

Disengagement of armed forces in the conflict zone in Donbas

Report based on the findings of the international DRA/VOSTOK SOS human rights monitoring mission to Ukraine



Imprint

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Cover photo: Railway bridge over the Siverskyi Donets. Disengagement area No. 1 at Stanytsia Luhanska

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Back page: Luhansk Region © Yevhenii Vasyliev

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Introduction

VOSTOK SOS Charitable Foundation, with the support from the DRA and the Federal Foreign Office of Germany, has monitored the humanitarian and human rights situation in the conflict zone in eastern Ukraine for five years. During this period, five international monitoring missions to Luhansk and Donetsk regions (government-controlled territories) have been undertaken and a substantial body of data collected, eventually summarized in five thematic reviews made available to European policymakers, governments, think tanks and other stakeholders.

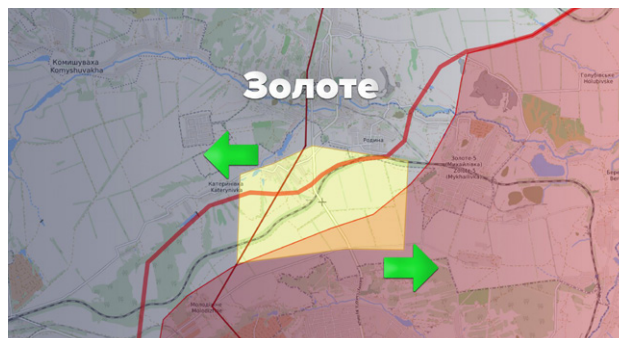
NGO workers, researchers and journalists from five countries – Poland, France, Canada, Belarus and Ukraine – took part in the monitoring mission conducted between 10 and 18 December 2019, which focused in particular on the situation in areas where disengagement of forces under the peace plan (the Minsk Agreements) took place in the summer and autumn of last year, and those where preparations for further disengagement were underway. This choice of research focus was driven by the exceptional importance of the conflict settlement plan, the polarity of opinions in Ukrainian society concerning the details of this plan, and the impact this public discussion on the social atmosphere in the country.

To remind, the Ukrainian government’s announcement of plans involving disengagement of forces along the contact line provoked protests by thousands of people in most regional centers and in a few settlements in Donetsk and Luhansk regions in the autumn of 2019. However, despite criticism and protests, the government has pursued the peace plan which requires it to withdraw troops along the entire contact line, to pass a law giving a special status to Donbas, and to hold local elections in areas currently controlled by Russia-backed armed groups of the so-called “Donetsk People’s Republic” (“DPR”) and “Luhansk People’s Republic” (“LPR”).

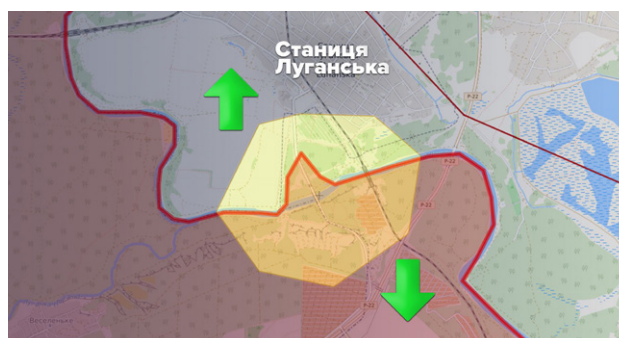
Thus, by early November 2019, armed forces and weapons had been withdrawn by both sides and partial demining conducted in three pilot zones which had been determined in 2016 by the Trilateral Contact Group in Minsk. In the government-controlled territory, these include the areas located at Stanytsia Luhanska and Katerynivka, the latter bordering on the town of Zolote, in Luhansk region, and the area between Bohdanivka, government-controlled, and Petrivske, under the control of the so-called “DPR”, in Donetsk region.



Disengagement area at Bogdanivka and Petrivske, Donetsk Region © Hrodzadske



Disengagement area at Zolote, Luhansk Region © Hrodzadske



Disengagement area at Stanytsia Luhanska, Luhansk Region © Hrodzadske

These three zones are similar in size, because the disengagement agreement provides for a mutual “mirror” withdrawal of both the Ukrainian Armed Forces (UAF) and the Russia-backed armed groups of the so-called “DPR” and “LPR” from areas measuring about 2x2 kilometers. They all differ, however, in terms of landscape and local population.

The disengagement area in Stanytsia Luhanska is located on both banks of the Siverskyi Donets river that serves as a natural barrier. This area includes the only entry and exit checkpoint (“Stanytsia Luhanska” EECF) operating in Luhansk region and some of the territory surrounding this EECF. The disengagement area on the government-controlled side includes a residential quarter of Stanytsia Luhanska (Lomonosov and Lebedinsky streets) which was badly damaged by active fighting in 2014-2016, with 100 current residents living in 74 houses. A railway bridge across the Siverskyi Donets and the river itself separate this area from the territories controlled by armed groups of the so-called “LPR.”



Street in Stanytsia Luhanska, Luhansk Region © Yevhenii Vasyliiev



Street in Bohdanivka at the disengagement area No. 3, Donetsk Region © Marta Szczepanik

The other disengagement area in Luhansk region includes most of the village of Katerynivka (86 houses with 150 residents, including 7 children) which had been in the “gray zone”, i.e. not controlled by either side, until end-2017. This village is located in close proximity to the town of Zolote and the EECF of the same name, which was opened by the Ukrainian side in 2016 but still cannot be used for crossing the contact line because it is blocked by the self-proclaimed “LPR.” This disengagement area also includes a road leading from the EECF in Zolote to one of the town’s districts, namely the “Rodina” coalmine settlement (Zolote-4).



How citizens are being informed. Disengagement area No. 2 in Katerynivka, Luhansk Region © Marta Szczepanik

At the village of Bohdanivka, the disengagement area runs through the fields located behind the village and separating it from the neighboring settlement of Petrivske controlled by armed groups of the so-called “DPR,” while Bohdanivka, with its eight current residents, is controlled by the UAF.

It should be noted that despite protests by pro-Ukrainian activists, the actual disengagement and demining in the first area at Stanytsia Luhanska, as well as subsequent repairs of the bridge, were carried out without major difficulties between July and November

2019. Likewise, the disengagement in the third sector at Bohdanivka in early November 2019 did not cause opposition. It was only in Zolote in October 2019 – largely due to absence of reliable information in the public space about the disengagement, its principles and boundaries – that the authorities faced active resistance from veterans of the UAF and volunteer battalions and from members of the right-wing forces, such as the National Corps Party. Officials from the local military-civil administration (MCA) and the Ukrainian Ministry of Defense engaged with Zolote residents, conducted an awareness campaign and even arranged a tour to Stanytsia Luhanska both for active supporters of the disengagement and for ardent opponents of the UAF’s withdrawal from the territory.

Based on findings from a field monitoring mission, this report is an attempt to answer some of the questions about potential consequences of the disengagement for civilians, the law and order situation in the disengagement areas, and the risks associated with further disengagement along the entire contact line. Our review is informed by first-hand data collected as part of the monitoring mission and in particular during field visits to the three settlements where the disengagement has already taken place (Stanytsia Luhanska, Katerynivka and Bohdanivka) as well as to potential sites of further disengagement located near the contact line (Krymske, Trokhizbenka and Lopaskyne in Luhansk region, and Pisky, Verkhnyotoretske and Marinka in Donetsk region). The report is based on field observations by the mission participants, interviews with local activists and residents, and with representatives of local and regional Donetsk and Luhansk MCAs. The report also draws from long-term field observations by human rights activists of VOSTOK-SOS Charitable Foundation who have worked in Donetsk and Luhansk regions since the onset of the armed conflict.

Part one: Disengagement in Stanytsia Luhanska, Katerynivka and Bohdanivka

Since the start of the armed conflict in 2014, the urban-type settlement of Stanytsia Luhanska and the villages of Katerynivka and Bohdanivka were the epicenter of the fighting. In 2014-2016, Stanytsia Luhanska was targeted by intense shelling from weapons of all types and calibers, causing significant damage to its infrastructure and housing properties. Katerynivka and Bohdanivka were not affected as much, because the former was in the “gray zone” and the latter in the rear of UAF positions. For a long time, both communities were neglected by the central government, and their residents were left to fend for themselves in the midst of a war, assisted only by international and Ukrainian humanitarian organizations. Having visited these communities and their demilitarized zones, the monitoring mission observed significant differences between the current situation in Stanytsia Luhanska and Katerynivka, on the one hand, and in Bohdanivka, on the other.

Unlike Katerynivka and Bohdanivka, Stanytsia Luhanska has been in the focus of public and media attention; however, this has not prompted the central government to take active steps towards helping its residents deal with everyday challenges. Thus, housing reconstruction in Stanytsia Luhanska has been possible mainly due to international aid. International humanitarian organizations have also played a major role in equipping and upgrading the sole EECP in Luhansk region, located on road bridge badly damaged by an explosion and allowing only for pedestrian crossing to and from government-controlled and uncontrolled territories. Before the summer of 2019, no steps had been taken to repair the bridge. The roads connecting Stanytsia Luhanska with the region’s administrative center, although partially repaired in 2019, remain in very poor condition. Although Stanytsia Luhanska serves as the administrative center of its district, the district court and the Center of Administrative Services have not resumed work. Reopening them could make life much easier for some 150,000 residents of the temporarily occupied areas of Luhansk region who visit Stanytsia Luhanska every month for identity verification and for accessing administrative services.

Both district administration officials and local residents in Stanytsia Luhanska agree that the main positive consequence of the disengagement has been the restoration of the bridge across the Siverskyi Donets damaged by fighting in early 2015. Its restoration makes pedestrian crossing from government-controlled to

uncontrolled areas much more convenient for the 13,000 people who cross the contact line via this EECP daily. The damaged part of the bridge that had been fixed with a makeshift wooden structure which people had to climb down and up, often carrying a load, is now repaired and suitable even for cars and smaller trucks. The EECP infrastructure has been upgraded, with new service windows opened: on the day of the mission’s visit, some 20 service windows operated on each side to let people through from the controlled to the uncontrolled territory and the other way around. The road leading from the EECP to the repaired part of the bridge has been paved. During the EECP opening hours, a bus and two UNHCR-provided electric cars carry persons with limited mobility over the approx. 800 meters from the Ukrainian EECP to the bridge. People who were crossing the contact line at the time of monitoring mission’s visit unanimously appreciated the improvements, and one woman from the uncontrolled territories even thanked the mission members for these more humane conditions.



Entry-exit checkpoint in Stanytsia Luhanska, Luhansk Region
© Marta Szczepanik



Entry-exit checkpoint in Stanytsia Luhanska, Luhansk Region
© Marta Szczepanik

Entrepreneurs who transport small (up to 75 kilograms) loads of food and household goods from Stanytsia Luhanska to the uncontrolled territory also praised both the more comfortable border crossing and a simplified procedure for goods transportation. They noted that

most of the arbitrary restrictions which had affected them before were removed by the Cabinet of Ministers' Resolution No. 815 of 17 June 2019, in effect since 18 November 2019, which introduced a new procedure for goods transportation over the contact line.

As mentioned above, the village of Katerynivka that borders on Zolote and stretches over nine kilometers, used to be in the "gray zone" from the summer of 2014 to the end of 2017. Over this period, humanitarian organizations were the only ones helping some 300 (of the pre-war 500) local residents, mainly retired elderly persons (60%) and those who lost their jobs when the conflict started. The government's involvement partly resumed after the village was taken under full UAF control in early 2018 and the MCA of Zolote and Katerynivka, which was established in 2014 but inactive for more than three years, finally began its work. Between 2018 and 2019, a medical station resumed operation in Katerynivka. Today, an ambulance can be called from Zolote-3 (Stakhanovets) and the Ukrainian post delivers pensions to the elderly. However, the roads connecting Katerynivka to the district and regional centers remain in critical condition. As before, there is no direct passenger service between Katerynivka and other settlements.



Closed shop in Katerynivka, Luhansk Region © Marta Szczepanik

Until recently, children living in Katerynivka had to either walk some four kilometers, in dangerous proximity to the line of fire and minefields, to the EECP to catch a school bus; alternatively, their parents needed to rent transportation to take their children to school in a nearby settlement. In 2018, a school bus started coming to Katerynivka, but only stopped at one end of the village. After the disengagement in the autumn of 2019, the bus route has been extended to the other end of the village to pick up and bring back a child living there. According to head of Zolote MCA Alexei Babchenko, the disengagement will make it possible to repair the road from Severodonetsk to Zolote and Katerynivka, in line with President Zelensky's promise given during his visit to these settlements in November 2019.

Unlike Katerynivka and Stanytsia Luhanska, the disengagement at Bohdanivka, Donetsk region, has not in any way changed the situation in the community where just eight of the pre-war residents are left, half of whom are retired of 70+ and the other half are of pre-retirement age. There is still no bus service to Bohdanivka. In absence of paved roads, the only way to access the village in rainy weather is by off-road vehicles.

The village has no medical service, no pharmacy and no grocery store. Villagers who need to access medical or administrative services, to buy groceries or other essentials have to order private transportation from nearby villages or ask the army for help. The "Proliska" humanitarian mission (UNHCR's implementing partner) provides free transportation for the oldest villagers so they may access their welfare payments. The International Committee of the Red Cross (ICRC) offers in-kind assistance (coal for heating).

Since ambulance does not come to the village, military medics provide emergency medical assistance to local residents in need. The village has never had police patrols and does not have them now, after the disengagement, despite assurances from the National Police.

Deputy Chair of Donetsk Regional MCA Vadim Filadkin and members of his staff Oleg Stavitsky, Igor Boyko and Oksana Golovko with whom the mission met do not find it "feasible" to make such services available to the tiny community and explain their neglect of the residents' needs by a lack of funds.

The disengagement has also brought about **better observance of the ceasefire regime in the demilitarized zone**. Thus, in their conversations with the mission participants, residents of Katerynivka – a village that was on the line of fire just months ago – noted the absence of shelling in the area but mentioned having heard explosions nearby, in particular in Zolote-4, five kilometers away from the disengagement zone. However, a week after the mission's visit to Zolote-4, fighting increased on the outskirts of the village. On December 21, the roof of residential building No. 14 in Second Volnaya Street was hit by a shell and partially destroyed. The shelling of Zolote-4 from the uncontrolled territory got even worse in the first weeks of 2020.

Local residents in Stanytsia Luhanska associate disengagement with the absence of military personnel and vehicles rather than with less shelling, because the settlement has not been shelled since the EECP was opened there in 2017. But both local residents and observers note that despite the disengagement, Russia-backed armed groups have been setting up firing positions at dominant heights on the border of the disengagement area. Shelling outside Stanytsia Luhanska has often been reported.

The situation is radically different in Bohdanivka and Petrivske where the OSCE Special Monitoring Mission has repeatedly recorded the activity of Russia-backed armed formations of the so-called “DPR” and “LPR” (movement of personnel and vehicles, attempts to set up new positions) and ceasefire violations in the disengagement area, including heavy-machine-gun and small-arms fire and undetermined explosions.

After years of living in the “gray zone,” Katerynivka residents are still very cautious despite the announced ceasefire and hurry to their homes as the sun sets (around 3:30 pm at the time of the field mission), stay in until the next morning and avoid turning on lights in rooms overlooking the street. At 4 pm, the village looks empty. According to Katerynivka residents, they adopted these unwritten rules when the village was still in the “gray zone” and often targeted by subversive and reconnaissance groups from both sides. Attracting their attention, let alone being caught while out and about after sunset, could have dire consequences.

As for Stanytsia Luhanska, factors which regulate the community’s daily life, in addition to the length of daylight and the risk of shelling at night, also include the EECP opening hours, from 8 a.m. to 5 p.m. in winter.

New problems and challenges caused by the disengagement

Despite prompting more attention from the central government and from regional and local administrations and bringing some improvement in the everyday lives of civilians in Stanytsia Luhanska and Katerynivka, the disengagement has caused new problems and challenges and raised questions to which the monitoring mission has not received convincing and comprehensive answers.

a) Security and law enforcement in the disengagement zones

The first group of problems concerns security and law enforcement in the demilitarized and nearby areas where the presence of the military or armed law enforcement authorities such as the police is not permitted. According to statements made by National Police, Ministry of Interior and Donetsk and Luhansk MCA officials, increased patrolling of the demilitarized zones by police and National Guard (NGU) officers should compensate for the UAF withdrawal and ensure security of civilians. For example, a police force stationed at a local club in Zolote-4 near Katerynivka and strengthened by NGU officers in November 2019 is responsible for security and law enforcement within the Katerynivka demilitarized

zone. In Stanytsia Luhanska, the district department of the National Police and a few officers of the Luhansk-1 Police Battalion are tasked with this function.

“I have seen an ambulance come here, but I have not seen a policeman for a long time,” says an elderly resident of the demilitarized zone in Stanytsia Luhanska. Indeed, over the period of several hours in the demilitarized zone of Stanytsia Luhanska, the mission members did not see a single police officer patrolling the streets. Meeting and talking with Alexander Klimenko, the police chief of Stanychno-Luhansk District, did not bring more clarity. When asked about the new policing procedures, Klimenko said that the police were operating in the demilitarized zone “just like elsewhere in Stanytsia Luhanska and responding to calls.”

It is questionable whether unarmed police officers will be able to effectively respond to armed violence or to stop enemy reconnaissance and subversive groups from breaking into the demilitarized zone. This raises concerns, particularly because the intact railway bridge across the Siverskyi Donets, which is part of the disengagement area and connects the occupied territories with those controlled by the government, has remained unguarded since the withdrawal of forces, so that the mission members were able to cross it freely. According to officials of the Stanychno-Luhansk District administration, they had also asked but received no answers to their questions about security measures put in place at the railway bridge or elsewhere in the demilitarized zone, including the EECP. It is worth noting here that during their visit, the mission members did not see a single law enforcement officer at the EECP or on the pedestrian bridge over the Siverskyi Donets behind the EECP. Representatives of the Ukrainian side of the Joint Center for Control and Coordination (JCCC) of ceasefire regime and stabilization of the situation on the contact line were observing the pedestrian bridge up to its recently repaired section. These officers are tasked with monitoring ceasefire compliance under the Minsk Protocol of 5 September 2014, but not with security and law enforcement functions. District police chief Alexander Klimenko confirmed that police are not allowed in the demilitarized zone between the EECPs and are therefore unable to ensure the safety of civilians there.

“A police car comes to Katerynivka only during the opening hours of the village grocery store, but they are never here in the evening or at night,” a resident of Katerynivka told the monitoring mission. Indeed, when the mission members visited this disengagement area unescorted by Civil-military cooperation (CIMIC) of UAF officials on 11 December 2019, they could see, at around 2:50 pm, a car with two police officers leave the village and never return. Not once during the several hours of

field work in this sector did the mission see any signs of intensive round-the-clock presence of law enforcement officers in the area.

Thus, the monitoring group found that the demilitarized section in Katerynivka was patrolled by two police officers from approximately 8 am to 3 pm. Moreover, instead of patrolling the village streets, the police officers kept guard outside the grocery store. This situation is in sharp contrast with the public promises made by the National Police officials to the effect that the demilitarized zones would be heavily patrolled by police.

There are no police patrols in Bohdanivka either. "We have forgotten that police even exist, since they have not come here even once in the last six years," a local resident noted.

Security concerns were also shared by **residents** in Stanytsia Luhanska, Zolote and in other settlements located near the contact line where further disengagement may take place. However, people are divided on this issue. Some believe that the disengagement, in and of itself, can serve as a guarantee of long-term ceasefire and thus ensure people's physical safety. Those who hold this opinion tend to have unreasonably high expectations of disengagement-related security guarantees: some people believe that disengagement will involve the deployment of trained security personnel, enhanced OSCE presence (which is impossible without changing the SMM mandate) or even the presence of a peacekeeping force.

For others, disengagement spells danger both for the demilitarized areas (by potentially turning them into "gray zones" outside Ukraine's jurisdiction) and for individuals. Pro-Ukrainian activists in Zolote and Stanytsia Luhanska are particularly concerned for their own and their loved ones' safety. According to Marina Danilkina, a local activist in Zolote-4, "If disengagement continues, I will be forced to move away from my home and my village. I have already received telephone threats on three occasions." If Zolote-4 ends up in the "gray zone" once again, the activist expect a deterioration of the humanitarian situation for the local people and problems with access to public services.

Meeting with the mission participants in Stanytsia Luhanska, Natalya Zhurbenko, an IDP from Luhansk known for her public pro-Ukrainian stance, voiced concerns about the security situation: "I'd thought that I was holding the frontline and this place was a safe rear area. But it turns out there's no safe rear area here either." Following the disengagement, Zhurbenko has also received numerous threats of physical violence from fellow villagers with pro-Russian attitudes, and she is certain that should further disengagement occur in her area, she would be forced to leave Stanytsia Luhanska with her family and thus face internal displacement yet another time.

Local activists' concerns for the safety of territories, public bodies and their staff, as well as civilians, are shared by some heads of local administrations. Meeting with the monitoring mission, the head of Stanychno-Luhansk District administration Yuriy Zolkin said he was not sure whether anyone could guarantee the safety of public registries, continued operation of public authorities and safety of their employees and their families should they end up in the demilitarized zone after the second phase of disengagement. Similar doubts were shared by Volodymyr Haivoronsky, MCA head in Trokhizbenka, which may be one of the next three disengagement areas; see the second part of this report for a review of the local situation.

Yet another cause for concern is the shortened distance between the UAF combat positions and residential areas of Zolote-4 after the disengagement. Before the disengagement, the UAF frontline positions were at approximately 1.5 km away from the settlement's outermost houses, but since October 2019, frontline fortifications have moved dangerously close to about a hundred meters away from residential buildings and the Zolote EECP. In the event of intense fighting, this can lead to civilian casualties. According to the mission participants, stationing a National Guard unit in the building of a (currently non-functioning) preschool daycare facility located just a hundred meters away from a (currently functioning) school – and thus making these and nearby buildings a legitimate target for the enemy – is contrary to international humanitarian law.

b) Local civilians' access to commercial services and the possibility for NGOs to work in the demilitarized zones

Unresolved security issues in the demilitarized zones also limit people's access to certain types of services, such as mobile banking. A mobile branch of the Ukrainian Oschadbank has stopped coming to Katerynivka since the disengagement, while continuing to provide the service in the neighboring non-demilitarized Zolote-4. As a result, Katerynivka residents are often forced to travel by private transport to the neighboring village of Hirske or to remote areas of Zolote (Karbonit, Solnechny) to withdraw cash or to pay utility bills, which is particularly onerous for the elderly. A trip to Hirske can cost up to 200 hryvnias, while the average pension is 1,500 hryvnias. A social bus connecting Katerynivka to neighboring settlements runs only twice a week and departs from/arrives at the EECP, and therefore villagers with limited mobility cannot use it.

The head of Luhansk Regional MCA Serhiy Haidai promised that the problem would be addressed by setting up an Oschadbank mobile office at the Zolote

EECP, a few kilometers from Katerynivka, in January 2020. This suggests that safe transportation of money and mobile banking systems cannot be fully guaranteed in the demilitarized zone. UkrPoshta, the Ukrainian postal service, continues to deliver pensions to the oldest and least mobile of Katerynivka residents.

The weakening of security and control after the disengagement may also discourage private commercial providers from offering services in the demilitarized zones. A few humanitarian workers interviewed by the mission voiced a concern that assistance to residents of demilitarized settlements could be reduced due to worsening security. In the long run, this may limit residents' access not only to administrative services but also to food and basic necessities.

Associated with the disengagement, the introduction of the so-called "yellow" security regime in the Joint-Forces Operation (JFO) area on 28 October 2019 grants additional powers to military and law enforcement personnel and restricts individual rights and liberties, affecting, in particular **the freedom of movement and access to the demilitarized zones**. The monitoring mission noted the existence of two very different modes of access to the disengagement zones in Stanytsia Luhanska and Katerynivka/Zolote. Access to the demilitarized area in Stanytsia Luhanska, as noted above, is virtually uncontrolled, causing security concerns in the local administration, while in Zolote, numerous barriers are in place, officially designed to restrict access and prevent the enemy's subversive acts in Katerynivka's demilitarized zone. In particular, police patrols block all dirt roads leading up to Zolote-4 and Katerynivka. Visitors can access these settlements by car only via the EECP from 8 a.m. to 5 p.m., upon prior authorization by the JFO HQ, and only registered local residents whose names are on the official lists provided by the local administrations can access the places at any time.

This access regime creates problems for Ukrainian humanitarian organizations, journalists and researchers working in the area. The Vostok-SOS Foundation has requested but has not received any specific information on how exactly the law enforcement authorities are supposed to operate under the "yellow" security regime or how organizations can enter and work in areas covered by this security regime. We have strong doubts as to whether these measures fit the declared purpose of countering subversive activity. It appears instead that their real objective is to prevent certain information which the authorities would rather hide from leaking out. For example, the mission had to circumvent certain artificial restrictions introduced along with the "yellow" security regime before we were able to investigate the actual situation in Katerynivka.

And we find it even more alarming that blocking the minor dirt roads connecting Zolote-4 to neighboring

settlements could hinder the evacuation of civilians and cause avoidable casualties should the fighting escalate, because the nearest six-kilometer-long detour runs via locations which are dangerously close to combat positions.

We should also note that residents of frontline settlements are poorly informed of what has changed in official rules and procedures after the disengagement. For example, some residents of Katerynivka complained to the mission about not being able to cross the EECP after 5 pm, although in fact they can cross the checkpoint at any time provided they have proof of official residency in the area.

Other concerns of the civilian population include the lack of information on how the law enforcement agencies are supposed to operate in the demilitarized zones and what are the upcoming disengagement plans. None of the local residents we interviewed was aware of any procedures, routes or means of evacuation should the fighting escalate. By talking with representatives of local administrations, the monitoring group was not convinced that public and municipal officials had specific action plans or knew their roles in such emergencies.

The mission can broadly identify two different approaches to how the central government and local MCAs respond to challenges faced by settlements in the current disengagement areas: in some cases, the authorities keep track of the local situation and are closely involved in dealing with problems on the ground, while in some others, the authorities refuse to be involved and, as in the case of Bohdanivka, count on assistance from international aid organizations instead. Which of these two approaches will prevail in the upcoming disengagement areas remains unclear.

In implementing its plans for the disengagement of troops along the entire contact line, it is also unclear where and how the government will find the human and financial resources needed to ensure the safety of civilians, government agencies and commercial entities.

Part two: Waiting for the disengagement in Krymske, Pisky, Marinka, Verkhnyotoretske and Trokhizbenka

Based on a review of published data and first-hand observations of the Ukrainian project partners (Vostok-SOS), we note an absence of any substantial progress in addressing several key problems affecting the 5-kilometer area near the contact line. The humanitarian situation is bordering on critical, while the Ukrainian



Road between Kriakivka and Trokhizbenka, Luhansk Region
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Road from Krymske to the floating brigde © Marta Szczepanik



Road from Krymske to the floating brigde © Yevhenii Vasyliiev



Street at Pisky settlement, Donetsk Region © Yevhenii Vasyliiev

government has not demonstrated sufficient willingness and ability to take effective steps towards meeting the basic needs of local residents. Still unresolved are problems with restrictions of the freedom of movement, with certain aspects of ensuring security, with critical road condition and absence of regular transport service, with unemployment and extremely low living standards as a result, with limited access to administrative services, pensions and social benefits, with shortages of hygiene products, drinking water, food, and fuel for heating homes, and with interruptions in electricity, gas and water supply. Given that the Ukrainian authorities were unable to address these problems during the five and a half years while these territories were fully controlled by the Ukrainian army and police, declarations by government officials that these problems will be effectively resolved once the disengagement partially removes them from Ukraine's control sound extremely unconvincing.

Disengagement of armed forces along the entire, almost 450 km contact line can affect the territory inhabited by more than 100000 people. The monitoring mission visited a few settlements located near the contact line: Krymske, Pisky, Marinka, Verkhnyotoretske and Trokhizbenka. All of them can potentially be included in the future disengagement area. The visited locations have been strongly affected by the hostilities in the last years. Thanks to the humanitarian aid provided by the

international and national NGOs the situation in all the settlements is slowly improving. Nevertheless, residents in the case of troops withdrawal, would find themselves in a so-called "gray zone" – non controlled territory between armed forces.

The village of **Krymske** is located in the Luhansk Region just approximately one kilometer from the contact line. Due to the war the settlement lost half of its population. Before the conflict there were 1212 inhabitants, but currently there are only 543. The access to the village is difficult since it is located on the right bank of Siverskyi Donets, that is mostly controlled by Russia-backed armed groups. Since 2017 the floating bridge, established by the UAF, has been connecting the settlement with the rest of the country.

The village of **Trokhizbenka** is also located at the bank of Siverskyi Donets in Luhansk Region. The settlement, with a pre-war population of 3000 residents, used to be strictly connected with the town Slovianoserbsk – now under the control of the so-called "LPR". The bridge over the Siverskyi Donets connecting both locations was blown up by militants in summer 2014. Today a single mud road connects Trokhizbenka to the outside world.

The urban-type settlement of **Verkhnyotoretske** is located in Donetsk Region, about 24 km north from DNR controlled town Yasinuvata. In the beginning of 2015 the

settlement was divided by the contact line. Eventually UAF have taken control over the entire village in December 2017.

Pisky is a suburb of Donetsk located in the red zone near the ruins of Donetsk airport. 2000 residents of the village had been forced to flee. There are just 11 elderly people left – they refused to be evacuated. Pensions, transportation and any government services are absent in Pisky. In any emergency case residents can rely only on soldiers and NGOs operating there. Pisky is almost completely destroyed by persisting hostilities. Despite the risk many inhabitants are requesting to authority for the permission to return.

The town of **Marinka** is located next to Donetsk. Some of its streets lead directly into the city. In the beginning of 2015 Marinka turned out to be in the “gray zone”. In June, part of the town was seized by the armed forces of the so-called “DPR”, but eventually it was recaptured by the Ukrainians. Today life is slowly coming back to the town, especially to its central part. Several streets located close to the contact line are still directly affected by shelling. Out of 10,000 residents before the war there are roughly 4,000 left. EECP is located on the outskirts of Marinka.



Women from Marinka, Donetsk Region © Kostiantyn Rieutskyi

Many residents believe that the withdrawal of troops will stop the ceasefire violations and open access to territories under the control of the so-called “DPR” and “LPR”. They hope that finally it will be possible to return home, reconnect with family members and restore life as it used to be before the war. They seem to be not aware or simply ignore possible negative consequences of disengagement: lack of security, problems with access to public services, pensions, health care and humanitarian aid.

a) Security situation

“If the Ukrainian army withdraws from Marinka, 4000 inhabitants of our town will become hostages to the occupant,” said Alina Kosse, director of the House of Arts for children in Marinka. In particular risk are residents

that have taken an openly pro-Ukrainian position. According to reports from local activists and volunteers the most active residents have already faced threats from unknown people and even their houses were more often targeted by shelling. Many of them fear that they will be attacked by the pro-Russian groups after the withdrawal of Ukrainian army. That’s why escaping from demilitarized zones seems to be the only way to ensure the security for themselves and their families.

The findings from our field observations confirm those fears. Based on conversations with representatives of local authorities of settlements adjacent to the contact line, they do not know about any official plans or instructions for providing civilians with security after the disengagement of the Ukrainian armed forces. According to the above-cited agreement about the disengagement, any armed groups are not allowed to enter into the two-kilometer demilitarized zone. Those areas are to be patrolled by the Ukrainian police. It is highly questionable whether unarmed police officers will be able to maintain public order. For example, in Trokhizbenka, there will be only 20 policemen to patrol the entire area of around 52 kilometers connecting Triokhizbenka to nearby villages of Orekhovo-Donetske and Kriakivka, on the one side,



Mission members talk to a woman in Lopaskyne, Luhansk Region © Yevhenii Vasyliiev

and Lopaskyne and Lobacheve on the other side. This while the area of Triokhizbenka, which has an extremely difficult geographical position — close to the front line, cut off from large settlements in a wooded, poorly controlled terrain — is regularly visited by enemy reconnaissance and sabotage groups. Thus, two such groups were spotted in the village as late as November 18, 2019 and tripwire mines were found in the center of the village in the late August 2019, according to Volodymyr Haivoronskyi, head of the local military-civil administration.

Ukrainian authorities ensure that the public order will be maintained in the areas of disengagement, but neither representatives of Donetsk regional nor Luhansk regional MCA have provided the monitoring mission with answers about terms of police presence in demilitarized zones.

On the other hand, the so-called “DPR” announced taking mirror actions in case of Ukraine sending police to the demilitarized areas. There are serious doubts if post, delivery of goods, bank’s mobile units and even NGOs will keep operating in the territories where the Ukrainian authorities cannot guarantee security.

Another persisting problem is ceasefire violations. According to the Special Monitoring Mission (SMM) of the OSCE the number of civilian casualties along the contact line slightly decreased in 2019. In the first ten months of 2019 SMM reported about 18 people killed and 124 injured. In 2018 in total there were 238 casualties. Civilians have been killed and injured, mainly by mines, also as far away as 60 km from the contact line and less often by shelling. On the other hand, from August to November 2019 SMM had recorded a 23% increase in the number of ceasefire violations compared to the previous period. According to representatives of the MCA in Krymske, since disengagement has begun they have been observing more ceasefire violations.

Residents of Marinka, Krymske and Trokhizbenka said about rare shelling, but in Pisky people report about



At the Civil-military administration in Krymske, Luhansk Region
© Marta Szczepanik

almost day-to-day sounds of the fight. However, shootings seem to target houses very rarely. According to residents, in Pisky for the last time missiles hit civilian buildings on 14th of February 2019. In Krymske locals confirmed that attacks are recently carried out only around the settlement. According to reports from residents of Trokhizbenka, there are also cases when drunk soldiers open gunfire just out of boredom.

On the 18th of December, just one day after the monitoring mission visited the town of Marinka, a local resident has been shot dead there. According to the Press Center of JFO a civilian was seriously injured amid fire opened by a pro-Russian militant and died on the way to the hospital.

b) Access, transportation and road conditions

“We feel isolated from the external world as we lived on an island,” said residents of Lopaskyne. Since the war broke out many settlements located along the contact line have been cut off from their regional centers. Lack of transport infrastructure and means of transportation hinders traveling, food supplying and what is the most crucial operating of ambulances, fire brigades and police.

The monitoring group observed problems with access to villages Krymske and Trokhizbenka, both located in Luhansk region. Settlements lacked asphalted access roads. The only paved roads have been cut off by the front line. Residents can use only dirt roads, that especially in the wet weather are not accessible for ordinary cars. Access to Krymske is possible only via the floating bridge established by the UAF on Siverskyi Donets river.

Despite poor road conditions in both settlements operate well stocked shops. According to shops assistants, supplies arrive once per week and only in case of extreme weather conditions they are postponed. Pensions are delivered either by post or mobile units of Oschadbank. In comparison with Donetsk Region, the road conditions in Luhansk are noticeably worse.



Krymske settlement, Luhansk Region © Marta Szczepanik

Due to the movement of heavy military vehicles, many roads have been destroyed, but for example in Krymske military vehicles use a separate road.

During a visit in Trokhizbenka the monitoring group also visited the hamlet of Lopaskyne, a part of Trokhizbenka military civil authorities. Lopaskyne is located on the Ukrainian government-controlled side of the Siverskyi Donets, but the distance from any larger settlements is considerable. Before the war, for residents of the village the town of Slovianoserbsk was a local center, today it is on the occupied side of the river. Out of about 120 residents nowadays only 20 persons still live in Lopaskyne, mainly elderly people. The only way to get to the 11 km far Trokhizbenka is by walking. Twice per week a mobile shop arrives to Lopaskyne, but according to residents, prices are slightly higher compared to any

regular shop. Since most of the people live just of their pensions (average of 1500 UAH) it makes a difference for them.

The monitoring group attempted to reach the village of Lobacheve, also a part of Trokhizbenka military civil authorities, but unfortunately, due to the poor condition of the dirt road it was not possible.

The unemployment rate in the combat zone is very high. For example, in the village of Krymske only 70 out of 543 residents have work. The majority of them occupy public positions, for example in the army, in the school and local administration. In the village there are just 4 small enterprises: 3 shops and a manufacture of lawn ornament figurines. Several residents secured work in the international humanitarian organizations. The contact line has cut off many residents from their work. For example, Marinka's residents used to work in Trudovska mine, that is located just 4 km far away from the town. Nowadays it is on the other side of the contact line, under "DPR" control.

Lack or insufficient public transport, particularly hinders access to work and education. The railway station of Skotuvata, located near Verkhnyotoretske has been just opened after the renovation. It will be possible now to travel to Kostiantynivka on a daily train. In order to be able to get to work local residents requested to have a very first train early in the morning. Unfortunately, due to the persistent risk of shelling trains will operate only during daylight hours. Thanks to ADRA Ukraine the social bus connects residents of Trokhizbenka and Krymske with Novoaydar where the county administration is located. A free bus runs 2 times per month, it departs in the morning and arrives back by the evening, but it cannot compensate the lack of regular public transport.

In Krymske many residents believe that the disengagement of the armed forces will allow to restore the access to the asphalted road to Bahmut. They said their life depends on this road, since it used to give an access to work, schools and hospitals. In Trokhizbenka people hope for the bridge reconstruction and for the opening of the traffic to Slovianskerbsk. Some residents pointed out the need of establishing checkpoints in case of opening the bridge in order to prevent armed groups from entering their settlement.

Residents of the settlements located near the contact line are already experiencing restrictions on movement. In order to enter to the villages in the red zone, for example to Pisky or Opytne, permits are mandatory. There is no public transportation there and the only way to get there is by foot or by bike. It makes it hard for locals to see their relatives, receive welfare benefits and it is hindering delivery of essential goods. Residents also point out, that because of the limited access to their settlements, public authorities rarely visit and thus have

no information on the needs of the local population, including the extent of the destroyed due to the hostilities property.

Due to the withdrawal of the troops from the contact line, on 28 October, Ukraine's Joint Forces Operation Headquarters has introduced the yellow safety regime in the JFO zone in Donbas. It gave Armed Forces personnel the right to temporarily limit or prohibit the movement of traffic and individuals in the areas near the line of contact. JFO did not inform about the end date of the yellow regime.

c) Conditions, health care and humanitarian aid

S., aged 80, lives in Pisky with her disabled son. After the shelling, due to psychological trauma, he has become totally mute. Since he can barely move, for most of the time he just stays in the bed. According to S. persistent ceasefire violations cause a constant risk and she is afraid to walk further than 200 meters away from her house. Due to the destruction of the water supply system she has to collect rain water for daily usage. Electric pressure is so low that it is barely enough for the light. S. and all other residents of Pisky rely on support of NGOs. Proliska, hired I., one of the residents as a social worker and ICRC provides them with coal and wood for heating.

Most of the remaining inhabitants of the territories adjacent to the contact line are elderly and ill. Virtually all civilians there are people in need. In each of the visited locations people receive some sort of humanitarian assistance. It ranges from simply supply of solid fuel for heating or transportation to providing with construction materials for rebuilding of the houses. People in these communities are much more dependent on the humanitarian assistance than those living in settlements a few kilometers further from the contact line.

In the settlement of Verkhnyotoretske, thanks to the support of People in Need, the local elementary school was reconstructed. It serves pupils from both sides of the line of contact and it is one of the very few buildings in the village that were reconstructed after hostilities. There is a new ambulatory currently under construction. However, the kindergarten still lacks heating and needs overall reconstruction. The medical station is temporarily located in the school building. According to the school principal, it creates an epidemiological risk for kids who use the same entrance, corridors and toilets as the people seeking cures for various infections.

In many settlements near the contact line access to the health care system is extremely limited. The conflict has led to a decrease of the number of doctors and medical personnel in the region. For example, doctor's assistant Liliya Shvets from Medical Station in Trokhizbenka is responsible for about 2000 people in the village and

nearby hamlets. The closest fully equipped hospital is more than an hour drive away from Trokhizbenka. Only thanks to the help of NGOs and international fundraising the village has an ambulance. In the village of Krymske works only a feldsher. Thanks to NGOs like Médecins sans frontières (MSF) and ICRC a mobile clinic is periodically visiting the settlement and residents can make basic tests and have a consultation with doctors.

Access to the medical services is the most difficult for residents of the red zone. Since ambulances are not operating there, people can rely only on the help provided by military doctors. The monitoring mission learned about a case of an older resident of the front line village of Opytne, who died due to the long waiting time for the emergency. People in the communities living in the red zone are the most dependent on the assistance of the Ukrainian army and NGOs. It is not yet known how many organizations will keep operating in the demilitarized areas.

Part three: Conclusions and Recommendations

Conclusions

Based on findings from the field mission and a review of public sources, including official government publications, the working group makes the following conclusions:

- The government does not ensure the safety of people in the demilitarized zones and seems to be unable to guarantee an unhindered operation of public/municipal authorities, the safety of civil servants and their families, as well as safekeeping of public registers that may potentially be located in the new disengagement areas. The security measures currently in place are declarative and insufficient; police do not patrol the demilitarized zones. The authorities do not offer people at risk living in the demilitarized zones (or in potential future disengagement zones) any alternative solutions, such as assistance with relocation, to ensure their safety;
- The Ukrainian government refuses to acknowledge or discuss the lack of guarantees that the peace plan will be observed by Russia-backed armed groups in the so-called "DPR" and "LPR". The Ukrainian authorities do not have any well-designed action plans in case the other side breaks the peace agreement and the Russia-backed armed groups resume aggression;
- The central government and the regional public authorities fail to engage with broader society and

the local communities to communicate the details and progress of the peace plan, any related risks that may arise, and strategies to minimize them. The absence of such communication has negatively affected the atmosphere in society;

- Given a multitude of previously unresolved and persistent problems with meeting the basic needs of the "red zone" residents, such as restoration of housing and vital infrastructure (water, electricity and gas supply) damaged by the fighting, access to administrative and banking services, health care, regular food supplies, dealing with unemployment, rebuilding roads and providing public transport services, we conclude that the Ukrainian government alone, without active assistance from the international community, will not be able to prevent further deterioration of the humanitarian situation once its control over the security situation in settlements near the contact line weakens following the disengagement.

Recommendations

To the Ukrainian Government:

- Ensure real rather than simply declared police presence and patrolling of the demilitarized zones near the contact line based on the established standards of international police missions. If lacking the required human and technical resources, seek assistance from partner countries;
- Provide additional safeguards to people at risk, i.e. civic and political activists living in the demilitarized zones, such as financial compensation for them or their families in case of injury, death or significant property damage caused by their activism, offering assistance with relocation to safer parts of the country, etc.;
- Design varied action plans to follow in case the Russia-backed armed groups in the so-called "DPR" and "LPR" break the peace agreement; clearly specify the roles and responsibilities of all uniformed forces and public and municipal authorities. Regularly conduct interdepartmental training drills in the conflict region to improve coordination and performance of public and municipal authorities in responding to any security crisis;
- Include members of the public in discussions of the peace plan and take into account any comments and suggestions from opinion leaders;
- Proactively engage with communities in the armed conflict area to educate and raise awareness. Explaining what procedures people should follow if the security situation becomes worse can reduce civilian casualties and enable the army and police to operate more effectively;

- Design a humanitarian response plan taking into account all types of risks which may arise from Ukraine's weaker jurisdiction in the demilitarized zones, based on international experience and in consultation with international humanitarian organizations. Request the international community to finance those parts of the plan which cannot be funded from the public budget.

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Disengagement of armed forces in the conflict zone in Donbas

Based on findings of an international field monitoring mission of DRA/VOSTOK SOS, this report informs on how the disengagement of armed forces in eastern Ukraine affects civilians and influences public services delivery and legal protection in the disengagement areas.

The report is based on first-hand data collected during field visits on government-controlled territory to the three settlements where the disengagement has already taken place (Stanytsia Luhanska, Katerynivka and Bohdanivka) as well as to potential sites of further disengagement located near the contact line (Krymske, Trokhizbenka and Lopaskyne in Luhansk Region, and Pisky, Verkhnyotoretske and Marinka in Donetsk Region).

Despite the hopes regarding a ceasefire, the disengagement of armed forces in fact increases security risks for civilians, in particular of active citizens, civil servants, and their families.

The Ukrainian government can neither guarantee full safety for residents nor ensure consistent work of police and local administrations in the demilitarized zones now. Although the safety of the civilian population is not assured, the central and regional Ukrainian authorities fail to engage with the local communities and do not communicate the details of the peace plan, related risks and strategies to minimize them.

Given a multitude of unsolved humanitarian problems at the contact line, the Ukrainian government will not be able to improve the life of civilians without active assistance of the international community.

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