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USAID HUMAN RIGHTS IN ACTION PROGRAM UPDATES

HUMAN RIGHTS MONITORING AND ADVOCACY

Monitoring of National Human Rights Strategy implementation

The Ukrainian Helsinki Human Rights Union (hereinafter – the UHHRU) in cooperation with the Secretariat of the Ukrainian Parliament Commissioner for Human Rights and in collaboration with civil society organizations and initiatives continues its work on monitoring implementation of the National Human Rights Strategy. Thus, the following events were held in April-May:

- ✓ On April 12, a roundtable discussion “The second year of Implementation of the National Human Rights Strategy: what has changed?” [was held](#) at the premises of America House Kyiv, co-organized by the Ombudsperson’s Secretariat and USAID’s Participant Training Program¹. It was meant to examine best practices and lessons learned in implementing Human Rights Strategies and Action Plans in Georgia and Sweden, as well as to help identify main obstacles for the effective implementation of the Ukraine’s first-ever National Human Rights Strategy, and discuss models of cooperation between both state and non-governmental stakeholders in improving human rights protection in Ukraine.

Complete video footage of the event is available [here](#).

- ✓ A fresh report for the first quarter of 2017 on the implementation of the Action Plan by the authorized governmental agencies has been prepared and published – [link](#) in Ukrainian.

It should be noted that the U.S. Agency for International Development (USAID) Human Rights in Action Project supports the UHHRU’s work on monitoring of implementation of the National Human Rights Strategy.

Presenting a “Memorial map” developed by USAID-contributed UHHRU’s Human Rights Abuse Documentation Center

On April 14, a public [presentation](#) of an interactive map of human rights violations “Mapa pamiaty” [Memorial map] was held. This map ([available in a test mode](#), in Ukrainian) is created as a



visualized database of all persons who died during the armed conflict in the east of Ukraine (both civilians and combatants). Such approach, combined with the procedures of information protection and verification, allows recovering an accurate picture of the military conflict while preventing the manipulation of history for political purposes.

As it was stressed in course of the event, the map fits the international practices of documentation of cases of armed conflict based on the principles of objectivity, justice and indifference towards politics. Documentation of deaths of individuals, regardless of their belonging to parties to the conflict, is a component of the

¹ Implemented by the Consortium for Enhancement of Ukrainian Management Education jointly with the World Learning Inc.



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so-called transitional justice, which contributes to peacemaking, reconciliation and truth-telling efforts.

UHHRU participated in 9th “Information Fair-2017” at Verkhovna Rada of Ukraine



On May 16-17, UHHRU/ Human Rights in Action Project [attended](#) this traditional public event hosted by the USAID RADA Program: “Responsible, Accountable Democratic Assembly” which was aimed at presenting and exhibiting resources of organizations that provide technical, analytical and advisory assistance to the Parliament of Ukraine to improve the effectiveness of its legislative work.

At the event UHHRU presented analytical materials concerning human rights in the temporarily occupied territories of Crimea, Donetsk and Luhansk oblasts, as

well as a collection of success stories of free legal aid centers.

For any of our analytical material please refer to our website, “[Publications](#)” section.

Roundtable to present a research paper “Baseline Study on Implementation of Transitional Justice in Ukraine”

On May 23, at the premises of Institute of International Relations of Taras Shevchenko National University of Kyiv UHHRU [presented](#) the named USAID-sponsored research paper and discussed yet little-known to Ukrainian society theme of the so-called Transitional Justice. The research consists of three thematic parts (review of foreign experience; practically-oriented assessment of the situation in Ukraine – analysis of legislation, statistical data and existing practices; recommendations on how to implement transitional justice principles and create its national model) and targets public sector servants responsible for criminal justice, law enforcement, culture and social security issues, deputy corps, relevant international organizations and national NGOs.



At the same time, the event has become a kind of a long presentation of human rights activists and scholars on the analysis of international experience in the field of reconciliation and



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overcoming the consequences of the armed conflict. Thus, authors proposed a number of immediate steps that should be taken by the Ukrainian government for moving from the armed conflict to post-conflict situation.

The **collective monograph** that for the first time comprehensively presents essence, main elements and implementation mechanisms relating to transitional justice can be found [here](#) in Ukrainian and an **abstract review** of key findings and recommendations in Ukrainian [here](#) and English [here](#).

International Conference “Post-Conflict Justice in Ukraine”

On May 25-27, UHHRU jointly with the European Society of International Law and the Ukrainian Association of International Law co-hosted the international conference in Kyiv in the framework of USAID Human Rights in Action Activity in order to reflect on the best suitable ways to pave the road to peace and reconciliation in the aftermath of violent conflicts and the relevant strategies for securing justice in Ukraine. The event was considered as a follow-up of the USAID-supported Baseline Study on Implementation of Transitional Justice in Ukraine initiated earlier in 2016.

At the opening of the conference, Marie L. Yovanovitch, the U.S. Ambassador to Ukraine, Pavlo Klimkin, Minister of Foreign Affairs of Ukraine, who conveyed greetings from the President, André Nollkaemper, President of the European Society of International Law, and Arkadiy Bushchenko, Executive Director of the Ukrainian Helsinki Human Rights Union, and Mykola Hnatovskiy, President of the European Committee for the Prevention of Torture, delivered their speeches.



“We applaud the government for approving its plan for maintaining ties with the temporarily occupied territories, but it needs to be implemented. But we also need to prepare for reconciliation after the conflict. I am pleased that USAID is working with the Ukrainian Helsinki Human Rights Union to prepare for this post-conflict transformation period”, said Marie Yovanovitch



André Nollkaemper noted that understanding the situation, in which Ukraine is now, the task of the conference is to provide the opportunity for lawyers from different countries to give their expert views concerning the Ukrainian situation, on the one hand, and, on the other, to get familiar with international experience which can be helpful



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Speaking about the anticipated end of combat operations in Ukraine, Arkadiy Bushchenko, Executive Director of UHHRU and leader of the USAID Human Rights in Action Program, noted that the choice of path to victory would depend on the discussions, how we see peace after the armed conflict. Therefore, in his opinion, expert debates on post-conflict justice are extremely relevant now.

The conference brought together around 130 reputable scientists, experts from Ukraine, USA, Australia, Azerbaijan, the Netherlands, the United Kingdom, France, Denmark, Republic of South Africa, Canada, Russia, Kazakhstan and other countries (including judges of the European Court of Human Rights, International Criminal Tribunal for Rwanda, former member of the African National Congress, international and domestic lawyers, human rights defenders as well as Ukrainian public officials). For three days ([day one](#), [two](#), and [three](#)), experts were discussing the accountability standards under international human rights law and international humanitarian law and their application during and after an armed conflict, application of post-conflict justice mechanisms to “hybrid” armed conflicts, positive obligations of the state under international criminal law; the role of the European Court of Human Rights and International Criminal Court, truth commission, amnesties, process of post-conflict reconciliation, reparation for victims and other relevant issues for Ukraine. [Here](#) everyone interested can find the conference materials.

In its turn, UHHRU will pass key recommendations and conclusions from the conference and from the recently completed baseline study on transitional justice to relevant GOU institutions. We expect that obtained expert recommendations will become a starting point for creation of the national Ukrainian transitional justice system grounded on best international practice, country's actual needs and unique experience to facilitate the transit from post-soviet heritage to democracy and transit to post-conflict resolving under war conflict.

Summary of the conference can be also found [here](#) in Ukrainian. Furthermore, full video footage is available [here](#) with simultaneous translation into Ukrainian.

USAID-contributed draft law on Crimea has been introduced in the Parliament

The draft law “On certain amendments to some legislative acts of Ukraine concerning elimination of discrimination of citizens residing on the temporarily occupied territory of the Autonomous Republic of Crimea and Sevastopol” was submitted to the Verkhovna Rada ([link in Ukrainian](#)). It is aimed at removing omissions and establishing a legal relationship with the occupied peninsular and eliminating discrimination towards Crimeans.

Moreover, UHHRU works to include our developments into draft legislation on occupied territories and IDPs that is currently being prepared by the work group under Ukraine's Ministry on affairs of temporarily occupied territories and IDPs.

Monitoring and documenting human rights violations amid the armed conflict

UHHRU continues focusing on monitoring, collecting, verifying, analyzing and reporting information on human rights abuses for seeking justice for its victims. Now we would like to report on the following fact-finding missions organized in the commitment period within the USAID Human Rights in Action Project:



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- ✓ April 2-8 – a monitoring visit to Donetsk and Luhansk oblasts to obtain initial information on violations of the rights of persons affected by the armed conflict in the east of Ukraine and living along the demarcation line.
- ✓ April 27 – May 1 – a monitoring visit to Avdiivka (Donetsk oblast) to interview and consult conflict-affected civilians together with the UHHRU's legal aid center in Pokrovsk.

The collected materials were included into the database of the UHHRU's Human Rights Abuse Documentation Center, as well as transferred to the UHHRU Strategic Litigations Center and partner organizations to consider for further support in litigation to protect victims and bring perpetrators to justice. The collected data will be also included in the future thematic reports to be sent to the national and international bodies.

Other related activities by UHHRU in brief

- **UHHRU makes every effort help Roma community to defend their rights**

There has recently been a series of incidents of human rights violations against the Roma community with the participation of radical groups and the inactivity of law-enforcers. Namely, on March 31 and April 5, in the framework of the preparation for the Eurovision Song Contest, Roma settlements were burnt down and their inhabitants (including representatives of Hungarian and Moldavian nationalities) were forcibly evicted and sent outside the city.

UHHRU strongly condemns such methods and requires a thorough investigation of the circumstances of this crime and the prosecution of all the perpetrators:

- ✓ [Joint statement](#) by human rights NGOs on the events in Kyiv that have the character of ethnic cleansing. The same-matter [public appeal](#) was also posted on our website, addressed to the Prime Minister Volodymyr Groisman.
- ✓ UHHRU in cooperation with the Congress of Roma of Ukraine hosted a press conference dedicated to the recent destructions of Roma's settlements on the eve of "Eurovision 2017" song contest in Kyiv – [link](#) in Ukrainian.
- ✓ Later, [another public event](#) (*link is in Ukrainian*) was organized to draw public attention to importance of addressing this problem.

It is also worth mentioning that the Union supports another case of violations of the Roma community's rights: this entails the events in the Loshchynivka village (Odesa oblast), where local residents staged pogrom of Roma housing and the police did not interfere in the actions of the rioters. Latest news about current developments in this case can be found [here](#) (*in Ukrainian*).

- **Non-governmental organizations (including UHHRU) have joined forces to reduce financial barriers when filing lawsuits concerning access to public information**

This is [stated](#) in the Memorandum, signed by a number of non-governmental organizations².

- **Public statement in support of candidates for the position of members of the External control committee of an independent assessment (audit) of the effectiveness of the National Anti-corruption Bureau of Ukraine**

² The Institute of Mass Information, Centre UA, the Regional Press Development Institute, the Centre for Democracy and Rule of Law, Human Rights Platform, Kharkiv Human Rights Protection Group, Ukrainian Helsinki Human Rights Union, and Freedom House Ukraine.



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Representatives of the various human rights civil society organizations wrote an open statement to the President of Ukraine, which can be found in Ukrainian by following [this link](#) (*in Ukrainian*).

- **Public statement of Human Rights Agenda in regard to appointment of the Ombudsperson**

“Human Rights Agenda” Platform (involving UHHRU) addressed the Parliament of Ukraine’s Chairperson to finally initiate a transparent competition for the Ombudsperson’s position – [link](#) (*in Ukrainian*). Let us remind that Valeria Lutkovska’s office ended on April 28, 2017.

- **Open statement about inadmissibility of persecution for expression of expert opinions**

The relevant statement by UHHRU and Kharkiv Human Rights Protection Group is given [here](#).

ANALYTICAL ACTIVITY

USAID-contributed “Human Rights in Ukraine – 2016” Report released (*links are in Ukrainian*)



ДОПОВІДЬ ПРАВОЗАХИСНИХ ОРГАНІЗАЦІЙ
УКРАЇНСЬКА ГЕЛЬСІНСЬКА СПІЛКА З ПРАВ ЛЮДИНИ

On May 19, a presentation of the Annual Report of Human Rights Organizations “[Human Rights in Ukraine – 2016](#)” took place³. UHHRU representatives [provided an expert review](#) and assessment of the observance of human rights and fundamental freedoms in Ukraine during 2016, highlighted summary findings and delivered comments on more than 40 infographics based on the report’s conclusions. The issues discussed in the report include in particular reform, IDPs’ rights, living conditions of citizens, prisoners’ rights and so on.

According to Director of the Kharkiv Human Rights Protection Group (UHHRU’s member organization) Yevhen Zakharov, the state of human rights in Ukraine significantly deteriorated last year. Among the main trends that led him to this conclusion, the human rights activist called the escalation of violence and hatred, the significant narrowing of freedom of expression, as well as growing poverty and social inequality.

In particular, he stressed the increased abuse of human rights

on the part of the Security Service of Ukraine and underlined that there are gross violations of the right to asylum.

Other related activities by UHHRU in brief

- **Elaborating and issuing various human rights related reports**

³ Except UHHRU and the Kharkiv Human Rights Group, among the authors are the NGO Institute for Religious Freedom, the NGO Institute of Legal Research and Strategies, the Children’s Rights in Ukraine Coalition, the “Opora” Civic Network, the Constitutional Court of Ukraine, the Yaroslav Mudryi National Law University and many others.



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- ✓ On April 19, UHHRU and other human rights defenders have [presented](#) alternative reports within the UN Universal Periodic Review. Presentation was initiated jointly by UHHRU and the UNDP. Official review of Ukraine's report is expected after the government's submission in November 2017 of its own assessment on the measures taken to comply with recommendations by the previous UN Session in 2012⁴.
- ✓ UHHRU issued another [report](#) on human rights situation in the temporary occupied regions and the armed conflict zone.
- **Analytical materials prepared by UHHRU and member organizations** (*links are in Ukrainian*)
 - ✓ Human rights protection Group "Sich" from Dnipro [has published](#) some analytics concerning access to clean water resources for Ukrainians and what challenges do we face in that respect.
 - ✓ Analysis of women's rights was [prepared](#) by UHHRU's experts.
- **Participation of UHHRU's representatives in a TV-marathon on Ukrlife.TV**

The Union's experts answered the questions in the framework of a TV-marathon "Human rights in the alternative reports for the Universal Periodic Review" on Ukrlife.TV, during which there were discussed such topics as failure to execute judicial decisions in Ukraine, environmental rights, rights of refugees and persons with disabilities etc. *A full video in Russian is available following the [link](#).*

STRATEGIC LITIGATIONS

Within this direction the USAID Human Rights in Action Project supports strategic legal cases domestically and internationally as well as contributes to increase of the UHHRU Strategic Litigation Centre's (SLC) capacity and visibility during strategic litigation (including, through a special website [precedent.in.ua](#), *in Ukrainian*)⁵. Total number of strategic cases within the Project's lifetime is 159. In this section, we will periodically report on most striking success stories within USAID-supported high-profile strategic litigations.

Strategic litigation cases of UHHRU

- **Applications and communications to the European Court of Human Rights (ECtHR)**
 - ✓ An objection was sent to ECtHR in a strategic case, which important aspect is the issue of discrimination based on sex of the applicant by the national courts when considering a child

⁴ It should be mentioned that in 2015, given the beginning of the Russia's armed aggression, the civil society of Ukraine prepared an interim alternative report. For the first time there were announced the demands to the government of Ukraine on measures needed to overcome the crisis related to the humanitarian catastrophe in the AR Crimea and the East of Ukraine.

⁵ Strategic litigations are one of the most powerful tools of human rights protection: they help find solutions to overcome the structural problems that can affect the whole group of victims or potential victims, encourage people to protect their rights and help work on remedies and on raising judicial competence in the application of human rights standards. Information support of individual cases is essential to inform the public and to promptly and effectively resolve structural problems in various strategic litigations.



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custody matter. The applicant argued that the courts had accepted and supported a mother, although it had been proved that she had the worst material conditions, did not have a stable income and was not officially employed.

- ✓ Answers were sent to questions posed by the court in the case concerning the prohibition of torture, the right to legal assistance and the possibility of non-self-incrimination enshrined in the Constitution of Ukraine. Thus, a case is related to detention of a person, his torture by law enforcement officers in order to make him sign an acknowledgment of guilt and confess to committing a robbery and the subsequent use of evidence obtained under pressure in the verdict.
- ✓ An application was prepared to the European Court of Human Rights on the situation of inability to complete the proceedings that have been already lasting for over 10 years. At this time an applicant found himself in a situation when his case actually remained unconsidered, although formally the decision in the case is taken, but its text is also absent. The national court of first instance did not provide the applicant with an explanation of its further actions to decide on the merits.
- ✓ A follow-up to the complaints of the Ukrainian political prisoners in Russia (Stanislav Klykh and Mykola Karpyuk) was sent to the ECtHR. Since the earlier stated violations were related to the use of emergency measures, currently the follow-up was supplemented with statements of violations of Articles 5, 6 and 18 of the European Convention on Protection of Human Rights and Fundamental Freedoms. The text of the complaints was prepared with under expert support of the European Human Rights Advocacy Center, EHRAC.
- ✓ An application was sent to the ECtHR on violations of law in the field of psychiatry, namely a breach of the right to liberty and security of the person who is staying in the State Institution "Ukrainian high-security mental health hospital of the Ministry of Health of Ukraine." According to Ukrainian legislation, psychiatrists must examine the patient's condition every six months, based on which the court decides whether to continue or change the coercive measures of a medical nature imposed on a person. But in this case the doctors did not conduct an appropriate examination and did not turn to court within the legal period. As a result, the person was stayed in the mental health hospital without any legal grounds. Moreover, the person could not self-initiate the consideration of the legal grounds for detention, because the legislation deprives citizens of the right of access to court in this situation.
- ✓ Two applications were lodged with the European Court against the Russian Federation in connection with the administrative prosecution of the Crimean Tatars, who had participated in the peaceful gatherings. Thus, an applicant was imposed a significant fine for allegedly participation in the unauthorized rallies in Crimea; that is why a number of relevant judicial decisions were taken. In such actions of the Russian authorities the UHHRU sees the Russia's violation of the right to fair trial and to freedom of peaceful assembly, since the applicant was prosecuted only because of the non-authorization of the rally, which means consideration of only formal factors and the absence of a legitimate aim to interfere with the applicant's rights.

• **Cases in the Constitutional Court of Ukraine**

- ✓ On April 6, the UHHRU's representatives participated in the session of the Constitutional Court of Ukraine in a case under submission of the Ukrainian Parliament Commissioner, which related to the constitutionality of the provision of law under which the court decision to ban peaceful assembly is executed immediately – namely upon the decision of the court of appeal. At the session there was presented the UHHRU's [legal position](#) (*link is in Ukrainian*) on the constitutionality of the provision of the Code of Administrative Court



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Procedure of Ukraine, according to which a court decision in cases of restrictions on the right to peaceful assembly is executed immediately.

- ✓ On May 12, a legal position was sent to the Constitutional Court of Ukraine on the issues of law raised in the Ombudsperson's constitutional submission regarding the constitutionality of part 6 of article 216 of the Criminal Procedure Code of Ukraine. This provision envisages that the investigation into crimes committed in the territory of the State Penitentiary Service of Ukraine is conducted by the investigative agencies of the same service. UHHRU believes that such legal provision fails to comply with the Constitution of Ukraine and the European Convention on Human Rights because it breaches the principle of effective investigation into crimes.

- **SLC's successful case**

[The case is concerned](#) (*link is in Ukrainian*) with the court fee, which allegedly had to be paid by a woman for the trial on compensation for her coffee shop destroyed by shelling during the hostilities in the summer of 2014. UHHRU supported the case because it is interesting in terms of legal precedent: citizens usually claim compensation for destroyed housing and for the first time the case is referred to compensation for commercial property.

Other related activities by UHHRU in brief

- **Thematic blog entitled "ATO" on UHHRU's website⁶**

In April, there was initiated a new thematic series on protection of the servicemen's rights; hence, the following posts were published: [armed forces as state's immunity: are the investments in servicemen's rights viable](#), [volunteers: does the state realize who they are](#) (*link are in Ukrainian*).

- **Prisoners of War UA Project**

The initiative, which continues its work, currently considers 214 cases of persons affected by an armed conflict in the east of Ukraine. In its framework, the following events were held in April-May:

- ✓ On April 12, the Verkhovna Rada of Ukraine hosted a series of meetings with relatives of prisoners and persons missing in result of the conflict in the east of Ukraine. The purpose was to draw attention to the problems of the conflict-affected persons, violations of the rights of victims' relatives by the state bodies and delaying the exchange of prisoners. The prisoners' relatives invited experts of the UHHRU and Media Initiative for Human Rights to participate in the events, as well as [supported their position](#) (*link is in Ukrainian*) and asked the Chairman of the Verkhovna Rada to consider proposals presented by human rights activists.
- ✓ On April 28, the experts of the UHHRU, Media Initiative for Human Rights, Global Rights Compliance and Kharkiv Human Rights Protection Group [introduced](#) (*link is in Ukrainian*) a Concept Note on the Return of Ukrainian Citizens being under the control of the Russian Federation (*can be found [here](#) in English*). The problem of prisoners' release is topical for Ukraine: the negotiation process is showing no results for a long time. Thus, in 2017 there were no releases at all. Human rights defenders highlighted the stories of their clients and

⁶ In February, the Strategic Litigation Center launched a new initiative – the "ATO" thematic blog, the main task of which is to describe the key problems of human rights protection amid the war conflict in the east of Ukraine and to determine new possible ways of solving those problems from the expert position and in understandable language.



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presented legal remedies in this regard to representatives of foreign embassies in Ukraine and international organizations.

- ✓ On May 23, a [press conference](#) devoted to prisoners (*link is in Russian*) was held by organizers of the campaign “Stop Putin! Stop the war!” within the international movement “Global movement of patriots of Ukraine”. The invited UHHRU SLC’s experts stressed that Ukraine as a state is not doing enough to protect the rights of its citizens who are held captive.
- ✓ In April-May, a complaint was filed with the ECtHR to apply urgent measures to free a hostage. The application was accepted and registered by the court.

- **Progress of the Bez'yazykov's case** (*links are in Ukrainian*)

On May 24, there was held a [press conference](#) on “The Bez'yazykov's case: new circumstances”, during which UHHRU's lawyers told about the new circumstances, the court's decision on jurisdiction and the transfer of the case to the Pavlohrad city district court. In addition, the comments were given to the channel UA:Pershyi, which [prepared a video-story](#) about the case.

- **UHHRU continues to assist people affected by hostilities in the east of Ukraine**

During April-May, there were filed one application and two follow-ups with the ECtHR (as of today, the work has been carried out with more than two hundred persons).

- **“Legal ABC” audio-podcasts**

In April-May, there were issued several audio podcasts prepared by the SLC in cooperation with the Hromadske Radio. We propose to get acquainted with both the audio files and certain experts' comments on the relevant topics following the links (*in Ukrainian*): [lost case files of prisoners](#), [enforcement proceedings](#), [victim in criminal proceedings](#), [protection of personal data](#) and [what is an evidence](#).

- **UHHRU's expert delivered comments on air of the Chernomorska TV and Radio Company**

UHHRU lawyer Darya Svyrydova and Ivan Lishchyna, Government Agent of Ukraine before the ECtHR, talked on air about Ukraine's applications to the international judicial bodies that relate to the armed conflict and occupation of Crimea – [video](#) *in Ukrainian*.

FREE LEGAL AID

Links below are given in Ukrainian

[The UHHRU's network](#) of legal aid centers (LACs) keeps on delivering free legal aid (including outreach legal consultations in the remote areas), holding information and awareness raising events in the sphere of human rights as well as documenting crimes among population who witnessed human rights violations in the occupied Crimea or ATO area in Donbas.



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The U.S. Agency for International Development (USAID) supports activities of the UHHRU's legal aid centers in Sloviansk, [Toretsk](#), [Mariupol](#), Kramatorsk, [Pokrovsk](#), [Sumy](#) and Dnipro providing legal aid to conflict-affected population, as well as [Specialized LAC in Kyiv and Kherson](#) delivering legal assistance to IDPs from Autonomous Republic of Crimea and city of Sevastopol in the frames of the Human Rights in Action Project.

Activities of the USAID-supported legal aid centers

Links are in Ukrainian

- **LAC in Slovyansk contributed to achieve justice in court**

A man applied to UHHRU as his ownership rights have been infringed by scammers, but the National Police in Slovyansk refused to register this crime. LAC's lawyers [helped](#) an applicant to achieve justice in court and force the police to initiate the proceedings. Furthermore, the lawyers say that it is a common problem not only in the mentioned city when the police officers don't want to initiate an investigation because they don't want to worsen their crime-solving statistics.

- **One of the eastern LACs faces the challenges but keeps on delivering legal aid no matter what**

LAC in Toretsk continues to provide legal aid in the conflict-affected GOU-controlled region despite the complications that human rights defenders are facing with, such as controversial society and miscommunication [issues](#) with local civilians.

- **LAC in Sumy helped an IDP-child to protect her right to citizenship**

16-years-old Anush was born and raised in Ukraine, but she is not an ethnic Ukrainian. Because of this reason, the State Migration Service of Ukraine was refusing to issue her a passport of Ukrainian citizen for a long time until the moment lawyers decided to intervene. Fortunately, it [helped to resolve](#) this injustice in favor of the girl.

- **Legal aid center in Sumy helped an IDP person**

An IDP person [applied](#) to the named LAC as he lost his passport while running away from the armed conflict in the east of Ukraine. Lawyers prepared an application to the court for establishing the fact of permanent residence on the territory of Ukraine, which set out the relevant circumstances of loss of passport, provided evidence of permanent residence in Ukraine, in particular, information about military service and the like.

Other related activities by UHHRU in brief

- **UHHRU's LAC in Lviv helped a serviceman**

Thanks to UHHRU's [contribution](#) (*link is in Ukrainian*), the courts have upheld the guarantees for persons who perform military duty.

- **Story of one disabled person or a new legal failure**

UHHRU member organization from Dnipro is making every effort to help a person fighting for his healthcare rights until successful ending of the case. Unfortunately, a lot of bureaucratic obstacles have to be broken first – [link](#) *in Ukrainian*.

HUMAN RIGHTS EDUCATION AND AWARENESS RAISING

Links below are given in Ukrainian

The UHHRU keeps on organizing human rights training events as well as formulating a comprehensive national human rights education policy. This activity is implemented under Ukraine-wide Educational Program “[We Understand Human Rights](#)” (WUHR)⁷, which is being the only informal educational system that has the material basis for its activities – Educational Human Rights House-Chernihiv (EHRH-Chernihiv).

USAID-contributed Ukraine’s first [Educational House](#)⁸ was designed as a principal educational and training center and a resource platform serving various human rights NGOs from Ukraine and neighboring countries. Thus, one of its tasks is to provide training services (including office and conference space, lodging). For clients’ convenience there was introduced an online [application](#) to help booking the House premises for their activities.

Informal human rights education

USAID-contributed competition for Ukrainian civil society organizations



Let us remind, that in March 2017, USAID Human Rights in Action project announced a competition for Ukrainian civil society organizations and initiatives that involved at least one graduate of the WUHR Program. It raised a huge interest among human rights activists – organizing committee received nearly three dozen applications. As it was promised, the prize-winners were granted with financial support for holding educational events on human rights –

namely, four trainings in Vinnitsa, Poltava, Kherson and Ivano-Frankivsk oblasts in April-May.

This series was launched with an event for young people “SetUp Human Rights” in Vinnytsia (on April 21-23), during which in addition to review of human rights and mechanisms for their protection, participants also learned to play the debate to consolidate the knowledge. Organizers – Vinnytsia Debate Club – assured that the debate game will be used for further promotion of human rights among the youth.

At the same time in Poltava the charity organization “Light of Hope” targeted representatives of the local media who were able to learn domestic and gender-based violence during the event

⁷ Launched since 2007, WUHR envisages development of informal human rights education, contributing to cultivating a human rights culture, strengthening respect for the rule of law in Ukraine, promoting intercultural understanding and principles of peaceful resolution of conflicts. It was conceived as a platform for partnership of all interested organizations and individuals (NGO activists, youth, school teachers, journalists, social workers, lawyers, human rights defenders, and law enforcement personnel; currently there over 3,500 program graduates). The WUHR also has an impact on development of formal education system to incorporate human rights and rule of law concepts in education of children and adults. Moreover, one of the distinctive purposes of this program is to ensure networking of alumni and contribute to development of their follow-up human rights and social initiatives in the local communities.

⁸ Co-founded by UHHRU in 2013 and registered as a non-governmental organisation, it is being a member of an international Network of Human Rights Houses (a community of human rights defenders working for more than 100 independent organisations operating in 16 Human Rights Houses in 13 countries).



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organized on April 27. The main attention was devoted to the issue of media influence on shaping the public opinion and key messages; practically reviewed gender-sensitive language, gender-based materials, video stories – all this should contribute not only to understanding, but primarily to the quality work of journalists.

On May 3-5, a training on basic introduction to human rights was organized for students of several villages in Snyatynsky district of Ivano-Frankivsk oblast. The three-day intensive program started with the history of human rights and moved to the more specific topics – the right to life, freedom of assembly and so on.

The initiative group “Phenomenon UA” from Kherson took up the “school” baton, whereby, on May 12-13, educators, librarians and the public sector representatives studied the principles of tolerance in educational institutions. During the event, attendees learned the theoretical foundations of the concept of “tolerance” and “human rights”, effective and innovative methods of teaching these subjects in junior and senior school students, and tested a set of thematic exercises and games.



More details are given [here](#) in Ukrainian.

Formal human rights education

“School as a Territory of Human Rights” Project proceeds

In May, as a part of “School as a Territory of Human Rights” Project, a series of local events on human rights and school governance was held for 3 of 6 participating schools: one of them was held on May 24-25 for representatives of School No 8 of Nova Kakhovka, Kherson oblast, another one was held on May 27-28, in School No 37 of Kamianske, Dnipropetrovsk oblast, and on May 31 – June 1, a training was organized for representatives of the School No 2 of Drohobych, Lviv oblast.



Training in Kamianske



Training in Nova Kakhovka

During these events participants (representing the interests of students, parents, teachers and administration) analyzed the actual observance and exercise of human rights by all participants of the educational process, intra-school legal basis for compliance with human rights principles, as



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well as defined the ways of solving the voiced concerns. Also school community representatives learned how to create an effective school self-management in order to establish an effective cooperation between all participants within the educational process. Attendees noted that for the first time during the training they “heard each other”, “could express their views and understand the existing problems with regard to human rights in the institution”, “felt equality in relations”, “realized the need for changes”, “see the way of implementation of changes” etc.

These schools also joined the “Human rights in schools” initiative and “made themselves open” to monitoring study on the compliance with principles of human rights education on site.

It should be noted that both mentioned initiatives are implemented by UHHRU as a part of WUHR Program supported by USAID “Human Rights in Action” Project.

Traveling educational exhibit “Everyone has right to know their rights” (*links are in Ukrainian*)

In April-May, the exhibition visited Sumy, Zaporizzhia, Donetsk and Dnipropetrovsk oblasts in the framework of the national tour organized as a part of WUHR Program under support of the USAID Human Rights in Action Program⁹.

Traditional peer-to-peer seminars to train exhibit guides

The exhibition is based on the “peer-to-peer” approach, which implies that the youth themselves takes active part in dissemination of knowledge: trained pupils of local schools and students pass information to their peers. Hence, prior to the exhibitions itself, on April 10-11, in [Sumy](#), on April 13-14, in [Zaporizhia](#), on May 4-5, in [Kramatorsk](#) and on May 15-16, in [Dnipro](#) there was conducted a number of training seminars to prepare ‘guides’ from local youth. They got acquainted with the exhibit that is being a methodological tool for human rights education.



Peer-to-peer seminar in Sumy



Seminar for exhibit ‘guides’ in Zaporizhia

Holding of exhibitions

Overall the exhibitions were visited by around 5,000 people; more details about each of them is available at the links: [Sumy](#), [Zaporizhia](#), [Kramatorsk/Sloviansk](#) and [Dnipro](#).

⁹ The exhibition as well as the guideline to work with it, were developed in 2011 by the NGO “MART”, the UHHRU member organization, with support from the International Renaissance Foundation, as one of the steps to respond to the need for a systematic approach to human rights education. It consists of 25 stands telling about origin of human rights, dignity, main features of human rights, anti-discrimination, the legacy of human rights limitations, democracy, state ruled by law and meaning of certain rights and liberties standards. This enables to use indicated products as supplementary materials for learning and encourage discussion on human rights issues.



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During the exhibition in one of Zaporizzhia universities

Below are impressions shared by participants and attendees:

- ✓ Methodist of Education Department of the Sumy City Council V. Todosyychuk: *“The use of traveling exhibition as a modern methodological tool will enable teachers to find new approaches to the progressive education of young generation. Youth, in its turn, will be able form their own life stance”.*
- ✓ Guide of the exhibit in Sumy Sofia Goncharenko: *“Exhibition and work on it as a guide is the first attempt to express myself in public life. It was interesting to learn about human rights. Before I just did not realize some things. I made an important conclusion to myself: one must stand up for human rights”.*

Human rights education for lawyers

Ongoing national training course for lawyers, attorneys and judges on human rights



module.

As [it was reported](#) previously, 51 lawyers and judges from all over Ukraine were selected for training within the course on a competitive basis. Thus, on April 27-30, in Kyiv there were held [two two-day introductory](#) training seminars within a [national training course](#), supported by the USAID Human Rights in Action Program¹⁰ (*links are in Ukrainian*). The events were aimed at introduction of the project team to all participants of the course, who had passed the first selection round, as well as to practice the knowledge gained during the online

¹⁰ UHHRU implements this course in partnership with the Educational Human Rights House-Chernihiv, the Human Rights House Foundation, the Helsinki Foundation for Human Rights (Warsaw, Poland) and Ivan Franko National University of Lviv.



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The attendees demonstrated maximum activity discussing various professional issues within the topic concerned. One of the participants noted: *“Even taking into account that I have already attended a similar seminar last year, I can definitely say that new knowledge was received by me. In addition, there were things, which I started to see differently thereafter. The seminar was useful and completely exceeded my expectations”*.

After the first stage of the training course (online module and two in-class seminars) only 35 of 51 legal practitioners will continue their study as a core group of participants.

Other related activities by UHHRU in brief

Links are in Ukrainian

- **Two Ukraine-wide human rights competitions announced**

UHHRU announces a new cycle of Ukraine-wide essay competition for high school students “Human rights through the prism of modernity” and Ukraine-wide competition of teaching and methodical materials on human rights – *respectively link [1](#) and [2](#)*.

- **Some events of the Educational Human Rights House-Chernihiv**

- ✓ On April 8-9, local eco-activists [trained peers](#) from other cities to deal with batteries as part of initiative addressing the problem of environmental pollution. During the training, there were elaborated methods and approaches to protection of the legal rights to a clean environment, particularly through usage of such powerful democratic tools as petitions, appeals, rallies, street campaigns.
- ✓ On May 4-7 – a training “Monitoring and documenting human rights violations in connection with the armed conflict”¹¹ was held to prepare a group of community activists from Donetsk oblast to monitor and document human rights abuses on a regular or periodic basis.
- ✓ [A resource and relaxation meeting](#) for people who have experienced illegal detention and captivity was held on May 12-14.
- ✓ On May 21-23 – a training “Work with target groups through new media: to inform, attract, promote the human rights idea” was held. Participants were able to learn about the new social media tools, and practice these online tools for development of media content for their target groups on topics they work on.
- ✓ Implementation of the following mini-projects undertaken by NGOs within the EHRH-Chernihiv’s project “Active civil actions to overcome the humanitarian crisis in Ukraine”:
“Prevention of prejudicial treatment of IDPs in Lviv”, “Protection against violence is your right” in Ternopil; “Accessible information protects the rights of IDPs” in Kryviy Rih; “Informing school leavers residing in Crimea about the admissions process in 2017”; “Free. No barriers!” in Teplyk of Vinnytsia oblast; “Access to health care for ATO participants and members of their families” in Uzhhorod, Cherkasy and Chernihiv.

¹¹ The event was organized by the NGO Mart in partnership with the Luhansk oblast Human Rights Center “Alternative”, Human Rights Coalition “Justice for Peace in Donbas”, Helsinki Foundation for Human Rights (Warsaw), EHRH-Chernihiv with assistance and financial support from the IRF in the framework of the WUHR Program.



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- ✓ **# Правозахисний Календар**
[Human Rights Calendar] on the webpage of the Educational

Human Rights House-Chernihiv: information is being provided to followers of the EHRH-Chernihiv [Facebook page](#) about international human rights days and their history.



- On May 13-14, 2017, there was held a **seminar “Compliance with human rights standards when conducting criminal proceedings related to occupation of Crimean peninsula”**, which was attended by 25 officers of the Prosecutor’s Office of the AR Crimea. The topics covered the concept and forms of interference in human rights, the concept of positive obligations of the state; introduction to human rights, the European Court of Human Rights, the European Convention on Human Rights. Certain relevant articles of the Convention were also studied in details.
- **Women human rights defenders who change Ukraine**
UHHRU continues publishing a series of articles devoted to the female human rights activists working at UHHRU or cooperating with us. Currently, we offer the [eleventh](#), [twelfth](#), [thirteenth](#) and [fourteenth](#) interview of a series.

MAIN EVENTS IN HUMAN RIGHTS AREA

International Court of Justice grants Ukraine’s request to impose provisional measures against Russia to protect minorities in Crimea

On 19 April 2017, the International Court of Justice has delivered the Order on the request for the indication of provisional measures submitted by Ukraine in the case concerning Application of the International Convention for the Suppression of the Financing of Terrorism (ICSFT) and of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) (Ukraine v. Russian Federation).

Thus, the application based on the violations of two Conventions by Russian Federation was [satisfied](#) (*link is in Ukrainian*) only with CERD. The Court concluded that the conditions required by its Statute to indicate provisional measures in respect of CERD were met. In order to protect the rights claimed by Ukraine, the following measures are indicated: to refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis; to ensure the availability of education in the Ukrainian language.

However the ICSFT provisional measures [were not granted](#) (*link is in Ukrainian*) for the reason of lack of evidences to prove intentional character of financial operations: at this stage of the



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proceedings, Ukraine has not put before the Court evidence which affords a sufficient basis to find it plausible that these elements are present.

Latest developments in the case are available [here](#).

Council of Europe publishes decision on Crimea

The Council of Europe's Committee of Ministers [has passed](#) a decision condemning the annexation of Crimea and demanding from Russia to respect human rights on the occupied peninsula. Once again it [was stressed](#) that such an act on the part of the Russian Federation is a violation of international law. Along with such violations of human rights as the restriction of freedom of speech and peaceful assembly, freedom of religion and belief, the decision includes repressions against national minorities, in particular, Crimean Tatars. It also underlined that the "court decision declaring the Mejlis of the Crimean Tatar People an extremist organization and banning its activities, and the decision banning leaders of the Mejlis from entering Crimea, gravely violated the rights of the Crimean Tatars and should be revoked." One of the central provisions of this decision is the call for unimpeded access of the human rights mechanisms of the Council of Europe, in particular its Commissioner for Human Rights, to the temporarily occupied peninsula to monitor human rights compliance in accordance with their mandate.

According to experts, this decision [may act](#) (*link is in Ukrainian*) as a strengthening argument to impact UN court decision on "Ukraine vs RF" in Hague as far as generally the court is taking to the account the position of international institutions and refers to them in their decisions.

The full text of the decision is available under the [link](#).

Emine Dzheppar reported on how Ukraine succeeded in protection of Crimean Tatars

First Deputy Minister on Information Policy Emine Dzheppar in frames of the UN General Assembly event [reported](#) (*link in Ukrainian*) about Ukraine's positive results in implementing the UN Declaration on the Rights of Indigenous Peoples. In particular, she mentioned achievements with the Crimean Tatars defining them as indigenous peoples and their right to self-identification. Besides the First Deputy Minister accused Russian Federation in repressions against Crimean Tatar people and ignoring the decision of the UN International Justice Court concerning Mejlis. *Video of her speech is also available under the [link](#).*

The Prosecutor's Office of Autonomous Republic of Crimea was opened in Kyiv

The Prosecutor General of Ukraine Yuriy Lutsenko and Prosecutor of Autonomous Republic of Crimea Gunduz Mamedov [presented](#) the new dislocation of the Prosecutor's Office that as result of Crimea occupation by Russian Federation had to be transferred to the mainland Ukraine (*link is in Ukrainian*).

Execution of the ECtHR decisions by Ukraine is reported

Based on the 10th Annual Report on supervision of the execution of judgments and decisions of the European Court of Human Rights, the Committee of Ministers of the Council of Europe [published](#) (*link is in Ukrainian*) the information paper on Ukraine obligations concerning ECtHR judgments implementation. Thus, Ukraine has the one of the worst rates on compensations following the European Court's decisions.



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Verkhovna Rada has aborted the draft law on the Constitutional Court of Ukraine

The draft law [had to define](#) (*link is in Ukrainian*) the procedures of elections to the Constitutional Court, its structure and functions as well as working conditions and payment of the judges. What is more important, the law regulated forms of court appeal, establishing the new one called as constitutional complained. It had to serve the needs of an applicant who claims that the decision applied to one's case or some of its statements are not in line or act contrary to the statements of the Constitution of Ukraine.

Besides, according to experts, the authors proposed to change the order and procedure of appointment/dismissal of the Parliamentary Human Rights Commissioner in violation of at least three articles of the Law on Regulation of the Verkhovna Rada, Ukraine's international obligations and wishing to establish control over the Ombudsperson of Ukraine.

Terms “gender identity” and “sexual orientation” were included to draft Labor Code of Ukraine

When preparing the draft Labor Code for the second reading, the Verkhovna Rada Committee on Social Policy, Employment and Pensions Provision [has considered](#) (*link is in Ukrainian*) the term “gender identity” in the legislative norm concerning prohibition of discrimination based on sexual orientation and gender identity in the work sphere. Due to amendment, any discrimination at work based on race, sex, political or religious views, sexual orientation and gender identity, age, health conditions, AIDs diagnosis, marital status, property, place of residence, language, etc. is strictly forbidden.

Amendments on Crimea to be incorporated into the Constitution of Ukraine

The Constitutional Commission [established](#) (*link is in Ukrainian*) a working group to draft constitutional amendments related to the Autonomous Republic of Crimea.

Ukraine commemorates the 73rd anniversary of deportation of Crimean Tatars from their historic homeland – Crimea

On May 18, Ukraine marks the Day of Remembrance of the Crimean Tatar Genocide Victims, as well as the Day of Struggle for the Rights of the Crimean Tatar People. President of Ukraine Petro Poroshenko [had a public appeal](#) on this occasion.

UHHRU [has also joined](#) (*link is in Ukrainian*) the campaign of commemoration and expressed the deep grief and sorrow on the events that took place 73 years ago and about challenges Crimean Tatars are facing now.

Crimean Tatar activist became a laureate of international human rights award

Crimean Tatar and human rights lawyer [Emil Kurbedinov](#) has been named as one of five finalists (out of 142 nominees from 56 countries) for the 2017 Front Line Defenders Award for Human Rights Defenders at Risk. The annual Award recognizes human rights defenders who – at great personal risk – have made exceptional contributions to protecting and promoting the rights of their communities. Video is available [here](#).



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To enter the university for students from occupied territories will be easier

Ministry of Temporarily Occupied Territories and IDPs jointly with Ministry of Education and Science of Ukraine [are preparing](#) (*link is in Ukrainian*) the document regulating admission campaign to the university for residents from the temporary occupied area.

Ukraine is in the top of countries with increasing numbers of IDPs

According to the reports of Norwegian Refugee Council, Ukraine [has taken](#) (*link is in Ukrainian*) 9th place in the list of countries with the highest IDPs' rates among Columbia, Syria, Iraq, DR Congo, Yemen, Nigeria and South Sudan. *Full text of the NRC research is under the [link](#).*

GOU will establish commission regulating implementation of international humanitarian law in Ukraine

Interdepartmental Commission on the application and implementation of international humanitarian law [will function](#) (*link is in Ukrainian*) due to the corresponding resolution of the Cabinet of Ministers. The commission is expected to ensure proper implementation of international humanitarian law in Ukraine, including the implementation of the international legal obligations of Ukraine arising out of the Geneva Convention for the protection of war victims of 12 August 1949.

The full text of the resolution in Ukrainian is available under the [link](#) (in Ukrainian).

ECtHR accepts legal position of Ukraine in lawsuit against Russia

The European Court of Human rights officially [confirmed](#) the acceptance of the legal position of Ukraine in the first lawsuit against Russia relating to the violations in Crimea. Pavlo Petrenko, the Minister of Justice of Ukraine reported this during the [press conference](#) (*video is in Ukrainian*).

Let us remind that Ukraine filed five lawsuits to the Court against Russia upon the occupation of Crimea, military aggression in Donbas, violation of the human rights on the occupied territories and illegal transfer of the orphaned children to Russia. The Ministry of Justice of Ukraine is currently awaiting the decision on procedure of hearing.

Draft law on political prisoners to be adopted

On May 25, in the Ministry of Temporarily Occupied Territories it was [presented](#) (*link is in Ukrainian*) a draft law of Ukraine "On recognition as political prisoners of persons deprived of their personal liberty for political reasons by the decision of the authorities of the Russian Federation, and provision of the state social assistance to them". When it is [finalized](#) (*link is in Ukrainian*) about 60 of Ukrainians could be recognized as political prisoners.

The full text of the draft in Ukrainian is placed [here](#) for the public discussion. Video from the presentation of the draft law is also [available](#) in Ukrainian.



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