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USAID HUMAN RIGHTS IN ACTION PROGRAM**

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USAID HUMAN RIGHTS IN ACTION PROGRAM UPDATES

HUMAN RIGHTS MONITORING, ANALYTICAL ACTIVITY AND ADVOCACY

Born After Arrest photo project

The USAID Human Rights in Action Program co-launched an online photo project dedicated to Crimean kids who have only seen their fathers through prison bars – [available in English](#) as well. This is in order to mark the Day of Crimea's resistance to Russia's occupation and to emphasize the topic of politically motivated persecutions by the occupational authorities. Crimean Tatar families whose men have fallen victims to the oppression machine can be found all over Crimea. Many of these families have more than one child. Thus, as of now at least 191 children have been left without fathers, almost all of whom are being prosecuted as "terrorists" regardless of the fact that they never had any intention to commit acts of violence; instead they were taking active part in Crimean Solidarity's initiatives, providing humanitarian assistance and documenting cases of political persecution in Crimea.



The project is authored by Mumine Saliyeva, activist of the Crimean Solidarity movement, coordinator of the Crimean Childhood project, and a mother of four, whom she is raising without her husband, citizen journalist Seyran Saliyev, arrested in January 2017 and sentenced in last September to 16 years in prison.

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

- UHHRU's new media initiative *Expertise* is here to have complicated legal matters expertly explained, perhaps make it less nebulous for a non-involved person or sometimes simply to return elusive matters on public's radars in light of its still-importance: [the latest episode](#) touches



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upon Program-backed [litigations](#) to help pre-conflict under-investigation persons whose case files were lost, destroyed, or just stuck within the temporarily occupied territories of Ukraine.¹

- In the philosophy of transitional justice (and not transitional justice alone), documentation of war crimes and securing the right to the truth pave the way to restoring justice, [reckons Oleksiy Bida in his interview](#), and UHHRU/ USAID Program's Documentation Center (coordinated by Oleksiy) will never fall short of material to inform domestic and international court cases to hold perpetrators accountable, among other things.



Other related activities by UHHRU in brief:

- UHHRU and other human rights organizations [condemn](#) another Kremlin's politically motivated sentence to Ukrainian activist Oleh Pryhodko from Crimea. We believe this is a fabricated case and call for Russia to immediately release all detainees unlawfully kept, international community to intensify pressure which may help to put an end to impunity of Russia's agents, as well as the Government of Ukraine to finally employ a systematic and full-fledged protection for detainees/prisoners.
- [Public statement](#) of human rights organizations regarding detention of [freelance journalist](#) (*link in Ukrainian*) Vladyslav Yesypenko in Crimea.

STRATEGIC LITIGATIONS

Within this direction USAID Human Rights in Action Program supports strategic legal cases domestically and internationally to protect public interests², as well as assures their broad media coverage among professional community and public. Total number of conflict-related UHHRU Strategic Litigation Centre's (SLC) cases within the Program equals 165.

Persons whose farming land plots have been used by the Ukrainian Army deserve compensation – UHHRU/Program's lawyer wins a court case

Our client from the conflict-affected Luhansk Oblast was refused to have her case considered by a commission responsible for the estimation of losses and further compensation delivery – for starters, there was no commission at all, because local authorities



¹ [Supplementary material](#), in Ukrainian.

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



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were sluggish to identify a military unit which occupied her land plot. This is a necessary precondition as this unit's representative must also be engaged in the commission's work. Later the woman, backed by our lawyer, emerged victorious in court, which insisted her claim be reconsidered by local authorities – [link in Ukrainian](#).

Back to the topic of upholding your land ownership rights in Crimea (links are in Ukrainian)

Remember the [Kremlin's March 2020 decree](#) on Crimean land (i.e. the so-called “border lands”, that is a large part of the peninsula), which, as Moscow wrongfully believes, should only be owned by Russians? Since this “document” has recently come into effect, we would like once again to draw attention to this issue and share [what options are available](#) to rightful land owners in Crimea whose property is being alienated. Here are two extra reasons to heed the briefing speakers' advice (and to ask your questions in the comments section if you were unable to catch the briefing live): experts (1) presented a [web-based instruction](#) with useful tips, (2) spoke about a thematic section in the Telegram bot [CrimealsUaBot](#) dedicated to land-related issues (co-developed by UHHRU/USAID Program) – to help users quickly get relevant advice and fill in documents.

Contact details of our own and partner organizations who stand ready to help those affected by the occupation to uphold their land ownership and other rights:

 <p>ПРЕДСТАВНИЦТВО ПРЕЗИДЕНТА УКРАЇНИ В АВТОНОМНІЙ РЕСПУБЛІЦІ КРИМ</p>	 <p>ПРОКУРАТУРА АВТОНОМНОЇ РЕСПУБЛІКИ КРИМ ТА МІСТА СЕВАСТОПОЛЯ</p>	 <p>УКРАЇНЬСЬКА ГЕЛЬСІНСЬКА СПІЛКА З ПРАВ ЛЮДИНИ</p>	 <p>Crimea SOS</p>	 <p>RCHR</p>
<p>Представництво Президента України в АР Крим</p> <p>безкоштовна “гаряча лінія”: 0 800 502 192; телефон (0552) 49-59-39;</p> <p>телефон у месенджерах (Viber, WhatsApp, Telegram) +38 067 547 65 75;</p> <p>Skype – обліковий запис: ark predstavnictvo;</p> <p>електронна пошта: zvernennia@ppu.gov.ua;</p> <p>поштова адреса: м. Херсон, проспект Ушакова, 42.</p>	<p>03150, м. Київ, вул. Ділова, 24 (центральний офіс та адреса для листування);</p> <p>м. Херсон, вул. Кременчуцька, 69 (3 поверх)</p> <p>e-mail: zvern01@ark.gp.gov.ua</p> <p>Гаряча лінія: 0(44) 596-73-57 +380967001600 (WhatsApp, Viber, Telegram)</p>	<p>Громадська спілка “Українська Гельсінська спілка з прав людини”</p> <p>Гаряча лінія : +380501402565 /Viber: +380997936418 krym.priemnaya@ gmail.com (в робочі дні з 10.00 до 18.00)</p> <p>Гаряча лінія приймальні в Херсоні / Viber: +380668831149 (в робочі дні з 10.00 до 18.00)</p>	<p>Громадська організація “КРИМ SOS ”</p> <p>Гаряча лінія м. Київ: (063) 077-16-19, (095) 031-53-97, (096) 684-88-47</p> <p>Гаряча лінія/ Viber м. Херсон: (095) 277-53-55;</p> <p>Skype: krymsos_legal (для тих, хто знаходиться у Криму)</p> <p>Вебсайт: https://krymsos.com/ e-mail: help@krymsos.com</p>	<p>Громадська організація “Регіональний центр прав людини”</p> <p>01004 Бессарабська площа 5, офіс 13, Київ, Україна +38 (050) 388 69 38 +38 (044) 279 41 11</p> <p>e-mail: rchr.sev@gmail.com</p>

Other related activities by UHHRU in brief:

- In 2014, representatives of illegal armed groups abducted the two our clients (along with four other persons) and transported them to the self-proclaimed “DPR”, where they were detained for about a day while being subjected to torture, beatings, degrading and humiliating treatment. Lawyers reckon that the applicants were tortured because of their views regarding the political situation in Ukraine and their public support of the idea of unity. These events were never properly investigated and the culprits were never found. Hence, applications have been lodged with the European Court of Human Rights in this regard.



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FREE LEGAL AID

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

Events to raise people's awareness on how to protect their rights *(links are in Ukrainian)*

- Pokrovsk LAC [raises awareness](#) on how residents of the temporarily occupied territories can receive an official Ukraine-standard birth certificate.
- When will a new soft loan program for IDPs be in effect? – [Sumy to explain](#).
- Benefits for IDPs: Sumy [lawyer explains](#) how to differentiate misinformation and facts.
- Sumy legal aid center tries to clear up housing subsidies issue for IDPs – [this what its new publication is about](#).
- 1,500 IDPs will get new homes in Kramatorsk and Severodonetsk by 2025; our Kramatorsk legal aid center [explains the details](#).
- [A post from the Mariupol LAC](#) on whether Ukraine recognizes letters of attorney issued in the RF and what operations they allow one to perform in banking institutions.
- Advice from the Pokrovsk LAC: how IDPs can get [assistance](#) with funeral expenses.

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

- [A success story](#) from Pokrovsk LAC where our lawyer helped a senior lady (*see photo*), who lives close to the conflict line, to fight for alimony for her physically challenged grandchild.
- Dnipro LAC believes an employer manipulates facts about geographical location of its branch offices to avoid paying salary to conflict-affected employees, and even more serious wrongdoings may be in place. [LAC's new case](#) still undergoes court procedure; however, employer's defense strategy will get them nowhere, lawyer deems.
- Our lawyer from Toretsk reminds that arrest of one's bank accounts used for receiving salary/ pension/ subsidy/ scholarship (so-called "special purposes" accounts) breaches the law. [Having our latest case](#) as an example, he tries to explain how state's executive officials can overuse their power, and what are the ways to tackle this issue.





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- Dnipro LAC was a great boon to [a mother of two](#), helped to get her social benefits granted following her military husband's heart attack death on the frontlines. Our lawyer proved that responsible authority was wrong to claim she has no right to get the status of the member of a passed away serviceperson's family, thereby impede her extra social protection on its way.
- Our Stanytsia Luhanska LAC often receives requests for assistance related to preparation of the procedural documents on the death of a relative occurred in the non-government-controlled territory of Ukraine. Thus, in March 2021, a [man asked for help](#) with establishing the fact of death of his father in Luhansk. The court took into account the evidence USAID's lawyers provided: the burial certificate, the death certificate issued in the temporarily occupied territory and a photo from the burial site.
- A pensioner had been accused of committing an administrative offense by carrying USD 2,000 when crossing on foot the Stanytsia Luhanska entry-exit checkpoint in violation of the Ministry for Reintegration of the Temporarily Occupied Territories of Ukraine's decree No.52 of 14 July 2020. The money had been confiscated, even though it was actually his six months' worth of pension, which was later confirmed by the court. In the end, the man won the case and got his pension back – [with the help](#) of the local USAID-sponsored LAC.



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

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

HUMAN RIGHTS EDUCATION AND AWARENESS RAISING

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

UHHRU delegates join civil council attached to Ukraine's Ministry of Education and Science

The council promotes cooperation between the Ministry and the public in the task of implementing and reforming the state policy on education and science. For us, it is a platform for promoting a nationwide human rights education program. Furthermore, with the Russia's ongoing military aggression this is also an opportunity to advocate for the state educational policies to take into account the right to truth as well as such subjects as lessons taught by the armed conflict,

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



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problematic aspects of reconciliation process, and the need to ensure conflict non-recurrence. [Check out this link](#), in Ukrainian, to learn about our colleagues' plans.

UHHRU signed memorandum of cooperation with the Red Cross Society Ukraine

Back in February 2021, the Ukrainian Helsinki Human Rights Union and the Ukrainian Red Cross Society signed a Memorandum of Cooperation: among the areas it covers is joint awareness raising on human rights, IHL and the principles of transitional justice, under the USAID Human Rights in Action Program's support. To follow up on this right away, we would like to announce our new training for trainers as part of the course "Studying international humanitarian law". Sign-ups are currently closed, but be sure to follow the news, because there are plenty more opportunities to come your way!



MAIN EVENTS IN HUMAN RIGHTS AREA

Several strategically important for Ukraine documents are adopted

- The National Security and Defense Council of Ukraine [enacted](#) *The Strategy of De-occupation and Reintegration of the Temporarily Occupied Territory of the AR Crimea and City of Sevastopol*, input to which has been provided by a number of state and non-state actors, including UHHRU. This fundamental paper is aimed at creating conditions for Crimea's de-occupation and safe reintegration, neutralizing the threats to national and international security, securing human rights and freedoms. President Zelenskyy [signed his final approval decree](#) ([link is in Ukrainian](#)), thereby clearing the Strategy's way to being executed.⁴
- Updated Ukraine's *National Strategy on Human Rights*, which was recently [given green light](#) by the President ([link is in Ukrainian](#)), includes an array of interests of the conflict-affected and displaced people. Thus, the document focuses on solving the main systemic problems in the field of ensuring, implementing and protecting human rights and freedoms in the face of ongoing hybrid warfare. If to compare with its previous version adopted in 2015, the present one more clearly indicates the conflict-generated challenges linked to:

⁴ To help everyone better understand the language of this landmark document and its significance, the Permanent Representative of the President of Ukraine in Crimea Anton Korynevych [in a media publication](#), in Ukrainian, expertly shared his comments and pointed out key tenets of the de-occupation itself to pay attention to.

In light of this, it is also worth mentioning the newly established Crimean Platform, which will focus on practical aspects of the de-occupation process and which plays an integral role in our country's strategic de-occupation efforts. This recent [UHHRU/ USAID Program-supported panel discussion](#) was dedicated to providing more details on the issue concerned.



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- ✓ ensuring the rights of IDPs and persons residing in Ukraine's temporarily occupied territory;
- ✓ restoring the rights of those persons deprived of liberty as a result of Kremlin's armed aggression along with restoration of their rights;
- ✓ ensuring the rights of persons went missing under specific circumstances and members of their families;
- ✓ overcoming the negative consequences caused by the RF's armed aggression, in particular, through implementation of the national transitional justice model.⁵
- *National Youth Strategy till 2030* is also [adopted](#) (*links is in Ukrainian*). Including but not limited to, the Strategy envisages ensuring equal rights to young people from the country's temporarily occupied territories, their reintegration into Ukraine's social life and more.⁶

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⁵ UHHRU/ USAID Program highly welcomes adoption of the document, and [this publication](#) in Ukrainian holds analysis of why the new Strategy seems to be more robust than the previous one. Briefly, we take comfort from the knowledge that it clearly articulates the following tasks that, as we think, are crucial to cope with the conflict's aftermath and that we have been working on for years. To proceed further, UHHRU/ USAID Program is aspired to continue working with the Justice Ministry to craft an updated action plan to enforce the National Strategy, [as ordered by the President](#). *Both links are in Ukrainian.*

⁶ We welcome passage of this meaningful document, offer our vision of what monitoring of its implementation should be like, as well as hope our expertise be taken into consideration when drafting Strategy's action plan. [This publication](#) gives a grasp of the document's founding principles, nuances and improvement corridors.