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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

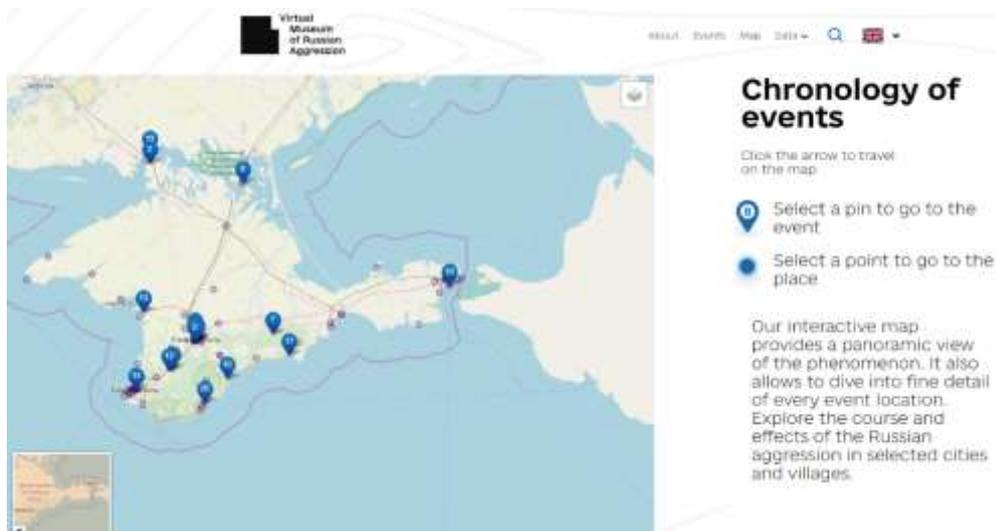
**Victims of war: What Luhansk Oblast (doesn't) implement for their rehabilitation – new analytical review released** (*links are in Ukrainian*)

In 2018, UHHRU/ USAID Human Rights in Action Program released its [analytical review](#) “Rehabilitation of conflict’s victims. Does the state offer anything apart from disability status and crutches?”, but this time we would like to announce the immediate availability of its continuation with specific focus put [on Luhansk Oblast](#). The heart of the matter is that reforms expanded opportunities to help those in need in a decentralized way, but initiatives undertaken by local authorities are sometimes insufficient and questioned on many levels. This review (just like the previous ones touching upon [Dnipro](#), [Sumy](#), [Donetsk Oblast](#)) unveils an array of rehabilitation difficulties and, more importantly, suggests ways of improvement.



### Virtual Museum of Russian Aggression launched

This is a [first-ever web portal in Ukraine about key events](#) (*link is in Ukrainian*) and crimes committed in course of Russia’s occupation of Crimea and parts of Donetsk and Luhansk Oblasts. The [Virtual Museum](#) is one of the world’s first digital instruments aimed at ensuring everyone’s access to truth about the hybrid war in Ukraine and preserving the memory about it. The bilingual website contains a variety of information in Ukrainian and English: eyewitness accounts, archival records, oral historical sources, media articles, decisions and resolutions of international organizations, photos and videos. It features information about key events that have taken place since the outset of Crimea’s occupation in February 2014, as well as about specific individuals and areas affected by the occupation during these years. The Virtual Museum was created through joint efforts of many organizations and agencies, including the UHHRU/USAID Program.





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

- [This publication](#) explains particular risks following the fact that Ukraine still lacks a law to punish war criminals (also, just reminding of [this related publication](#) released back in June 2020, which can give a better flavour of underlying issues).
- An advocacy action was held at the premises of the Verkhovna Rada in support of sooner adoption of linked draft laws No. 6104, 6105, 6106 aimed at protection of Kremlin's detainees and their families – this [wrap-up publication](#) contains infographics to explain pros of the said draft laws (furthermore, [this one](#) contains infographics on the number of detainees these pieces of legislation-to-be intend to help to).
- To mark the White Cane Safety Day, our experts [delivered](#) remarks on live TV concerning difficulties that visually impaired people face in Ukraine during elections, and what steps should be taken by authorities to remedy the situation.

#### **Other related activities by UHHRU in brief:**

- [Statement](#) on the detainment of Edem Semedliaiev and other people who came to a court hearing in the temporarily occupied Crimea.

## **STRATEGIC LITIGATIONS**

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Within this direction USAID Human Rights in Action Program supports strategic legal cases domestically and internationally to protect public interests<sup>1</sup>, as well as assures their broad media coverage among professional community and public. Total number of the conflict-related cases, which have been supported by UHHRU's Strategic Litigation Centre (SLC) within the Program is over 200.

### **European Court of Human Rights ruled Ukraine must pay for IDPs' infringed voting rights in a Program-supported victory (*links are in Ukrainian*)**

A group lawsuit had been filed in the Selygenenko and others v. Ukraine case which later ended up in ECtHR's decision in favour of our client, IDP Yevgeniya Terekhova (one of the applicants<sup>2</sup>), now waiting to be paid EUR 4,5K in compensation because of her [breached right to vote during 2015 local elections](#) being a moral damage ([additional publication](#)).<sup>3</sup>

### **NGCA resident had his money confiscated when crossing administrative border checkpoint. UHHRU took issue with this and turned to ECtHR and Constitutional Court of Ukraine**

Our SLC lawyer in her publication [shines light on](#) a pressing topic (*link in Ukrainian*) of why law enforcement authorities violate people's rights (in most of the cases) when confiscating money from

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<sup>1</sup> 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).

<sup>2</sup> Other clients were not backed by the USAID Human Rights in Action Program.

<sup>3</sup> Our lawyer's remarks are available [from this link](#) as well.



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travellers passing checkpoints on administrative border with temporarily occupied Donbas. As UHHRU/ USAID Program's latest case evolves, we opted to apply to ECtHR and Constitutional Court of Ukraine – details of the latter are also outlined in the proposed publication.

### **Roundtable on investigation and consideration of criminal cases files of which were destroyed or left in the non-government controlled areas (NGCA) of Ukraine (*links are in Ukrainian*)**

UHHRU/ USAID Program in conjunction with bodies of public authority [continue their search](#) for solutions to situations when paper files in criminal proceedings are left in the temporarily occupied territory of Ukraine or destroyed the amidst armed conflict. There are thousands of those in Crimea alone. As a result, many people's trials are unable to proceed since the work of Ukrainian law enforcement is [effectively deadlocked](#). Simply put, the need is here for a mechanism that would unblock fair justice for this category of pre-conflict prisoners and bring to a conclusion their criminal cases



initiated by Ukraine prior to the occupation but never finished. UHHRU/ USAID Program is currently involved in joint efforts on finalizing a remedial bill – any constructive expert input in it is welcome!

### **FREE LEGAL AID**

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[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 from their along with a Specialized Crimea-oriented LAC in Kherson.

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

- Dnipro LAC [helped](#) a resident of Donbas to get UAH 300K in compensation for housing destroyed as a result of shelling. The woman had been fighting bureaucratic red tape for a year, ever since the entry into force of the procedure for paying such a compensation.
- A woman tried to obtain the status of a victim of the military aggression against Ukraine, but the Interdepartmental Commission attached to of Ministry for the Reintegration of the Temporarily Occupied Territories denied her application without giving any reason. Assisted by the Dnipro LAC, she [went to court](#), which judged in her favor.



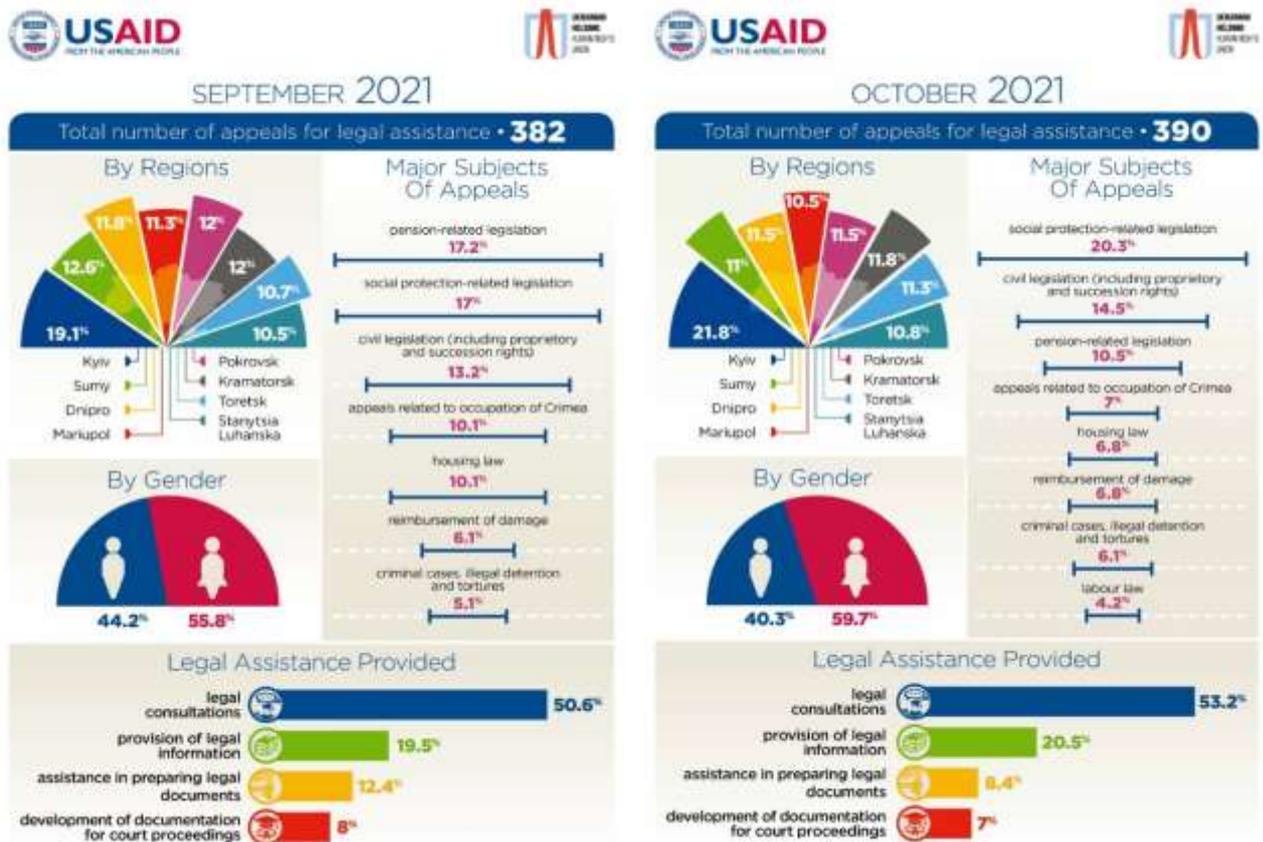
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- An IDP from Donetsk contacted the Pokrovsk LAC when the Pension Fund of refused to pay his pension because, as they believed, his length of service was insufficient. The man had worked as a miner in several Donetsk Oblast mines for over 16 years, but the Pension Fund refused to take this into account when calculating his pension, which [forced us to file a lawsuit](#).

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

USAID Human Rights in Action Program continues regular reporting on the LACs’ legal aid delivery in conflict-affected regions. Here is the data for [September](#) paired with [October 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)<sup>4</sup>, which is being the only informal educational system that has the material basis for its activities – Educational Human Rights House-Chernihiv.

<sup>4</sup> 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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### Teaching IHL in schools picks up in pace *(links are in Ukrainian)*

We are pleased to [announce](#) a new range of products and instruments for teaching international humanitarian law (IHL) in educational institutions – the [upgraded methodological manual](#) “Studying IHL”, a program to it, and an online training course on IHL, jointly developed by UHHRU/ USAID Program and the Ukrainian Red Cross Society. The course consists of 10 modules, each one with expert and methodological video lectures, text materials, and a test; it will be published on the Prometheus educational platform later on.



*“It’s always difficult to introduce something new when the system is overloaded with the wrong sets of knowledge and requirements given what it’s actually facing. We are now issuing it a new challenge – to introduce and implement IHL standards. The need for practical study and application of IHL arose in 2014, when Russia began its war and occupied Crimea and parts of Ukraine’s eastern territories,”* said UHHRU Executive Director Oleksandr Pavlichenko during an event at the Ministry of Education and Science of Ukraine, which [officialized our work](#), recommended the manual and online course for use in educational institutions. More efforts to follow!

### USAID Program’s International Law Talks webinars move on

Our team hosted the next episode of the mentioned series – this time it was [devoted to](#) strengthening sanctions without violating human rights. Invited speakers were as follows:

- Daniel Fried, an American diplomat with forty-year of foreign service, known to Ukrainian audiences thanks to his interviews and publications on various platforms, currently a Weiser Family Distinguished Fellow at the Atlantic Council.
- Megan Smith who focuses on advocating for the effective use and enforcement of Magnitsky sanctions in the UK to provide accountability for human rights violations and corruption, assisting other NGOs across the world in seeking designations against perpetrators.
- Scott Johnston who manages the work of Human Rights First’s Human Rights Sanctions and Accountability Coalition, a group of over 150 NGOs using the Global Magnitsky Act to create accountability for serious human rights abuses and corruption perpetrated by bad actors around the world.
- Oleksii Makeiev, Ukrainian Foreign Ministry’s special envoy for sanctions policy.



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## MAIN EVENTS IN HUMAN RIGHTS AREA

### **Kremlin-backed militants hosted “prisoner parades” to humiliate Ukrainian detainees and destroyed bridges in Donbas, Ukraine’s top prosecutor confirmed in communications to ICC**

Prosecutor General of Ukraine Iryna Venediktova signed two communications during a meeting of the International Council of Experts on Crimes Committed in Armed Conflict – [source](#). The first communication covered the capture of 101 service members of the special “Donbas” battalion of the National Guard of Ukraine, as well as two “POW parades” held on 24 August 2014 and 22 January 2015. The second one listed 43 incidents from May 2014 to January 2019 in which militant forces destroyed bridges in Donetsk and Luhansk Oblasts.

### **Council of Europe Venice Commission released opinion on Ukraine’s transition period draft law**

The point of concern is the Reintegration Ministry’s draft law “On the principles of state policy of the transition period” – full opinion is available from [this link](#). A related media publication in Ukrainian is also available [here](#), suggesting the draft law should be amended.

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