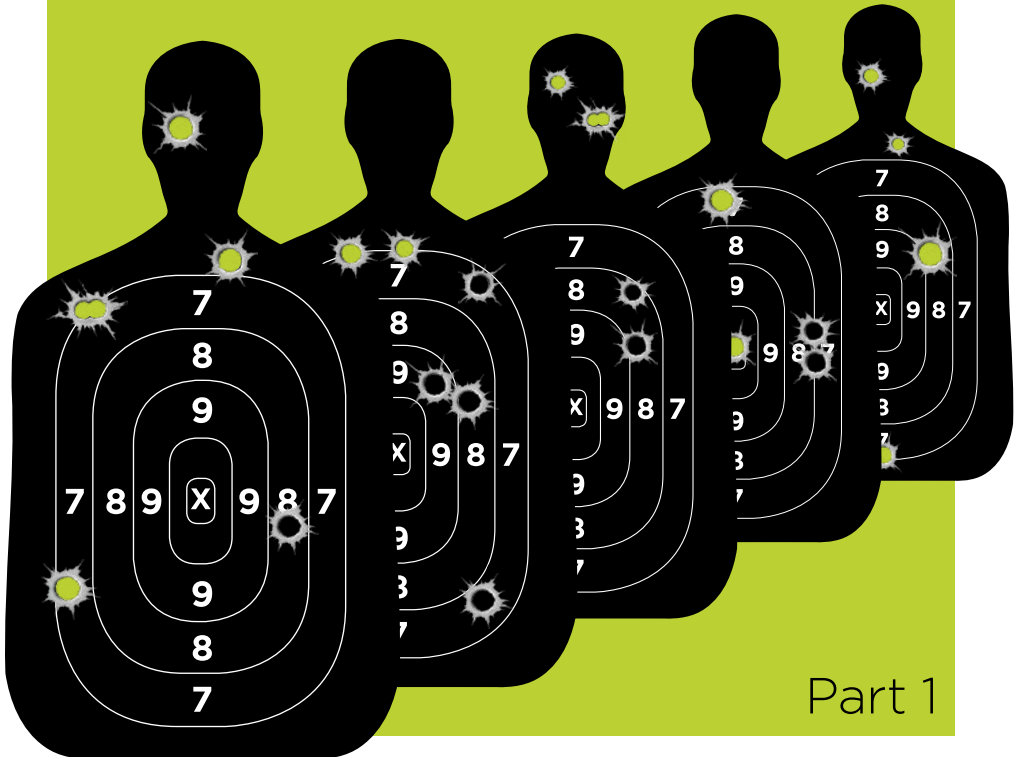


# VICTIMS OF THE ARMED CONFLICT

IN EASTERN UKRAINE  
IN 2014-2018



Part 1

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## SUMMARY

**This review** presents a compilation of the information collected by Kharkiv Human Rights Protection Group (KHPG) and Mirniy Bereg (MB) public organizations about victims of the armed conflict in Donetsk and Luhansk regions in 2014-2018.

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## CLASSIFICATION OF VICTIMS OF AN ARMED CONFLICT

### WE ATTRIBUTE THE FOLLOWING CATEGORIES TO THE VICTIMS OF AN ARMED CONFLICT:

- 1. the dead**, military and civilians, and members of their families;
- 2. the wounded**, military and civilians, and members of their families;
- 3. the missing**, military and civilians, including victims of enforced disappearances, and members of their families;
- 4. persons unlawfully imprisoned** and detained, and members of their families;
- 5. victims of torture** and ill-treatment;
- 6. victims of sexual and gender-based violence**;
- 7. victims of violations** of the human dignity, military and civilians;
- 8. prisoners in penal institutions** in non-government controlled territory;
- 9. victims of persecution** in non-government controlled territory due to the membership in the group:
  - ✓ Roma;
  - ✓ members of the LGBT community;
  - ✓ believers of churches that are not recognized by Moscow Patriarchate;
- 10. persons who have lost their homes and other property** as a result of hostilities.

We believe that in terms of human casualties, one should also consider the damage caused to the towns of Donetsk and Luhansk regions in the form of the destruction of housing facilities and infrastructure - heat, energy, gas and water supply, educational, medical, commercial, industrial, social, cultural, religious buildings, bridges, roads, land, etc.

This document looks into the victims of the armed conflict referred to in paragraphs 1. - 7.

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## SOURCES OF INFORMATION

### THE FOLLOWING SOURCES OF INFORMATION WERE USED TO PREPARE THIS REVIEW:

- a) **Daily official reports** on the situation in the combat zone, casualties, destruction, etc., reports of other information resources, including local ones, on the consequences of hostilities;
- b) **Daily reports** of OSCE Special Monitoring Mission, reports of the Monitoring Mission of the Office of the United Nations High Commissioner for Human Rights (HRMU), reports of international and national human rights organizations - Amnesty International, Human Rights Watch, Memorial Human Rights Center (Moscow), Ukrainian Helsinki Human Rights Union and other human rights organizations in Ukraine;
- c) **Answers** to information requests sent in accordance with the Law on Access to Public Information to local self-government and authorities in the territory controlled by the government;

- d) **Monitoring visits** to towns of Donetsk and Luhansk regions in the territory controlled by the government aimed at verification and clarification of the data received in response to data requests, interviewing victims of human rights violations and other eyewitnesses, video and photo coverage;
- e) **Information resources** that regularly publish information about events in the armed conflict zone;
- f) **Messages** of whistleblowers living in non-government controlled territory;
- g) **Materials** of proceedings initiated by the Strategic Litigations Centre of KHPG involving the facts of human rights violations in the conflict zone;
- h) **Databases** of MB and KHPG.

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## DEAD, WOUNDED

According to HRMU, from 14 April 2014 to 15 May 2018, about 10,350 died and more than 24,900 persons were injured as a result of the military conflict in eastern Ukraine. In particular, at least 2,725 civilians have been killed (not including 298 persons killed by the downing of flight MH-17 on 17 July 2014): 1,568 men, 961 women, 93 boys, 47 girls and 56 adults whose sex is unknown. HRMU estimates the civilian injuries to be between 7,000 and 9,000<sup>1</sup>.

According to the results of this period monitoring, personal data of 3,144 dead and 3,350 wounded civilians were collected in KHPG database<sup>2</sup>, and personal data of 7,972 dead and 1,572 wounded military personnel – in MB database<sup>3</sup>.

<sup>1</sup> [https://www.ohchr.org/Documents/Countries/UA/ReportUkraineFev-May2018\\_UKRAINIAN.pdf](https://www.ohchr.org/Documents/Countries/UA/ReportUkraineFev-May2018_UKRAINIAN.pdf), n. 16.

<sup>2</sup> <http://khpg.org/en/index.php?id=1538471203>

<sup>3</sup> <http://khpg.org/index.php?id=1540541285>

We have documented 118 armed conflict-related murder cases, including 50 civilians and 68 prisoners of war. 83% of the murders were committed in non-government controlled territory, 17% - on the controlled territory. 78 cases are related to extrajudicial executions (50% of military and 50% of civilians), 24 persons were tortured to death (23 military and 11 civilians, 19 cases - in uncontrolled territory, 5 - in controlled territory), 6 people were killed by single shots.

For the moment, it is difficult to establish the real death toll. With a high degree of probability, one can argue that the persons gone missing in 2014 and not found until now had been killed or tortured to death.

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## MISSING PERSONS

The lack of a unified methodology for determining missing persons and coordination between various state bodies led to different estimations of the number of disappearances in the military conflict zone - from several hundred to several thousand people.

On 15 February 2015, the Ministry of Internal Affairs published<sup>4</sup> a list with data on 1,331 missing persons in the military conflict zone requesting to provide any information on the whereabouts of the indicated citizens.

According to the information of the Directorate of National Police of Ukraine (NPU) in Donetsk region sent in response

<sup>4</sup> <http://old.npu.gov.ua/mvs/control/main/uk/publish/article/1141400>

to KHPG's information request, from April 2014 till the beginning of 2017, 2,727 persons went missing in the controlled territory of Donetsk region, the fate of 1,053 of them is unknown. According to the data of Luhansk regional civil-military administration, provided in response to KHPG's information request, since the beginning of the anti-terror operation in the controlled area of the region, 1,205 persons are sought for, 633 persons have been found, the fate of 572 remains unknown.

Fewer missing from the beginning of the military conflict in the east were reported<sup>5</sup> in the end of December 2017 by Vasyl Gritsak, the chairman of the Security Service of Ukraine - 403 people, including 123 military men, members of voluntary battalions and security forces.

The database of CO Mirniy Bereg contains the data on 2,878 missing during the entire period of the military conflict in eastern Ukraine, including 1,425 military, 1,453 civilians, with 56 children among the latter. As of late May 2018, the database contains 1,148 missing persons, of them 150 are military, 998 - civilians, including 33 children. Unidentified dead -152<sup>6</sup>.

<sup>5</sup> [https://www.dialog.ua/ukraine/139595\\_1513348177](https://www.dialog.ua/ukraine/139595_1513348177)

<sup>6</sup> <http://khpg.org/index.php?id=1528705847>

## ILLEGALLY IMPRISONED AND ILLEGALLY DETAINED

As of 20 July 2018, the Chief Military Prosecutor's Office had identified more than 3.5 thousand people illegally detained by illegal armed groups in non-government controlled territories of Donetsk and Luhansk regions. Of them, about 1.7 thousand are civilians, the rest are military personnel; almost all the persons illegally deprived of their liberty had been tortured by the members of illegal armed groups.

The prisoners were kept in unsuitable premises, deprived of food, water, necessary medical care and the possibility to satisfy physiological needs. At a minimum, the conditions of detention did not meet minimum standards, and in most cases were degrading. According to the Chief Military Prosecutor's Office, during 2014-2018, illegal armed groups created 120 places of illegal detention of prisoners – Ukrainian military and civilians, including journalists and volunteers<sup>7</sup>.

The database of MB contains records of 204 illegal places of detention, including 116 in Donetsk region and 88 in Luhansk region, where 3,736 prisoners were held, including 2,082 civilians and 1,654 military personnel<sup>8</sup>. In particular, the following detention facilities with the highest number of prisoners were documented:

- ✔ building of the Directorate of the Security Service of Ukraine (62 Shchorsa street, Donetsk) - more than 225 persons;

<sup>7</sup> Відносно наведених даних НПУ та ГВП див. <https://www.radiosvoboda.org/a/news/29378209.html>

<sup>8</sup> <http://khpg.org/index.php?id=1540541285>

- ✔ former military unit No. 3037 (1 Kuprina street, Donetsk) - more than 190 persons;
- ✔ Izolyatsia plant (3 Svetlogo Puti street, Donetsk) - more than 190 persons;
- ✔ Temporary detention facility near Yuzhnaya bus station (Donetsk) - more than 400 persons;
- ✔ Temporary detention facility of Snezhnyansky Municipal District Department of the Ministry of Internal Affairs of Ukraine in Donetsk region - more than 190 persons;
- ✔ building of the Directorate of the Security Service of Ukraine (79 Sovetskaya street, Luhansk) - more than 200 persons.

Long-lasting detention in inhuman conditions combined with severe torture have harmful consequences for mental and, in many cases, physical health of victims, and are very likely to persist for a long time. Also, the families of those who were killed will suffer from the loss of their relatives for many years, if not always.



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## VICTIMS OF TORTURE AND ILL-TREATMENT

During the monitoring visits to populated areas along the contact line and in the course of lawyers' communication with former prisoners, more than 3,000 cases of torture of prisoners (military and civilians) committed by illegal armed groups were recorded in the database of MB. In general, approximately 6,000 people (their data are contained in the database of MB) passed through the places of detention of illegal armed groups, the conditions of detention in which can amount to torture and ill-treatment.

Much less is known about torture committed by illegal armed groups due to the lower number and high level of latency. UHHRU, non-governmental organization Truth Hounds and KHPG have documented cases of detention of 23 persons by the Ukrainian security forces on the basis of data of 20 interviews conducted with victims and witnesses of the events, as well as photos and documents passed over by them<sup>9</sup>. Out of the 23 detainees 19 were victims of torture and ill-treatment. Among the documented arrests, only in three cases were those arrested involved in violent actions aimed at overthrowing the Ukrainian authority. In other cases, the arrested were former participants of non-violent rallies or civilians who had nothing to do with political events.

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<sup>9</sup> <http://khpg.org/index.php?id=1496406846>

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## VICTIMS OF SEXUAL AND GENDER-BASED VIOLENCE

Most cases of sexual violence associated with an armed conflict in the east of Ukraine occurred in the context of depriving people of their freedom by legal and illegal armed groups. In such cases, both men and women were subject to sexual violence. Beating and electrocution of the genital area, rape, threats of rape, and forced nudity were used as methods of torture and ill-treatment to punish, humiliate, or to obtain confessions. In addition, to increase the pressure, perpetrators of crimes also threatened with detention, abduction, rape, injury or murder of relatives of victims, especially their children and wives. In most cases, on the territory controlled by illegal armed groups, sexual violence was also used to force persons deprived of their liberty to give up their property or perform other actions that the perpetrators require as an obvious condition for their safety and release. Most of these cases occurred in 2014-2015. At the same time, for today, there is information available that indicates that such practice still persists on both sides of the contact line.

The highest risks of suffering sexual abuse are associated with the detention of a person, however there are also reported cases of sexual abuse against the civil population, especially against women in the area of the contact line as well as in the territories under control of volunteer battalion fighters and at checkpoints of illegal armed groups.

The reason for the increase in cases of sexual violence is the deterioration of the economic situation, the impoverishment of the majority of the population, which forced many women to engage in the so-called “sex-for-food”, especially in the territories affected by the conflict.

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## **VICTIMS OF VIOLATIONS OF THE HUMAN DIGNITY, CIVILIANS AND THE MILITARY**

We have documented the following types of abusive and degrading treatment qualified as attack against human dignity: marches of prisoners, accompanied by crowd abuse; confinement in premises with inadequate conditions (lack of proper conditions and place for sleeping and eating, lack of toilet, etc.); forced nudity or forcing men to wear women’s clothing, all sorts of hard (unpaid) work, including the arrangement of military installations; coercion to observe torture or rape of others; coercion to illegal actions connected with state symbols and military insignia, such as burning, eating or other actions against state symbols, forcing to collect and dismember the bodies of dead people (civilian, military). All the cases of coercion recorded by us were performed under the threat of using weapons or physical violence. By their actions, the militants of illegal armed groups demonstrated their superiority over the detainees.

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## CONCLUSION

These data indicate a large number and territorial extent of the committed crimes and their extremely serious consequences. A large region of the country has become a place of the crime, and its population as a whole – its victim.

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## RECOMMENDATIONS

- 1. It is necessary to draft** a regulatory legal act on creating a national register of individuals affected by the armed conflict (dead, wounded, lost property), which should include procedures for maintaining such a register, mechanisms of interaction and exchange of information between the interested state and local authorities, determine the state body responsible for its administration.
- 2. To develop** a draft law on compensation for civilians affected by the armed conflict in the east of the country - families of the victims, the wounded, persons who had lost their property – and adopt it in the Parliament.
- 3. To intensify the investigation** of crimes against military and civilians committed as a result of the armed conflict.
- 4. To create** a National Information and Documentation Center on the Victims of the Armed Conflict in Eastern Ukraine, which will bring together all the existing state registries with an access provided to the state authorities to the registries that they are authorized to maintain, the possibility of exchanging data upon request and processing the data on all the registries, along with personal data protection measures.

This publication is developed in the framework of the activity of **CivilM+** platform.

**CivilM+** is an independent international civil society platform, which mission is to active integration of civil initiatives to restore the Donetsk and Luhansk oblasts as peaceful, integrated and developed regions as part of a democratic Ukraine and a united European space, with the active participation of the region's population and those who have left the region due to the conflict.

The **CivilM+** platform offers its participants the opportunity to collaborate as part of joint initiatives and projects, to develop and express joint positions, provide mutual support and solidarity, systematise knowledge, raise levels of qualification and improve coordination.

Platform **CivilM +** was launched in December 2017 thanks to the joint effort of the civil society representatives from Ukraine, Russia, Germany and France.

More about the platform and it's members on the web-site [civilmplus.org](http://civilmplus.org)

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 Federal Foreign Office