

Everyday life in the shadows of war: the security and wellbeing of civilians living near the frontlines in eastern Ukraine

Report based on the findings of the international human rights
mission to Ukraine



Imprint

DRA e.V.
Badstraße 44
D-13357 Berlin

Tel. +49 (0)30 446 680 12
Fax. +49 (0)30 446 680 10
info@austausch.org
www.austausch.org
www.civilmplus.org
www.civicmonitoring.org

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Acronyms:

JFO — Joint Forces Operation;

SSU — Security Service of Ukraine;

IAF — illegal armed groups;

EECP — Entry and Exit Checkpoints;

UN — United Nations

SMM — Special Monitoring Mission;

OSCE — Organization for Security and Cooperation in Europe

UAF — Ukrainian Armed Forces;

ATO — Anti-terrorist Operation;

CIMIC — Civil-Military Cooperation;

MCA — Military-Civil Administration;

SES — State Emergencies Service.



1. Introduction

The Russian-Ukrainian armed conflict has been ongoing for approximately five years. The UN¹ estimates the total number of casualties at 43,000, including 12,800 - 13,000 killed and 27,500 - 30,000 wounded, of whom 3,320 people killed and 7,000 - 9,000 wounded were civilians who did not participate in the fighting. The contact line established as a result of the most active phase of the armed conflict has not changed significantly since the spring of 2015, and the hostilities have not subsided even for a single day, despite the ceasefire regime established by the Minsk Agreement and by subsequent agreements. While the number of casualties decreased in 2018, the hostilities and their consequences have had a direct impact on day-to-day lives of hundreds of thousands of people on both sides of the contact line. In particular, people living in adjacent territories face a dire humanitarian situation.

A monitoring mission undertaken by the DRA, VOSTOK SOS Charitable Foundation, POSTUP Human Rights Center and independent human rights defenders visited the government-controlled area between 16 and 22 December 2018 with the main purpose of providing a report on the plight of civilians in territories adjacent to the contact line in Donetsk and Luhansk regions controlled by the Ukrainian Government. Some of these territories lie in the so-called «gray zone» between the positions of the Ukrainian Joint Forces and those of the illegal armed groups formed with participation of the Russian Federation in the area which is not controlled by the Ukrainian Government and in places where military control by the Joint Forces Operation (JFO) is constrained.

This monitoring mission was carried out in the context of a martial law declared for the first time in the history of independent Ukraine. In response to the Russian Federation's attack on Ukrainian ships and the capture of Ukrainian sailors in the Kerch Strait in the Black Sea,² a law enacting the Presidential Decree on Introducing Martial

Law in Ukraine entered into force, and a martial law regime was declared in ten regions of Ukraine, including Donetsk and Luhansk regions, on 28 November 2018 and continued through 26 December 2018. Yet, according to local residents, military personnel and local government officials interviewed as part of the monitoring process, the martial law had virtually no effect on the lives of local residents in the areas of Donetsk and Luhansk regions controlled by the Ukrainian forces. Likewise, the monitoring group did not perceive any additional restrictions imposed by the legal regime.

According to mass media reports, the martial law regime was used by the Ukrainian authorities to conduct large-scale training of the security forces in ten of the country's regions. For example, according to reports by the Main Police Directorate in Luhansk region,³ 22 additional mobile checkpoints staffed by 127 police officers were deployed during the martial law in all districts of Luhansk region. Referring to his report to the President of Ukraine on the martial law results, the Armed Forces Chief of Staff Viktor Muzhenko⁴ noted that such training had focused in particular on the force's ability to promptly increase the strength of combat units and to deploy joint force groupings, on conducting exercises for local defense brigades, on holding boot camps to refresh the skills of more than 30,000 reservists, and on streamlining the interaction with government bodies and other actors of the national defense system. During the martial law period, according to President Petro Poroshenko who is also the Commander-in-Chief of the Armed Forces,⁵ the state border and infrastructure protection was enhanced and efforts were made to shorten the time needed for operational coordination, to strengthen units by calling up first-line reservists, and to procure new military equipment.

Concurrently with the martial law, other legal regimes operated in the territories monitored, such as a special security regime in territories adjacent to the combat area, the state border regime, the regime of border crossing to temporarily occupied territories, and the JFO regime. Almost all of these other special legal regimes have operated in Donetsk and Luhansk regions since

the beginning of the armed conflict, except the Joint Forces Operation (hereinafter, JFO) started on 30 April 2018 after the Armed Forces Supreme Commander signed Order No. 3dsk-op «launching the operation of Joint Forces to ensure national security and defense, and to rebuff and deter armed aggression of the Russian Federation in Donetsk and Luhansk regions.» The JFO is carried out in parallel with the anti-terrorist operation, an earlier legal regime established in these territories.

The Monitoring Mission covered the following locations in the areas of Luhansk region controlled by the Ukrainian Government:

- the city of Sievierodonetsk (serving as the administrative center of Luhansk region since 22 September 2014);
- the village of Peschane (Stanychno-Luhansk District);
- the village of Bolotene (Stanychno-Luhansk District);
- the town of Popasna (administrative center of Popasna District);
- the village of Teple (Stanychno-Luhansk District);
- the town of Zolote (Popasna District since 7 October 2014, previously Pervomaisky District);
- the village of Stanytsia Luhanska (administrative center of Stanychno-Luhansk District);
- the village of Vilny (Popasna District, Luhansk region, taken over by the JFO in the autumn of 2018);
- the area surrounding the village of Novooleksandrivka (Popasna District);
- the town of Melove (on the border with the Russian Federation);
- the entry and exit checkpoint (EECP) at Stanytsia Luhanska;
- the entry and exit checkpoint (EECP) at Zolote.

The following locations were visited in the part of Donetsk region controlled by the Ukrainian forces:

- the city of Kramatorsk (hosting the Donetsk regional administration since 11 October 2014);
- the city of Avdiivka;
- the village of Oпитne (Yasinovatski District).

In addition to interviewing residents of these settlements, the monitoring mission included meetings with officials at the Office for Civil-Military Cooperation

in the Ukrainian Armed Forces (CIMIC), a group of CIMIC servicemen in the village of Oпитne, and representatives of the police force, local and regional administrations and civil society. In addition to this, we reviewed information from public sources as well as responses provided by the National Police Main Directorate in Luhansk region to inquiries from POSTUP Human Rights Center and VOSTOK-SOS.

2. Security situation

Military action

The findings from our field observations confirm those of the UN and the OSCE, namely that the intensity of hostilities along the entire contact line notably decreased in 2018.

According to the Special Representative of the OSCE Chairperson-in-Office in Ukraine and in Trilateral Contact Group, Ambassador Martin Sajdik,⁶ the number of losses of human lives decreased by 55% in 2018 compared to 2017, and the percentage of non-combatants killed was down from 34% (2014) to 10-11% (2018). In response to a VOSTOK-SOS inquiry, the Donetsk Regional State Administration's Department of Health provided the following data on the number of civilians killed and wounded during the ATO and JFO.⁷

In 2018, according to the Luhansk Regional State Administration, nine civilians, including eight adults and a child, were killed as a result of the hostilities in the territories controlled by the Ukrainian government.⁸

Residents of Peschane (Stanychno-Luhansk District of Luhansk region) and Vilny (Popasna District of Luhansk region) reported an increase both in the incidence of shelling attacks and intensity of fighting soon after martial law was declared.⁹ Such incidents, as well as the activity of pro-Russian subversive reconnaissance groups, were also reported by the mobile press team of the Ukrainian Sever (North) operational-tactical group.¹⁰ Similarly, according to Ukraine's State Border Service,¹¹ on 10 December 2018, the border guards deployed at the first defensive line before the Mariinka EECP came under attack by grenade launchers and guns fired from Oleksandrivka (Mariinsky District of Donetsk region). The monitoring mission learned from local residents that an artillery attack had destroyed the road leading to the village of Vilny near the frontline. According to the military-civil administrations of Katerinivka and Zolote in Luhansk region,¹² the attack was carried out by pro-Russian armed groups on 11 December 2018.

While the daily shelling of JFO positions by armed groups of the so-called "LNR" and "DNR" remains a concern, such attacks have been noticeably less intense than in previous years. The attackers mainly use firearms

Civilian deaths from 2014 to 31 December 2018

year	men	women	children
2014	328	79	10
2015	182	89	14
2016	33	4	0
2017	19	11	2
2018	16	1	1
Total	578	184	27

Civilians wounded from 2014 to 31 December 2018

year	men	women	children
2014	335	97	16
2015	277	140	23
2016	68	33	9
2017	70	40	9
2018	40	8	6
Total	790	318	63

(including large-caliber ones), grenade launchers (including mounted launchers), below 80 mm caliber guns mounted on armored vehicles, and anti-tank missile systems. Less commonly, 82 mm caliber mortars are used. Artillery systems with calibers greater than 100 mm, which under the Minsk agreements must be withdrawn by both sides to 50 km away from the contact line, are used far less frequently than in previous years; however their use has been reported from time to time both by NGOs working in the conflict zone and by the OSCE SMM.¹³ In contrast to previous years, shelling is now more selective – probably because the IAGs are not currently preparing any offensives and are not trying to demoralize local residents and army reserves by indiscriminate shelling of settlements in the rear of the JFO positions. At present, most fire attacks target the Ukrainian army's combat positions. As a consequence of

the IAGs' changed tactics, civilian casualties caused by the so-called "LNR" and "DNR" have significantly decreased but remain quite numerous. While this report was being prepared, it became known that a guided missile attack of a residential area in the village of Novoluhanske in Bakhmutsky District of Donetsk region had destroyed a local resident's house located at a considerable distance from the JFO positions.¹⁴

Communities particularly affected by IAGs' shelling attacks during 2018 and in the first months of 2019 include Lopaskino, Lobachevo, Trekhizbenka, Kryakivka, Krymske, Novotoshkovske, Zolote-4, Vilny, Katerinivka, Troitske, Novoluhanske, Travneve, Hladosove, Zaitseve, Mayorsk, Yuzhne, and Verkhnetoretske.

According to President Poroshenko's statement made on the day martial law was lifted,¹⁵ Ukrainian intelligence

data indicated the presence of Grad MLRS near the occupied city of Luhansk, an increased number of artillery pieces deployed on the side of pro-Russian forces, tanks which had not been withdrawn to a distance mandated by the Minsk Agreements, and Russia's continued and maintained military presence at the Sea of Azov. The information on military equipment deployed by pro-Russian ground forces was confirmed by the OSCE SMM findings.¹⁶

According to the Main Police Directorate in Luhansk region,¹⁷ 21 persons were proven to have participated in illegal armed groups in 2018, and 94 persons were prosecuted on suspicion of such participation.

According to the Main Police Directorate in Donetsk region,¹⁸ the region's police charged a total of 320 persons with participation and facilitating participation in illegal armed groups, and with aiding and abetting IAG activities, placed 29 persons on the wanted list, and apprehended 270 suspects in 2018 (compared to 240 apprehended in 2017), of whom seven had already been on the wanted list.

A criminal case against participants of the pro-Russian Prizrak (Ghost) IAG was sent to court; according to the police, the suspects had kidnapped six residents of Lysychansk in Luhansk region, battered, injured and threatened them with firearms, and forced them to build roadblocks and other fortifications. Another criminal case sent to court was that of former servicemen of the Ukrainian Aidar Battalion suspected of having committed grave and particularly grave criminal offences in Luhansk region between 2014 and 2015.

Border areas located at a distance from the contact line

In the first week following the martial law announcement, the district administration of Melove, a village 100 km north of the contact line in Luhansk region on the Ukrainian-Russian border, warned¹⁹ local residents of a potential emergency threat and urged

them to hide in shelters should the threat eventuate.²⁰ Due to a general lack of public communication or any explanations as to the nature and imminence of the threat, this warning caused tension in the local community. However, having discussed it with the district head of administration, the monitoring mission concluded that the authorities did not really perceive any imminent threat of a terrorist attack or military invasion of the area.²¹ Pursuant to the martial law regime, additional National Police and State Border Service units were deployed near the state border. Following Russia's unilateral state border delimitation and installation of border barriers in Melove in September 2018, families living on both sides of the border – at least 50% of all Melove residents have relatives in the neighboring Russian Chertkovo – became separated, causing a rise in social tension. By December, however, the monitoring mission observed a noticeable decrease in tension as people were getting used to the new realities.

Landmine danger

Landmine danger persists in the war zone. According to the UN, landmines and other explosive munitions contaminate at least 7,000 square meters of the conflict area.²² In 2018, in the government-controlled territories of Luhansk and Donetsk regions alone, 10 people were killed and 19 wounded by various types of explosive devices.²³

Residents of Peschane told the monitoring group about the deaths of their fellow villagers Vladimir and Nina Solomakhin, their son and his civil-law wife on 7 April 2018.²⁴ The family was travelling in a car when they hit an anti-tank mine on a country road about one kilometer east of the village. The explosion was so powerful that the car was thrown a hundred meters away and the people died on the spot. Police was called but did not come to the scene, and other villagers went out to search for the missing family themselves. Later, State Emergencies Service personnel discovered another anti-tank mine on the same road where the Solomakhin family were killed. According to local residents, the mine



experts estimated the explosives to have been planted several years ago. While residents of Peschane had been using the road without problems, the Solomakhins' car was heavy enough to trigger the mine's detonation.

Villagers of Vilny told the mission about the deaths of two people in the neighboring Zolote-5.²⁵ On 18 November 2018, a man and a woman, civil-law spouses, attempted to repair a broken power cable in the "gray zone" between the JFO and IAG positions and hit a minefield. The man died immediately but the woman was still alive for several hours after the explosion, and people in Vilny could hear her calling for help. But no one dared to come to her rescue due to the ongoing fighting. It took the fighting parties six days to agree on a temporary ceasefire, and it was only on 23 November that the bodies were removed from the site of the blast.

Villagers of Peschane, Bolotene and Novooleksandrivka shared numerous incidents of domestic animals being killed by makeshift explosive devices (tripwire mines).²⁶ According to the locals, many UAF servicemen had also stepped on tripwire mines due to the random pattern of mine planting since 2014 and the absence of minefield maps which should have been made available to new military units deployed in the area.

A resident of Novooleksandrivka told the mission that he had sustained fragmentation wounds twice over the past two years after stepping on tripwire while herding his goats.²⁷

The total number of landmine victims in the temporarily occupied territories of Donbas is unknown. The mission was told about a landmine blast on the outskirts of the occupied Horlivka (Donetsk region) which killed three and injured a child aged 10-12.²⁸

On 6 December 2018, Ukraine's Verkhovna Rada adopted Law No. 2642-VIII on Mine Action in Ukraine. This law, effective since 22 January 2019, provides for actions such as searching for explosive devices, marking and mapping of territories, mine clearance and detonation, training in handling explosive objects, and providing assistance and rehabilitation to affected persons.

Mine action shall be funded from the state's budget and from international assistance funds, including technical assistance as well as refundable and non-refundable financial assistance from international organizations via public procurement. However, no public procurement tenders for such services had been announced at the time of preparation of this report.

Illegal firearms trafficking

According to findings from a survey conducted by the Kharkiv Institute for Social Research²⁹ in November and December 2018, 21% of the 600 respondents in the government-controlled part of Luhansk region consider

illegal arms possession a widespread criminal offense, and 10.5% of the 600 respondents in the government-controlled part of Donetsk region share this opinion.

According to the Main Police Directorate in Luhansk region,³⁰ 464 criminal investigations into illegal firearms trafficking were registered in 2018. Police officers at stationary and mobile checkpoints seized 385 weapons and ammunition, 3 firearms, 12 grenades and 18 fuses, and 37 cold weapons. The authorities confiscated and removed from circulation, *inter alia*, 82 firearms, 75 grenade launchers, 1 flamethrower, 21 mines, 536 hand grenades, 636 grenades for grenade launchers, and 16 kg of explosives. Police raids in Luhansk region revealed nine incidents of firearms trade and 31 illegal ammunition storage sites. The police also apprehended two criminal gangs involved in illegal firearms trafficking in Luhansk region (compared to one in 2017).

According to the Main Police Directorate in Donetsk region,³¹ 501 criminal proceedings were opened into illegal firearms trade, and 236 firearms, 72 grenade launchers, 932 grenades and 197.479 kg of explosives were seized in 2018. Mine clearance experts conducted 575 field visits in 2018, including 17 site inspections following criminal explosions. Over the period, the regional police revealed 137 attempts, including 33 at railway and bus stations and 63 at checkpoints, to export firearms, ammunition and explosives outside of Donetsk and Luhansk regions.

Other crimes

According to official police reports, the crime situation in the government-controlled part of Donetsk region is worse than that in the government-controlled part of Luhansk region, which can be explained at least partly by the difference in size. Information shared by a number of Ukrainian human rights organizations and presented below indicates a fairly low level of public trust in the law enforcement agencies in Donetsk and Luhansk regions and reveals problems such as illegal detentions, failure to perform official duties, and arbitrary and disproportionate use of force by police.

As an example of a crime investigated in Luhansk region in 2018, police refer to an armed robbery committed on the highway connecting the villages of Artyom and Nizhneteplo in Stanychno-Luhansk District; the two offenders robbed two individuals and a commercial company of more than UAH 47,000 (approx. EUR 1,500) under threat of a handheld grenade launcher.

In 2018, police in Luhansk District suppressed six criminal gangs and organizations (50% increase from 2017), including a transnational criminal group and one involved in trafficking in persons (one such group was found in 2017). Police detected six cases of trafficking in persons and three cases of pimping and illegal deprivation of liberty. In Donetsk region, police

Type of offence	Luhansk Region ³²	Donetsk Region ³³
crime reports	111,460, a 15.3% increase compared to 2017	22,321 (23,227 in 2017)
intentional murders registered by police	45 (25 in 2017)	91 (126 in 2017)
causing serious injury	59 (60 in 2017)	152 (143 in 2017)
causing lethal injury	23 (24 in 2017)	41 (22 in 2017)
rape	1 (2 in 2017)	8 (10 for 2017)
violent robbery or burglary	32 (37 in 2017)	91 (98 in 2017)
robbery	88 (110 in 2017)	386 (458 in 2017)
number of criminal offenses in public places	454 (473 in 2017)	1,796 (1,935 in 2017)
police at stationary and mobile checkpoints detected	11 incidents of migration law violation	
domestic violence reports	868	
juveniles announced wanted	145	703 (506 in 2017)
Juvenile offenses	(227 to 143)	370 to 415

uncovered a criminal group organized by a Russian national and engaged in smuggling people across the Ukrainian border.

Viktor Radak, Deputy Head of the Main Police Directorate in Luhansk region, interviewed by the monitoring mission during our visit to his Directorate, said he had observed a decrease in the number of crimes reported by local residents during martial law. He mentioned adverse weather and an increased number of police patrols in the area as possible causes.

It is noteworthy that according to Radak, unemployment and alcohol abuse are the underlying reasons of most crimes in the region. His opinion is supported by the findings from a countrywide survey conducted by the Kharkiv Institute for Social Research³⁴ in November and December 2018: as many as 51% of the 600 respondents in the government-controlled part of Luhansk region consider illegal trade in alcohol and drugs a widespread offence, while 39.6% are concerned about attacks by aggressive groups of people.

Police in Donetsk region also note that crimes against property prevailed in 2017 and 2018 (more than 50%). This is confirmed by the following findings from the survey conducted by the Kharkiv Institute for Social Research:

55.1% of the 600 respondents in the government-controlled part of Luhansk region are concerned that their apartment or house may be burglarized, 47.3% fear that they may be robbed in the street, and 32.3% are worried that their car may be broken into. At the same time, 24.7% of respondents consider burglary to be a widespread crime in the region, and 14.7% find street violence and robbery very common.

Missing persons is another important security-related concern: according to the Donetsk regional police authorities, 46% more reports of missing people were filed in 2018 compared to 2017. The regional police declared 688 people missing and started searching for them (288 in 2017) and found the whereabouts of 653 missing persons (478 in 2017).

Reports from POSTUP Human Rights Center and the Association of Ukrainian Human Rights Monitors on Law Enforcement (UMDPL) highlight problems with police conduct. According to preliminary findings from calls to these NGOs' hotline³⁵ with reports of illegal actions by Ukrainian law enforcement agencies in Donetsk and Luhansk regions, complaints against police officers stand at 53.3% of all report and are thus more numerous than complaints against any other Ukrainian uniformed

force (e.g. complaints against JFO servicemen account for 8.8% of all cases). Most complaints concern arbitrary restriction of movement and detention by police officers (43.9% of all complaints against the police), followed by inaction and failure to perform their duties (42.4% of all complaints against the police). At the time of the preparation of this report, the hotline's operators had information on 26 incidents of beatings and torture by police officers in the government-controlled territories Donetsk and Luhansk regions. Just one complaint was about an assault by UAF servicemen and another one concerned torture by SSU officers. During the nine months of the hotline operation (from 28 April to 28 December 2018), they received 14 complaints against police officers concerning threats to life and health and two such complaints against servicemen of the Ukrainian Armed Forces.

In addition to this, human rights groups have documented sabotage of investigations or outright failure to investigate threats to life and health and illegal or disproportionate use of force by police officers. According to the data aggregated based on the hotline's operation in both regions, cases were documented in which unlawful police conduct was dealt with by political rather than legal means, i.e. senior police officers ordered their subordinates to stop the abusive practice without any further inquiry and persuaded victims to withdraw their complaints. According to POSTUP, very little progress has been made in the investigation of cases related both to Russia's armed invasion and those involving serious crimes committed by ATO servicemen between 2014 and 2015

The countrywide survey conducted by the Kharkiv Institute for Social Studies reveals that only 28.5% of the 600 respondents in the government-controlled part of Luhansk region trust the police and 40.5% find police performance effective, while 55.6% do not trust the police and 42.6% find its performance ineffective. In the government-controlled part of Donetsk region, 35.3% of the 600 respondents trust the police and 47.9% consider its performance effective, while 43.8% do not trust the police and 34.8% find police performance ineffective. In Luhansk region, 21.4% of the surveyed residents believe that crime has increased since last year, 56.9% find that crime rates have not changed, and 6.5% are of the opinion that crime rates have gone down. In Donetsk region, 11.6% of respondents find crime rates to have increased over the year, 46.8% perceive them unchanged, and 16.4% find them decreased.

The monitoring mission met with local community activists and learned that they suspected local police of involvement in illegal coal mining, illegal logging, and smuggling goods across the contact line.³⁶

Fire hazard

Residents of small villages near the contact line also suffer from forest fires, which usually increase in July, August and September. Most fires, according to the locals,³⁷ are caused by either gunfights or by carelessness of both military servicemen and civilians. Another possible cause may be arson attacks by subversive enemy groups and by criminal gangs engaged in illegal forest harvesting; the latter deliberately damage trees to create a pretext for "sanitary logging." Certain officials of local administrations and law enforcement agencies are believed to benefit from, and encourage this illegal business. Fighting fires in areas adjacent to the contact line is particularly problematic due to difficult access, risk of random shelling and landmine explosions, as well as a shortage of fire extinguishing devices and agents. According to locals, the State Emergency Service's firefighter brigades are often reluctant to travel to settlements near the contact line, and residents are forced to put out fires themselves.³⁸ Together, these factors cause a continuous increase in the area of forests destroyed by fires every year. In addition to this, fires often damage residents' property.

Residents of Peschane and Bolotene villages in Stanychno-Luhansk District of Luhansk region told the mission that they were often forced to fight forest fires themselves to salvage their houses and other property, as SES firefighters were too few or reluctant to travel to areas considered unsafe, and often lacked the needed tools and resources.

Natural phenomena

Residents of Peschane and Bolotne informed the monitoring mission about migrating wild animals – wolves and foxes – passing through their villages.³⁹ A ban on shooting wild animals during the ATO and then the JFO has caused predator populations to grow and begin to attack domestic animals in winter when food is scarce. In Peschane, according to locals, wolves had eaten nearly all domestic dogs in winter, while residents of Bolotene said they could sometimes see wolves in the streets and even in people's backyards. The locals fear that further uncontrolled growth of predator populations may eventually cause them to attack people.



3. Humanitarian situation in small settlements near the contact line

As the intensity of hostilities decreased in 2018, a certain improvement in the humanitarian situation was observed in most parts of Luhansk and Donetsk regions. However, the humanitarian situation in smaller settlements located in the five-kilometer zone along the contact line remains extremely poor, causing the greatest concern of the monitoring mission. People there still risk being accidentally wounded or killed as a result of the ongoing hostilities. Residents of frontline villages are usually unable to move to a safer place: most of them are elderly people living on small pensions and welfare handouts which are too small for them to rent a home elsewhere and pay utility bills. Most of these villages lack any means of transport connecting them to district and regional centers. There are usually no shops and no offices of public authorities. Ambulances, SES and even police rarely come to local residents' calls, so whenever someone needs emergency medical care, community members have to drive their sick and wounded to medical facilities or seek help from the military. In 2016, members of an earlier monitoring mission witnessed a resident of Zolote-4 die from blood loss after being hit by a random bullet; an ambulance was called but refused to come over as long as the shooting continued on the outskirts of the village; instead, the wounded woman's relatives were advised to bring her to a medical facility themselves. By talking to residents of frontline settlements, we can conclude that the situation has hardly improved since then.

These communities are rarely visited by police officers or patrols, and even less so by criminal investigators. As a result, policing there is usually done by the military, making it difficult to prevent and investigate crimes perpetrated by servicemen.

Residents of villages alongside the contact line face frequent and long interruptions of domestic gas, electricity and water supply. For example, people in Vilny had no power supply for more than three months last year, as the military-civil administration of Zolote was unable to repair the power cable damaged by shelling. A similar situation was reported in Novooleksandrivka in Popasna District of Luhansk region. Residents of Lopaskino in Luhansk region suffered even longer interruptions of power supply, while villagers of Opitne in Donetsk region have not had domestic gas, electricity and water supply since late 2014.

Most frontline communities are in dire need of coal, wood and fuel briquettes to heat their homes during the cold winter season, but their ability to harvest firewood independently is limited by the risk of stepping on a landmine. While international organizations are still partially meeting the fuel needs of frontline communities in Donetsk region, such programs have dwindled in Luhansk region.

Access to most of settlements near the contact line is restricted by a decision of the JFO command, making it hard for local residents to see their relatives or receive welfare benefits and administrative services, and hindering the delivery of food, essential goods and medicines.⁴⁰ There have been cases of elderly residents of frontline villages begging the military for food and medicines. People in these communities are much more dependent on humanitarian assistance than those living in settlements at several kilometers away from the contact line.

4. Situation at entry and exit Checkpoints

As before, just five EECs operate on the contact line which is approximately 500 km long, including four in Donetsk region and only one in Luhansk region. The latter

EECP allows only pedestrian but not vehicle crossing due to partial destruction of the bridge across the Sieviersky Donetsk River. The occupational administrations make it impossible to repair the bridge and restore vehicle transit or to open another EECP in Luhansk region.

Between 20,000 and 40,000 people and some 5,000 vehicles cross EECPs both ways daily. The statistics on EECP use last year did not change compared to previous periods, which indicates a continuing need for contacts between residents of the government-controlled and occupied territories and highlights the unresolved problems with crossing the contact line, such as the unreasonably complicated procedure for obtaining special permits, insufficient number of checkpoints, and corruption risks due to wide discretion given to EECP personnel in absence of effective oversight of their conduct.

According to reports from people crossing the contact line,⁴¹ EECPs set up by illegal armed groups are less well equipped than those operated by the State Border Service of Ukraine. People report problems such as a lack of shelters, toilets and warming stations at some checkpoints controlled by the so-called “LNR” and “DNR”, as well as arbitrary delays in allowing people to cross the checkpoint and extortions by IAG members. In 2018, several provocations were reported by IAGs of the so-called “LNR” and “DNR” using civilians who were crossing the contact line from ORDLO.

Stanytsia Luhanska EECP

The monitoring mission visited “Stanytsia Luhanska” EECP, the single operating EECP in Luhansk region, and observed a line of some two hundred or more people waiting to pass through the checkpoint. Unlike last year’s visit, the group of observers was not allowed on the EECP premises but was able to talk with border guards and people waiting to enter the checkpoint and to examine the operation of the EECP infrastructure. We note certain improvements in the EECP operation, such as replacement of temporary tents set up by a few humanitarian initiatives to serve as shelter by stationary modules of the State Emergencies Service providing advice, first aid and heating, and a stationary bomb shelter built near the EECP in 2018. We conclude from our review of calls to the hotlines operated by NGOs helping the conflict victims that the performance of computer databases used by EECP officers has improved, allowing for faster crossing to the occupied territories. People waiting in line to enter the EECP also noted an improvement in waiting conditions at the checkpoint on the side of the occupied territories, such as an additional rain shelter installed. Since our observers were not allowed to enter the checkpoint, we are unable to confirm this information.

However, a number of problems remain unresolved. None of the EECPs (in Stanytsia Luhanska or elsewhere) have a 24-hour ambulance service on standby. The majority of people waiting at EECPs to cross the contact line are seniors whose health can be critically affected by the wait and the stress. Despite the need for emergency medical services at the checkpoints, the Ukrainian authorities have not so far provided a systemic solution. Instead of trained ambulance crews, first aid is currently provided by volunteers of international and national NGOs and civic initiatives who may or may not be qualified. In January 2019 alone, 10 people died at EECPs.

On 18 December 2018, the day of our visit to the EECP, the monitoring group noted unsatisfactory trash removal by municipal services, evidenced by large amounts of trash accumulated outside the EECP.

The monitoring group also observed problems with access to public toilets for people waiting at the “Stanytsia Luhanska” EECP. The bio-toilets installed there previously were inaccessible, with doors locked and barricaded with dirt on the outside, while the few available makeshift wooden toilets were not enough, and some 30 people were always waiting in line to use the toilets.

Just like a year ago, the monitoring group observed three lines of people waiting to cross the “Stanytsia Luhanska” EECP:

- a general waiting line;
- a special waiting line for persons with disabilities, seniors, and people with young children; and
- a line for persons providing cargo transportation services across the contact line.

The latter line merits a more detailed description. It consists of local residents who deliver small (up to 70 kg) shipments of mostly commercial goods via the Ukrainian EECP to the checkpoint controlled by the IAG of the so-called “LNR” for a cash reward paid by the customers of such shipments. Although laws regulating the movement of people and goods across the contact line do not provide for any such services, each carrier makes several trips back and forth every day, which, according to local residents, lengthens the waiting time for others. Moreover, the line of carriers moves much faster than even the special line for persons whose prolonged stay at the EECP creates a serious risk to their health. According to local residents,⁴² there is a corrupt arrangement between EECP personnel and cargo carriers, whereby the former receive bribes for speeding up the transit procedure for the latter – this, in fact is the reason for having a third line in addition to the other two. Corrupt schemes which lengthen the EECP crossing time may be one of the causes of medical emergencies and deaths in the waiting line.

The monitoring team is also concerned about the lack of clear guidelines for State Emergencies Service and State

Border Service personnel on how to act in emergencies, one of which occurred on the day the “Stanytsia Luhanska” EECF was visited by the international monitoring mission. A group of 50 to 100 people was not able to cross the EECF before it was closed at 5 p.m. Most of them were elderly residents of the occupied territories without relatives or friends in Stanytsia Luhanska or money to pay for accommodation. Several dozen of these people were going to spend the night on the street outside the EECF despite the ambient temperature of -15 Celsius on 18 December 2018. As for the State Emergencies Service personnel on duty at the warming station, the only thing they could offer those left outside the EECF were cards with telephone numbers of commercial private hostels. It appears that no assistance is available to people in this situation: neither overnight accommodation at the warming station nor transportation by SES vehicles to another suitable place. The monitoring group had to intervene and insist that SES officials allow people to spend the night at the warming station.

5. Transportation and road conditions

The military operation and movement of heavy military machinery have destroyed most of the road infrastructure in the conflict area. The road conditions in Luhansk and Donetsk regions are noticeably worse than in Ukraine’s most other regions. This problem is particularly acute in Luhansk region where many public roads are in a critical state. Poor roads hinder passenger and freight transport within and outside of the area, which, in turn, negatively affects its social and business environment. The regional military-civil administration in Luhansk has not made enough effort to address the problem. Road restoration in the region started relatively late (in 2017) and has been slow, with less than 50 km of road surface repaired in two years: 37 km in 2017 and less than 13 km in 2018.⁴³ To compare, in Donetsk region, some 200 km of public roads were built in 2018 alone.

In critical condition is the highway connecting Sievierodonetsk, the administrative center of Luhansk region, with Stanytsia Luhanska where the region’s only EECF is located and the road traffic is therefore heavy. In fact, paving on some parts of the highway, e.g. between Teple and Stanytsia Luhanska, is so bad that most drivers prefer to bypass it and drive on dirt roads instead. The administration of Stanychno-Luhansk District offers no plausible explanation as to why they have not yet undertaken any major repairs of the highway.

Many small settlements in both Luhansk and Donetsk regions lack asphalted access roads. In addition to making it difficult to supply food and basic necessities to villages near the contact line, this lack of paved roads could hinder emergency evacuation from the area should the military situation become worse. This is also the reason why ambulances, fire brigades and even the police rarely travel to such villages.

A number of frontline settlements do not have a regular public transport service connecting them to district and regional centers. No public transport goes to some villages such as Lopankino, Lobachevo, Novooleksandrivka, Peschane in Luhansk region or Opitne in Donetsk region, and a bus comes just once or twice a week to some other settlements. The dangers of shelling and landmines, few residents and bad roads all make such routes unattractive for private transport operators, given that local administrations would not compensate them for their risks. The JFO forces restrict movement on certain roads, e.g. to Vilny, Novooleksandrivka and Peschane in Luhansk region, which is yet another obstacle to restoration of public transport connection to these villages. Their residents find it much more difficult to access administrative services and welfare benefits and to obtain medicines, food and essential goods.

According to the Main Police Directorate in Luhansk region,⁴⁴ 818 road accidents were registered in the region in 2018 (838 in 2017), in which 23 persons were killed (29 in 2017) and 384 injured (472 in 2017). According to the police, just 30 such accidents (11.7%) involved driving



under the influence, which suggests that at least some of the other accidents had been caused by poor road quality. That said, a decrease in road accidents, including fatal ones, was observed in Luhansk region in 2018 compared to 2017.

According to findings from the survey conducted by the Kharkiv Institute for Social Research⁴⁵ in November and December 2018, 70.7% of the 600 respondents in the government-controlled part of Luhansk region and 62.4% of respondents in the government-controlled part of Donetsk region are concerned about being killed or injured in a road accident.

6. TV and radio broadcasting, telephone connection

During our monitoring missions to the conflict zone in 2015, 2016 and 2017, we observed an absence of Ukrainian TV and radio broadcasting in most settlements along the contact line, as well as poor coverage by national mobile phone operators. It is worth noting that the situation improved slightly in some areas in 2018. For example, the signal from the new TV tower in Hirnyk located at 25 km from the occupied Donetsk covers most of the government-controlled territory in Donetsk region and broadcasts over dozens of kilometers into the occupied territory.

However, no significant improvement was observed in the frontline areas of Luhansk region covered by the monitoring: the signal of Ukrainian TV channels remains weak or absent in most settlements visited by the monitoring group, while the analog signal of Russian and separatist media remains stable. Residents of these areas are still exposed to Russian mass media, which undermines the Ukrainian government's efforts to pursue its information policy in the region.

There have been attempts by local activists to solve the problem with access to national broadcasts. As one example, in 2017 the Tsybin family installed a TV tower on their own land and at their own expense in the village of Malinove, Stanychno-Luhansk district of Luhansk region, thus providing access to the internet and certain Ukrainian TV channels for their community. However, a year later, a fire destroyed the tower and its equipment. Tsybin and other villagers suspect an arson attack.⁴⁶

In many frontline areas of Luhansk region, the signal of national mobile networks is unstable or nonexistent. Telecom companies refuse to repair or install equipment near the combat zone citing financial risks should the equipment be damaged and the number of subscribers being too small to make it feasible. The Ukrainian government could provide insurance coverage of these risks but has not yet taken any steps in this direction.

7. Environmental concerns

Over the past few years, more than 30 coalmines in the Russia-supported "republics" have been shut down and flooded. These include, in particular, the Yunkom (former Yuny Kommunar) coal mine not far from Yenakieve in Donetsk region; back in 1979, a nuclear device was detonated inside the mine, and its products are still stored in a capsule at one of the mine's floors. According to a number of experts,⁴⁷ flooding the Yunkom mine can have disastrous consequences for the entire Donbas region and the Sea of Azov.

Even now, shutdowns and subsequent flooding of coalmines in temporarily occupied territories of Donbas have negatively affected coalmining operations in government-controlled areas. Some of them struggle with pumping out water as the volumes of inflow from the flooded mines in the occupied territory are growing.⁴⁸ The Ukrainian government has not shown sufficient understanding of the possible negative effects that the



flooding of coal horizons may have and has not allocated enough funds to coalmines for purchasing additional drainage equipment. For example, the Zolote mine in Zolote-3 was forced to stop its coalmining operation in 2018 and is now only pumping water out. According to the mine's administration,⁴⁹ unless they acquire the equipment necessary for pumping out ever-increasing volumes of groundwater, the operation will be stopped altogether, which in turn can cause flooding of coal horizons and eventually, over a few coming years, may result in further flooding of coalmines in the neighboring villages of Zolote-2 and Gorske. In addition to worsening the economic situation, the shutdowns and flooding of coal mines are associated with environmental threats such as soil subsidence which may lead to flooding of nearby villages, and methane emissions which can cause methane accumulation in basements of residential and industrial building and subsequent explosions. Moreover, mine water could contaminate drinking water supply for the entire region.

Illegal coalmining operations whose number has grown in recent years both in temporarily occupied and government-controlled territories⁵⁰ make the problem even worse.

Illegal logging in the Siversky Donets floodplain in Luhansk region poses yet another environmental threat which is particularly acute in areas adjacent to the contact line. While forests in these areas indeed suffer from fires caused by the hostilities, according to local environmental activists,⁵¹ local forestry operations tend to use this factor as a pretext to artificially increase their sanitary logging. The war zone proximity and the landmine threat discourage on-site inspections by regulatory authorities and enable corrupt officials to increase the volumes of illegal logging even further. Over the past four years, residents of Stanychno-Luhansk, Novoaidar, Popasna and Kremensk districts in Luhansk region have reported illegal logging in their areas.

8. Illegal coal mining

Starting in 2015, illegal coalmining operations have emerged in Popasna and Kremensky districts of Luhansk region. It is worth noting that before the military conflict, such operations had existed only in the currently occupied southeastern parts of the region. In Kremensky district, an illegal operation used a shutdown state coalmine. A rathole mine (kopanka) operated for about a year in the village of Nizhne in Popasna district. Illegal open-pit mining operations are ongoing near the village of Mirnaya Dolina and on the outskirts of Lysychansk. According to criminal investigation case files sent to courts, illegal coal mining operations, since started, have extracted tens of thousands of tons of coal causing a loss to the state in excess of 100 million hryvnias.⁵² But despite enhanced security measures in the conflict region and vocal media coverage, no effective investigation

has taken place: over more than two years of pretrial investigation, the police and the prosecutor's office have not been able to bring charges in a single such case. Moreover, on several occasions, courts have released from seizure illegal miners' equipment, enabling them to resume their mining operations, which suggests a vested interest of high-ranking officials in continued existence of these illegal moneymaking schemes.

9. Operation of local government bodies

Russia's hybrid aggression has caused a collapse of local self-government in many communities of Luhansk and Donetsk regions. In a number of cities and districts, the local councils were unable to function after many of their council members moved away from the area. The President of Ukraine issued decrees to introduce military-civil administrations in some such places. The 2015 local government elections restored legitimacy to many local councils and some of the military-civil administrations were then dismissed. However, no elections to self-government bodies were held in settlements located within the 5-km zone near the contact line. According to the regional administrations and the Central Election Commission, they were unable to ensure voter security in the process and therefore decided not to hold elections in those locations. Although the security situation has greatly improved over the past three years, no ad-hoc elections have since been scheduled in any of these locations. Once again, the administrations and the CEC explain it by their inability to ensure voter security.⁵³ The same reason is given to obstruct frontline settlements' initiatives to set up "United Territorial Communities" – a new type of territorial units envisioned by the administrative reform. However, according to local residents and some well-informed experts,⁵⁴ the most likely actual reason why the state administrations oppose the establishment of local self-government in the conflict zone is a desire to maintain control over the budgets allocated for reconstruction and livelihood recovery in these territories. Apparently, the same reason is behind the recent tendency to multiply military-civil administrations which have been set up even in communities where local self-government, despite its unconfirmed legitimacy, does a fairly good job of managing the community resources – for example, Shchastya which was badly affected in 2014-2015 has since shown some of the best recovery rates in Luhansk region.

During the period of destabilization in 2014–2015, civil-military administrations played an important role in maintaining the everyday functioning of settlements left without local government. But practice reveals that most MCAs (except, with some reservations, regional MCAs) are ineffective in matters such as reconstruction and development of territories. By design, too much power

is concentrated in the hands of the MCA head, while the procedure for his appointment is non-transparent. Local residents are unable to influence selection and appointment of their head of administration, nor are they allowed to oversee MCA performance or to participate in decision-making, and where MCA officials perform poorly or even commit illegal acts the community cannot have them removed from office. This has repeatedly been confirmed by field studies throughout the conflict. A recent example is the military-civil administration of the city of Zolote in Luhansk region established as late as in 2018 after nearly two years of “administrative vacuum” in an area where 5 villages, including 3 actually located on the contact line, had not had any functioning self-government for a long time. Before the MCA was finally established, the city had been unable to use its budget allocations, residents had no access to administrative services, while the reconstruction of local housing and infrastructure damaged by the hostilities was extremely slow and supported only by international humanitarian organizations. The process of MCA establishment took 18 months. Konstantin Ilchenko was appointed the MCA head – despite having no experience working for public authorities and, as his first year in this position revealed, being incapable of building an effective team and addressing the challenges faced by the city. According to Zolote residents, Ilchenko has openly abused his official position on many occasions by putting pressure on critics – activists and organizations. An example is his conflict with Tvoja Peremoga [Your Victory] Youth Assistance Center: in violation of the law, Ilchenko has been trying to evict the NGO from their rented premises. What makes the situation particularly poignant is that Tvoja Peremoga, created by the Good News Protestant Church in 2014, served as one of Zolote’s main community centers during the conflict’s worst phase when the city had no local government whatsoever. The NGO provided humanitarian and psychological assistance to conflict victims and it was largely due to its efforts that the local community maintained their morale. Ilchenko is quite open about the reason for pressure being the NGO members’ religion which he considers “non-traditional” and alien. In an effort to force the organization to leave the premises, the MCA head used his official position to have the NGO leaders prosecuted on the absurd grounds that their activities undermine Ilchenko’s authority and the location of their office next to that of the MCA is “a threat to the security of a government official.”⁵⁵

Unfortunately, this is not the only example of how MCA officials abuse their power. The MCA system in its current form creates numerous corruption risks and requires additional legislative regulation as well as mechanisms to facilitate government and civil society oversight of their administrative practices.

An alarming recent trend has been for MCAs to be established in territories with relatively well-performing local councils. The decision to set up an MCA in Shchastya, Luhansk region, is an example. In fact,

Shchastya is one of very few settlements on the contact line where self-government functioned even during the most intense hostilities, providing the community with basic necessities, and then restored the damaged infrastructure and most housing properties within a very short time. The community has therefore demonstrated good self-government potential. However, the regional MCA and the CEC have for two years obstructed the initiative to create a “United Territorial Community” in Shchastya and to elect new self-government bodies. Instead of facilitating the establishment of local self-government, one can see attempts to introduce “direct control” by setting up a military-civil administration in Shchastya.

There are plans to establish a military-civil administration in Sievierodonetsk, the administrative center of Luhansk region, following three years of struggle for control over the Sievierodonetsk City Council. Mayor Valentin Kazakov has been fired four times by the city council’s majority and each time a court reinstated him in his position. None of the political forces fighting for control of the city council has a decisive majority. As a result, the council has been unable to make decisions on a range of critical matters. A political force having a strong lobby with Ukraine’s presidential administration has been pushing for a military-civil administration in Sievierodonetsk. Since this political force does not have a chance of winning a majority in the city council, they are using this tactic to override competitors and obtain broad powers in managing the community’s resources. Although the lingering local government crisis has negative consequences for the city, local activists with whom we were able to meet do not believe that setting up an MCA could provide an effective solution.⁵⁶

Generally, MCA performance and compliance with democratic standards depend on personal qualities of the MCA head and his team. This is obvious from a comparison of operational methods and performance of Donetsk and Luhansk regional MCAs. In Donetsk region, its former MCA head Pavel Zhebrivsky was able to update his team by bringing in new people from business and civil society. The new team uses innovative management approaches, has a good understanding of current challenges and potential solutions and manages to raise resources for the community quite effectively. In contrast, the MCA head in Luhansk region has not taken steps to update the administration’s team which now consists mainly of bureaucrats who had worked with the regional state administration. No meaningful revision of operating principles and methods has been undertaken, and there is no open dialogue with local communities, international humanitarian actors, and businesses. As a result, this MCA has problems with addressing the most urgent problems affecting the frontline area and is barely capable of attracting not only investment but even international humanitarian assistance to the region. We observed a shocking difference between Luhansk and Donetsk regions in terms of their ability to meet the needs of frontline settlements:

while residents of Opitne in Donetsk region are fully supplied with food thanks to national and international humanitarian missions coordinated by the regional and district administrations, people in Peschane, Vilny and Novooleksandrivka in Luhansk region complain about lacking any humanitarian aid – in fact, officials of the Luhansk regional MCA admit their inability to retain international donors, and the latter are planning soon to wind down their programs in the region. Luhansk region shows significantly lower rates of infrastructure recovery and economic growth and a much higher level of public discontent with government than the neighboring Donetsk region.

Local self-government bodies are absent from most small communities near the contact line, and informal community leaders fill this function. In Peschane, Bolotene, Vilny and Opitne, the mission observed this type of self-organization where informal structures represent their communities vis-a-vis executive authorities and coordinate the search for resources needed for their community's survival. Their role is vital in a situation where local administrations are incapable of meeting the needs of frontline settlements. Indeed, local administrations should make every effort to support such self-organizing bodies and encourage their institutionalization.

10. Electoral rights

It is noteworthy that certain categories of people affected by the conflict have for four years been denied the right to elect their representatives to government and local self-government bodies. For example, internally displaced persons (IDPs) are not allowed to vote in local government elections. This restriction was introduced as part of amendments to the legislation regulating local elections shortly before they were held in 2015, and the rationale for the restriction was that this group of citizens is very mobile and therefore cannot be considered part of the community in which elections take place. However, it has been shown in recent years that "secondary migration" is not an issue: once IDPs select a community, they usually settle and stay there. This, however, did not convince legislators and judges, and the Supreme Court of Ukraine upheld the restriction in 2018. Debates about the legitimacy of this restriction have been ongoing since its introduction. In August 2015, bill No. 2501a-1 was introduced in the Verkhovna Rada which would allow IDPs to vote. More recently, the Verkhovna Rada registered another bill, No. 6240 (co-authored by members of all parliamentary parties), which, inter alia, would lift the restriction and enable IDPs to vote in local elections. The latter bill has been approved by the relevant parliamentary committee but not yet voted on. Human rights groups advocating for IDP rights have supported the bill.

Another issue affecting the conflict victims' electoral rights is the Central Election Commission's refusal to schedule elections in the territories adjacent to the contact line. As mentioned above, the CEC argument is that voter security in the frontline area cannot be guaranteed since any concentration of people may increase the risk of a terrorist attack. For this reason, most settlements in the five-kilometer zone along the contact line did not vote in the 2014 elections of People's Deputies of Ukraine or in the 2015 elections to local self-government bodies. The only exceptions were made for Stanytsia Luhanska and Mariupol. Referring to the case of Stanytsia Luhanska which at the time of the by-elections to the district council and to the Verkhovna Rada in 2016 was one of the most troubled hotspots on the contact line, we can conclude that the threat of a terrorist attack in connection with elections has been deliberately exaggerated. This is evidenced by the large number of public events (rallies, marches, concerts, etc.) held in the frontline settlements over the past four years. According to a number of experts, electoral restrictions have been used selectively to influence voting outcomes in a certain way. It remains uncertain whether the residents of frontline settlements will be allowed to vote in the presidential elections in March and in the parliamentary elections in October 2019. At the time of writing this report, the Central Election Commission has been trying unsuccessfully for a month to decide whether it would be reasonable to hold presidential elections in frontline districts. The authors of this report are concerned that their decisions on both presidential and parliamentary elections would be based on "political expediency" rather than genuine security considerations.

11. Conclusions

1. Despite decrease in fighting intensity and smaller number of casualties in 2018, ceasefire violations continue in hotbeds of confrontation along the contact line.
2. The plight of civilians living in the villages on the contact line where clashes continue – such as Peschane, Bolotene, Teple, Vilny, Novooleksandrivka and Opitne – remains the gravest problem. They are exposed to everyday threats of injury and death, no security is guaranteed, access to timely medical assistance is limited, etc.
3. The danger of landmines and tripwires remains high. Numerous civilian injuries and deaths from mine explosions have been reported.
4. Despite certain improvements in EECP infrastructure, crossing a checkpoint to or from the uncontrolled territories remains an ordeal, particularly in the case of pedestrian crossing.
5. Just a few kilometers from the contact line, immediate threats to civilian lives tend to subside,



but other challenges come to the fore such as a lack of investment and a run-down infrastructure -- both indirect consequences of the war. Relative to the previous year, certain political and humanitarian stabilization can be observed here, with higher public trust in the local authorities and the military and a slight decrease in crime. However, active citizens complain about systemic problems with the law enforcement system and apparent failure of the government to pursue any visible development and investment strategies for the region.

6. Poor transport connections and bad roads are major issues which undermine the development of government-controlled frontline areas. By hindering local business and trade, these factors prevent people from making a living and further contribute to the region's isolation.
7. Telecom companies refuse to repair or install equipment near the combat zone for reasons such as financial risks of the equipment being damaged and too few subscribers making it unfeasible. The Ukrainian government could provide insurance coverage of these risks but has not yet taken any steps in this direction.
8. A major shortcoming of the institute of military-civil administration is the broad and unchecked power of the head. Consequently performance of a MCA depends heavily on the head's and his team's personalities. In addition to this, the MCA model does not provide for citizen participation. A high level of corruption in government and local self-government bodies is at the core of most problems which hinder regional restoration and development. One of the main reasons why corruption is on the rise is the myth that the frontline region is too dangerous and the resulting tendency to relax on-site government supervision. At the same time, civil society's ability to keep a watch over government

performance is limited due to civil rights restrictions imposed in connection with the JFO regime.

9. In frontline areas restrictions of the civil rights continue, such as an effective moratorium on elections in certain government-controlled settlements in Luhansk and Donetsk regions, and a denial of voting rights to IDPs.
10. The martial law declared in November-December 2018 did not impose virtually any additional restrictions on the residents of government-controlled areas of Luhansk and Donetsk regions.

12. Recommendations to the international community and the Ukrainian government

To the international community:

1. We call upon the international community to step up diplomatic efforts in 2019 to resolve the conflict in Ukraine.
2. We urge the international community to sustain diplomatic pressure on the Russian Federation, including the application of sanctions, as being a party to the conflict Russia has a direct influence on the armed groups which control certain areas of Luhansk and Donetsk regions.
3. We call upon the international community to continue providing humanitarian assistance with a special focus on remote settlements and districts (particularly in Luhansk region), including areas outside of government control.

4. We urge the international community to push for modernization of regional and local government institutions in Ukraine, including eastern Ukraine, in close collaboration with Ukrainian civil society.
5. Frontline regions need to develop, and this requires, as a matter of priority, a better transportation service and investment in road construction, and more broadly, more active role of the central government in the restoration of government-controlled territories.

To the Ukrainian government:

1. We urge the Ukrainian government not to over rely on the system of military-civil administrations and refrain from setting up MCAs – thus resorting to a “manual management mode” – in areas where United Territorial Communities could be established instead. As such, the MCA system needs additional legal regulation to mitigate corruption risks and make MCAs more accountable to local communities. The MCA powers need to be revised to ensure proper checks and balances and to prevent any concentration of unchecked power in a single office, as it leads to corruption and inefficient governance, which is particularly dangerous in frontline regions, where the already ambivalent political sentiments could be further destabilized.
2. The Ukrainian government should focus more on the plight of communities in the so-called “red zone.” State-run programs must be developed and implemented as soon as possible to supply residents of these communities with electricity, drinking and household water, food and essential goods, to provide public transport services, access to healthcare, administrative services and education. It is also essential to launch a state program for resettlement of civilians from communities on the contact line where fighting continues. Such a program should subsidize rent and utilities for low-income IDPs for several years using funds from public and municipal budgets and possibly charitable funds. A potential solution may be for the Ukrainian government to set up a charitable foundation for this purpose.
3. The Ukrainian government should support and encourage establishment and operation of civil society institutions in the conflict region, as it was largely due to their efforts that an even greater number of civilian casualties was avoided during the acute phase of the military confrontation. Administrative pressure on civil society organizations is unacceptable. We also find unacceptable any abuse of law with the purpose of limiting civil society’s ability to watch over the performance of government institutions.
4. The Ukrainian government should broaden the powers of the Office for Civil-Military Cooperation of the Armed Forces of Ukraine and increase its budget.
6. It is essential to reassess the risks of not holding elections in the frontline territories. Elections should be held in all areas controlled by the Ukrainian government.
7. State-run psychological assistance programs are needed to alleviate the effects of stress and pressure on residents of Donetsk and Luhansk regions.

Endnotes

- 1 Information provided by the UN High Commissioner for Human Rights in response to RFE/RL inquiry: <https://www.radiosvoboda.org/a/news-un-viyna-ukraina-zhertvy/29743577.html>
- 2 More details in the web-based *Ukrainskaya Pravda* at <https://www.pravda.com.ua/rus/articles/2018/11/25/7199243/>
- 3 Report of the Ukrainian National Police Main Directorate in Luhansk Region on its 2018 results: https://www.slideshare.net/npu_lg_2019/zvit-gunp-2018
- 4 Information posted on the Armed Forces Chief of Staff Viktor Muzhenko's Facebook page: <https://www.facebook.com/v.muzhenko/posts/2103539706643448>
- 5 The web-based *Ukrainskaya Pravda* cites President Poroshenko's address to the Ukrainian Security and Defence Council meeting at <https://www.pravda.com.ua/rus/news/2018/12/26/7202339>, <https://www.pravda.com.ua/rus/news/2018/12/26/7202331>
- 6 In his interview to the Voice of Ukraine, the JFO Commander Sergey Naev quoted Martin Sajdik's data: <http://www.golos.com.ua/rus/article/313174>
- 7 The letter of the Department of Healthcare of Donetsk oblast administration № 20/01-32 of 11.02.2019
- 8 Interview of the mission participants with the representatives of Luhansk oblast state administration in Severodonetsk, 19.12.2018
- 9 Interview of the mission participants with the residents of Peschane village, date 18.12.2018, and Volny khutor, date 20.12.2018
- 10 Information posted on the JFO Press Center's Facebook page at <https://www.facebook.com/pressjfo.news/videos/vb.364683177357638/2198911796820545>
- 11 A news report published by Informator.media citing the Ukrainian State Border Service: <https://informator.media/archives/313463>
- 12 Informator.media citing Konstantin Ilchenko, Head of Military-Civil Administration of Katerinivka and Zolote: <https://informator.media/archives/313541>
- 13 From SMM OSCE in Ukraine reports: <https://www.osce.org/ru/special-monitoring-mission-to-ukraine>
- 14 <https://www.rbc.ua/rus/news/boeviki-donbasse-obstrelyali-naselennyy-punkt-1550167347.html>
- 15 The web-based *Ukrainskaya Pravda* quotes from President Poroshenko's address to the Ukrainian Security and Defence Council meeting at: <https://www.pravda.com.ua/rus/news/2018/12/26/7202331>
- 16 LIGABusinessInform news agency cites information from OSCE SMM and the JFO press service: <https://news.liga.net/incidents/news/rejim-tishiny-kuda-boeviki-perebrosili-tanki-i-grady-v-donbasse>, <https://news.liga.net/incidents/news/boeviki-ustanovili-22-sistemy-grad-v-luganskoy-oblasti---stskk>
- 17 Report of the Ukrainian National Police Main Directorate in Luhansk region on its 2018 results: https://www.slideshare.net/npu_lg_2019/zvit-gunp-2018
- 18 Report of the Ukrainian National Police Main Directorate in Donetsk Region on its 2018 results: https://dn.npu.gov.ua/assets/sites/dn/stat/otchet_2018.doc
- 19 <http://informator.media/archives/313414>
- 20 Such shelters can be arranged in storage facilities, anti-radiation shelters, basements of residential blocks and individual houses, below-ground cellars, etc.
- 21 Interview of the mission participants with Meloye district administration, Korol A.S., date 19.12.2018.
- 22 "France24" quotes the report of OSCE SMM: <https://www.france24.com/en/20181228-mine-ridden-ukrainian-village-faces-deadly-threat>
- 23 Reporting of Information Agency "Ukrainian national news" referring to the State Emergency Service <https://unn.com.ua/ru/news/1771090-z-2014-roku-na-donbasi-zneshkodzheno-mayzhe-166-tisyach-vibukhonezpechnikh-predmetiv>
- 24 Interview of the mission participants with the residents of Peschane village, date 18.12.2018
- 25 Interview of the mission participants with the residents of Volny khutor, date 20.12.2018
- 26 Interview of the mission participants with the residents of villages Peschane and Bolotne date 18.12.2018, and of village Novoaleksandrovka, date 20.12.2018
- 27 Interview of the mission participants with the residents of village Novoaleksandrovka, date 20.12.2018.
- 28 Material of TV channel "Union" date 01.10.2018 <https://www.youtube.com/watch?v=2yG1JpuVLE>
- 29 National Report "Measuring the Ukrainian National Police performance using public opinion polls," by the Kharkiv Institute for Social Research, at <http://khisr.kharkov.ua/files/docs/1550576232.pdf>
- 30 Report of the Ukrainian National Police Main Directorate in Luhansk Region on its 2018 results: https://www.slideshare.net/npu_lg_2019/zvit-gunp-2018
- 31 Report of the Ukrainian National Police Main Directorate in Donetsk Region on its 2018 results: https://dn.npu.gov.ua/assets/sites/dn/stat/otchet_2018.doc
- 32 Report of the Ukrainian National Police Main Directorate in Luhansk region on their 2018 results: https://www.slideshare.net/npu_lg_2019/zvit-gunp-2018
- 33 Report of the Ukrainian National Police Main Directorate in Donetsk Region on their January-June 2018 results: https://dn.npu.gov.ua/assets/sites/dn/stat/otchet_2018_1.doc
- 34 National Report "Measuring the Ukrainian national police performance using public opinion polls," by the Kharkiv Institute for Social Research, at <http://khisr.kharkov.ua/files/docs/1550576232.pdf>
- 35 An analytical review of the hotline's efforts to document illegal conduct by Ukrainian law enforcement/security officers and military servicemen

- in Donetsk and Luhansk Regions (28 April – 28 December 2018) was presented at a press conference hosted by the Interfax-Ukraine News Agency: <https://interfax.com.ua/news/press-announcement/567940.html>
- 36 Interview of the mission participants with the activists in Severodonetsk, date 17.12.2018.
 - 37 Interview of the mission participants with the residents of villages of Peschanne and Bolotenne, date 18.12.2018.
 - 38 Ibid
 - 39 Interview of the mission participants with the residents of villages of Peschanne and Bolotenne, date 18.12.2018
 - 40 Interview of the mission participants with the resident of Avdeevka, date 21.12.2018
 - 41 According to the sources of Charity Fund “Vostok-SOS” and human rights center “Postup”.
 - 42 Based on the analyses of the calls to the hotline: <https://postup.lg.ua/news/nezakonni-diyi-silovikiv-na-shodi-ukrayini-rezultati-roboti-garyachoyi-liniyi>
 - 43 Letter of the Department for Development and Maintenance of Regional Road Network No.1/19-41 of 16 January 2019
 - 44 Report of the Ukrainian National Police Main Directorate in Luhansk Region on their 2018 results: https://www.slideshare.net/npu_lg_2019/zvit-gunp-2018
 - 45 National Report “Measuring the Ukrainian national police performance using public opinion polls,” by the Kharkiv Institute for Social Research, at <http://khisr.kharkov.ua/files/docs/1550576232.pdf>
 - 46 CityNews, 04.10.2017: <http://citynews.net.ua/news/67059-u-pereselencev-iz-luganska-kotorye-v-prifrontovom-malinovom-ustanovili-internet-vyshku-sgorel-dom.html>
 - 47 Opinions of Volodimir Boreyko, Director of Charitable Organisation “Kyiv ecological and cultural center” and of Ganna Oleynikova, Head of Donetsk region branch of all-Ukrainian ecological charitable foundation “Mama-86”: <https://ru.tsn.ua/blogi/themes/politics/zatoplenie-shahtyunkom-ugroza-vtorogo-chernobylya-1160160.html>, <https://ru.tsn.ua/ukrayina/rossiya-i-boeviki-mogut-privesti-k-masshtabnoy-radiacionnoy-katastrofe-v-azovskom-more-1160028.html>
 - 48 More details in the article of Ganna Sokolova at «openDemocracy»: <https://opendemocracy.net/ru/k-chemu-mozhet-privesti-zatoplenie-schaht-na-vostoke-ukrainy>
 - 49 According to the sources of Charity Fund “Vostok-SOS” and human rights center “Postup”
 - 50 According to the sources of Charity Fund “Vostok-SOS” and human rights center “Postup”
 - 51 Interview of the mission participants with the activists in Severodonetsk, date 17.12.2018.
 - 52 More details in the material by Radio Liberty <https://www.radiosvoboda.org/a/donbass-realii/29809561.html>
 - 53 More details in the material by journalist Milan Lelych, “RBK Ukraine”: <https://www.rbc.ua/rus/news/golos-donbassa-smogut-vlasti-manipulirovat-1546777395.html>
 - 54 Interview of the mission participants with the activists in Severodonetsk, date 17.12.2018.
 - 55 Based on the documents and letters exchange between the NGO Center of youth support “Your victory” with the head of CMA of Zolote and Katerynivka, received during the interview with the mission participants, date 20.12.2018.
 - 56 Interview of the members of the mission with activists from Severodonetsk, date 17.12.2018.

Everyday life in the shadows of war

The Report analyses the challenges faced by the civilian population living in the direct proximity to the contact line. Besides describing current humanitarian situation, the report gives the overview of the current condition of the infrastructure and analyses the impact of the conflict on the civil rights of the population, such as a right to vote. The report flags the issues related to the ecology of the region, in particular the challenges with the forestry management and poor maintenance of the coal mines and the widespread of illegal mining. Particular attention in the report is given to the peculiarities of the military civilian administrations (MCP) which replace self-governance bodies in the localities close to the contact line. Conducted analyses highlights the corruption risks and lack of accountability inherent to the MCPs.

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