245 cities, towns and villages in 23 regions of Ukraine as well as in the Crimea (in 2013 it visited 231 cities, towns and villages). In 2014, events of the travelling festival were attended by 104,250 viewers, 80 % of which were young people (in 2013 there were 134,000 viewers).

The number of viewers of the travelling festival of human rights documentaries has reduced in the occupied territories: in the Crimea, Donetsk and Luhansk regions. In other regions of Ukraine, the popularity of the festival has increased: the number of cities and villages hosting the festival has increased by 14 settlements as compared to the previous year.

The Ukrainian Helsinki Human Rights Union is a non-political, non-profit and independent organization. All our activities are aimed at protection of victims of human rights violations and prevention of such violations in future.

We never charge fees for the aid we provide. On the one part, most victims of human rights violations that we work with are incapable of paying for our aid. On the other hand, payment is actually prohibited by the effective legislation.

However, our professional activities require substantial resources related to the operating expenses of the organization and remuneration payments to its employees.

If you share our views and wish to support our activities, we will be grateful for your voluntary donations.

All the collected funds will be allocated for protection of victims of human rights violations that cannot protect themselves on their own. Expediency of spending funds is verified by the Audit Committee and independent auditors.

All philanthropists, regardless of the amount of donation, will receive an annual detailed financial statement of the Ukrainian Helsinki Human Rights Union, as well as information regarding the areas in which the money was spent.

We would kindly ask all our philanthropists to inform us of their donations and their dates in any accessible manner (via telephone, post etc.). Also, we would ask to specify whether you wish to receive the relevant reports and whether you agree to disclosure of the donation information.

If needed (for example, for the purpose of reducing taxes etc.), we can execute all the required documents to confirm your donation: in case of legal entities, the amount of gross expenses shall include aid to non-profit organizations in the amount of more than two percent but at most five percent of the taxable profit for the previous reporting year (Article 5.2.2 of the Law of Ukraine “On taxation of Corporate Profit”).

PAYMENT OUTSIDE UKRAINE

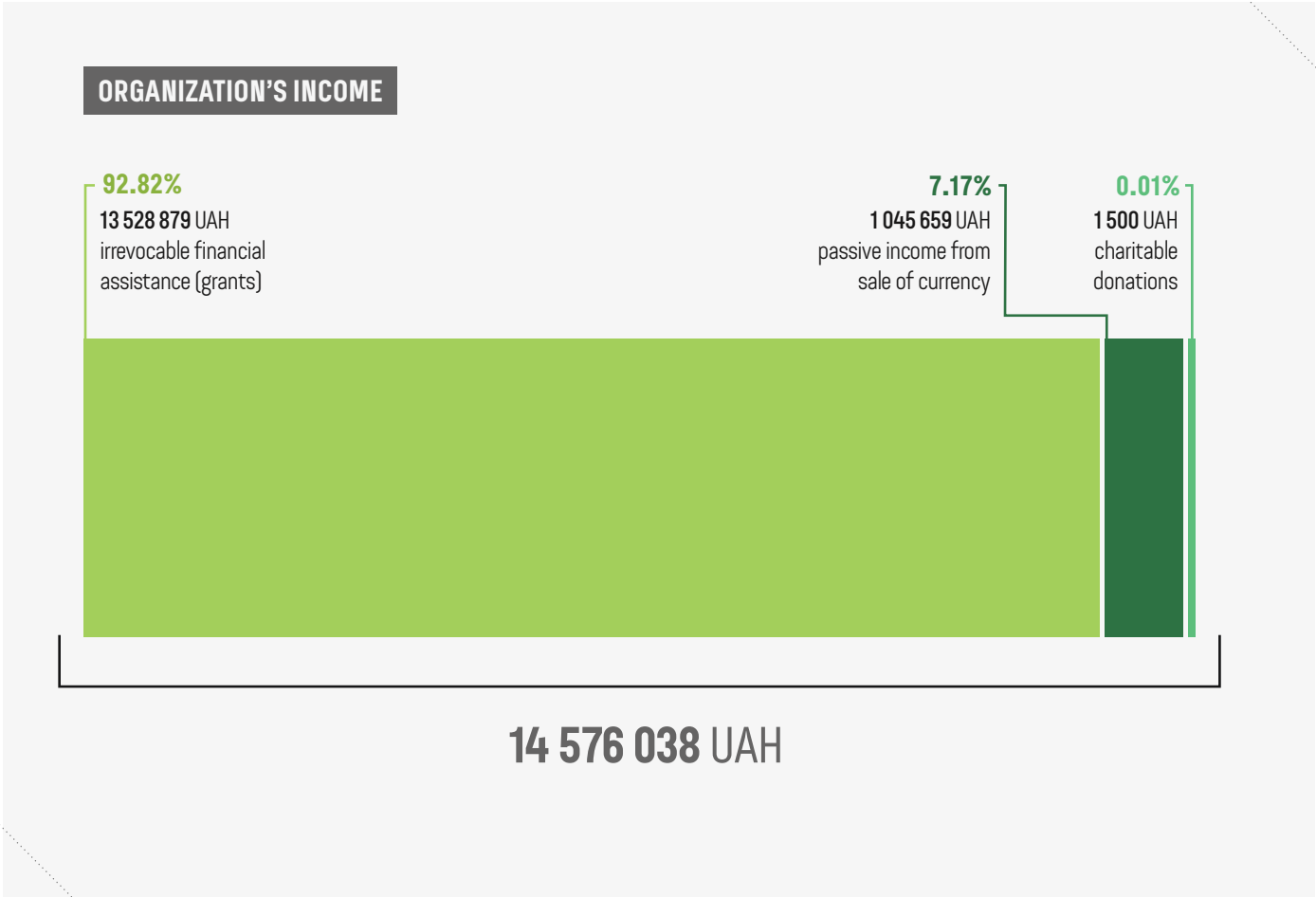
Details of payment in Euro

Bank name: PODOL Branch of PJSC “UKRSOTSBANK”
Bank address: Sagaydachny str. 22/1, Kyiv, 04070 Ukraine
Bank account holder: Ukrainian Helsinki Human Rights Union
Bank account number: 2600 30111 52 617
SWIFT code: UKRSUAUX
Correspondent bank:
Bank name: Commerzbank AG
Bank address: Frankfurt am Main, Germany
Bank account number: 400886615401
SWIFT code: COBADEFF

Details of payment in USD

Bank name: PODOL Branch of PJSC “UKRSOTSBANK”
Bank address: Sagaydachny str. 22/1, Kyiv, 04070 Ukraine
Bank account holder: Ukrainian Helsinki Human Rights Union
Bank account number: 2600 70000 52 583
SWIFT code: UKRSUAUX
Correspondent bank:
Bank name: Commerzbank AG
Bank address: Frankfurt am Main, Germany
Bank account number: 400886615400
SWIFT code: COBADEFF

FINANCIAL STATEMENT 2014



SOURCES OF FINANCIAL SUPPORT

The International Renaissance Foundation (IRF)

1. Grant agreement № 48543 “Production and broadcasting of 12 video materials about human rights protection”. Amount received 80 000,00 UAH.
2. Grant agreement № 47936 “Creation of a national platform for coordination of centers of strategic litigation and development of this tool in the field of human rights protection”. Amount received 159 900,00 UAH.
3. Grant agreement № 48539 “Participation of Ukrainian human rights activists in regional conference in Russia «Organization of free legal aid: challenges and realization» for further experience sharing and best-practices dissemination”. Amount received 29 000,00 UAH.
4. Grant agreement № 48665 “Increasing the capacity of a network of free legal aid”. Amount received 110 040,00 UAH.

5. Grant agreement № 48824 “Strengthening the capacity of carrying out human rights activities in the Donetsk and Lugansk regions”. Amount received 160 000,00 UAH.

Total received from the IRF: 538 940,00 UAH.

The Open Society Institute (OSI-ZUG)

1. Grant agreement № OR2013-07623 “Partial Institutional support 2012-2015” (year 2 from 3). Amount received 593 920,80 UAH (\$ 50 000,00).
2. Grant agreement № OR2014-12244 “Partial Institutional support 2012-2015/Year 3”. Amount received 792 719,80 UAH (\$ 50 000,00).

Total received from the OSI-ZUG: 1 386 640,60 UAH.

SIDA represented by the Embassy of Sweden in Ukraine

Grant agreement № 55070039 on core support in 2013-2016. **Amount received 6 725 179,70 UAH** (3 848 960,00 SEK).

U.S. Agency for International Development (USAID)

1. Cooperative agreement # AID-121-A-14-00004 “Responding to human rights violations and empowering citizens and human rights defenders in Ukraine activity”. Amount received 2 254 234,33 UAH (\$ 158 956,00).
2. Agreement with the Chemonics International Inc. financed by the USAID № FAIR-STA-UHH-31 “Monitoring and advocacy of effective enforcement of international institutions’ decisions in Ukraine”. Amount received 33 590,00 UAH.

Total received from the USAID: 2 287 824,33 UAH.

National Endowment for Democracy (NED)

1. Grant agreement № 2013-412.0 “Ukraine human rights report”, 2013. Amount received 54 773,00 UAH (\$ 5 000,00).
2. Grant agreement # 2014-753 “Promoting human rights”. Amount received 199 113,09 UAH (\$ 15 058,00).

Total received from the NED: 253 886,09 UAH.

The Charles Stewart Mott Foundation

Grant agreement № 2006-00484.03 “General purposes”. **Amount received 1 182 852,23 UAH** (\$ 75 000,00).

Delegation of the European Union to Ukraine (EU)

1. Sub-grant agreement with “The Right to Protection” Fund №2013/334-08 „Advocacy and Government Capacity Building in Migration”. Amount received 558 105,00 UAH.
2. Sub-grant agreement with “The Kharkiv Human Rights Protection Group” within GA #EIDHR/2014/343-222. Amount received 184 908,00 UAH.

Total received from the EU: 743 013,00 UAH.

United Nations Development Programme (UNDP)

1. Grant agreement № DHRP-GA-SL-13-01 “Support to strategic litigation in Ukraine”. Amount received 181 755,00 UAH.
2. Grant agreement № DHRP-GA-HR-2014-08 “Ukraine to Crimea: information support and legal assistance to Crimean people”. Amount received 135 514,50 UAH.

Total received from the UNDP: 317 269,50 UAH.

The Regional Environmental Centre (Moldova)

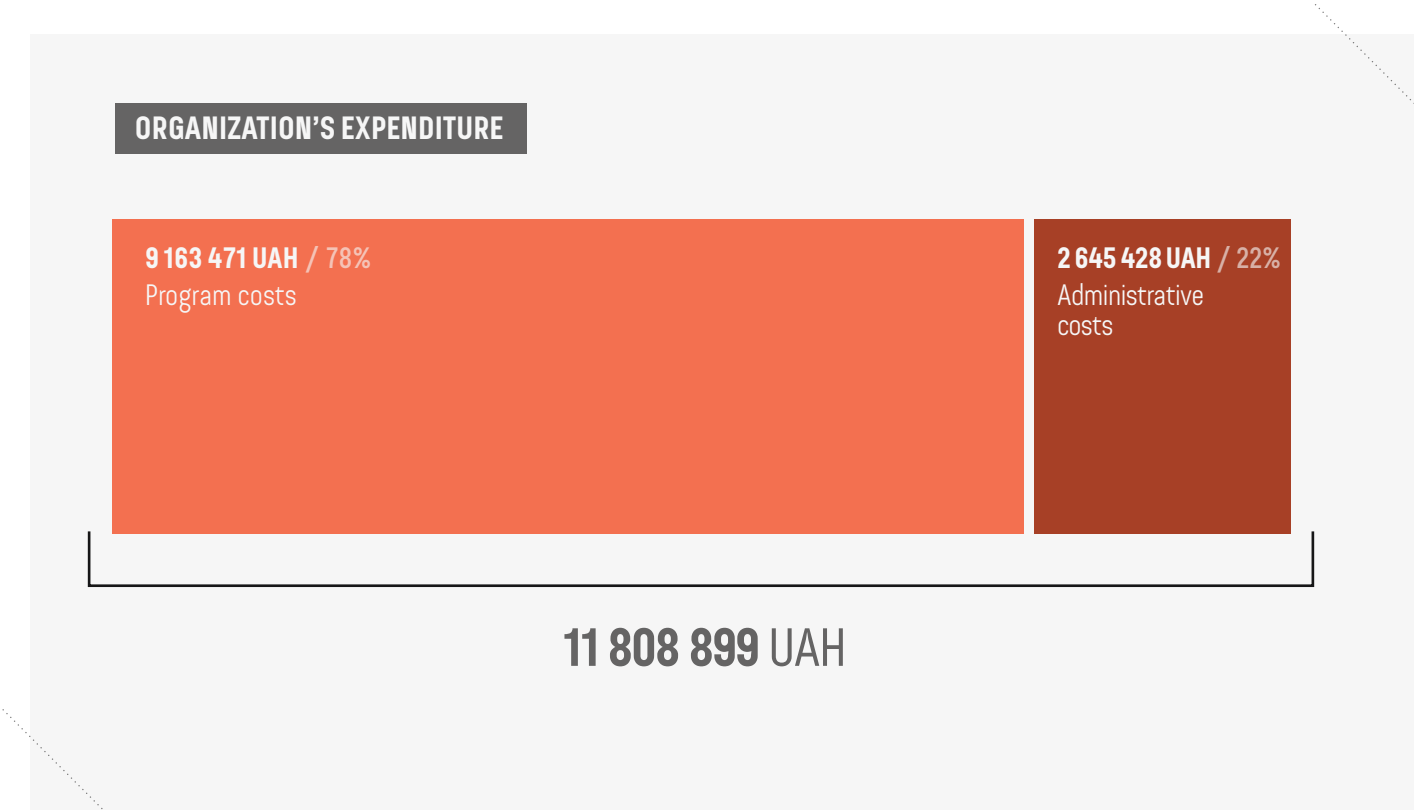
Agreement dated July 7, 2014 to support the project “Strengthening NGO participation in the execution process of ECtHR judgements in Eastern Europe and South Caucasus. **Amount received 29 394,64 UAH** (1 768,00 €).

Human Rights House Foundation (HRRF)

Grant agreement # P137-04-2014 “International Law in Advocacy. Electronic Human Rights Education for Lawyers”. **Amount received 63 879,14 UAH** (4 000,00 €).

Charitable donations

Charitable donations of individuals. **Amount received 1 500,00 UAH.**



FUNDS STATEMENT IN 2014

Balance for 01.01.2014	2 457 374,21 UAH
Incomes	13 530 379,23 UAH
Passive income from sale of currency	1 038 565,78 UAH
Expenditure	11 808 898,95 UAH
Balance for 01.01.2015	5 217 420,27 UAH

STRUCTURE OF EXPENDITURE

Program Costs		
Public Reception Offices (PROs) operation	2 506 536,58 UAH	21,2 %
Strategic litigations	2 070 848,12 UAH	17,5 %
Analytics	1 456 416,27 UAH	12,3 %
Human rights education	2 013 198,59 UAH	17,0 %
Advocacy	677 478,16 UAH	5,7 %
Networking and capacity building	438 993,26 UAH	3,7 %
Total:	9 163 470,98 UAH	77,6 %
Administrative costs		
Salary and fees	1 807 035,22 UAH	15,3 %
Space and utilities	142 356,00 UAH	1,2 %
Communications	46 344,21 UAH	0,4 %
Supplies and equipment	373 202,10 UAH	3,2 %
Books, periodicals and data bases	30 342,00 UAH	0,3 %
External audit and evaluation	97 230,00 UAH	0,8 %
Others	148 918,44 UAH	1,3 %
Total:	2 645 427,97 UAH	22,4 %

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E-mail: office@helsinki.org.ua



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