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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

#### Advocacy trip to the USA to promote sanctions aimed at brutal human rights abusers in Donbas

UHHRU in cooperation with PEN America and Media Initiative for Human Rights (MIHR) [held an advocacy visit](#) to the USA to highlight the situation in eastern Ukraine temporarily occupied by the Kremlin-backed forces, particularly to brief both the US government and non-government institutions on the situation with detainees along with cruelties that are taking place in a Donetsk-based prison camp Izoliatsia. One of our [key tasks](#) was to present a list of human rights abusers and promote imposition of sanctions against them (*both links are in Ukrainian*).



Further to that, our team updated the topic of human rights violations committed in the temporarily occupied territories of Donetsk and Luhansk Oblasts for the journalistic environment – here are just some of the publications to echo visits outcomes: authored by [Atlantic Council](#), by Voice of America – links [one](#) and [two](#) (*both links are in Ukrainian*).

Following the visit, UHHRU/ USAID Human Rights in Action Program jointly with Kenan Institute, PEN America and MIHR co-hosted an [online discussion](#) to once again outline situation around one of the most infamous prison camps Izoliatsia, where hundreds of people were and are held in cruel conditions. To a large extent, details about the conditions at Izoliatsia were revealed from the first hand testimonies by journalist Stanislav Aseyev who was held hostage there. His recently translated book on the camp was published by the Ukrainian Research Institute at Harvard University.





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## Crimea, 5 a.m. documentary performance opened

On November 2, there took place [a presentation](#) of the “Crimea, 5 a.m.” performance devoted to the crimes against journalists committed in the temporarily occupied peninsula ([link is in Ukrainian](#)).<sup>1</sup> This performance is of documentary nature, based on facts and contributed by real-life witnesses that intends to go a long way as part of Crimea Platform’s advocacy campaign worldwide. Organizers believe any kind of publicity is able to save lives in the climate of occupation and becomes a crucial layer of fighting for human rights. UHHRU was acted as event’s information partner.



**Over the course of the armed conflict, about 3,500 Ukrainians went through torture in the temporarily occupied territory, yet very few of those responsible have been brought to liability ([links are in Ukrainian](#))**



UHHRU/ USAID Program in conjunction with partners continue campaigning for signing the draft law to hold war criminals liable in Ukraine (registration No. 2689) – [the President does not sign it for nebulous reasons](#). In the meantime, we feel relieved that Ukraine’s law enforcement agents [arrested the notorious and beastly Denys Kulikovskiy](#)<sup>2</sup>, alleged former lead torturer from the prison camp Izoliatsia in Donetsk. However, presidential reluctance may significantly obstruct judgement of this category of criminals, including Kulikovskiy, as existing Ukrainian laws are disconnected from hybrid warfare realms and does not cope with specifics of wartime cases.

**In one sentence: Activities under UHHRU/ USAID Program’s and its experts’ participation aimed at overcoming consequences of the armed conflict and occupation**

- New updated resolution on Crimea (that contains our findings concerning access to education and militarization of education process in Crimea) [has been adopted](#) by the Third Committee of the 76<sup>th</sup> session of the UN General Assembly, proceeds to be finally voted in December.
- UHHRU/ USAID Program took part in the CivilM+ International Platform’s [Forum](#) on Eastern Ukraine: for starters, one of its panels [touched upon transitional justice](#) ([link is in Ukrainian](#)), whilst the other one [delved into right to the truth](#) ([link is in Ukrainian](#)) questions and related ones, as well as remarks have been delivered at a [roundtable event](#) devoted to monitoring and documenting human rights violations and war crimes ([link is in Ukrainian](#)).

### Other related activities by UHHRU in brief:

- [Statement](#) on the matter of sentencing of the civil journalist Amet Suleymanov and three other Crimean political detainees in the RF.

<sup>1</sup> Also, Ukrainian media outlets and human rights organizations, including UHHRU, [released a statement](#) to mark the International Day to End Impunity for Crimes against Journalists.

<sup>2</sup> [Alternative link](#).



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## 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>3</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.

### **Courts do not yet dare to award pecuniary and non-pecuniary damages for destroyed property, only compensation for the absence of appropriate mechanism, but the state is not complying even with those judgements**

UHHRU/ USAID Program tries to develop durable changes for better regarding Ukraine's practice of non-compensating for the conflict-linked cases of property ruination's investigation being sluggish and ruined houses not being restored. Despite having a court judgement in favor of a suffered person, it is bodies of executive authority who sometimes manipulate procedures to delay, deadlock payments.

[This publication](#), in Ukrainian, provides more legal nuances of our latest case and situation in general. The Vorobyovy family went to court to obtain compensation, received court's judgement to award them UAH 50,000 each at the expense of the state budget, however the State Treasury of Ukraine later said that these payments could not be made.



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

- UHHRU plans to file a lawsuit before the European Court of Human Rights on mass detention of Crimean Tatars and others: the heart of the matter is mass detention of supporters who flocked to demand fair justice in front of the FSB facility for five Crimean Tatar activists, including Deputy Head of Mejlis Nariman Dzhelial, [detained](#) in Crimea in early September in fabricated charges. In many opinions of human rights defenders this is the biggest mass detention so far in Crimea which ended up people facing 58 administrative charges – [link in Ukrainian](#).

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<sup>3</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).



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

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

- Sumy LAC spreads [fresh infographic](#) on nuances of a mortgage lending program for IDPs.

- A video explanation how students from the temporarily occupied territory can [receive benefits](#) during their study.
- Our lawyer reached out [to explain](#) nuances of the government's new rules to simplify the procedure of receiving a Ukrainian plastic ID card for the residents of the temporarily occupied territories.
- Is monthly targeted financial assistance included in the calculation of the total income of a person/family for the purposes of getting the subsidy? The answer is [no](#). Sumy legal aid center shares its insight.
- Ukraine's Cabinet of Ministers [passed](#) a resolution that will allow IDPs to apply for financial assistance online through the web portal Diia.

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

- A woman from temporarily occupied territory had been accused of committing an administrative offense by carrying roughly USD 2,900 when crossing entry-exit checkpoint in violation of the Reintegration Ministry's decree No. 52 of 14 July 2020. To cut the long short, she had her money confiscated, but later returned thanks to the court judgement. Our Kyiv-based lawyer took care of this case, and went extra mile to explain the nuances of this not-so-rare legal setup in [his awareness-raising publication](#).



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- The Pension Fund of Ukraine has been hit with yet another lawsuit – this time the heart of the matter is an [IDP's inherited pension payment](#) that have not been duly paid. Our Pokrovsk lawyer explains that it is a trend that PFU tries to minimize such payments, which pushes people to seek for justice via the court system. Thanks to the understanding of nuances, those clients backed by our lawyers emerge victorious every time.



- Court in Dnipro judged unlawful an incorrect amount of pension paid to a veteran and obliged the Pension Fund to recalculate it for applicant's benefit. Upon examining the evidence, it was [established](#) that our Dnipro LAC's client, Bogdan (see photo), was injured in course of hostilities in the conflict zone, and not simply during military service as mistakenly claimed by bodies of public authority responsible for granting pensions.
- Following a complaint from our Stanytsia Luhanska LAC lawyer, the court [charged](#) the State Bureau of Investigations to launch a criminal investigation into the actions of border guard officials, who in September 2021 detained an IDP from Luhansk without cause, handcuffed him, denied him legal counsel, and treated him with contempt in general.



## 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.

**Free of charge online course on IHL is already waiting for students at Prometheus – educators first and foremost, but others interested are also welcome (links are in Ukrainian)**

In October, in conjunction with partners USAID Program [presented](#) a new range of products and instruments for teaching international humanitarian law (IHL) in educational institutions – [the upgraded methodological manual “Studying IHL”](#), a supplementary program to it, and an online training course on IHL, jointly developed by UHHRU/ USAID Program and the Ukrainian Red Cross Society. It was also promised that the course would be published on the educational platform

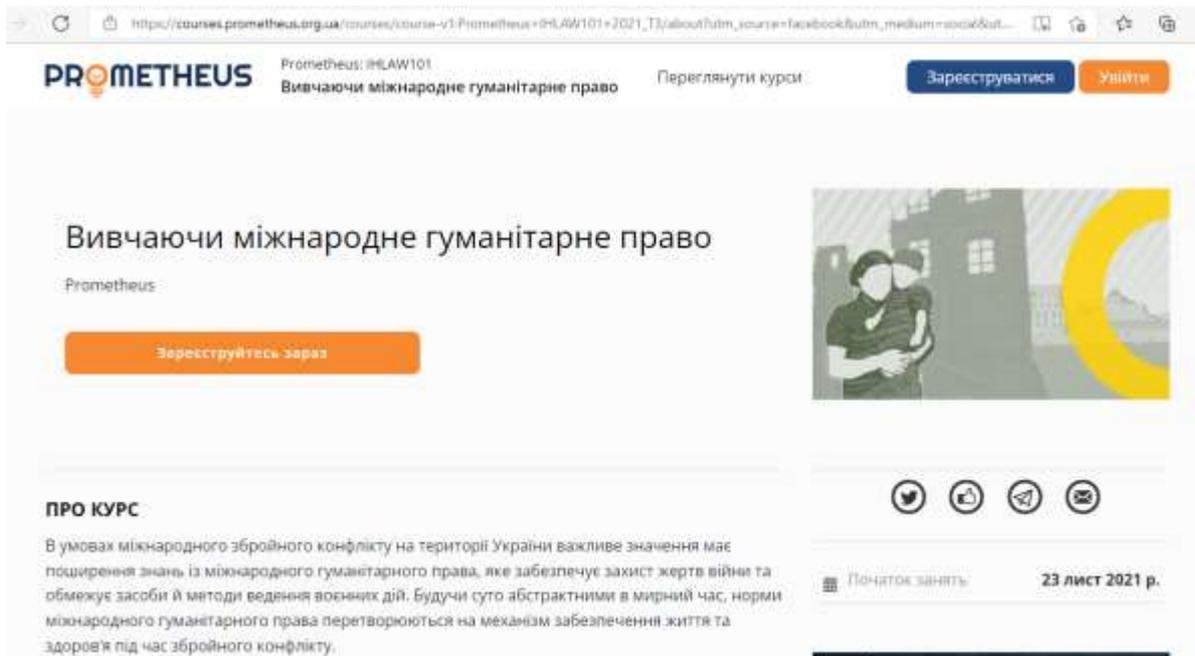
<sup>4</sup> Launched in 2007, the Program envisages development of informal human rights education, contributing to cultivating a human rights culture, strengthening respect for the rule of law in Ukraine, promoting intercultural understanding and principles of peaceful conflict resolution. The Program currently counts more than 3,500 alumni from all regions of Ukraine.



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Prometheus, and we make good on our promises: it is to [announce the immediate availability](#) of the course for applicants; successful graduates will receive a certificate upon completion!



The course will provide you with: basic knowledge of IHL and transitional justice; acquaintance with the rules of personal safety and conduct amidst an armed conflict or emergency; better legal and civil awareness; new vision regarding the importance of making responsible personal choices; comprehensive overview of the balance between humane conduct and military necessity in times of war and responsibility for violating IHL; opportunity to learn about the forms and methods of teaching IHL as well as complicated and controversial subjects in general.

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