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REPORT ON RESULTS OF MONITORING VISIT OF UKRAINIAN HELSINKI HUMAN RIGHTS UNION

«Monitoring of human rights violations in matters of violent loss of private property as a result of armed conflict on the East of Ukraine»

SCOPE OF WORK WITHIN THE MONITORING VISIT:

Purpose of the visit: to interview the victims and collect facts of violent loss of private property as a result of the armed conflict.

Location of the visit: the urban-type village Stanytsa Luhanska, Luhansk region.

Dates of the visit: December 26-28, 2015.

Membership of the group:

- Dmytriy Reva, group leader (reva-7@yandex.ua, 096 744 0870),
- Ksenia Onychshenko, lawyer (ksenja83@yandex.ru, 066 356 1329),
- Igor Skalko, lawyer (skalkoid@gmail.com, 097 715 7685),
- Svitlana Doroshenko, psychologist-volunteer (fotina5050@mail.ru, 097 225 6809).

Main objectives / aspects to be evaluated: to interview the victims and collect facts for further submission and consideration of lawyers of the UHHRU Strategic Litigation Center.

VISIT DESCRIPTION

On December 27-28 a group of monitors conducted questioning of 12 people affected by the violent loss of private property as a result of military operations in the East of Ukraine. The questioning took place in the territory of premises of the Stanytsa Luhanska District State Administration (DSA) and the Stanytsa Luhanska volunteer center.

During the monitoring visit, the group of monitors also visited the Ukrainian-speaking pre-school education institution "Teremok" and had a large number of meetings with people from uncontrolled territories who come to the village Stanytsa Luhanska through an operating crossing point. Every day a few hundred residents of Luhansk city and other settlements get to the village through the specified crossing point.

During the interview with Y. Zolkin, the Head of the Stanitsa Luhanska DSA, it was found out that a significant number of IDPs, residents of the occupied territories and lines of demarcation are reluctant to contact the authorities and human rights organizations representatives on providing information on the violation of their property rights because they do not believe in effective assistance from the state and human rights activists, beware of disclosure of their contacts and personal data. This category of people largely does not expect a quick conclusion to the conflict, feels a threat to their life, health and life and health of their close ones including in the occupied territories. In addition, there is reliable information on the transfer of confidential information (statements of offense, etc.) by workers of the Ukrainian law enforcement agencies (the Ministry of Internal Affairs, the Prosecutor's Office) to the representatives of security agencies of so-called "Luhansk Peoples Republic".



of disclosure of personal data, etc. Most respondents mentioned constant emotional stress, fear for their lives, disbelief in an aid from the state and international non-governmental organizations.



Some people receive aid from the Rinat Akhmetov Foundation, the Protestant churches, the Armed Forces Of Ukraine, charitable organizations. Most of them want to return home after the conflict, because now they are unemployed and do not see own prospects. Almost all witnessed the violence against civilians, looting by armed persons and other criminal acts.

Among 12 people who took part in the questioning there are 8 women and 4 men. In terms of age: 4 persons from 20 to 30 y.o.; 5 persons from 30 to 50; 3 persons from 20 to 30 years. 9 persons who participated in the questioning came to the village Stanytsa Luhanska from Luhansk, 2 – from Krasnodon, 1 – from Lutuhyne, Luhansk region. All respondents have a status of civilians. Most respondents said that the reason for leaving was the war and an acute social deterioration, 4 persons emphasized that the reason for leaving was a threat to their lives due to the pro-Ukrainian position.

All respondents mentioned that they are unable to freely possess their property (houses, apartments, summer houses). Four of them know for sure that premises belonging to them were robbed by unknown armed people and civilians. Two people point out that had lost a chance to run their business (a shop, a hairdresser's), from one of them unknown people took away his personal funds and a bank card.

None of all 12 respondents addressed the police officers, because they do not believe in the effective investigation and do not see prospects for the return of the lost, are afraid

Among the main problems of the interviewed category are non-receiving of social assistance, unemployment, poor access to health care, discrimination by local residents, difficulties with transportation to large settlements (the nearest is Shchastia town). As for other problems faced by Stanytsa Luhanska residents that were observed during the trip there should be mentioned a large concentration of people on both sides at the checkpoint, unresolved issues of repair and restoration of damaged living facilities, poor social infrastructure (ATMs, pharmacies, medical facilities, supermarkets), absence of the police and the Ukrainian TV broadcasting and newspapers.

CONCLUSIONS

In occupied territory there are violations of freedom of opinion. Local residents are forced to leave their homes because of their pro-Ukrainian position. Also, people face with violations of property rights, inability to use their property, robbing of people and homes, private businesses. In their turn, both temporarily displaced persons and people who live in the occupied territories can't apply to the police and the court out of fear for their life or life of relatives, because they face with the facts of transfer of confidential information by law enforcement agencies officers to members of illegal armed groups.

The collected material will be transferred to the Strategic Litigation Center of the Ukrainian Helsinki Human Rights Union for consideration of the possibility to initiate cases on these matters. In addition, the monitoring visit report will become a part of the subject report on violations of the right to property.

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