




“Trapped” Civilians



Obstruction of evacuation of civilians during the armed conflict in Donetsk and Luhansk regions

The report is prepared by the Center for Civil Liberties and the Ukrainian Helsinki Human Rights Union under the auspices of the Coalition of non-governmental organizations and initiatives “Justice for Peace in Donbass”



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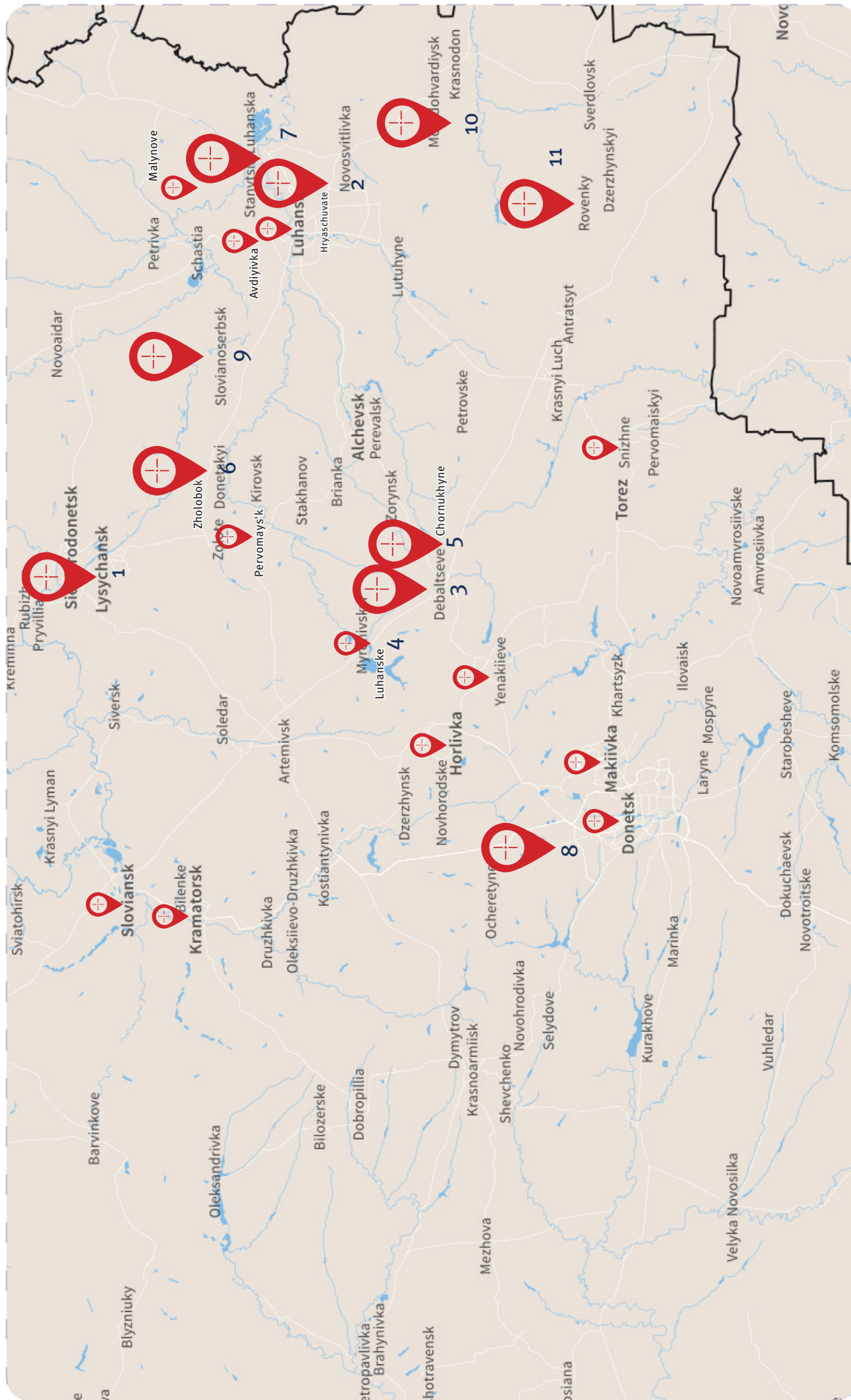
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MAP

OF THE POPULATED LOCATIONS MENTIONED IN THE REPORT WHERE OBSTRUCTION OF EVACUATION OF CIVILIANS HAS TAKEN PLACE



INTRODUCTION

MONITORING GROUP AND SOME CONCEPTS

During March–April 2015 the group of monitors of the CENTER FOR CIVIL LIBERTIES with the support of the UKRAINIAN HELSINKI HUMAN RIGHTS UNION in the framework of the NGOs and Initiatives Coalition “Justice for Peace in Donbass” conducted the study, including some visits to the territories of Luhansk and Donetsk regions under Ukrainian government control.

The purpose of the Coalition “Justice for Peace in Donbass”, which includes 14 NGOs and initiatives is to document and create a unified electronic database, which can then be used as a source of primary information on crimes within the national and international investigation, and publishing regular subject reports on human rights violations and restrictions on fundamental freedoms.

The aim of the presented study is to examine the situation with obstruction of evacuation of civilians. Particular attention of monitors was focused at the phenomenon of attacks on so-called “humanitarian corridors” (or, as they are also called, “green corridors” through which civilians leave the place of intense fire fights) as well as points of gathering of people for further evacuation and other methods of obstruction the displacement of the civilian population. The monitoring group was trying to cover the entire period of armed escalation, from summer 2014, referring to some specific cases, which we learned from open sources or during the study.

During visits to the territory of Luhansk and Donetsk regions under the control of Ukraine monitors, in addition to study of events places (where they were available), communicated with internally displaced persons, victims and witnesses of shellings, their relatives, local human rights activists and journalists, volunteers, military, observers of International missions, as well as representatives of local authorities and law enforcement agencies. The purpose of this communication was to clarify the circumstances, nature and consequences of the shellings, search of witnesses and victims, to ascertain the possible causes of fire attacks for illicit targets and the sources of the exercise of these attacks. The last certainly needs serious investigation in each case separately. Numerous interviews were also conducted by the group after returning to Kyiv. In general more than 70 people were interviewed.

The same as before (in the case with the previous reports on the kidnapping and torture of people in north of Luhansk region) the part of interviewees who agreed to communicate with the monitors refused to tell their names, referring to security concerns; some persons who are at the temporarily occupied territories refused to communicate at all, even by phone and even on condition of anonymity for fear that they may be tapped. This seems logical, taking into account the on-going armed conflict with its usual high level of violence and intimidation and unpredictability of further development, in particular, the likelihood of capture by illegal armed groups of “DPR” and “LPR” of new Ukrainian territories.

The monitoring group considers that in the case of armed conflict in Donbas the point is that it is an **international armed conflict with involving the armed forces of the local population** (this formula was not used in practice of descriptions of armed conflicts before, however, in our opinion, it is the most appropriate). Under **the term “illegal armed groups of ‘DPR’ and ‘LPR’” (hereinafter – mostly “IAG”)** we mean proxy agents of the Russian Federation existing due to its material, technical and military support and include both the local population and citizens of other countries (first of all of the Russian Federation) participating in the hostilities on the side of the so-called “DPR” and “LPR” as well as regular units of the Russian army, which, apparently, regularly take part in the armed conflict, although their involvement to combat is unrecognized by the Russian Federation. Based on the advisory opinion of the International Court of Justice on the legal consequences of the construction of the wall in the Occupied Palestinian Territory¹, we believe the Russian Federation is the state which actually occupies and controls certain parts of Donetsk and Luhansk regions, and thus is responsible for the observance and protection of human rights in the territories under international humanitarian law. However, whatever is the composition of the military groups acting on the side of illegal armed groups of “DPR” and “LPR” in each case, they are as the members of the armed group bound with humanitarian law the same as the Armed Forces of Ukraine and National Guards of Ukraine.

¹ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory. Advisory Opinion of 9 July 2004 [Electronic resource]. — Access mode: www.icj-cij.org/docket/files/131/1671.pdf



I. “HUMANITARIAN CORRIDORS”

INTERNATIONAL HUMANITARIAN LAW

The rules of international humanitarian law² (hereinafter — IHL) do not give a specific definition of so-called “green” or “humanitarian corridors” (hereinafter — “humanitarian corridors”), which are as a rule announced for the safe evacuation of civilian population or wounded military from the area of battle action or humanitarian disaster to the safer territory. **IHL also provides no mandatory rules on these “corridors”, however, encourages agreement on these “corridors” between the parties of the conflict, but mainly protects civilians and civilian objects in any situation, including during leaving the area of fire attacks through these “green” or “humanitarian” corridors, and strictly prohibits attacks on them.**

Actually, the principle of the protection of civilians and civilian objects³ is one of the basic principles of IHL next to the protection of war victims, adherence distinction between combatants and non-combatants, the inadmissibility of discrimination against individuals, respect for human rights, criminal liability for violations of the principles and norms of international humanitarian law, humanity, military necessity and so on.

Protection of IHL applies to both the person and the object that is civil and not used on military purpose.

The general principle of the protection of persons who do not or have ceased to take part in hostilities

According to the rules of IHL, there is a clear distinction between combatants — military, involved in armed conflict, and civilians — persons who do not or have ceased to take part in hostilities and also wounded and sick military, who also enjoy special protection and so on.⁴ Civilians always are the subject of protection, except in some cases defined by international law for a period until they take a direct part in hostilities, which are understood as force applied to the enemy in order to break its resistance and actions that are intended to facilitate the achievement of military advantage.

“In case of doubt whether a person is a civilian, he is considered a civilian,” said in part 2, Art. 50 of the Protocol.

In addition, the following principle is important: **the presence among of the civilian population of individuals who do not fall under the definition of civilians does not deprive the population of its civilian character.**

While the destruction of the enemy — a combatant or a person who is directly involved in hostilities, is justified by IHL rules as a military target, affection of

civilians and destruction of settlements, objects where a priori can be or are civilians — is recognized as a crime.

IHL stipulates that to ensure respect for and protection of the civilian population and civilian objects, the Parties in the conflict shall at all times distinguish between the civilian population and combatants and persons taking direct part in hostilities, as well as civilian objects and military objects, and accordingly shall direct their operations only against combatants, persons taking direct part in hostilities and military objects. The civilian population and individual civilians shall enjoy general protection against dangers arising from military operations. They should not be the object of attack. **In respect to them acts or threats of violence, with the main purpose to terrorize civilians etc. are prohibited** (Article 51 of Protocol I, article 13 of Protocol II). In order to implement this protection, IHL defines this rule as being applicable in all circumstances.

Indiscriminate attacks are prohibited, such as:

- attacks not directed at a specific military objects;
- attacks which employ a method or means of combat which can not be directed at a specific military objects; or
- Attacks which employ a method or

² The rules applicable in armed conflicts are presented at the international agreements, signed by the parties in the conflict, as well as generally recognized principles and norms of international law applicable to armed conflict of both international and non-international character, which are respected by all parties in any armed conflict.

³ The question of protection of civilians in armed conflicts is governed by the Fourth Geneva Convention “On Protection of Civilian Persons in Time of War” of August 12, 1949, and supplemented by the rules of section 1 of the Additional Protocol I and section IV of the Additional Protocol II concerning humanitarian protection contained in Fourth Convention (995_154), particularly in Part II of this Convention and other international agreements binding upon the High Contracting Parties and to other rules of international law relating to the protection of civilians and civilian objects on land, at sea or in the air against the effects of hostilities.

⁴ The provisions of the Geneva Convention of 1949 on the protection of civilians during armed conflict applies to the entire civilian population of the states involved in the conflict, i.e. the citizens of these states, foreign citizens who are in one of the warring states, as well as civilians at the occupied territories.



means of combat the effects of which can not be limited as required by Protocol 1; and that, therefore, in each such case strike military objects and civilians or civilian objects without distinction.

Sanitary and safe areas, medical transport

Not speaking directly about the "humanitarian corridors" and without specifying the order of their creation and operation, IHL, however, determines the possibility of creation of:

- sanitary and safe areas;
- medical transport.

The Fourth Geneva Convention in its Article 14 provides the **possibility of the establishment by the parties of the conflict on their territory, and where appropriate in the occupied territories sanitary and safe zones and areas, organized in a way that enables to protect wounded, sick and elderly people, children under fifteen years, pregnant women and mothers with children up to seven years from the effects of war.**

Under Article 11 of the Convention **sanitary and safe areas in any case can not be attacked.** All parties of the conflict must always protect and respect them.

Draft Agreement on Sanitary and safety areas and localities annexed to the Convention specifies that sanitary and safety areas must be established provided the Parties have notified each other a

list of sanitary and safety areas located in subordinate territories. The parties also are liable to notify each about each new area established during military actions. As soon as the adverse party has received a notification, the area is legally established. However, an adverse party may refuse to recognize the area which is immediately notifying the party responsible for the named area.

In addition, any State which has recognized one or more of sanitary and safe areas established by the adverse party is entitled to require that one or more Special Commissions checked these areas to ensure that they meet the conditions and requirements. For that members of the special committees at any time have free access to the various areas and may even stay there for long.

At the same time, the creation of such zones is optional and must be negotiated between the parties of the conflict, for this purpose the provisions of the aforementioned draft model regulations offered as a supplement to the Fourth Convention can be used.

Also, Article 17 of the Convention defines the possibility **to conclude local agreements between the parties of the conflict on the evacuation of wounded, sick, disabled, elderly people, children and pregnant women from besieged or encircled areas and the permitting for the clergy of all religions, medical personnel and medical property to come to such areas.**

Besides, the term of "medical transport" is defined. Art. 8 Protocol 1 stipulates that **medical transport — is transportation by land, water or air of the wounded, sick persons and medical and religious personnel, medical equipment and supplies that are protected by the Geneva Conventions.** Under Article 21 of the Additional Protocol, ground sanitary vehicles enjoy the same respect and protection as mobile medical units under the Geneva Conventions and Protocol 1. However, both agreements on the evacuation and sanitary transport are provided subject to appropriate arrangements between the Parties of the conflict.

At the same time, even if the parties have not reached such agreements, the civilian population, which is taken out from the danger zone of conflict, or medical transport, can not be subjected to attacks and always has to be respected by the conflicting parties and to be under their protection. An attack by itself on any civilian or civilian object is a flagrant violation of international law.

Note that these provisions of the Fourth Geneva Convention concern international armed conflicts i.e. armed conflicts between states. IHL does not provide a similar treaty rules on sanitary transport and evacuation in case of armed conflict not of an international character. However, their use in case of armed conflict not of an international character can be concluded from the wide meaning of Article 3 common for all Geneva Conventions of 12 August 1949, and from customary international humanitarian law.



II. GENERAL CONTEXT

For the first time at the state level the organization of “humanitarian corridors” “to prevent new victims in the area of anti-terrorist operation” was voiced by President of Ukraine Petro Poroshenko on June 10, 2014. Poroshenko instructed the heads of military and defense agencies to “create the necessary conditions for the civilian population, who want to leave”⁵. Although the mass evacuation already took place (since the beginning of hostilities, i.e. from April, mostly from the temporarily occupied Sloviansk city) carried out by own efforts of people and the efforts of volunteers. On June 10 the responsibility for organizing the displacement of people was entrusted to the Cabinet of Ministers⁶. The following day the Order of the Cabinet of Ministers № 588-p was issued according to the proposal of the Ministry of Internal Affairs on creation of the Interagency Coordinating Headquarters on social security of citizens of Ukraine who are displaced from the area of anti-terrorist operation and temporarily occupied territory, which included deputy heads of many departments.⁷ On June 12 Antiterrorist Center at SSU on the execution of order of the President Petro Poroshenko to create “humanitarian corridor” for civilians, who

want to leave the area of the antiterrorist operation, instructed the head of ATO to identify roadblocks for safe movement of civilians⁸.

On June 13 at that time Adviser of the Minister of the Internal Affairs (today – acting head of the State Emergencies Service of Ukraine of (SESU) Zorian Shkiryak reported about establishment of a “corridor” for a safe displacement of civilians from the ATO area in the nearest future. He said, that for security reasons no details will not be disclosed.

On June 14 press officer of ATO Alexei Lebed stated that “humanitarian corridor” for evacuation of civilians of Donetsk and Luhansk regions began to act. But, in fact, it was only about establishment of roadblocks around Sloviansk, which “inhabitants of Sloviansk and other cities captured by terrorists have to get themselves”⁹.

On June 11 the OSCE report noted that “the representatives of the so-called ‘Donetsk People’s Republic’ informed the Special monitoring mission of OSCE about their desire to support the creation of a ‘humanitarian corridor’ at Sloviansk, Donetsk region”¹⁰. However, in four days on June 15 ‘the Head of the Supreme Council of Donetsk People’s Republic’ Denis Pushylin said: “There is no evidence (of the creation

of ‘humanitarian corridors’ – EDITORIAL NOTE). *It is wrong to speak about such corridors in terms of ongoing hostilities.*”¹¹

In Luhansk region “humanitarian corridor” along the route Luhansk–Metalist–Shchastya was announced on 29 July.

The routes of permanently existing humanitarian corridors for civilians out of Luhansk, Donetsk and Horlivka was published by ATO press center on August 4¹². ATO headquarters applied to IAG with the request to recognize these “corridors”, which can mean that when deciding on the creation of “corridors” any negotiations with illegal armed groups of “DPR” and “LPR” were not conducted.¹³ On the party of the representatives of Ukrainian State there were also constant appeals to local residents to leave temporarily occupied (at that time they did not have the appropriate status) territories¹⁴.

At the same time, individual attempts to organize “corridors” to evacuate civilians from certain settlements were made since the beginning of July. Judging by the information collected, they belonged to the competence of the military and the SSU. There is no information about the participation of State Emergencies Service of Ukraine in this (the answers of the Agency to queries of the **CENTER FOR CIVIL LIBERTIES**

5 www.president.gov.ua/news/30504.html

6 www.ukr.lb.ua/news/2014/06/10/269283_poroshenko_poruchil_sozdat_koridor.html

7 www.zakon2.rada.gov.ua/laws/show/588-2014-%D1%80

8 www.tyzhden.ua/News/112058

9 www.5.ua/suspilstvo/humanitarnyi-korydor-v-zoni-ato-pochav-diiaty-46002.html

10 www.osce.org/ukraine-smm/119709

11 www.kp.ru/online/news/1762260/

12 In particular, it was proposed to leave Donetsk along Lenin Avenue to the bypass road, further on the highway Donetsk-Kurakhovo through Mariynka. From Horlovka it was possible to get on Lenin Avenue along streets Marshal Zhukov, Vitshizniana and Plekhanov and further on on highway Horlovka-Druzhkivka through Dzerzhinsk. In Luhansk the corridor ran through the streets Radianska, 16th line, Frunze, Shevchenko, 7th line, Komintern and further on the highway Luhansk-Schastie through Metalist.

13 www.bbc.co.uk/ukrainian/rolling_news_russian/2014/08/140804_ru_n_donbass_corridors

14 www.pravda.com.ua/rus/news/2014/08/4/7033875/



confirm this). In particular, it is worth mentioning the “humanitarian corridor” from Lysychansk to Severodonetsk of July 22 and 24, 2014 (see. below) and from Luhansk to Shchastia, which was organized on July 29–31, 2014¹⁵.

It is necessary to distinguish the common “corridors” for displacement of civilians to/from the occupied territory in a relatively peaceful environment, and the “humanitarian corridors”, by which we mean those that are set during the escalation of armed conflict (or apparent danger of such an escalation) in a particular area for displacement from there of civilians and wounded. Attention of the monitoring group was focused first of all on the second category of “corridors”.

There is no a clear answer to the question “who is responsible for the evacuation of civilians from the combat zone?” At least we didn’t manage to get it from stakeholders on the party of government agencies. Governmental telephone hot line 0 800 507 309 informs that SSU and State Emergencies Service of Ukraine are responsible for the evacuation of civilians from the combat zone. In response to the request of the **CENTER FOR CIVIL LIBERTIES** to the State Emergencies Service of Ukraine we received a letter in which it

was stated quite clearly that “the question of the monitoring of entry or exit of citizens and moving transport in the area and the district of ATO fall under the authority of the **Interdepartmental Coordinating Commission ATC at SSU.**” At the meeting with one of the monitors Acting Head of the State Emergencies Service of Ukraine Zorian Shkiryak (as already indicated in the past he was involved namely in the evacuation issues as the Advisor of the Minister of Internal Affairs) explained that the ATC in this case acts as a “think tank” and immediate actions on evacuation are performed in particular by **State Emergencies Service of Ukraine, MIA. This list of executors should be added with the representatives of local authorities (regional and municipal), military (both Military Forces of Ukraine and National Guards, as well as volunteer battalions).** As for the State Emergencies Service of Ukraine, from the answers of the Agency to our request, we can conclude that the systematic involvement of State Emergencies Service of Ukraine to the displacement of people was only from the beginning of 2015. In particular, the Agency displaced people from settlements of Luhansk region – Popasna, Avdiivka and Debaltseve and surrounding

settlements (Savelivka, Olkhovatka, Komuna, Novohryhorivka, Mironovka, Krasny Pahar and Vuhlehirsk).

The Agency noted that “*displacement of civilians to safe regions of Ukraine by rescuers of State Emergencies Service of Ukraine is executed independently of ‘humanitarian corridors’*”. Therefore, during the displacement of people from the city Debaltseve of Donetsk region “*the rescuers repeatedly came under mortar shelling of separatist forces that were in Luhansk region ‘regardless of presence of so-called ‘green corridor’*”. In the result – two workers were injured (DETAILS — IN THE SECTION ABOUT DEBALTSEVE).

During the battles around Debaltseve at the end of January and in the beginning of February 2015 a key role in the evacuation of civilians played a **group of volunteers**, who by this time were mainly involved in the support of the army and didn’t deal with the evacuation. However, it must be emphasized that members of Protestant religious community and private funds, and some individuals or small community groups played an important role in the evacuation since the beginning of hostilities. It was noted both by the displaced persons and by the State Emergencies Service of Ukraine representatives, as well as officers of the enforcement service and military.

15 www.ipress.ua/news/terorysty_stvoryly_dlya_luganchan_marshrut_do_rossii_zamist_gumanitarnogo_korydoru_ato_77298.html



III. OBSTRUCTION TO THE EVACUATION OF CIVILIANS

Information about obstructing the evacuation of civilians by illegal armed groups appeared in the spring of 2014, at the beginning of the armed conflict in **Sloviansk**. That meant both intense shelling of the city and roads, which made it impossible for people to leave, and point obstructing of displacement in the form of illegal detention of volunteer-carriers and holding them in captivity, demands for bribes at the checkpoints, illegal alienation of vehicles.

The representatives of the Charitable Foundation “Development of Ukraine”, which has been providing mass evacuation up to December 2014 (the peak of activities – May–November 2014, as of now – incidentally on request of individuals from among of vulnerable groups), in the middle of June 2014 stated that on concern of safety they refused to displace people from Sloviansk by buses. *“On the weekends we took the residents out by cars – Fighting from Sloviansk direction was intensified and cases of fire became more often”*¹⁶.

During summer visits to Sloviansk immediately after the liberation of the city by Ukrainian army monitors were able to communicate with volunteers from among the representatives of the Protestant community who took out civilians, but one day were taken hostage by the “Russian Orthodox army” because, on their mind,

they *“Drive out the corpses of “Right Sector”* (QUOTED VERBATIM). In spite of physical abuse while in captivity, and illegal confiscation of transport after release, both volunteers – **Gennady Lysenko and Alexander Reshetnyk** – continued their volunteer activities with evacuation of civilians.

One of the volunteers, who deals with the evacuation of civilians from the temporarily occupied territory within Luhansk region to other areas of Ukraine, tells about two cases of confiscation of buses at the end of August 2014 in the city Pervomaïsk of Luhansk region¹⁷. One of the “Cossack” sub-groups under the supervision of Eugene “Malish” Ishchenko, who was commandant of Pervomaïsk at that time and set his own laws in the city¹⁸ took two large “MAN” buses from volunteers by force, which they used for bringing people away. In that case, the driver of the vehicle and a female volunteer who had accompanied the people during evacuation, were illegally detained and held captive overnight. Volunteers were charged that they were “from Ukraine” and evacuate people to territory controlled by the Ukrainian government. At the same time, volunteers have been repeatedly offered “to change the profile” and to evacuate civilians to the Russian Federation, even were offered buses for this purpose.

Even before, June 24, Adviser of the Minister of Internal Affairs on evacuation of civilians Zorian Shkiryak stated efforts aimed *“to prevent any provocations and attempts of terrorist acts in the part where transit corridor will be organized.”*¹⁹ Consequently, there were grounds for fears of possible provocations at the time. The presence of such fears and even assurance in preparing provocations was expressed in communicating with monitors by **Dmitry Alyev**, who in summer 2014 was among those who took care of evacuation issues as the Director of the Communications Department of Luhansk Regional State Administration. The danger of attacks of “humanitarian corridors” was recognize by IAG themselves. In their statement on July 29, they called the road Luhansk–Metalist–Schastia (which was announced by ATO management a “humanitarian corridor” for July 29–31²⁰) “the Road of death”, accusing the Ukrainian side that it didn’t agree this “corridor” with them, and announced that on the other hand the “corridor” to the east on the route Luhansk-Krasnodon-Izvaryne-Donetsk (Rostov region of Russia) is “the Road of life”²¹, de facto threatening to those who intend to leave Luhansk and go to territory controlled by Ukrainian

16 www.ukr.segodnya.ua/regions/donetsk/gumanitarnyy-koridor-kuda-zvonit-i-cto-vyvozit-zhiteley-528867.html

17 We can’t mention the name of the volunteer as long as this group is still dealing with displacing of people

18 www.unian.net/war/1035567-ubit-glavar-kazakov-pervomayska-boevik-po-klichke-malyish-smi.html

19 www.youtube.com/watch?v=SCmDUogXO_Q

20 www.ipress.ua/news/29_lypnnya_pochne_diyaty_gumanitarnyy_korydor_z_Luhanska_77030.html

21 www.rusvesna.su/news/1406632814



government with shelling. Although the shellings occurred²², according to D.Alyev, regardless media reports, no person and no car in the “corridor” Luhansk-Metalist-Shchastya were affected. Unlike corridor through Malynove vilage, displacement through which was not controlled by Ukrainian forces, and where at least one “bus” and one passenger car came under fire, which were moving in the column.

Summer 2014 was also featured with a series of attempts by IAGs of “DPR” and “LPR” to obstruct displacement of children to other towns controlled by the Ukrainian government, and attempts of kidnapping children from the institutions of Donetsk and Luhansk regions and their illegal transfer to the Russian Federation²³. This practice was even “legitimized”, namely: July 25, 2014 there was the Order of “DPR Council of Ministers” signed by O.Boroday on prohibition of evacuation of children from orphanages and shelters beyond the “DPR” — except to the Russian Federation²⁴.

In the 9th report on the human rights situation in the east of Ukraine for the period from December 1, 2014 to February 15, 2015 of the Office of the High Commissioner for Human Rights of the United Nations (OHCHR)²⁵ a separate paragraph is dedicated to the issue of evacuation of civilians. A significant thing is noted in it: constant attacks of the government-controlled areas and evacuation routes prevented the evacuation of civilians. In the report it is **assumed that some attacks could be aimed precisely to prevent the evacuation.**

The authors of the report agreed with this wording, although systemic phenomenon of preventing departure of civilians from the occupied territories to other areas of Ukraine, according to the authors of the report, requires further investigation and collection of relevant facts and evidences. However, in our view, the cases collected in this report (although they are much more of them) firstly, were **directed against the civilian population**, and secondly, were **carried out deliberately and with intent.**

Overall, during the year of constant fighting in Donetsk and Luhansk regions the local civilian population, who showed a desire to leave the zone of armed clashes, faced with various forms of attempts to limit their evacuation from the occupied territories to the territory controlled by Ukraine. In particular:

1. Attempts to prevent civilians from leaving the combat zone (through physical obstruction and/or intimidation). Special scope this phenomenon gained in summer 2014 for children without parental care and guardianship.
2. Artillery shelling and shootings of locations, known as a place of gathering civilians for further evacuation.
3. Artillery shelling and shootings of transport columns with civilians during evacuation through “humanitarian corridor” (or in conditions of an undeclared “humanitarian corridor”).
4. Demotivation of people who want to leave through intimidation or violent alienation of immovable property (in language of IAG - “nationalization”), which belonged to those who left; Announcing displaced persons as “traitors” of “young republics.”
5. Extortion of money for the opportunity to leave the war zone
6. Illegal alienation of transport for the evacuation of civilians, belonging to volunteers.

We can claim this on the basis of **some distinct trends** that became apparent during collecting the information for this report, in particular:

- The above-mentioned forms of obstructing of the evacuation of civilians carried out by the IAG operating in the territory of both “DPR” and “LPR”, in other words, are common throughout the temporarily occupied territory²⁶.
- They were carried out in different locations and at different time intervals — at least from May 2014 to March 2015.
- Often they were carried out with a special media support, and therefore they can be called tools of information war and propaganda, the elements of special operations.
- Obstructing the evacuation of the civilian population into other settlements of Ukraine, members of IAGs encouraged people to move to temporarily occupied territories and/or the Russian Federation, sometimes offering transport for evacuation to the east direction. Most clear this trend was in the case with children

deprived of parental guardianship and persons with disabilities and other socially vulnerable groups who are at special institutions.

It should also be noted that in general Russian power structures (participation of which in armed conflict in Donbas, despite the statements of the Russian Ministry of Foreign Affairs, leaves no doubt and accepted by monitors of the group as a fact, furthermore, that participation is recognized by the participants of IAGs²⁷ and some Russian military²⁸) were earlier seen in shelling of “humanitarian corridors”. However, in terms of other armed conflict. We talk about the events of the Second Chechen War. In particular, when discussing human rights violations in the conflict at “Radio Svoboda” (program of January 25, 2000²⁹) a human rights activist of Russian HRC “Memorial” Alexander Cherkasov told the following: *“Humanitarian corridors for civilians are also exposed to attacks, i.e. practically do not exist... Many of the interviewed refugees from Grozny came out not through the corridors, affirming that it is even more dangerous to go through the corridors.”*³⁰ Noteworthy is the fact that

22 www.radiosvoboda.org/media/video/26546529.html

23 More detail chronic is presented in the report.

24 www.gazeta.zn.ua/socium/operaciya-evakuaciya-gosudarstvennye-deti_.html

25 www.un.org.ua/images/stories/9thOHCHRreportUkraine_1.pdf

26 Separate areas of Donetsk and Luhansk regions are recognized as temporarily occupied territories under Regulation of the Parliament “On recognition of individual districts, cities, towns and villages of Donetsk and Luhansk regions as temporarily occupied territories” of March 17, 2015, www.zakon1.rada.gov.ua/laws/show/254-19

27 www.unian.ua/war/1061814-debaltseve-bulo-zahoplene-rosiyskoyu-armieyu-boyovik-dnr.html

28 Interview to “Novaya Gazeta” of Russian tanker, buriat by origin, 20-year-old Dorji Batomunkuyev (5th separate tank brigade from Ulan-Ude, a military unit №46108), who together with his battalion took part in the battles for Debaltsevo, where he received injury www.novayagazeta.ru/society/67490.html

29 www.svoboda.org/content/transcript/24220892.html

It is possible to connect the abovementioned types of obstruction of evacuation of civilians from the party of IAGs with the following reasons:

- Disinterest of IAGs in people to leave the areas controlled by the “DPR” and “LPR” and, in this way, supporting the image of the occupied territory, which massively left by people.
- Unwillingness to have the picture created in the minds of people by Russian media and media of “DPR” and “LPR” destroyed, that people saw with their own eyes what is really happening on the territory under Ukrainian government control.
- Attempts to achieve a certain media effect, such as introducing the attacks as a result of actions of the Ukrainian army.
- Attempts to keep secret the location of military positions in a given locality.
- Intimidation of population, making panic, carried out in different ways, spreading the impression that the Ukrainian party is not really monitoring the situation in the territories under its control. In this sense, according to monitors, cases of attacks on “humanitarian corridors” as well as on gathering places for the evacuation of people are to be seen in the overall context of shelling civilian targets and cities. In particular, with the intimidation shelling of cities at a relatively large distance from the front lines such as Volnovakha (shelling of January 18, 2015), Mariupol (shelling of January 24, 2015) Svetlodarsk (shelling of January 27, 2015), Kramatorsk (shelling of February 10, 2015), Donetsk (shelling of February 15, 2015).
- Provocation in order to accuse Ukrainian party in shelling.
- “The logic of war”: reluctance to release people from the newly captured territory, which according to the military, meets the logic of war - ‘because the area is captured together with the inhabitants.’
- Some cases, according to our interlocutors, could be related to the lack of coordination between different IAGs.

monitoring group members have heard the similar from many displaced people from the occupied territory of Donbas. For example, some families with children who at the time of the mobile group visit were in the hospital in Soledar town, Artemivsk district and lived in a city hospital, told that they had to go out of Popasna village (Luhansk region, currently under the control of Ukraine) through the fields as it was much more likely to get hit under shelling on the single way by which it was possible to leave the city. They talked about the end of January 2015.

At the same time, it must be emphasized that the problems with the evacuation of civilians from occupied territory to the other regions of Ukraine (although these problems are of other organizational nature) occurred in connection with **introduction by Ukraine of the temporary order of control the displacement of persons, vehicles and loads along the line of conflict within the Donetsk and Luhansk regions** (SSU Order №27 of January 22, 2015), the mechanism of which still can not be called effective³¹,

which was recognized by the high state officials as well³². However, according to State Emergencies Service of Ukraine data the procedure of crossing “the border” between the territories controlled by government and illegal armed groups during intense fighting at the end of January – the first half of February 2015 was simplified from the party of the government and did not require passes. It coincides with data obtained by the mobile group. None of the respondents complained that the evacuation during armed escalation in the region of Debaltseve required passes or was not allowed without their presence. After the occupation of Debaltseve by representatives of IAG and the end the fighting, the control of passes was renewed. Residents of Debaltseve with whom we managed to communicate by phone told that they were not able to leave because were waiting for issuing the passes. At the same time, they do not know about the obstacles on the part of members of IAG to depart from Debaltseve (as we were reported by some military). This information also confirmed to the mobile group by the Deputy Mayor

of Debaltseve, who as of now is at the territory controlled by Ukrainian government, but communicates with the residents of Debaltseve. One of the volunteers, who is still engaged in the evacuation of civilian population from the temporarily occupied territories, affirms that as of now the electronic system for issuing passes, in fact, doesn’t work due to technical difficulties. In addition, she says that common is the system of bribes for the “quick issuing of the pass”, which, however, requires a separate study. The problems with the operation of electronic system of issuing passes were reported to monitors by residents of Alchevsk, Luhansk region.

A special attention should be paid to the issue of ambiguity of **notification of civilians about the possibility of evacuation** issue. In particular, the aforementioned UN report referred to the lack of such information. This is also proved by data obtained by the monitoring team that most interviewed people learned about the possibility of evacuation spontaneously from rumors or through non-systematic notification at social networks. Despite claims in the summer about notification via loudspeakers and “information bombs”³³, as well as above mentioned statements of the officials about allegedly best notification mechanisms, effective notification system was not created. The non-systemic informing is evidenced by the information provided to the **CENTER FOR CIVIL LIBERTIES** by State Emergencies Service of Ukraine. According to it, informing of public about humanitarian corridors or scheduled displacement of people in Donetsk and Luhansk regions rescuers of State Emergencies Service of Ukraine carried out in the form of “*personal communication with population in crowded places.*” In addition, the “*staff of State Emergencies Service of Ukraine conducted everyday explanation for people about the places of gathering and time of presenting of vehicles for taking the civilians out.*” In some cases the notification was physically impossible, as people for a few weeks were in the basements, hiding from attacks, without any means of communication.

However, it should be emphasized that at the stage of escalation of armed conflict at the beginning of February 2015 in Debaltseve volunteers who played an important role in the evacuation of civilians (especially vulnerable groups) have repeatedly appealed to

³⁰ See previous

³¹ www.noborders.org.ua/pro-nas/novyny/pravozahysni-orhanizatsiji-zdijsnennya-tymchasovoho-poryadku-pro-perety-n-liniji-zitknennya-u-teperishnij-redaktsiji-superechyt-zakonu-i-mozhe-privesty-do-humanitarnoji-katastrofy

³² www.ua.korrespondent.net/ukraine/3487047-poroshenko-proponuie-sprostyty-perety-n-linii-zony-ato

³³ www.zadonbass.org/news/crime/message_82534



the media not to report on the place and time of gathering of people and evacuation routes because in such way civilians and those who provided the evacuation, found themselves under threat of attack³⁴. In such way, it is the danger of provocations and targeted shelling of civilians during the evacuation that can be considered one of the reasons of ineffective notification system.

The paradox is inherent not only for displacement issue but for **methods of transportation**. Thus, on June 16, 2014 press officer of ATO Alexei Lebed said that *“at the points where attacks on civilian cars are possible there are our roadblocks. In front and behind there are car of maintenance, armored personnel carriers – on case of attack and bombardment. This is the military component, we provide”*³⁵. The information about military machines for protection of the movement of transport

columns with civilians is also present in journalistic publications³⁶. Thus, through the efforts to protect civilians against fire attacks, on the opposite there were created conditions for a possible attack. On the other hand, as the experience of the “humanitarian corridor” shows, thanks to the military it was possible to avoid victims among civilians, who were displaced from combat zones. It should be emphasized that according to the rules of IHL, the presence of some military and military machines does not make the column of civilians legitimate target, namely the presence of military machines and military de facto exposes them to the threat of fire.

In addition, at the end of May in the media loyal to IAG, it was stated that Ukrainian forces did not seem to want to open “humanitarian corridors”, *“because the whole population would come*

out through them”; that those who *“tries to break through the military border, are shot on the road.”*³⁷ The monitoring group did not find any evidence of these charges, any such case didn't become known. We assume that in this there was the propaganda of “DPR” and “LPR” (and behind them Russian propaganda as well) to adhere its principle to accuse opponents in what was carried out by them.

Further down in this report there are presented the most demonstrative cases of obstructing of evacuation of civilians from the beginning of the armed conflict, which became known to the monitoring group. However, this is not a complete list of such cases and the monitoring group would be grateful for additional information or data regarding other attacks that can be reported on the contacts listed at the end of the document.

34 State Emergencies Service of Ukraine reports that at the moment the displacement procedure from Luhansk region is as follows: the heads of local governments collect information on those wishing to leave their homes and go out of city limits, they make lists and pass them to State Emergencies Service of Ukraine sub-divisions. Then the rescuers of Chief Department of State Emergencies Service of Ukraine in Luhansk region form groups and columns organize their supervision and carry out the displacement.

35 www.ukr.segodnya.ua/regions/donetsk/gumanitarnyy-koridor-kuda-zvonit-i-kto-vyvozit-zhiteley-528867.html

36 www.ostro.org/general/society/articles/448511/

37 www.politnavigator.net/ukraina-ne-daet-koridor-dlya-vyvoza-mirnykh-grazhdan-iz-zony-boevykh-dejstvij-chtoby-opravdat-rasstrel-y-zhilykh-domov-smi.html





IV. EXAMPLES OF OBSTRUCTION OF EVACUATION OF CIVILIANS

FROM THE ZONE OF INTENSIVE MILITARY
OPERATIONS AND/OR TEMPORARILY
OCCUPIED TERRITORY TO OTHER AREAS
CONTROLLED BY THE GOVERNMENT

1. SHELLING OF CIVILIANS DURING LIBERATION OF LYSYCHANSK

July 22–24, 2014

Four cases of shelling of civilian transport, presented below, have occurred in Lysychansk (Luhansk region) during the liberation of the city by Ukrainian military, which ended on July 24, 2014 (at 22.20 Ukrainian Armed Forces raised the flag on the top of City Council). This refers to the events of July 22 and 24, 2014. In one case before the opening of “humanitarian corridor”, in other case after its opening. This is not a complete list of shelling of civilians in those days, there were much more.

The monitoring group collected evidences indicating that the attacks were carried out by the IAG with various weapons, including mortars, automatic weapons and sniper rifles. The fire was not stopped even despite agreements with the IAG on the “quiet mode” for the displacement of civilians from the city; in some cases there is the reason to believe that the shooting to civilians was aimed and intentional. If in the case of the mortar attack on the bus “Lysychansk-Moscow” there can be an “excuse” of the Ukrainian checkpoint, which was next to the bus (although it was the only at that time available way to leave

the city, which hundreds of people have tried to use both by transport and on foot), the logic of shooting civilians by sniper groups at “green corridor” or cases of automatic weapon shelling of civilian cars remains unclear. Not to mention that there can not be any excuse.

(a) The shooting of civilian car near the plant “AZOT”

On July 20 an Adviser of the president Yuri Lutsenko said on television that Ukrainian military launched an offensive and in particular that they managed to “cut” Lysychansk and Severodonetsk from the occupied territory.³⁸

38 www.unian.ua/politics/941832-armiya-otochila-terroristiv-i-rozdilila-jih-na-tri-grupi-radnik-prezidenta.html





Bus Station Lysychansk (Photo 07.03.2015)

Ukrainian military reached Lysychansk on July 22. The main fighting took place on the bridges across the Seversky Donets, joining Lysychansk and Severodonetsk, where the Ukrainian forces came from. IAG blew up two bridges Pavlogradsky Bridge and Railway Bridge. The last bridge Proletarskiy was captured by the Armed Forces of Ukraine and later became a major channel for the evacuation of civilians in the direction to Kharkiv and Dnipropetrovsk.

On July 22, when intensive fighting began in the city, among local residents there was the rumour about the opening

of the “green corridor” toward Severodonetsk. Although it should be noted that the opening of the “corridor” Ukrainian military announced the next day only.

Group of monitors met the **resident of Lysychansk – Lyudmyla Markivna** (name of the witness is changed by request) – an elderly woman who that day also decided to go to her relative in Dnepropetrovsk. Together with her husband, son in law and friend they hired a taxi by which at about 8 a.m. on July 22 arrived to the “Bus station Lysychansk”. At that time, according to the women, active firefight

was carried out and glass in the windows of the bus station was beaten out almost everywhere. Buses didn’t leave already, and in the building itself there were up to a hundred of people hiding, who did not know how to leave. Therefore, passengers of the car agreed with the taxi driver that he would take them out to Severodonetsk.

The cars drove through the Petrovsky Bridge (which later the same day was blown up), the last checkpoint of “LPR” before liberated Severodonetsk and turned in a circle near the entrance “Amiak” of the plant “Azot” to the left, toward the bypass road to Rubezhnoye village. They drove at a speed of 70–90 km/h. There were no other vehicles on the road at that time.

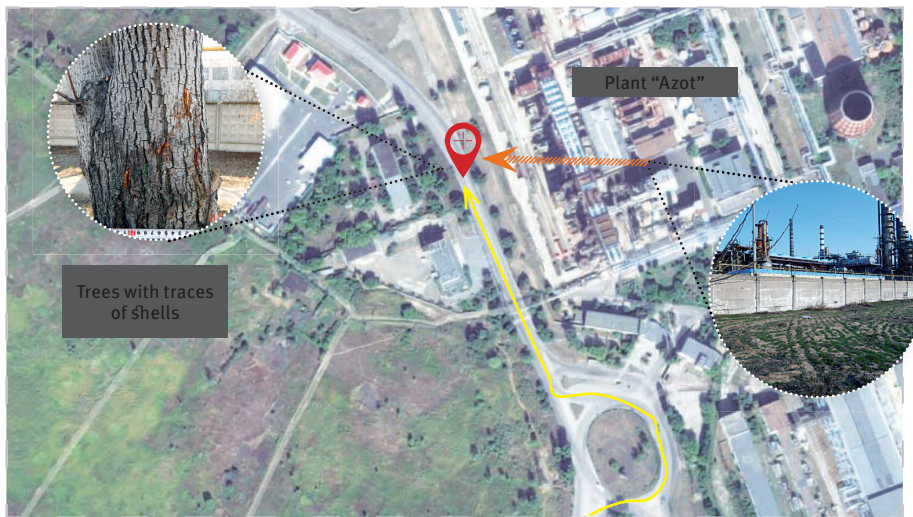
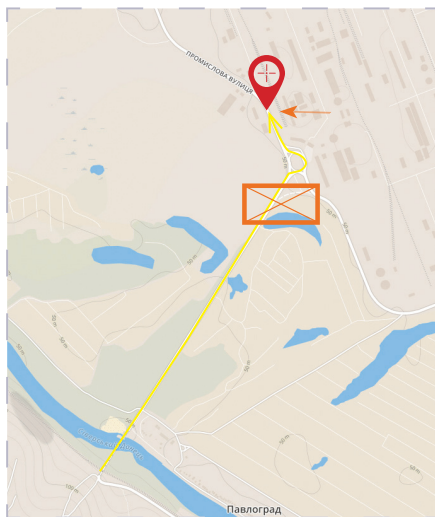
Further events are described by **one of passengers of the car, Igor** – a son-in-law of Lyudmyla Markivna:

“We drove around the circle to the left and in front of the water station they started to shoot on us to the right side, i.e. of the fence from the territory of the Plant ‘AZOT’. The car was cut on right side, in front and on back. The driver shouted, taxied to the side of the road near the fence of ‘AZOT’ and we stopped. Shots were frequent, as if automatic-gun fired,” – says the man.

According to Lyudmyla Markivna, then passengers of the car “dropped out of the car and crawled into a ditch, closer to the fence. They fired a place where we lay, judging by the sound it was machine-gun burst. We saw that the white car ‘Lada’ drove past, in which there was the family, which left from the bus station at the same time as we did, that car was also subjected to fire, the car did not stop.”

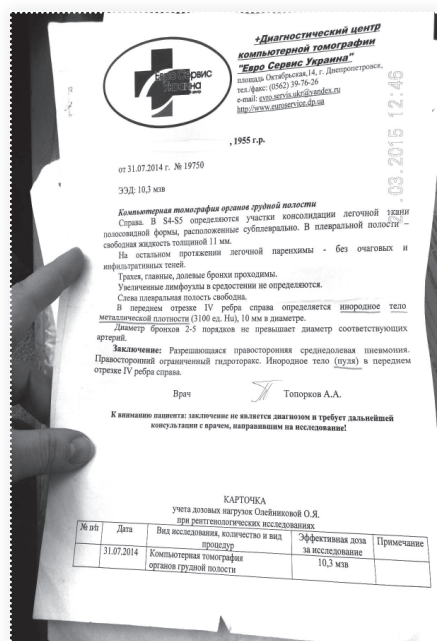
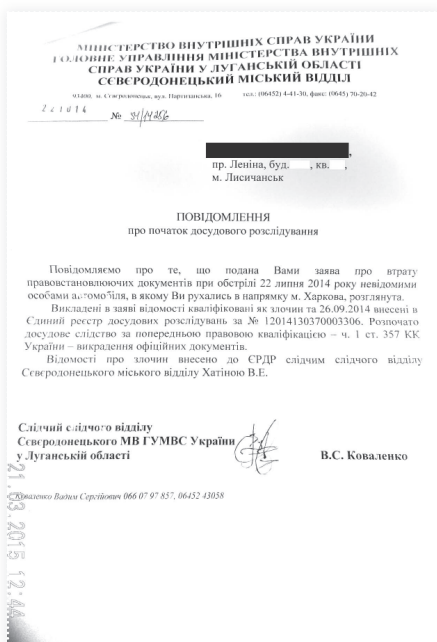
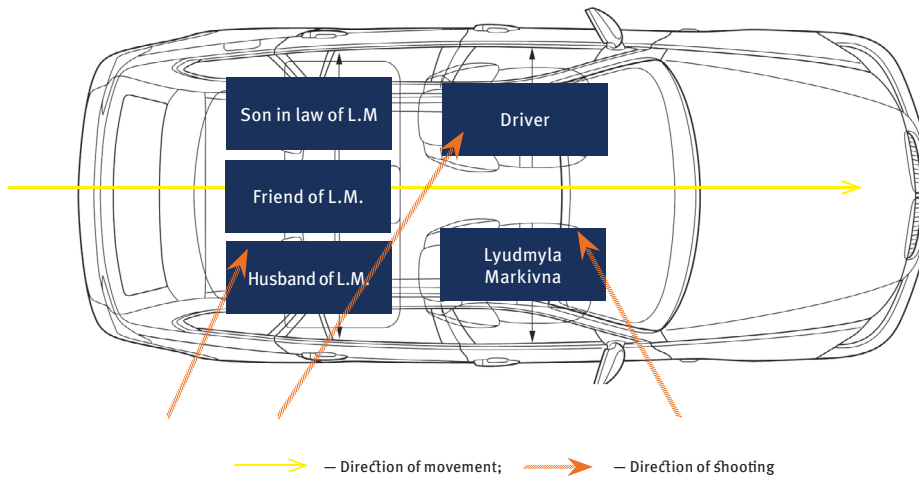
As we see, the victims have different versions as for what kind of weapon was used (automatic or machine gun), however,

Google maps as of 01.04.2015



 – Place of shooting the car;
  – Check point of LPR;
  – Route of car movement;
  – Direction of shots

Scheme of the car



both say about the bursts, from which it can be concluded that the fire was from automatic weapons.

Lying in a ditch, the passengers of the cars began to call to the emergency services. But everywhere they got refusal on the grounds that trips are not carried out to the war zone, which was confirmed by the official response on the information request of the **CENTER FOR CIVIL LIBERTIES** to State Emergencies Service of Ukraine: “Rescuers in July 2014 didn’t carry out displacement of people from Lysychansk city in connection with active hostilities at the territory of the city at the specified time. Residents of Lysychansk city were leaving the city on their own and reached Severodonetsk city.” However, the passengers of the car managed to call to relatives in Kharkiv, and they have called the SESU vehicle from Severodonetsk. All this time they continued shelling of the place where there were the passengers of the car.

Monitors of the group found traces of shots in Lysychansk on a tree on the opposite from the fence of JSC “Azot”, side of the road (photo attached to the map).

When the SESU car arrived, machine-gun bursts stopped. Rescuers were in armor vests, they ran to the victims, and at this point the shooting resumed. Ludmila Markivna says: “When the shots started again guys from SESU fell on us, covering with their armor vests. However, they were very heavy, so that in addition to wounds we have got cracks in the ribs. Further, under the shelling both SESU guys and we ran to their car. Shooting continued till we reached the car. At that time I was almost unconscious. All thing, documents and car itself, by which we went, we were forced to leave there. Then when we got back, the car has gone.”

The victims were immediately brought to the Severodonetsk city multidisciplinary hospital where the driver, Lyudmyla

Markivna and her husband immediately were sent to the surgery table. According to her, the surgeon pulled out of her lung a splinter of a bullet, and only a day after the surgery, doctors found that there was one more bullet in the lungs of the women. The operation was too risky, so the victim still walks with a bullet in the lung.

The car driver was wounded to the head, and they put a few stitches. Lyudmyla Markivna’s husband lost a lot of blood because of shrapnel wound in the back under the shoulder blade, he was taken to traumatology. The son-in-law was relatively easy shot with glass of the car. A friend got shrapnel in her knee and refused from surgery. Soon the victims were transported to Dnipropetrovsk to City Clinical Hospital №16.

Later, Lyudmyla Markivna returned to Severodonetsk and appealed to the militia to file a statement. The statement was accepted, but instead of criminal proceedings against attack with using firearms, the case was qualified as “stealing of official documents.” The reasons for such qualifications will be clarified by legal counsel of Advisory Centre of Human Rights organization.

(b) Shelling of the intercity bus “Lysychansk – Moscow”

On the same day, **July 22, 2014, in the afternoon**, on the bridge near the plant “Proletarskiy”, which joins two banks of the Seversky Donets River, in the direction from Lysychansk to Severodonetsk, near the Ukrainian Armed Forces checkpoint the intercity bus having performed regular trip “Lysychansk – Moscow” stopped for document checks and was fired with mortar fire.

According to **one of the passengers of the bus, a young female doctor**, whom monitors of our group communicated with, there were mostly families with children in the bus.

“We, like most of others, decided at the last moment to leave Lysychansk for fear of shootings during the hostilities. We left from the market, at about between two and four in the afternoon. Double-decker bus was full. I think about 80 people,” says the woman.

At the Ukrainian checkpoint near the glass factory “Proletar” bus stopped and all men came out for check of documents. Only women and children remained in the bus. And suddenly – a loud sound and an explosion. The woman believes that it was the mortar fired.

“We ran out of the bus and ran across the bridge to Severodonetsk. Although around they were constantly shooting. The only thing I saw – that some people ran to the wood line and some ran to hide in the checkpoint.”

Also monitors managed to talk with the **resident of Lysychansk, 57 years old woman, who resided in Lysychansk at the address Proletarska str., 4** in the building, adjacent to the house №2 completely destroyed by direct hit of mines. She said that about 15.00 on July 22 she and her husband decided to take their grandson and run to the center, where to hide from shelling. *“We ran up along Proletarska street toward the stop “Turn to Melnikov mine.” At the stop “Bookstore” we saw as from the checkpoint of “LPR” they opened fire with mortars down, toward the bridge, where there was the Ukrainian Armed Forces checkpoint. I think it was the mortar. I abruptly turned and saw that they hit a bus to Moscow. It was white, filled with people. Two people just flew off from the broken bus, most, I think, were killed, some ran across the bridge.”* — says the woman.

According to doctors of Lysychansk “ambulance”, they could not immediately get to the bus on call, only in an hour – an hour and a half, since the battle proceeded around. On arrival at the place of the incident they took only those 10 injured passengers with children who remained in the wood line or near the bridge. So, most of the passengers of the bus, didn’t look for help from the hospital, and respectively their injuries were not documented.

Perhaps this was the reason why both witnesses, who communicated with our monitors, were not interviewed by the militia or the Security Service. Later charred remains of the bus stayed at the checkpoint for a half of a year before Communal enterprise cut it for scrap.

(c) Shooting of “humanitarian corridor” July 24, 2014

On July 23 “Donbass” battalion commander Semen Semenchenko reported that fierce fighting are conducted for



Embussing point of daily bus “Lysychansk – Moscow” (Photo 16.03.2015)

Lysychansk that “assault of Lysychansk is continued... The terrorists fire city from mortars and easel automatic grenade launchers.” In addition, the “Donbas” battalion commander reports about the organization of “humanitarian corridor” *“Those who exactly decided to leave out – the organization humanitarian corridor for WOMEN AND CHILDREN was arranged by one of the local journalists. Write to private, he will coordinate with the group and the location. Please do not walk in the streets until the end of hostilities”*

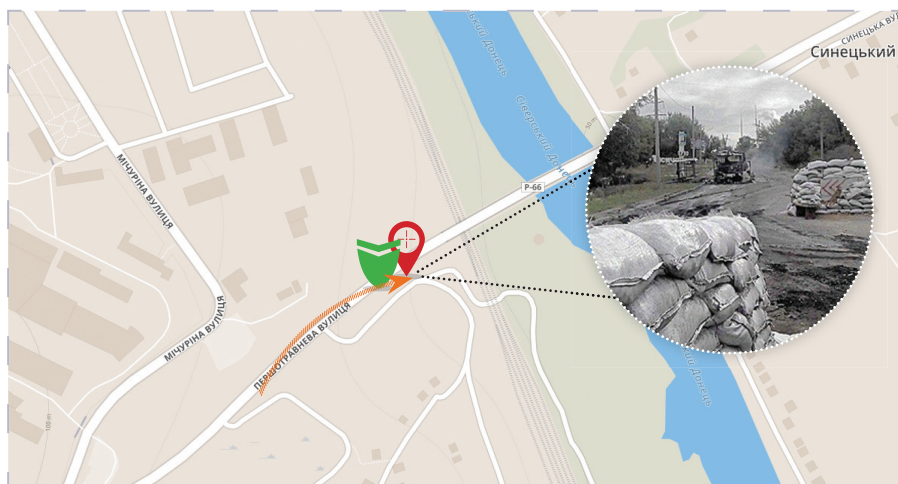
According to **doctors of two “ambulance” brigades being on duty at “Proletarskiy Spusk”** (the highest point of Proletarska street, coming down to the Proletarskiy bridge), the civilian population that tried to leave the city across the bridge was fired from the direction of Lysychansk.

This is confirmed by the **authorized representative of the head of ATO in Luhansk region on Lysychansk Vitaliy Shvedov**, who was on Proletarskiy Bridge

the whole day on 24 July. He said he witnessed the shots of snipers on civilians that were evacuated from Lysychansk: *“When mechanized brigade 51, a special battalion of Ministry of Internal Affairs “Chernigov” and battalion “Donbas” were fixed in front of Proletarskiy Bridge, an agreement with representatives of IAG on “green corridor” was reached.” In about an hour people began to leave the city, many cars drove at high speed to manage to slip. They have not been checked. And at that time before my very eyes from the top a red car “Zhyguli” drove to the middle of the bridge and a sniper shot from the heap, shot a passenger, an elderly man of 60–70 years old, right to the head. Our combatants took everything off, took a blanket and under heavy fire brought him to the other side of the bridge. But, unfortunately, he was already dead. My impression is that the car was shot for it to block the bridge. Otherwise why else to wait until it reaches to the middle.*

According to the **doctor of Lysychansk “ambulance”** at Proletarskiy Spusk on July 24 there were only 2 brigades of “ambulance” because almost no one wanted to work in the area where the most intensive shootout continued. *“So, one brigade included a paramedic and a driver, and the other one two paramedics because the driver refused, — says the man. — They were at “turn Melnikova” in the street Sverdlov. Many vehicles were leaving. But even more people went on foot across the bridge, many of them with children and luggage. Therefore, our vehicles took people and gave them lifts to the checkpoint of Ukrainian Armed Forces, that is to say took them from the top down to the bridge. We made several trips. Our vehicles were not shot on purpose, but when the ambulance drove, the shelling of the checkpoint of Ukrainian Armed Forces did not stop. There were a lot of wounded: both bullet and shrapnel injuries. Simply before*

Photo: www.podrobnosti.ua/986297-v-osvobozhdennom-Lysychanske-provodjat-polnju-zachistku-ot-terroristov-foto.html
Map: Google maps as of 01.04.2015 p.



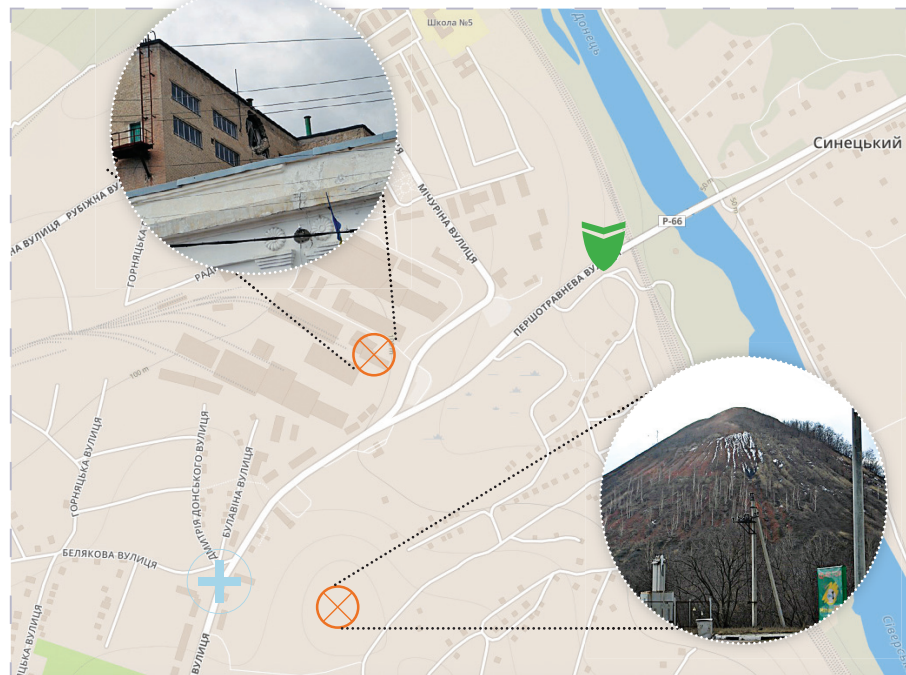
📍 — Place of bus Stop; 🟢 — Checkpoint of Military Forces of Ukraine (as of 14:00 22.07.2015); → — Direction of mine hit

very eyes of one of the crew on the bridge the shot from the side of Lysychansk broke through the glass of a black car “Mitsubishi” and hit the driver in the head. All victims were taken away to the Lysychansk hospital.”

Vitaliy Shvedov said that on July 24 military eliminated at least 4 snipers of IAG, who shot just over the bridge. Three of them were found in heap in front of Glass factory “Proletar”, one – on the building of the plant. Since the position of snipers was significantly higher than the position of UAF, to eliminate snipers on the heap and at the factory they used a tank that is still visible by the hole in the building of the plant. “In addition, a mortar point – as noted Vitaly Shvedov – was also at the ‘Iron market’ (MARKET OF AUTO PARTS IN LYSYCHANSK), from which they also shot over the bridge during the ‘Green Corridor’. There were a lot of snipers in the city.”

To the point, the evening of July 24, after the liberation of the city the Information Center of National Security and Defense Council of Ukraine spokesman Andrei Lysenko said that IAGs were blocked, they were cut off the retreat and he reported about “operational measures to detect sabotage terrorist groups.” So, on July 24, some members of IAGs were still in the city, in particular, acted as sabotage groups. And two days after the liberation of the city, on July 26, Defense Ministry reported that “while moping-up the city Lysychansk combatants of highly mobile assault troops of Armed Forces of Ukraine (AFU) neutralized sniper group of terrorists.”

Vitaliy Shvedov believes that shooting on “humanitarian corridor” may be due to the fact that the part of IAGs, which Armed Forces agreed about ceasefire at that time either had no impact on the individual snipers and firing point or had no connection with them.



⊕ – Ambulance; 🛡️ – Checkpoint of Military forces of Ukraine; ⊗ – Firing points of IAGs

(d) Shelling of “Melnikov turn”.

Information that in Lysychansk a “green corridor” will be opened for several hours appeared in media on July 24, the day after notification of military battalion ‘Donbas’: “For residents of Lysychansk exit through Proletarskiy Bridge is open. Ukrainian military created for people so-called ‘green corridor’ through which you can leave the ATO zone. Those who managed to pass through it reported that you need to have a passport at you.”

Despite that, shelling of civilians leaving the city continued.

In particular, in the story of Ruslan Smeschuk, correspondent of TV channel “Inter”, of July 24, it was told about the liberation of the city and in particular about the “humanitarian corridor” the following: “Hundreds of people leaving the city... Unfortunately, there is a failure

to prevent victims among civilians. When we were at one of the checkpoints through which people fled, terrorist sniper killed an elderly man. It happened in the time of inspection of the car, a man stand in line with a soldier at that moment and the sniper fired. And other townspeople told us that during the evacuation of the city they fell under fire of militants. “I went through bushes, they fired on me.”³⁹

The monitors also managed to meet in Lysychansk a man whose father was shot dead on **July 24** in that “humanitarian corridor”, according to the man, with sniper bullet. It happened at the crossing of Sverdlov and Pervomaisk streets, which locals call “Melnikov turn” from the name of the mine, located nearby. This case was described in detail in our previous report (www.ccl.org.ua/wp-content/uploads/2013/07/Zvit-LNR-5.01.pdf)

2. NOVOSVITLIVKA – HRYASCHUVATE, SHELLING OF A CONVOY OF CIVILIANS IN THE “HUMANITARIAN CORRIDOR” AUGUST 2014

Shooting of a convoy of civilians between settlements Hryaschuvate and Novosvitlivka belongs to the period when the Ukrainian army went on the offensive in many directions, the event took place shortly before Ilovaisky tragedy. On the eve the media reported about the success of the Ukrainian army, which entered also Hryaschuvate and even reached Luhansk.

The first report on the shooting of civilians in the convoy that was moving for the evacuation of the settlement Novosvitlivka, appeared on August 18, 2014 around 10 am. The head of the press center of Operative Headquarters “North” Anatoly Proshyn said that *“about 9:40 during displacement of refugees from settlements Hryaschuvate and Novosvitlivka militants opened massive fire on that convoy with mortars and rocket launchers ‘Grad’. As the result, there is a large number of victims. People burned straight in cars, by which they were taken out. People just did not have enough time to leave the vehicles.”*⁴⁰ The National Security and Defense Council stated that “Grad” and mortars were transferred from the Russian Federation. Security Council speaker mentioned that trucks for transportation of civilians were provided by military, however noted that the column contained all identifying marks, including white flags⁴¹.

The same day, August 18, the video appeared in which civilians who were in the convoy moved by provided for their transportation trucks ZIL-131, talk about shelling with two mortar shells (“Grad” was not mentioned already), and also confirm that



Armed Forces Military talks about shelling on the background of one of the ZIL-131 which came under fire – the one which survived (screenshot from the video of UAF)

transport had the white flag.⁴² One vehicle was damaged, the other broken in pieces, tell people.

Regarding the number of dead, the next day it was reported about 17 dead, including women and children. There was no possibility to take all dead of the scene, because since then the area was controlled by the IAGs⁴³.

Armed Forces Military talks about shelling on the background of one of the ZIL-131 which came under fire – the one which survived (screenshot from the video of UAF)

Later, on September 3, on social network page of the volunteer battalion “Aydar”, which organized the withdrawal

of the convoy, were photos from Hryaschuvate⁴⁴, and also (the day before) the following information appeared: “Aydar evacuated from Novosvitlivka several dozens of families, including the breastfed children. The created convoy of refugees of 26 cars (fully filled with civilian people), was fiered with direct fire by the Russian tank from the top of Lysa hill. The corridor created for displacement of refugees from Hryaschuvate, was shelled by Russian troops – those people were burned alive...” – was said in the statement.⁴⁵ In this video, recorded on August 20, combatant of “Aydar” says about shelling of 15 civilians in the “corridor” in Hryaschuvate with involvement of Russian troops, however, he does not specify exactly which trucks were shot⁴⁶. To the point, the video ten days later (August 28) fixed the vehicle of medical service of “Aydar” with relevant identification marks of red cross, cut when leaving the Hryaschuvate with fragments of MLRS “Grad”, howitzer, self-propelled artillery weapon⁴⁷.

However, in the future we could not get confirmation of shelled 26 cars. One of the victims, whom monitors talked with K.Kupriyanova notes that together with ZIL there were passenger cars in the convoy, however, how many of them she doesn’t know because passenger cars were sent later. Information about 26 cars, also was not confirmed by combatants of the battalion “Aydar”, who was in Hryaschuvate on those days. In particular, military with call sign “Orest” says that civilians were taken first by bus and then were moved to the trucks, which, in fact, were hit with shells.

40 www.pravda.com.ua/news/2014/08/18/7035073/?attempt=1

41 www.tyzhden.ua/News/117136

42 www.youtube.com/watch?v=_dVK3QFCv2E

43 www.lb.ua/news/2014/08/19/276651_presstsentr_ato_17_chelovek_pogibli.html

44 www.facebook.com/media/set/?set=a.1482886358647042.1073741830.1430526587216353&type=1

45 www.facebook.com/permalink.php?story_fbid=1482880315314313&id=1430526587216353

46 www.youtube.com/watch?t=170&v=7SW747BPq5Y

47 www.youtube.com/watch?v=qdk5QpWUHxg

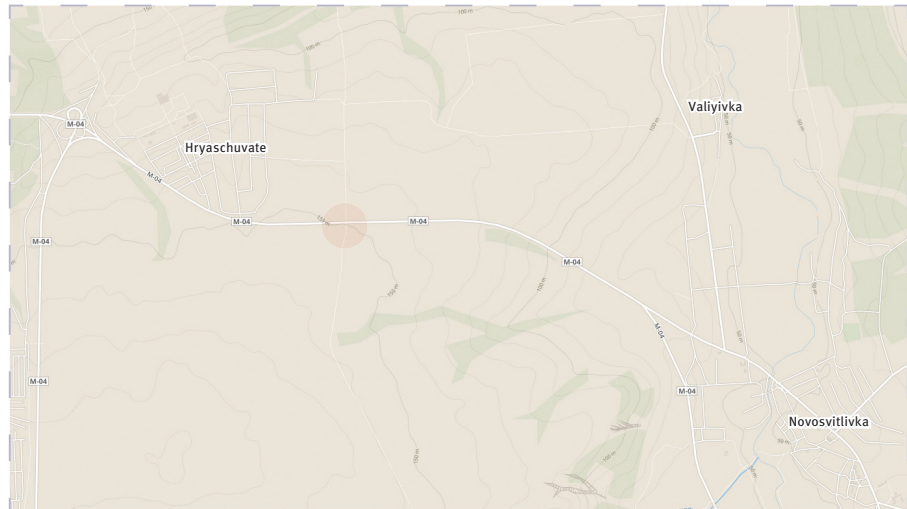
He affirms that the shelling was carried out from one of the nearby mines. He says he watched the fire from the mine with own eyes, however, failed to specify what kind of mine (he does not know the name).

At the same time, “Orest” confirms that at that time from the party of IAGs there were regular Russian troops present already, namely the Pskov paratroopers⁴⁸. The same fact was told at the end of August, by the “Aydar” battalion commander Sergey Melnichuk, according to him, in Hryaschuvate area Russian tank sub-divisions and paratroopers joined the fighting⁴⁹. As for the weapons used, “Orest” talks about self-propelled artillery weapon, tanks, 120-millimeter mortars and MLRS “Grad”. He suggests that firing on civilians who were evacuated could be carried out with mortars.

The monitoring group managed to communicate with another witness of events in Hryaschuvate, a **volunteer of the “Aydar” battalion with the call sign “Beret”**, who is now a military commandant of Luhansk TPP (Schastya town). According to him, the truck has shot with a tank. However, he is not talking about ZIL but about KrAZ (perhaps mistakenly, because the trucks visually quite similar). *“When people were taken out of Hryaschuvate, first went KRAZ, which was hit by a tank. They didn’t want to shoot civilians, but civilians were in a military vehicle. Yes, they were of different colors, but we also are colorful. They fired on a military car,”* — says the military. He believes that it is not a planned attack on the convoy of civilians (BY THE WAY, “OREST” SAYS THE SAME), but the accident, but it is important to note that this view is contrary to the information that mobile group received from one of the victims of the fire.

The monitoring group managed to get evidence from the **resident of Hryaschuvate, Kupriyanov Ksenia L. born in 1980**, who was in one of the mentioned two ZIL-131 trucks. Now the woman is in the territory of the Russian Federation. Unlike the military, she is confident that the convoy, which went through the “corridor”, was sighting shot.

K.Kupriyanova was leaving Hryaschuvate on August 18, 2014 with her family of four people, with her husband and two children (girls — 6 and 2,5 years old). At that time (FROM AUGUST 13), the city was under the control of “Aydar” battalion, it was also responsible for the evacuation of civilians. On the possibility to leave the family learned spontaneously, there was no special announcement, means of communication were not available as well, everything was decided very quickly. The “Humanitarian Corridor”



Red spot shows the approximate point of attack of ZIL-131, in which there was the family who suffered

covered the road across the field between Novosvitlivka and Hryaschuvate towards settlement Lutugino. *“That area is easily visible (and swept) that is why there was an agreement without a clear definition of the time on passage of the convoy of civilians”* — the woman said. K.Kupriyanova affirms that the “corridor” has been agreed with “LPD”, they confirmed its opening. At the time of displacement the convoy counted about 50 people. They were placed in two ZIL-131 trucks, which have been transferred to “Aydar” by Armed Forces of Ukraine, as well as in passenger cars (as mentioned above, the exact number of cars the victim does not specify). The transport had the identification mark — a white canvas. According to the woman, shelling started at 9.40, which coinciding with the official report of the National Security Council. *“I went by the first ZIL of convoy (it generally was the first vehicle in the column). There were 25 people in the truck, including two elderly people who are not able of move independently and four children.”* When the truck drove from the road sign “Hryaschuvate” for one and a half kilometre, it came under firing attack.

Red spot shows the approximate point of attack of ZIL-131, in which there was the family who suffered

K.Kupriyanova affirms that it was a direct hit in a car with a grenade launcher. As a result of strike, ZIL, in which she went with her family, burned, 6 persons out of 25 survived (dead 19). In particular, elderly people have died and two children — a boy 17 years and 1 year old girl. The shelling, according to the victim, came from Novosvitlivka.

“It was made quite deliberately — said K.Kupriyanova. — They were warned about passage of the convoy of civilians, they obviously were waiting for us. Our vehicle went first and we’ve been waiting on the road for the second ZIL for a long time. This enabled to aim us,” — a woman is sure.

5 hours after the incident the woman with her husband and two children, and two of their neighbours (one undamaged, another had legs broken) spent in a trench next to the road. In 5 hours they were picked up by “Aydar” medical service and were taken for medical assistance to Novosvitlivka accompanied by infantry combat vehicle.

K.Kupriyanova husband was wounded to trachea by a grenade fragment, he was operated in the hospital of Luhansk airport. Woman had her leg torn with shrapnel below the hip, she got the help from “Aydar” medical service. The eldest daughter of the couple got deep burn of right forearm, she had a skin transplant in Lutuginsk CRH, after that she had treatment at Kharkov burn center. Younger daughter had the burn of an ear, she was treated in Lutuginsk CRH. All things and documents the family had with them, burned in ZIL. The family didn’t file the statements to the enforcement agencies. After treatment, they went to relatives to the RF.

IAGs describe the story of August 18 in Hryaschuvate in a different way. *“Army of the People’s Republic of Luhansk never fired refugees and citizens”* — said “Acting Chairman of the LPR” Igor Plotnitskiy. Meanwhile, the consolidated data of IAG, published on the website of “Press Centre DPR”, state that their forces attacked the Ukrainian army near Hryaschuvate. *“As the*

⁴⁸ www.gazeta.ru/social/2014/11/10/6297181.shtml

⁴⁹ www.youtube.com/watch?v=z8FEgrKeoBc&t=15

result of artillery attack of Ukrainian Armed Forces positions in Hryaschuvate the enemy suffered losses, probably 30 dead,” – said in the report of “DPR”⁵⁰. At that, “the vice-premier of the DPR” Andrew Purhin promptly made an attempt to justify the “colleagues” from “LPR”, giving interview to reporters of Reuter, stating that “rebel forces” do not have such military capabilities for such an attack⁵¹.

At the moment, according to the information provided to us by Luhansk Regional Prosecutor’s Office, the case concerning the shelling of the convoy near Hryaschuvate was investigated by the Department of SSU in Luhansk region. However, during the telephone conversation with one of the representatives of the SSU of Luhansk region, he told the mobile group, that he and his colleagues are not aware about the

relevant case.⁵² At the same time, victim K.Kupriyanova says that it is precisely known that on fact of shelling the truck, which she and her family went by, there is a criminal prosecution. She does not have the details, as she is outside the country.

August 20, according to the information and analytical center NSDC, near the village Hryaschuvate there was again a shelling of the car, which the family of IDPs traveled by. The car moved with a big white flag. The bombardment was carried out from the direction of village Samsonivske, Krasnodon district. The man and a 5-year-old child died on the spot. The woman died in the hands of physicians, is said in official report. The mobile group doesn’t possess more details on the incident.

At the same time, it is worth to pay attention to the following fact. Volunteer

with the call sign “Orest” said to the mobile group that with own eyes saw that shelling of ZIL of August 18 was carried out from one of the mines. As he noted above, he does not know the name of the mine, but underlines that saw that with his own eyes, because at that time he investigated the area. The direction of shelling on August 18 and 20 was the same. So, we can assume that it was carried out approximately from the same place. In the second case the National Security Council announces about settlement Samsonivske, Krasnodon district. It is in that village there is the mine “Samsonivska-Zahidna”, owned by LLC “Krasnodonvugillya” (Metinvest Group). Perhaps it was the mine from where the firing was carried out on August 18. By the way, before August 17, this mine was fired.

3. DEBALTSEVE, SHELLING OF POINTS OF GATHERING FOR EVACUATION

February 1, 2015

Town Debaltseve (Donetsk region), which is an important transport hub, is at the administrative border between Donetsk and Luhansk regions. Shelling of Debaltseve used to happen since the summer. After signing the Minsk protocol of September 5, 2014 the town became part of the “buffer zone”. Due to its location, Debaltseve was, in fact, on the verge of spheres of influence of groups belonging to the “DPR” and “LPR” that in January-February 2015 also hampered evacuation from the area where only from the part of “DPR” simultaneously operated “DPR troops”, Russian regular army units and armed group of “Cassack.”

Shelling of Debaltseve intensified on January 19, 2015, the day when the Orthodox celebrate Epiphany. About 7.45 a.m. the center of the town, including the

church was covered with MLRS “Grad” shells. Headquarter of Joint Center for control and coordination of the ceasefire and stabilization of the boundary of the parties (hereinafter – Joint Center) announced about at least 30 rockets that hit the center of Debaltseve and the surrounding areas. OSCE Special Monitoring Mission (hereinafter – SMM) confirmed that the shelling was carried out from Horlivka town, which is under the control of illegal armed groups (IAG) of “DPR”. Chief Department of Ministry of Internal Affairs in Donetsk region announced about the death of three civilians (including 12-year-old boy) and twelve injured (including 12-year-old girl).⁵³

Larisa Yakovenko, bed-bound disabled of 1 category, at the time of the visit of the monitoring group in Donetsk region at the beginning of March was at one of the places of compact settlement of displaced persons

in Artemovsk, said that it was a “provocation, as those who shot probably knew that in the morning people would go to church.”

January, 20 the town was actually cut off from communications: electricity, water and mobile communications. From that time and until the final de facto occupation of Debaltseve by illegal armed groups of “DPR” (February, 17, 2015) the evacuation of people from the town and surrounding areas was carried on mainly by own affords of people and with the support of State Emergencies Service of Ukraine, Ukrainian military, local government, and to a large extend by efforts of volunteer (as a rule the last took care about the evacuation of socially vulnerable groups). Evacuation was carried out mainly to Artemivsk, Sloviansk, Kramatorsk and other cities of Donetsk region. By some estimates, from more than 30 thousand people at the beginning of

50 www.bbc.co.uk/ukrainian/politics/2014/08/140819_hryaschuvate_update_bodies_dt

51 www.novorosinform.org/news/id/6464

52 www.youtube.com/watch?v=dVK3QFCv2E

53 www.dt.ua/UKRAINE/v-rezultati-artobstrilu-debalceve-postrazhdali-10-osib-8-richna-divchinka-u-vazhkomu-stani-161731_.html

February about 7 remained.

Those leaving the town were indirectly threatened with bombing by illegal armed groups. In such way it is possible to interpret a statement on January 30 which was made by one of the leaders of the “DPR” Alexander Zakharchenko after the capture of Vuhlehirsk (town near Debaltseve) by forces of illegal armed group (IAG): “road can be covered with fire completely. All those who will come out of the trap, will come under cross artillery fire.”⁵⁴ Of course, first of all Ukrainian military were meant, who they tried to entrap, however, it was the only way which, in principle, was possible to leave the town by. It was the road where there was the section between towns Debaltseve and Logvinova which was under the shelling most of all.

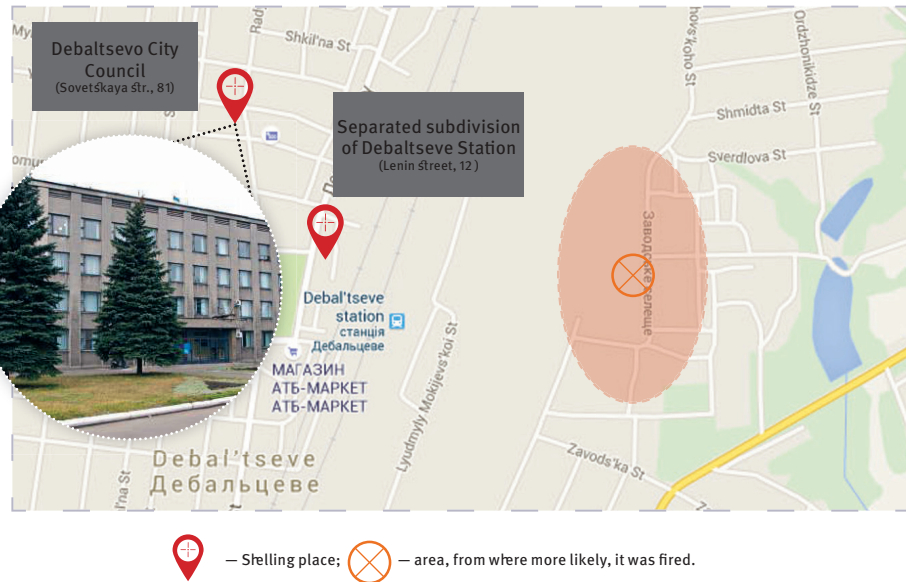
In such circumstances, the civilian population had to leave the town. For example, it was January 30, when **Galina Alentyna**, a worker of one of the kindergartens of the town, was leaving Debaltseve, and at the time of the visit of monitors was at one of the places of compact settlement of displaced people in Artemivsk. About 18.00 she was evacuated by private car of the family friend. “Road was under the fire, everything was moving around. Shells fall down both to the town and to the road,”— says the woman. Fortunately, she managed to leave the town uninjured.

At the end of January (the exact date can not be specified) **69-year-old Ivan M. Solovey** also had been leaving Debaltseve. He was taken away by volunteers. The pensioner says that the road at that time was under the fire, forcing the driver to continuously jerkily change the speed (i.e. 80 km/h, 50 km/h) and to maneuver, to make it impossible to aim and hit the car. To the question whether, according to his mind, the car was under the aimed fire, the man replied: “Of course. Our bus was driving with a white flag. They were still shooting. From Chornuhyno, Faschivka, from the part of “DPR.” The pensioner also fortunately remained uninjured, as of now he lives in a place of compact settlement in Donetsk.

But not everyone was so lucky.

February 1, 2015 in Debaltseve two locations, where there were points of gathering of civilians for further evacuation came under fire. Members of the monitoring group managed to talk to the volunteers who had organized evacuation.

Volunteer Andrew Haluschenko, who was the member of the volunteer groups that took part in arranging the evacuation from Debaltseve, says that for the further evacuation people from different points of the



town were brought to several predetermined locations. There they were moved into more commodious transport and were sent to the government-controlled Ukrainian cities further from the front line. The main points of the gathering were at the bomb shelter in Lenin street, 12 (Separated subdivision of Debaltseve Station) and Debaltseve City Council (Sovetskaya str., 81).

In Lenin str., 12, in addition to gathering people and moving into more commodious transport, there was the point of distribution of humanitarian aid, food and water, which was delivered there by State Emergencies Service of Ukraine. That is why quite often there was quite massive accumulation of civilians there. **Between 12.00 and 13.00 on February 1 it was that point that has been suffered under the artillery strike.** According to Andrei Haluschenko who has an experience of combat, shots were made from 82-millimeter mortar (also known as “Vasyliok”) with mines with fragmentation effect. Within approx. 20 minutes there were made three salvo fires of 15–20 shots each. At the time of the shelling there were about 70 people near the bomb shelter, including children, who were waiting for evacuation. Also there was transportation there, for taking out people, in particular the bus “Bogdan” (it was one of the four buses allocated for the evacuation by Kyiv city authorities on the request of volunteers, in the result of shelling, it remained without window panes), minibus and cars. After the first salvo fire 13-year old girl was injured to the neck (she was transported to Kharkov and she was operated there, as of now she is in a stable condition). A driver of one of the buses also got injury with shrapnel. After the first salvo fire volunteers managed to

move people into the bomb shelter where they staid for about 1.5 hours. Out of means of transportation the car of volunteers was damaged most of others, and had to be left in the town because of its unsuitability for further usage.

According to Andrew, who after the shelling had got the ear concussion (acute acoustic trauma), shelling was carried out from a distance of 1 km, i.e. from the town limits. Presumably, from the Zavodskiy district (The plant administration), which, according to his information, the Ukrainian military checked not too carefully on presence of sabotage and reconnaissance groups (hereinafter — SRG). It was that place probably where all three salvo fire were made from. The weapon, which was probably used for firing was rather mobile. Being disassembled it can be carried by three persons, it can also be installed on an off-roadster.

“It took about 40–50 seconds from when the transport was pulled up to the bomb shelter. This is just a flying time for mines on small distances. Trajectory was high-angle — Andrew describes. — Mines fell from above. This may indicate that fire was carried out from close distance. The fire was exact, with high accuracy and precision (mines fall down into a square 100 by 50 meters), although there was no signs of getting the range, which may indicate that the aiming device I was spotted in advance and namely to that place”, — assumes Andrew Haluschenko.

According to Andrew, and also **volunteer Diana Makarova, founder of the Diana Makarova Foundation**, who also organized the evacuation on that day and came under fire, from the Chief of Debaltseve militia town department Colonel

54 www.fssb.su/smi-monitor/smi-monitor-wars/1837-ukrainian-izlom-30-yanvarya.html

Eugene Yuhanov (later, on February 10, he was killed while trying to assault of one of SRG of Debaltseve Town Department⁵⁵) they repeatedly received information that there are several SRG in the town. According to the point of view of both volunteers (who were interviewed by participants of the mobile group separately), salvo fire could had been carried out by one of these two groups.

According to both volunteers — Andrew Haluschenko and Diana Makarova, there were no roadblocks or positions of Ukrainian military near bomb shelter in Lenin str., 12. While in the building, where there was the bomb shelter, there was the military office, but it occupied just one room, where there were the commandant and two soldiers. Before the shelling the car of battalion “Donbass” with several military drove onto the site of the building. According to another volunteer who participated in the evacuation — Tim Zlatkin, in one of the nearby administrative buildings battalion “Donbass” was creating its own deployment. However, it should be noted that at the place of the shelling at the time there were at least 70 civilians (among them — children) who were preparing for evacuation.

Diana Makarova said that the shelling took place on the third day of their active work on evacuation of people from Debaltseve. Previous days people gathered at the same place. This is another argument that may indicate that the shooting was aimed.

That is why at the time of evacuation volunteers constantly appealed to journalists not to inform in open sources, the evacuation point and route of transportation of civilians. In their opinion, these reports led to attacks. In particular, one of the volunteers **Tim Zlatkin** (facebook.com/akvilifer), who took part in organizing the evacuation, wrote in the social network that through these messages IAG “conduct aimed fire on our buses and cars.” It was him who placed the photo of bus “Bogdan” attacked near the bomb shelter.

In addition, in the conversation with the monitor Tim said that a few days before (he could not remember the exact date) one of the buses meant for evacuation of civilians, was hit by shelling nearby Debaltseve on the road. He believes that the mortar firing in that case had also been targeted because it hit a bus after it stopped due to technical reasons and that made it possible to put it on sight. Fortunately, during that shelling no one was hurt, because the bus

was almost empty — except for the driver and several volunteers at that time it was empty.

The same day, **February 1, about 14.00 there was the shelling of the Executive Committee of Debaltseve** but probably with other weapons — MLRS “Grad”. In the result of that shelling the Chief of the Headquarter assigned to the Joint Center of Ukrainian Armed Forces was wounded (at that time Joint Center was based in Debaltseve Executive Committee, it should be noted that by that time Russian military have left the town already, they moved to Soledar where the Joint Center locates now), and two civilians were also wounded⁵⁶. In addition, one of the buses was put out of action, it was used by State Emergencies Service of Ukraine for gathering people for evacuate namely from that place, 8 people from that bus were struck by shrapnel, which just was departing from the Town Executive Committee for Artemovsk. Before that two buses of State Emergencies Service of Ukraine managed to safely leave. According to the Chief Department of Ministry of Internal Affairs of Ukraine in Donetsk region, shelling took place at 14.50. 9 people were injured.⁵⁷

Oleksiy Korotkyi, born in 1948, was going to leave Debaltseve from City Executive Committee on February 1, exactly by the bus that was put down in the result of the shelling (he is a pensioner, native from Chornuhyno where his house was destroyed by a shell in January). “As soon as we departed from the Town Executive Committee — and the shelling immediately began. I do not know how our bus was not covered. Mines exploded nearby, I saw

these flashes. Bus was cut with shrapnel, window panes were shot out. The bus could not drive further because of the damage. We sat there for three hours. Out of 18 only six left, the rest of us were taken by the bus that was driving nearby. Some went on foot. Three hours later the bus of volunteers from Artemivsk arrived and took us six,” — says the man who at the time of the monitoring group visit was in the hospital of Chasiv Yar town of Artemivsk district (there he had the leg amputation, but it was a routine operation not connected with the results of the shelling). The man said that in the result of the shelling there were injured in the bus, although he was not injured.

Apparently, in the same bus with the previous interviewee, there was **Volodymyr Saltyn** (origin from Vuhlehirsk, who left the city earlier). As of February 1, he was in hospital N°2 in Debaltseve, having already the shrapnel wound to the head. He says that at the time of the evacuation of February 1 (which was announced by nurses) mines fall several times next to the hospital, the building was already without windows. About the evacuation itself the man says that mines fall near the bus, but did not hit transport. However, as a result the transport was put out of action and he was taken from Debaltseve by another bus. First he was taken to Artemivsk, but as there were no vacant places in the hospital, he was moved to Chasiv Yar, namely where monitors had met V.Saltyn.

The chief doctor at the town hospital of Chasiv Yar town says that for the period of battles for Debaltseve in the end of January and February 2015 15 people from among the civilian population with



Bus “Bogdan” that was shelled near the bomb shelter. Photo by Tim Zlatkin

55 www.censor.net.ua/photo_news/324148/nachalnik_gorotdela_militsii_debaltsevo_evgeniyi_yuhanov_pogib_pri_otrajenii_popytki_zahvata_zdaniya

56 www.osce.org/ukraine-smm/138616

57 www.facebook.com/Vyacheslav.Abroskin/posts/1416019025357434



injuries got as the result of battle actions were delivered to the hospital. At the time of the monitoring group visit 10 remained in the hospital (4 at the department of therapy, 6 at surgery department). Their injuries except the said man with the head wound, were not related to battle actions, but were related to extreme conditions in which people had to stay while there we fighting at Debaltseve.

At the time of our visit to **Artemivsk Central District Hospital**, last civilian wounded, who received injuries in Debaltseve, was just released. In general, as the **Deputy Chief Doctor on the Medical Work Gubskiy Ivan** said, from February 1 to March 2, 87 people applied to the hospital with injuries of varying complexity resulted by battle actions. However, not all of them – were affected at Debaltseve. For example, 9 got injuries due to the shelling at Artemivsk of February 15.

Monitors also managed to talk by phone with the **chief of the department of internal policy of the Debaltseve Town Council Oleksyuk Ivan**, who was involved in the evacuation. The man refused to meet personally, because of the time, but confirmed the shelling of transport by which the evacuation was to be carried out at the Executive Committee. He said he knew people who suffered as a result of the shelling, but they refuse to communicate (even by phone and even anonymously) because of the fear, because they intend to come back and continue to live in Debaltseve.

In the case of Debaltseve it should be underlined **the responsibility of the Ukrainian government for untimely arranged evacuation of vulnerable groups among the civilian population**. Since the end of January 2015 volunteer initiatives always stated the need for evacuation of the population. In particular, in one of the publications in the press on February 3 the civic initiative “Station Kharkiv” stated that there are 100–200 applies per day for help with the evacuation. Fifteen hundred applications were received during the week by “Ukrainian Frontiers” NGO. *“We work, but State doesn’t — said then the coordinator of “Humanitarian aid mission for civilians at zone of military conflict” Eugene Kaplin. — A month ago we said that Debaltseve soon will be at tense situation so far. Most people either sit in the basements, or try to go to relatives. The town has no*

water, gas, electricity, the bakery was blown up, commercial carriers do not work...”⁵⁸

A few days later the shelling of Debaltseve was intensified and on February 4 SMM OSCE called for creation of the “humanitarian corridor” for civilians could leave the territory under the fire⁵⁹. On February 5 the call to create the conditions for the evacuation of civilians from places of intense shelling publicly was supported by the UN General Secretary Ban Ki-moon⁶⁰.

As a result of further negotiations it was possible to arrange **“corridor” on February 6**, thanks to which a significant number of civilians were taken from the conflict zone (first of all — people with disabilities who are unable to move on their own) and who, fortunately, was not fired. According to State Emergencies Service of Ukraine for evacuation of people there were involved 25 buses, 2 armored vehicles “KrAZ” and 2 vehicles of “ambulance”. 753 people including 81 children and 3 persons who could not move independently were evacuated from Debaltseve, nearby villages Novohryhorivka, Comuna and Chervonyi Orach, Artemivsk district, town Myronivka and Avdiivka.

In response to the information request from the **CENTER FOR CIVIL LIBERTIES** State Emergencies Service of Ukraine reported that “humanitarian corridor” was organized on February 6 from 6.00 for three days. However, it was a management decision of ATO Headquarter. In fact, as you know, corridor operated only for one day – February 6. But even that day, according to volunteers who have performed evacuations IAG tried to provoke bloodshed. Volunteer **Diana Makarova** said: *“It was possible to agree on two hours cease-fire on the way Artemivsk — Debaltseve, after that for four hours — the town, and then again two hours — way. While we were driving to the town, the road itself was not shelled but from the side of “LPR” “tornadoes” flied (TALKING ABOUT MLRS “SMERCH” – EDITOR’S NOTE). In addition, overnight forces were pulled to Debaltseve: howitzers, curtain-sided trucks from Donetsk, armored units, SRGs. They began to assault the Ukrainian military positions on the outskirts, they had to shoot back.”* The shelling of the town on the day of the “humanitarian corridor” February 6 was also stated by ATO Headquarters⁶¹. At that “LPR” argued that Ukrainian forces opened fire on a convoy of civilians, who were

evacuated from Chornuhyno on February 6, which allegedly journalists of Channel “Russia 24” and Russia Today came under⁶². Because the area was currently occupied, the mobile group didn’t manage to check the reliability of this information.

In addition, Diana Makarova tells about an attempt of provocation near school №6, where there was one of the bomb shelters and whence volunteers also tried to take people. *“When we approached the school, there was a crowd of 150–200 people there, mostly women. Around there were small groups of men in black. It turned out that people were told that we have to bring humanitarian aid. The crowd was “wound”, we were greeted with shouts and threats. They began to surround us, jerk, accusing, shouting demanding to take the military away. We miraculously managed to calm them. Just wonder that the crowd didn’t tear us apart,* — says Diana Makarova, adding that she is sure — *it was an attempt of provocation.”*

An elderly woman with two daughters, who wished to remain anonymous, and who at the time of monitoring visit was in the hospital of Chasiv Yar town, moved out of Debaltseve on February 6 because they needed urgent medical care. Their entire street had already been evacuated (talking about the area of “8 Bereznia” street in Debaltseve). They hoped to the last to sit until it became known that the elderly woman needed urgent surgery. Volunteers took them from the house, after that evacuation was arranged from the Town Executive Committee. They confirmed that they were able to leave the city without obstacles. This family was lucky, because they didn’t know about the announcement of the “humanitarian corridor” as they didn’t have access to any means of communication. They knew about the possibility of leave by chance.

It is rather difficult to prove the intent on obstructing the evacuation. However, the relevant motivation may be indicated, for example, by the following situation. As you know, February 6 Debaltseve “humanitarian corridor” for evacuation was organized in two directions: to Artemovsk controlled by Ukraine and to Donetsk controlled by IAG (20 buses, according to “Ombudsman of DPR” Daria Morozova). In the end, 766 people left in direction to Artemivsk and 42 in direction to Donetsk. According to the volunteers who organized the evacuation, next day from the part of Russian participants

58 www.m.day.kiev.ua/uk/article/cuspilstvo/yak-organizuvaty-systemnu-evakuaciyu

59 www.radiosvoboda.org/content/article/26830562.html

60 www.112.ua/politika/gensek-oon-prizyvaet-sozdat-v-debalcevo-gumanitarnyy-koridor-184882.html

61 www.glavred.info/zhizn/boeviki-narushili-dogovorenosti-o-gumanitarnom-koridore-utrom-obstrelyali-zhilye-kvartaly-debalcevo-302172.htm

62 www.vesti.ru/doc.html?id=2333769



of the Joint Center there were remarks that, they said, the Ukrainian party almost forced people into buses. Openly there were also accusations that the Ukrainian party “didn’t notified residents about the possibility to go to the DPR.” These accusations seem groundless to us, we have not met any evidence, while people who moved to Artemivsk on February 6, said that evacuation to that area seemed safer for them. Volunteers believe that through such blatant unpopularity of “Donetsk direction” in the next days of ‘humanitarian corridor’ mode was broken by the IAGs.

One of a displaced from Debaltseve also told to monitors about the rumors as if during the battle for Debaltseve in February, many people were killed on the railway line, which they crossed in order to leave the town. “It seems that the snipers were killing people when they tried to get out of the town across the railway line. Everyone was afraid to go there.” However, none of our other interviewees confirmed this information, sniper activity was not observed in Debaltseve.

The following days it occurred not possible to arrange any “humanitarian corridor” from Debaltseve to other Ukrainian towns.

February 8 State Emergences Service of Ukraine reported that “the evacuation of citizens from the towns Avdiivka, Debaltseve, as well as located near settlements (Novohryhorivka, Comuna, Myronivske, Krasny Pahar, Chornuhyne), as it happened in previous days, was not carried out in connection with active battle operation. The management of antiterrorist operation to ensure safety of people did not allow KrAZ vehicles and buses that were scheduled for evacuation to mentioned settlements.”

In total, according to the Agency in response to an information request from the **CENTER FOR CIVIL LIBERTIES**, of January 28 about 5000 people, about 1 thousands of whom were children were evacuated by rescuers and volunteers and left on their own from settlements of Donetsk region, which were in the line of fire. According to the

published report in early March, the Office of the High Commissioner for Human Rights of the UN, illegal armed groups reported 1,100 evacuees, mostly elderly and children from Vuhlehirsk and Chornuhyno and adjacent areas to the territory under their control.⁶³

In response to a request for information State Emergences Service of Ukraine said that in the period from January 22 to February 9, 2015 the displacement was carried out by a structural subdivision of State Emergences Service of Ukrainian, State Enterprise “Mobile Rescue Centre”. The Agency also gives the chronology of the displacement and the number of displaced persons. During that evacuation there were involved 28 buses of different models (presented by the local authorities) and 2 armored special operational and medical vehicles on chassis KrAZ-5233 (from the State Enterprise “Mobile Rescue Centre of State Emergences Service of Ukraine”), which came to certain places of gathering and evacuees were loaded and performed transportation in the opposite direction.

Among representatives of the State Emergences Service of Ukraine there are also victims of attacks. One of them got shrapnel injuries of hands, the other got concussion – rupture of the eardrum. According to State Emergences Service of Ukraine, it happened due to mortar fire on February 1 (probably it is about the first described case near the bomb shelter). In addition, “because of mortar attacks near the city Debaltseve and performing of dangerous maneuvers to escape from under fire area during evacuation of people” armored special operative and medical vehicles on chassis KrAZ-5233 were partially damaged. This happened despite the presence of identification marks. State Emergences Service of Ukraine notes that all the equipment, owned by the Agency has the appropriate marks⁶⁴.

Volunteer Oleksiy Fedchenko from the Protestant community who was engaged into evacuation of civilians

from the cities of Donetsk and Luhansk regions, said that, on the one hand, for the entire time that he was engaged in the evacuation of people he never hear about are full “humanitarian corridors” for “regime of silence had never adhered to.” Actually, he said, no one was waiting for the “humanitarian corridors”, they evacuated people despite the shelling. Oleksiy did not conduct any negotiations with the IAG as for the safe evacuation of civilians. He doesn’t consider it appropriate, since “the territory is controlled simultaneously by several groups and it is impossible to agree with all,” he said. Volunteer says that the greatest number of people in need of evacuation in those periods when there were the most intense battles (600–700 people a day) during periods of so-called Truce initiative took out about 70 people per week. Total for the entire period of armed conflict in Donbas Protestant community states about evacuation of approx. 55 thousand people by there own efforts.

Monitoring of local Debaltseve online forums may indicate that at the time of termination of evacuation there still were left a lot of people who wanted to leave the war zone. **There is, for example, the following message of February 17:** “Both sides claim that there are no civilians wishing to leave the territory of Debaltseve. This is not true. It is not possible to carry out the evacuation because of shelling – this is the fact. But there is a lot of willing to leave. People didn’t move away since they hope to the last moment for the better, besides, in addition they were afraid to be killed under the shelling during the evacuation. I ask, volunteers and caring people, we must unite and do everything possible to ensure that civilians were given the opportunity to leave the sector without danger to life.”

However, starting from February 7 Debaltseve for representatives of the Ukrainian government and the most of the volunteer groups was not available through the occupation by IAG.

63 As State Emergences Service of Ukraine informs, from February 1, 2015 in the Donetsk region there were launched 2 additional transit points for meetings of IDPs in cities Sloviansk and Kostiantynivka. 4733 people addressed these points. Also by the efforts of State Enterprise “Mobile Rescue Centre of State Emergences Service of Ukraine” during February 18-19, 2015, at Artemivsk city there was deployed a meeting and reception point for evacuated from ATO area, which 20 people addressed for help. Overall, from June 6, 2014 State Emergences Service of Ukraine actively deployed 7 transit point for meeting people in Donetsk, Luhansk and Dnipropetrovsk regions: in cities Krasnoarmiisk, Volnovakha, Mariupol, Svatove, Lyschansk, Schastia and village Orly. Currently there are transit points of meeting in city Krasnoarmeysk of Donetsk region and Svatove of Luhansk region and also on the basis of State Emergences Service of Ukraine in Luhansk region there were deployed 6 points for a temporary stay of evacuees from Luhansk region. As of March 24, 2015 to transit points in the cities Sloviansk and Konstantinovka of Donetsk and Svatove Luhansk region 8 thousand 721 person addressed and registered.

64 Marking vehicles belonging to State Emergences Service of Ukraine and which carried out the evacuation of civilians are as follows: “direct equilateral cross with diverging ends of orange and gold (yellow) borders. In the center of the image there is the Symbol of the Princely State of Volodymyr the Great of gold color on a blue field framed with a wreath of oak leaves of golden color. On the cross sides there are the images of equilateral triangles of blue color directed to the center of the emblem, between cross sides there is stylized image of flames of orange color with gold (yellow) borders. In addition, transport that has been involved in evacuation of people from abovementioned settlements had specific marks of transportation of evacuees (white flag), and special armored operative and medical vehicles on chassis KrAZ-5233 painted white with drawings of the international marks of sanitary and medical services (Red Cross) on both sides and the relevant inscriptions “Medical Ambulance”



4. SHELLING OF AMBULANCE VEHICLE NEAR LUHANSKE

APPROXIMATELY BETWEEN FEBRUARY 7 AND 13, 2015

Few details are currently known on the evacuation of people from the line of towns Mironovskyy–Luhanske–Svitlodarsk. Meanwhile, in the social network appeared the photo of ambulance vehicle suffered under the shelling on the roadside near the village of Luhanske. It was placed **by an international journalist Alec Luhn on February 15**. The journalist himself informed the mobile group that this car was struck by fire before February 15, as he saw it a few days before he made the picture when drove past that place for the first time.

Alec describes that the car was on the western part of the road that goes south from Artemivsk to Luhansk. Photo was taken near Luhanske. Since the car was on the part of the road, which is under control of Ukraine, it can be suggested that the shelling was carried out by the IAG. This was not the only car with traces of fire, which was on that road, said the journalist. He also gave us another photo of shelled transport, however, vehicle, fixed there was of military trucks

From the volunteers we have heard about civilian cars with traces of shelling on the side of the road.



Fragment of Twitter page of Alec Luhn

5. CHORNUHYNE, OBSTRUCTION OF EVACUATION OF CIVILIANS

FEBRUARY 10, 2015

According to **Assistant of Governor of Luhansk region Gennady Moskal Svyatoslav Galas** the biggest problems at the moment

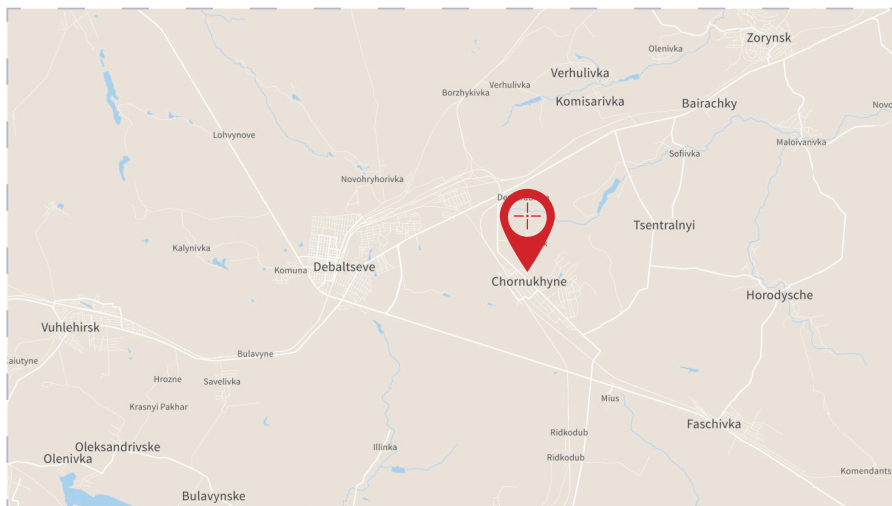
of escalation of the situation in the area of Debaltseve arose from evacuation of people from village **Chornuhyne** (Luhansk region, Popasna district, in peaceful times there lived about 6000 people there), which

during intense battles for Debaltseve was occupied by one of the “Cossack” groups. At the beginning of February, in order to evacuate civilians from Chornuhyna there were conducted the negotiating with IAG



on opening of the “corridor” with involving to the negotiation process Russian officers from the Joint Center. Logistics and transport was provided by Luhansk Regional State Administration. There was appointed a day for evacuation – February 10. However, there was no chance to carry out the evacuation of several hundred people who were going to leave, because of blocked transport. This story is detailed on the website of Gennady Moskal, it was also confirmed by S. Galas during a personal meeting in Severodonetsk.

“At 7 A.M. we went to Chornukhyne from Severodonetsk, but managed to get to the crossing at Mironovsky (Donetsk region) only, which is 15 km from Debaltseve. Now there is the last checkpoint of Ukrainian security forces there controlled by soldiers of the Department of Internal Affairs Ministry in Donetsk region. Nobody is allowed to go further than the checkpoint by on highway, as long as Lohvynove village, which is located nearby, is blocked with armored vehicles and manpower of militants. The highway is constantly shelled with “Grad” and artillery... Chornukhyne and Troitske, which were in the theater of battle actions around Debaltseve were completely blocked. It is possible to evacuate people from there only in the direction of so-called LPR. Now village people who can move independently, leave Chornukhyne on foot and go to the direction of the occupied territories”, – said the head of the Luhansk Regional State Administration Gennady Moskal ⁶⁵.



S. Galas believes that the reason for the failure of the evacuation was in the lack of coordination between different groups of IAG and inconsistency of their actions, “Chornukhyne was just on the administrative border between the Donetsk and Luhansk regions, and there were a lot of parties involved. It seemed as if everything was agreed, and then they went out with tanks – and that’s all.”

Although this was not the focus of attention of the mobile group and this issue needs to be reviewed in a separate report, but it is worth of noting also the problem of evacuation of people from places of unfreedom, it is also accented in the mentioned report of the Office of the High Commissioner for Human Rights of the UN. In particular, **the story about**

the shelling of penal colony №23 of medium level of security for men in the village Chornukhyne from where at the beginning of intense battles 375 people were not evacuated (and this should be considered the responsibility of the Ukraine). Together with prisoners of other colonies of Luhansk and Donetsk regions, in fact, they were held hostage. According to the Kharkiv Human Rights Group, as of now 28 of 36 institutions of State Penal Service of Ukraine of two regions are at the temporarily occupied territory and this is from twelve to fifteen thousand people⁶⁶. The exact number of prisoners who died due to shelling and while trying to escape to the territory controlled by “LPR” (as reported earlier with reference to one of the prisoners) is currently unknown.

6. ZHOLOBOK, OBSTRUCTION OF EVACUATION OF CIVILIANS JANUARY 2015

From an Assistant of Governor of Luhansk region monitors also received confirmation of information about the case that, as previously reported, occurred on January 28 between 29 (Ukrainian) and 31 (captured by IAG) checkpoints near the village Zholobok (Popasna

district, Luhansk region). A journalist Sergei Ivanov⁶⁷ was the first who reported about that case. According to Minsk agreements Zholobok was in the “buffer zone”. When the settlement was blocked by IAG and regular Russian troops, some people expressed their wish to leave. Volunteers negotiated on the “corridor” for them for

several days. After several days delay civilians finally left the village by two cars, one of which blew up on a fougasse nearby the Ukrainian checkpoint № 29. The initial report of the journalist Sergei Ivanov, with the reference to the military said that the fougasse was radio-controlled (at the exit from Zholobok the car was inspected by

65 www.moskal.in.ua/?category=news&news_id=1474

66 www.khpg.org/index.php?id=1423827575

67 www.news.liga.net/news/politics/4908345-pod_29_m_blokpostom_kazaki_vzorvali_avtomobil_s_zalozhnikami.htm



The vehicle damaged in result of fougasse explosion. Photo from Facebook page of Sergey Yevremov (www.on.fb.me/1DU4CYY)

“Cossacks”), and the aim was to blow up the Ukrainian checkpoint. According to Assistant of H.Moskal, one of the victims was a retired professional military, whom

he personally talked with, said that it was namely the fougasse that exploded, but not the other explosive device. However, S.Galas is not ready to confirm the fact that the fougasse was radio-controlled.

People who were in the car were seriously injured (one man lost one leg and the second leg was broken, the woman was delivered to intensive care, the third passenger got not such serious injury). When communicating with the governor, they, according to S. Galas, confirmed that before the evacuation they were forced to stay in the village for two days and were not allowed to leave. One of the passengers, a



The vehicle damaged in result of fougasse explosion. Photo from Facebook page of Sergey Yevremov (www.on.fb.me/1DU4CYY)

retired professional military, suggests that the IAG therefore tried to protect themselves from the leak of information about the location of their military equipment.

7. COSSACK VILLAGE Luhanska, OBSTRUCTION OF EVACUATION OF CIVILIANS

MARCH 17, 2015

One of the most notable cases that may indicate IAG policies aimed at blocking the evacuation of civilians, has to do with quite recent events. It happened on **March 17, 2015 at the checkpoint near the Cossack village Luhanska**, which was at the so-called buffer zone and was established in accordance with the provisions of the Minsk agreements. **Victoria Ivleva** was detained there⁶⁸, a Russian photographer, a volunteer who had been involved for nearly a year into evacuation of civilians from the temporarily occupied territory. By the group with several other volunteers, **they tried to take out of Luhansk region the group of 45 people (mostly residents of Alchevsk), most of whom were women with young children – from several months to 12 years.** Victoria Ivleva, whose voluntary activities, according to her own words, were known to “LPR”, was detained at the checkpoints around 14.40 and kept for 4 hours, and the bus was taken under convoy of “LPR KGB” and brought to the former building of Luhansk Regional State Administration.

As Victoria Ivleva told to the monitoring group, she was detained by two persons with IDs of “Great Don Troops” and with the corresponding patches (as it is known, it is one of the most active “Cossack” IAG acting in the temporarily occupied territory and in addition practicing mass kidnapping of civilians with the use of tortures and abuse to them, mobile group participants repeatedly used to interview such people). One of them introduced himself as a local forester “Nikolai Ivanovich Kuzmin,” he took photos of all papers of Victoria (including lists of people who wish to leave) which later, in her own words, simply were stolen from her. The second man introduced himself as “Rustam Hohol.” Victoria suggests that he was a resident of Cossack village Luhanska or settlements nearby. The volunteer convinced that these people did not make decisions alone, that her detention was not their own initiative. Holding her at the checkpoint, they always went out and called to someone. In addition, Victoria claims that they had the order for detention of namely that volunteer group, having details of the group including

the personal data of its members (names, phone numbers). She suggests that personal information could be obtained by representatives of IAG through the SMM OSCE (that fact was not commented by the international organization).

While staying at the checkpoint being de facto a hostage Victoria didn’t get any charges from the representatives of IAG. However, when she called to the “deputy of ‘LPR’” Olga Kobzeeva, whom she contacted earlier, and expressed dissatisfaction with the behavior of people with weapons, the “deputy” began to threaten her, saying that “would get even in Moscow.”

Later it was found out that volunteers in the local media have already been announced “kidnappers.” In particular one of the articles says the following: “LPR restrained the attempt of kidnapping of Kiev Hunta” referring to “LuhanskInformCenter”, which cites the “the LPR Council of Ministers Deputy Chairman” Vasily Nikitin⁶⁹.

When the bus with people arrived to Luhansk Regional State Administration, the women with children were already waited by local television. On the same day the story that Ministry of State Security of

68 www.kp.ua/incidents/494824-smy-lnr-ne-pustyly-v-ukraynu-avtobus-s-zhenschynamy-y-detmy

69 www.mianews.ru/2015/03/18/v-lnr-presechena-popytka-poxishheniya-detej-kievskoj-xuntoj/



LPR managed to restrain the mass kidnapping went on the air⁷⁰.

Victoria Ivleva said that people who express a wish to leave occupied territories temporarily controlled by “LPR” are intimidated and are told outright lies about what is happening in the territories controlled by Ukraine. Personally against Victoria Ivleva, in fact, there was launched an information campaign. Residents of temporarily occupied territories are shown pictures of mutilated human bodies, affirming that it was the work of Victoria. That campaign is also proved by social networks.

“These people were taken into slavery. The criminals planned to take away their documents and to force them to take part in illegal beggary business. The ethnic criminal groups are checked for any involvement in the crime” – is said at the post of Vkontakte account “Synopsis of Novorossyia militia”⁷¹.

Moreover, there was the information in mass media that in “LPR” they seems to intend “to institute criminal proceedings” against Victoria Ivleva. However, the volunteer is not aware of such fact.

In the air on Civic TV one of the evacuees from Alchevsk women (although she left earlier) noted that *“it is not true when they told that we are taken into slavery.”* So, apparently, at areas controlled by the IAG they on purpose spread rumors that people are displaced to control by Ukraine territory not for the purpose of evacuation, but for “slavery.”

This information was confirmed during our conversation with the woman, who could not leave on March 17, but who was evacuated later together with her family. At the moment these people, according to our information, are safe in one of the places of compact residence

in Zaporozhye. **Elena Moroz, born in 1975, resident of the city Alchevsk**, on March 17, tried to leave temporarily occupied territory (“of despair”) together with the family of three children (1994, 2001, 2003 year of birth) and 9-month-old granddaughter. *“When we arrived to Cossack village Luhanska checkpoint, we were immediately told that the bus with children would not be allowed to pass. At the checkpoint the Chief approached the bus, but he did not speak with us, but with the driver. He said that they were warned that this bus takes women in prostitution and slavery, and children for organs and that we allegedly were taken by force. Although we were not, we ourselves wanted to leave... When we arrived to Luhansk, the reporters were already waiting for us, we were given baby food and dry snack.”*

8. SHELLING OF AVDIYIVKA DURING EVACUATION OF CHILDREN JANUARY 2015

In March, the Head of the Chief Department of Ministry of Internal Affairs of Ukraine in Donetsk oblast Vyacheslav Abroskin mentioned on his FB page that workers of regional chief department had to take out children from Debaltseve under fire⁷². At the **Department of Juvenile Criminal Militia of Ministry of Internal Affairs of Ukraine in Donetsk region** they specified that it was said about the period (January 2015) when their staff had to deal with displacement of children from the cities of Donetsk region, which were subjected to systematic shelling. Namely: January 5 – 58 children were taken out from Debaltseve, January 24 – 34 children were taken from Avdiivka, January 25 – 68 people were displaced from Mariinka and Krasnohorivka, January 26 – 8 children previously displaced from Debaltseve were brought back to Debaltseve on the request of families, while 8 were evacuated from the city.

According to **Head of the Juvenile criminal militia department of Ministry of**

Internal Affairs of Ukraine in Donetsk region Vitaly Bodnaruk, January 24 during the evacuation of children from Avdiivka there was the shelling of the town outskirts, while in the center children were gathered for further evacuation. **And January 25 the powerful bombardment of Mariinka and Krasnogorovka with heavy artillery was carried out** (Krasnogorovka in greater extend) just during the evacuation of children from the town. Fortunately, no injuries, none of shells aimed the transport.

However, Vitaly Bodnaruk stresses that each time during preparation of children evacuation the Management of Regional Militia informed as widely as possible on the campaign of Displacement in mass media, social networks, OSCE representatives, NGOs, and members of IAG and requested to provide “quiet mode”, i.e. cease fire for safe removal of children. Nevertheless, says V. Bodnaruk on **those days shelling of towns on the contrary was intensified.**

Thus, Juvenile Criminal Militia Department of Ministry of Internal Affairs of Ukraine in Donetsk region say that there were no cases of aimed fire on columns, which transported children for evacuation.

According to the **workers of the Department managed by V. Bodnarukom**, residents of Avdiivka, Mariinka and Krasnogorovka addressed Chief Department of Ministry of Internal Affairs of Ukraine in Donetsk region asking to provide the evacuation of their children because of a difficult situation with shelling after they knew about evacuation of children from Debaltseve (by prior agreement, children were taken to recreational areas of Dnipropetrovsk region, talking about children who are deprived of parental guardianship). Forming lists of willing was made through the departments of education and social services, anyone could be registered. The evacuation of children to the recreation area in Dnipropetrovsk region was accompanied by “parent councils” (formed by the parents of several children), as well as militia officers.

70 https://vk.com/wall8816425?z=video8816425_171326993%2F94a4c26366b51c99b9

71 https://vk.com/wall8816425?z=photo8816425_359556516%2Falbum8816425_00%2Frev

72 www.facebook.com/Vyacheslav.Abroskin/posts/1438332683126068?notif_t=notify_me



9. USING EVACUATED CHILDREN FOR PROPAGANDA PURPOSES

However, the situation with evacuated children from Debaltseve of January 5, 2015 can be seen as another attempt of IAG to use children as a propaganda resource. At the beginning of January, Chief Department of Ministry of Internal Affairs of Ukraine in Donetsk region offered parents of Debaltseve to take their children to Dnipropetrovsk region. According to **Vita Andronova**, who has since that time accompanied the children and constantly was together with them, first they had to come back on January 25. But as it is known, right at that time in Debaltseve massive shelling started which caused death including children. Therefore, parents were suggested to leave the children in Dnipropetrovsk region for a longer period. 8 families out of 52 decided that their children have come back to Debaltseve. In their place other 8 children were brought whose parents expressed a desire to have their children displaced from the war zone. There were no obstacles created for taking the children back. *“Everything was fine until the fighting on Debaltseve ended. Then someone decided to hype himself or to solve own issues on the account of that story — suggests V. Andronova — In the end everything was distorted in the media.”*

V. Andronova implies story that was aired the day after the return of 8 children, March 30 in the central Russian “Channel 1”. The main subject of the story was that these children allegedly were detained by force and under various pretexts were refused to be brought back to parents. Correspondent reports: *“And now the long-awaited meeting is in a minute. Everything reminds procedure for the exchange of prisoners. Straight road to the west of Donetsk. The column from the one party, the column from the other. The transfer of children takes place at neutral territory between two checkpoints on the one side there is a Ukrainian checkpoint on the other — the militias. After three months of separation children are together with their parent again. Hugs and smiles and tears. They want to talk about lots of things, but it is not the best place to communicate.”*⁷³ This message was immediately spread by mass media of “Novorossyia”.

Apparently, no wonder the journalist mentioned the *“procedure for the exchange of prisoners,”* because it was the story told to parents of children: so to say your children were exchanged for 16 Ukrainian prisoners. This was told to monitoring group by phone by a **woman named Irina Kravchenko, who now lives in Debaltseve**. Her 13-year-old son Mykola was one of 8 children who were brought back to Debaltseve on March 29. We report the text of our telephone conversation with a woman as close to the original dialogue as possible (conversation was in Russian).

We were offered to send children for rehabilitation. Who was the sponsor of all of this we did not know — says Irina. — They had to come back to Debaltseve on January 25. On January 19 here, of course, strong shelling began. On January 22 General (TALKING ABOUT THE HEAD OF THE CHIEF DEPARTMENT OF MINISTRY OF INTERNAL AFFAIRS OF UKRAINE IN DONETSK REGION V.ABROSKIN — EDITORIAL NOTE) suggested because of that situation to keep children longer, because where to take them at that time? At that time it was really dangerous to bring them back — there were shellings in the city and on the road. We agreed. Everything was fine, they stayed at the same rest-home. Then parents started to ask when their children would be brought back, and they said, come to take them yourself if you need. And we can't come out there, you need to have a pass, because it is the territory of Ukraine, the “foul-up” started. And they move them from that rest-home to some other one. They brought them there, conditions were awful there, the child said — dirty, they brought us God knows where. They all began to complain, the general representative arrived and transported them to the orphanage in Nikopol. It was terrible. It's not that they were on their own, the boarding school is the boarding school they humiliated them there... We started to apply to all institutions: how to take the children, it was a problem for us. March 17 (ACTUALLY MARCH 29 — EDITORIAL NOTE) hardly managed to take, thanks God, all helped us. Red Cross, and from Donetsk they helped us that we had taken them away. And with the bus they helped us...

As for the passes. Have you been offered to arrange them following usual procedure?

They say, make the pass and go to take them away without problems, it was, they say, Ukraine when we took them, and now we can not do anything. Make a pass for yourself and go to take away there are no problems... But it's all money, it's all time. It is not given for nothing. You need to wait for two months, and who wants to make it quickly they ask 1000 hryvnia for it, for these passes.

Where asked?

They called there. Well, I do not know. There's one mother, she dealt with all that. She says she was called and they offered: if you want to have it done quickly — a thousand hryvnia. And I say what a thousand hryvnia? Now such time, you do not know... Then it is not clear in what perhaps bypass way we took our kids.

You say they were insulted there. Where?

In Nikopol. They were not on their own there, there are many children there. Age is different. There were many children of all of those, from all over Ukraine. And so I say thank you to all those who helped us, even took... And in the same manner there are three children left there, they didn't let back three children.

This is another story, there is no legitimate reason to give them. This is another subject.

Yes-Yes.

Did you have a one child there?

Yes, only one. A boy of 13

And now, does he go to school?

Yes, we have the school opened just yesterday, everything is fine with us. And now there are so many problems, we have a disaster in the city. The city is very affected, the water is still not supplied. Electricity, of course, was supplied, but the water no one knows when. There are lots of breakouts everywhere. But we hope for the better. What we have experienced... I say, on the one hand, it is good he was not here, because what was going on here... But they've seen everything on television and the Internet, and if he had been here, it could just drive mad. It was awful.

73 www.1tv.ru/news/world/280728



Did you leave?

No, we stayed here.

What was the date when your son came back?

27 or 28... Last week (IN FACT IT WAS MARCH 29 — EDITORIAL NOTE). For a month we were walking. There is hardly such a place where we didn't applied to, correspondents came and the Red Cross came. We are contacted everyone. Daria helped us in Donetsk, who deals with the rights of prisoners of war (TALKING ABOUT SO-CALLED "DPR OMBUDSMAN" DARIA MOROZOVA, WHO ALSO APPEARS IN THE STORY OF "CHANNEL 1" — EDITORIAL NOTE) I do not know whether it's the truth or not, but they say they exchanged 16 prisoners of war on our 8 children. I say it's a horror...

In the story of I.Kravchenko it is necessary to pay attention to several points.

First, as to involvement of the Red Cross. The fact that the Red Cross helped to "return children" was told both by "Channel 1", and by our interviewee. However, the International Committee of the Red Cross assured us that they did not participate at the negotiation process and in the transfer of any children. "Let us inform you that the International Committee of the Red Cross was not involved in this case. Therefore we can not comment on information contained in the article," — told us at the ICRC.

Second, the woman in the end admits that it was not so bad that her son was out of the town at the time of fire.

Third, voiced story of "exchange of 16 prisoners to 8 children" represents the woman as a victim of propaganda.

Fourth, about the passes: the woman refers to "one mother", who learned the details of making a pass and who allegedly was announced the charge of thousand hryvnas. We know that the problem with the system of passes exists and bribes and corrupt schemes in the system are likely to exist as well, however, Chief Department of Ministry of Internal Affairs of Ukraine in Donetsk region claims that it was ready to grant passes for the parents of children under the simplified procedure, and it is unlikely a lie taking into account the publicity that received this story. And yes — Ukrainian law enforcement representatives since the moment of occupation of Debaltseve by representatives of IAG really do not have access to the city.

Fifth, obvious deliberate or caused by the influence attempt to present wishful for Russian propaganda thinking as the true one. The issue is that three children allegedly "were not given back" (AGAIN, IT WAS PICKED UP BY RUSSIAN "CHANNEL 1"). In fact, it is about children under the care of state and whom the state is responsible for, and the request to bring them back came from the woman having the status of mother-educator living in Debaltseve. The militia men did not have the right to bring them back to the territory outside the control of the government⁷⁴.

Finally. Humanitarian organizations that conducted visits to children from Debaltseve, refuse to comment information concerning living conditions due to reasons related to their activities and mandate. However, the escort Vita Andronova convinces that expressed information about inadequate conditions is false.

Chief Department of Ministry of Internal Affairs of Ukraine in Donetsk region considers the way the story was presented on Russian TV, a provocation. They do not rule out the possibility that parents were pressured in order to use them and their children in propaganda campaign and information war.

We should note that the **use of children in propaganda purpose** is one of the features of the armed conflict. For example, at the beginning of June 2014 to the center of social and psychological rehabilitation of disabled children in Kratomorsk subordinate to Ministry of Social Policy was visited by armed representatives of IAG together with journalists of Russian channel "NTV". They warned management of the center that next day they are going to shoot the story of how children are hiding in the bomb shelter, although the city has not been under attacks yet. Then management of the institution and local social service organized secret evacuation of children because of which the director of the center and local officials were called for "the investigation" and accused of kidnapping children⁷⁵.

74 Head of the Chief Department of Ministry of Internal Affairs of Ukraine in Donetsk region V.Abrovkin comments this in the following way: "The request of mentioned mother, who sent three of the four adopted children for evacuation from the fire area, was denied. Under the law, they are on full state support, and she is only the mother-educator, receiving monthly payments from the state for each child. In this case, the competent authorities should have full access to observe the holding of children. Taking into account that the woman lives on the territory temporarily occupied by militants, representatives of the Ukrainian government can not fulfill this requirement, the same as will not be able to help children if necessary. Officers offered "mom" either to move to the territory controlled by Ukraine and continue bringing up children or to terminate the contract of their bringing up. The woman refused both options. As of now children remain in Dnipropetrovsk region." www.facebook.com/Yyacheslav.Abrovkin/posts/1438332683126068?notif_t=notify_me

75 www.gazeta.zn.ua/socium/operaciya-evakuaciya-gosudarstvennye-deti_.html



10. OBSTRUCTION OF EVACUATION OF NEUROPSYCHIATRIC BOARDING INSTITUTION IN SLAVYANOSERBSK

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In the 9th UN report it is told about complicated evacuation from social institutions, particularly for the elderly and bedbound disabled people. Often, as it said in the report, they do not agree themselves for the displacement, however, “members of armed groups have repeatedly stated that will not allow evacuating people from such institutions to areas controlled by the government.” This tend can find plenty of evidences.

In such a way, the volunteer Victoria Ivleva tells about one more case of blocking evacuation by the IAG representatives from the **Neuropsychiatric Boarding Institution in Slavyanoserbbsk (district center in Luhansk region)**. “LPR” refused to evacuate people starting from there last year. “In January Slavyanoserbbsk again came under fire. Then they decided that they will evacuate bedbound patients to Anthracite, which is in 100 kilometers, opposed to territory controlled

by Ukraine that is just a few kilometers away – says Victoria. – They decided that they will move them to home for elderly people, and most of its inhabitants will be appointed to other residential institutions. But when they realized that in order to move bedbound patients the ambulance has to make 50 trips, they changed their mind to evacuate. “In such way, residents of Neuropsychiatric Boarding Institution have not been evacuated from the zone of armed conflicts and potential armed escalation.

11. OBSTRUCTION OF EVACUATION OF PUPILS OF KRASNODON REGIONAL ORPHANAGE BOARDING SCHOOL AND ROVENKY REGIONAL ORPHANAGE BOARDING SCHOOL 2014–2015

According to the Office of the Ombudsman of Ukraine, today in the ATO area there are 126 pupils of Krasnodon Regional Orphanage, 80 of whom are – children. Most of pupils of the institution are seriously ill (so called 3–1 and 4 profile) and they can not move independently. In addition 195 pupils of Rovenky Regional Orphanage, 27 of whom are

children (in this case they are of 2nd profile, i.e. people who can move independently) are not evacuated. Starting from the last year and till now IAGs are engaged into effective control of the territory of settlements Krasnodon and Rovenki (Luhansk region.) obstruct the evacuation of children of mentioned boarding institutions. Without such consent and the mature agreements it is in fact, impossible to

displace people who because of their serious condition require evacuation by “ambulance” (and not by ordinary buses). Among other things, this puts Krasnodon Regional orphanage and Rovenki regional orphanage on the edge of a humanitarian catastrophe. Food (and some individuals need special food due to the specific diseases), medicine and humanitarian aid in general they received only from volunteer organizations.



Next, we present a brief chronicle of attempts of illegal forced displacement (i.e. in fact kidnapping) of children from child care institutions of Donetsk and Luhansk regions to the Russian Federation.

It should be noted that such attempts wave triggered to a great extent by untimeliness of the decision of the Ukrainian government to displace children from the ATO area. Because of this, they, in fact, were also held hostage. According to the Office of the Commissioner of the Verkhovna Rada (the Parliament) of Ukraine on Human Rights, of June 2014, the representatives of IAG of “DPR” and “LPR” demanded from local authorities information about orphans and children deprived of parental care, references about their health and written consent of managers of children care institutions for their displacement to the Russian Federation.

- **June 12, 2014** the bus with 25 children from the town. Snizhne, Luhansk region, was intercepted by IAG on the way to Dnipropetrovsk region and taken through the checkpoint “Dovzhanskiy” controlled by IAG to Rostov region of the Russian Federation. However, the next day it was announced about the return of the bus with children to the territory of Ukraine. Thus, the European Court of Human Rights ordered to Russia to immediately return abducted children from Snizhne to Ukraine.
- **June 15** Ukrainian Ombudsman Valery Lutkovska informed that “representatives of the so-called Donetsk People’s Republic seized lists of orphans and try to take Ukrainian children from Donetsk, Horlivka, Kramatorsk, Yenakiyev, Donetsk region away from Ukraine on the pretext of rehabilitation.”

- **June 24** armed representatives of IAG prevented the evacuation of children to Kharkiv region from one more childcare institution of Kramatorsk – it was orphanage “Antoshka”. “Once we wanted to take the children away, the armed men came to us... and announced that the Kramatorsk city, Donetsk region is in the state of war with Ukraine, that it is an enemy state and we have no right to send children to the enemy state”, – said the doctor of the child care institution Anatoly Romanov, who was threatened by armed persons in case he tried to carry out the evacuation.⁷⁶ “The negotiations were conducted constantly. Five to seven times a day, terrorists had changed their terms – told about evacuation the Adviser of Minister for Internal Affairs Zorian Shkiriyak. – When the agreement was allegedly reached Hirkin and Abwehr, who then were in Sloviansk, flatly refused to release the children. After all, children were evacuated, but no in organized column. They were taken by one vehicle, one or two in a few times. And once, according to our operative information, it was planned to shell the vehicle with a grenade launcher, to present everything later as the occasional shell from the Ukrainian side. Off the hook...”⁷⁷.
- **July 4** MFA of Ukraine appealed to the competent authorities of the Russian Federation with the requirement to prevent unauthorized

crossing of Ukraine-Russia border by 206 pupils of Amvrosievsk, Maryinsk and Donetsk boarding schools; July 11 – 53 pupils of Maryinsk boarding school; July 13 – 150 pupils of Maryinsk and Donetsk boarding schools⁷⁸.

- **At night of July 21–22** 36 children from Maryinsky boarding school №3, who were retained for two weeks with the children from the boarding school №1 of Donetsk city, were managed to be take from ATO zone to Sviatohorsk⁷⁹.
- **July 27** 61 orphan children returned to Ukraine from Luhansk city, who were illegally displaced into the territory of Russian Federation⁸⁰.
- **July 28** the National Security Council reported that “in Donetsk region they continue to hold 135 sick children from Donetsk city and regional orphanages and Makeyevka orphanage “Maliatko” where HIV-infected children stay. Militants categorically forbid to evacuate children from ATO area”⁸¹.
- **August 8** IAG kidnapped 8 children aged from 8 months to 2 years, inmates of an orphanage who were hospitalized in one of the hospitals of Luhansk. They were forcibly and illegally displaced by armed persons across the state border crossing point Izvaryne, Luhansk region to Rostov region. August 13, they were transferred to the Ukrainian Commissioner and the chief doctor of the orphanage in Donetsk town of Rostov region⁸².



76 www.youtube.com/watch?v=IXdoZEMPMhE

77 www.gazeta.zn.ua/socium/operaciya-evakuaciya-gosudarstvennye-deti_.html

78 www.gazeta.zn.ua/socium/operaciya-evakuaciya-gosudarstvennye-deti_.html

79 www.ombudsman.gov.ua/index.php?option=com_content&view=article&id=3885:2014-07-24-09-11-11&catid=14:2010-12-07-14-44-26&Itemid=75

80 www.ombudsman.gov.ua/ru/index.php?option=com_content&view=article&id=4018:2014-07-24-09-11-46&catid=14:2010-12-07-14-44-26&Itemid=75

81 www.tyzhden.ua/News/115556

82 www.tyzhden.ua/News/116726



Center
for Civil
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Center for Civil Liberties

Founded in Kyiv in 2007 to promote and strengthen the values of human rights, democracy and solidarity, the principle of human dignity in Ukraine and Eurasia. The main goal of the CCL is to protect fundamental rights and freedoms.

Our organization represents the interests of the society, carrying out control of national authorities and regional authorities on the subject of human rights.

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Ukrainian
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Human
Rights Union

Українська
Гельсінська
Спілка
з прав людини

Ukrainian Helsinki Human Rights Union

Ukrainian Helsinki Human Rights Union (UHHRU) is the largest association of human rights organizations in Ukraine. Created on April 1, 2004 as a non-profit and non-political organization, it currently brings together 30 independent NGOs. The goal of UHHRU is to protect human rights. The Union constitutes itself as the part of the Helsinki movement and continuator of traditions and activities of the Ukrainian Helsinki Group to promote the implementation of the Helsinki Accords on Human Rights.

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The Coalition of non-governmental organizations and initiatives “Justice for Peace in Donbass”

The Coalition “Justice for Peace in Donbass”, which includes 14 NGOs and initiatives, was created at the end of 2014.

The purpose of its activity is to document human rights violations and create a unified electronic database, which can then be used as a source of primary information on crimes within the national and international investigation, as well as publishing regular subject reports on human rights violations and restrictions on fundamental freedoms.





NOTES

Lined area for taking notes, consisting of multiple horizontal blue lines.



