Human rights in Eastern Ukraine during the coronavirus pandemic

Results from the monitoring missions along the demarcation line
May 4-16

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Introduction

Since the start of the armed conflict with Russian-backed separatists in February 2014, more than 1.2 million residents from Ukraine’s Donetsk and Luhansk regions, as well as Crimea, have been forced to flee their homes and move to other regions of Ukraine or abroad. Since then, civilians living in the conflict-affected areas have been forced to cross the demarcation line, or Line of Contact (LoC) that separates the Ukrainian government-controlled territories and non-government-controlled territories using entry-exit checkpoints (EECPs).

Before the COVID-19 pandemic, more than a million people on average passed through the EECPs in eastern Ukraine each month. The safety and comfort of civilians crossing the LoC through the checkpoints are important, and particularly for elderly people who live in the non-government-controlled areas and are forced to cross the LoC through checkpoints in order to receive their state pensions and documents, withdraw cash, and buy medicine and food. Since the start of the COVID-19 pandemic, procedures for crossing the LoC have been complicated by a large number of restrictions and constant changes to the rules.

The Ukrainian government-controlled side now has the opportunity to significantly improve the human rights situation by guaranteeing the safety and comfort of people crossing the LoC. The specially-created state-owned enterprise “Reintegration and Reconstruction” should modernize all EECPs and standardize them to ensure good conditions for people crossing the LoC, as well as for representatives of state bodies who work at the checkpoints. As of May 2021, the Reintegration and Restoration state enterprise has developed “a scope of work” and has started to implement its first stage of modernizing the operations and services at EECPs.
Results of the Monitoring Mission: May 4-16, 2021

From May 4 to 16, the Ukrainian human rights NGO Truth Hounds, which has several years of experience in documenting human rights violations in war zones, monitored the human rights situation on the LoC. The monitoring group visited all seven EECPs on the Ukrainian government-controlled side, the Milove EECP – an interstate checkpoint that sits on Ukraine's state border with the Russian Federation – and the village of Krasnohorivka, which is close to the LoC.

**KEY DOCUMENTED VIOLATIONS AND SHORTCOMINGS:**

- Although Ukraine's Cabinet of Ministers made the Reintegration and Restoration state enterprise responsible for organizing, maintaining, and servicing EECPs and adjacent territories on December 28, 2020, local community maintenance companies continue to perform these responsibilities. As a result, the division of responsibility between the structures is unclear, and in part, duplicated.

- Some checkpoints do not have adequate sanitation, including modern restrooms, water supplies, and shelters over pedestrian areas. For example, at the Zolote checkpoint, government officials and servicemen are still forced to use restrooms in the form of wooden booths located in the surrounding area. New, modern restrooms have been installed, but they are not in use because they have not been connected to a water supply. These wooden booths will also have to be used by people who cross the LoC when the so-called “Luhansk People's Republic” (LPR) unblocks the checkpoint on their side, which would make the Zolote checkpoint operational.

- The insufficient amount of medical staff, the poor state of the cabins, and the lack of a stable internet connection at the Stanytsia Luhanska checkpoint have made it impossible to quickly perform free state-administered COVID-19 tests. A negative COVID-19 test is required to cross the LoC into Ukrainian government-controlled territory – otherwise, a fourteen-day self-isolation or a stay at a state quarantine facility is required. However, some people crossing through EECPs lack the financial means to take a COVID-19 test at a private clinic, and in the Luhansk region, there is no state quarantine facility where one can undergo the mandatory isolation period. As a result, people wait in line for free state testing for up to eight hours. At the same time, in these conditions, social distancing is impossible, and there is no guarantee that everyone in line can be tested on any given day – some must return the following day.

- At the Stanytsia Luhanska checkpoint, dugouts meant for protecting the civilian population in the event of a military attack are located behind a locked fence, which separates the EECP pedestrian zone and the territory where the dugouts are located.

- Many people who cross through EECPs still face problems installing the Vdoma mobile application. This is especially true for members of economically vulnerable groups, including pensioners who spend extra time and money, and might even be unable to cross the LoC because of it. Some phones are not compatible with the application, so those unable to successfully download and use it are unable to self-isolate in their chosen place. Instead, they are forced to go to a state-designated quarantine facility or return to the non-government-controlled territory.

- The number of stray animals is growing in and around the Novotroitske checkpoint. This increases the risk of rabies spreading and endangers the lives and health of people crossing the LoC.
Recommendations

Given the recognized need for many people to cross the checkpoints or move within their communities – and especially for the elderly who live in the non-government-controlled areas of Donetsk and Luhansk regions and visit government-controlled areas to receive their pensions and other personal needs – Freedom House and NGO Truth Hounds recommend the following:

TO THE UKRAINIAN GOVERNMENT, THE REINTEGRATION AND RECONSTRUCTION STATE ENTERPRISE, AND THE JOINT FORCES OPERATION COMMAND:

1. Accelerate the transfer of responsibilities for the maintenance of the checkpoints and their adjacent territories to the Reintegration and Reconstruction state enterprise and ensure its proper financing.

2. Provide all checkpoints with a working water supply, drinking water, waiting areas, and working restrooms. First and foremost, it is essential to supply the Zolote checkpoint with water for its already-installed modern restrooms. The condition of the well at the Hnutove checkpoint and whether it can supply the required amount of water must be checked.

3. Provide a sufficient number of free state-administered COVID-19 tests at the Stanytsia Luhanska checkpoint, so that it corresponds to the number of people crossing through the checkpoint on a daily basis.

4. Provide at least one state quarantine facility in the Ukrainian-government controlled areas of the Luhansk region with suitable sanitary and living conditions, namely: separate bathrooms, heating, air conditioning, and food.

5. Provide access to dugouts built to protect the civilian population in the event of a military attack at the Stanytsia Luhanska checkpoint.

6. Build shelters over pedestrian areas at the Zolote and Shchastia checkpoints.

7. Equip the cabins used by people waiting to cross the LoC and by representatives of the state bodies who work at the EECPs with heating for the winter and air conditioning for the summer.

8. Ensure a humane process for sterilizing and vaccinating stray animals at the Novotroitske checkpoint.

9. Provide all checkpoints with stable Wi-Fi internet access so people can install the Vdoma mobile application, especially given the poor mobile signal at some checkpoints.
Detailed descriptions of the observations made by the monitoring mission from all seven checkpoints in the Luhansk and Donetsk regions

<table>
<thead>
<tr>
<th><strong>LUHANSK REGION</strong></th>
<th><strong>STANYTSIA LUHANSKA (open daily)</strong></th>
<th><strong>SHCHASTIA</strong></th>
<th><strong>ZOLOTE</strong></th>
</tr>
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<tbody>
<tr>
<td><strong>Using the Vdoma mobile phone application</strong></td>
<td>People who lack the technical abilities to install the Vdoma mobile application or whose phones aren’t compatible are sent back to the non-government-controlled territory.</td>
<td>If people cannot successfully cross the LoC because representatives of the so-called LPR refuse them entry, they have to undergo the same procedure when they return from the gray zone as they would if they were returning from non-government-controlled areas. This involves installing the Vdoma mobile application and spending two weeks in either self-isolation or at a state-run quarantine facility.</td>
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<tr>
<td><strong>Access to free state-administered COVID-19 testing for people crossing the LoC through an EECP</strong></td>
<td>There is a long queue for service. There is an insufficient amount of medical staff, and the cabins where testing takes place are in bad condition. There is no shelter to protect people from the weather, there are insufficient seats, and there is no social distancing between people in the queue. There is no stable internet connection for the medical staff to transfer COVID-19 test results and record that a person has been “tested” on the Vdoma mobile application.</td>
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<tr>
<td><strong>Access to protection from the elements and places for waiting / resting</strong></td>
<td>There are no cabins in which people can undergo searches and there are no waiting rooms. There also lacks a designated area for baby care.</td>
<td>There are no shelters over pedestrian areas, no cabins for searches, and no waiting rooms.</td>
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</tr>
<tr>
<td><strong>Access to hiding places for civilians in the event of a military attack</strong></td>
<td>The dugouts intended for the civilian population are located behind a locked fence separating the EECP pedestrian zone and the territory where these dugouts are located.</td>
<td>Access is provided.</td>
<td>Access is provided.</td>
</tr>
<tr>
<td><strong>Modern restroom stalls</strong></td>
<td>The restrooms need renovating.</td>
<td>Access is provided.</td>
<td>There are no modern restrooms and there lacks a water supply.</td>
</tr>
<tr>
<td><strong>Transition of checkpoint maintenance to the state enterprise “Reintegration and Restoration”</strong></td>
<td>The maintenance of the checkpoint is still being transferred to the Reintegration and Reconstruction state enterprise. Maintenance is still provided by a local community maintenance company “Vodokanal”.</td>
<td>The EECP maintenance is now managed by the Reintegration and Reconstruction state enterprise.</td>
<td>The EECP maintenance responsibilities are still being transferred to the Reintegration and Reconstruction state enterprise. Maintenance is still provided by Vodokanal, a local community maintenance company.</td>
</tr>
</tbody>
</table>
## DONETSK REGION

<table>
<thead>
<tr>
<th>NOVOTROITSKE</th>
<th>MAIORSKE</th>
<th>MARINKA</th>
<th>HNUTOVE</th>
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<tbody>
<tr>
<td>(Due to the restrictions imposed by the so-called DPR, civilians are allowed to use the checkpoint twice a week – on Mondays and Fridays)</td>
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### Using Vdoma mobile application

People who are unable to install the Vdoma mobile application must isolate at the Kurakhiv Anti-Tuberculosis Sanatorium in the village of Hostre.

If people cannot successfully cross the LoC because representatives of the so-called DPR block their entry, they have to undergo the same procedure upon return from the gray zone as that when returning from the non-government-controlled areas. This involves installing the Vdoma mobile application and completing two weeks of either self-isolation or isolation at a state-run quarantine facility.

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### Access to free state COVID-19 testing for people crossing the demarcation line through checkpoint

Access is provided. Testing takes place in a new cabin-type premises on the territory of the checkpoint. There is no excessive queue for the service.

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### Access to protection from the elements and places for waiting / resting

There are not enough seats in the cabins where searches are carried out or in the waiting rooms.

Access is provided.

Access is provided.

Access is provided.

### Access to hiding places for civilians in the event of a military attack

Access is provided.

Access is provided.

Access is provided.

### Modern restroom stalls

Access is provided.

Access is provided.

Access is provided.

### Transition of checkpoint maintenance to the Reintegration and Restoration state enterprise

The maintenance of the checkpoint is still being transferred to the Reintegration and Reconstruction state enterprise. Maintenance is still provided by ATP, a local community maintenance company.

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Additional Observations

In addition – during visits to the checkpoints and while talking to local communities, civilians, and others – the monitors made the following observations:

**Zolote Checkpoint: Monitoring Mission Visit on May 5, 2021**

There is no direct water supply at the checkpoint – water is brought in from elsewhere. There are also no modern restrooms – service personnel have to use latrine pits in the area adjacent to the checkpoint, which has not yet been demined.

The state service personnel who work at the checkpoints have started to get vaccinated against COVID-19, but this process is not yet complete.

**Ukrainian-Russian Interstate Checkpoint Milove: Monitoring Mission Visit on May 6, 2021**

As noted in the previous monitoring report, residents from the Donetsk and Luhansk regions are travelling to the non-government-controlled territories and back across the Russian border. Officially, a person is acting illegally if they cross the Russian-Ukrainian border from the non-government-controlled territories. The Ukrainian border guard officers working at the Russia-Ukraine state border checkpoint record these violations and impose fines of UAH 1,700 (roughly 60 USD). Because the Russian Federation was on the so-called “red list” of countries for COVID-19 due to its number of COVID-19 infections, on the day of the monitoring mission, people passing the interstate checkpoint had to install the Vdoma mobile phone application and self-isolate in accordance with the quarantine restrictions in place in Ukraine.

There are several branches of private clinics near the checkpoint that perform paid-for PCR tests for COVID-19. As crossing the state border from a territory not controlled by the Ukrainian government is illegal, free state testing for COVID-19 at the checkpoint is not provided.

**Stanytsia Luhanska Checkpoint Monitoring Mission Visits: May 7 and 16, 2021**

The checkpoint now has a free COVID-19 testing point. Until recently, testing was only available in private clinics and cost between 900 and 1200 hryvnias. The cost was unaffordable for most people crossing the LoC. Free state testing is conducted in one cabin, in which two paramedics work. People are allowed to enter in pairs. The queue takes up to 8 hours – people queue outside and are unable to socially distance. There are rumors that the people sell their position in the queue.

...It is necessary for everyone to lose consciousness and have convulsions, and then we will all be taken to the hospital and there we will be tested,” – sarcastically commented a man in line for a free state test.

There is an urgent need to increase the number of medical staff and cabin space where testing takes place, and to implement a stable internet connection as medical staff are forced to use their own phones as hotspots to ensure their workflow.

The lack of a state COVID-19 quarantine facility in Luhansk region remains an urgent problem. If a person crossing the LoC into Ukrainian-government-controlled territory cannot install the Vdoma mobile application, they must return to the non-government-controlled territory.

The state service personnel who work at the checkpoints have started to get vaccinated against COVID-19, but this process is not yet complete.
The monitors again witnessed people providing illegal assistance to people with disabilities or elderly people who were crossing the gray zone. Employees from the State Emergency Service and the International Committee of the Red Cross transport people in wheelchairs free of charge. Yet, at the same time, some individuals provide the same service at the checkpoints in exchange for money. People who cross the LoC say that it costs 200 hryvnia (roughly 7 USD).

At the time of the monitors’ visit, neither the border guards nor the representatives of the National Police were monitoring or working to resolve this situation.

**Shchastia Checkpoint Monitoring Mission Visit: May 7, 2021**

The state service personnel who work at the checkpoints have started to get vaccinated against COVID-19, but this process is not yet complete.

At the entrance to the checkpoint, there is a frame that sprays people with antiseptic substances. But there are no other sanitizing substances or processes on the checkpoint’s territory.

**Maiorske Checkpoint Monitoring Mission Visit: May 9, 2021**

Officials are still compiling lists of state service personnel who work at the Maiorske EECP and wish to be vaccinated against COVID-19.

According to the representatives from the State Border Guard Service, the metal cabins on the territory of the checkpoint lack heating and air conditioning systems. There is insufficient heating during the winter and insufficient cooling mechanisms for the hot weather in the summer.
Marinka Checkpoint Monitoring Mission Visit: May 12, 2021

According to information provided by the representatives from the Reintegration and Restoration state enterprise, creating a service zone – which could include a bank and a post office – at the Marinka checkpoint is a priority in the Donetsk region.

The state service personnel who work at the checkpoint have started to get vaccinated against COVID-19, but this process is not yet complete.

Novotroitske Checkpoint Monitoring Mission Visit: May 14

On the day of the monitoring mission’s visit, the so-called DPR did not issue its usual entry lists, which the de facto Russian-backed separatist authorities normally use to allow people to enter the non-government-controlled territory. According to the Ukrainian state border guards, those who planned to cross into non-government-controlled territory that day will be forced to remain in the government-controlled area because the so-called DPR does not allow people in who are not on their lists.

According to a representative from the Reintegration and Restoration state enterprise, there are plans to renovate the pedestrian areas of the checkpoints and lay asphalt pavements. In the near future, the state-owned enterprise expects to tender the checkpoint to gain access to electricity, and create a separate module for automobiles in order to modernize the checkpoint.

The state service personnel who work at the checkpoint have started to get vaccinated against COVID-19, but this process is not yet complete.

Hnutove Monitoring Mission Visit: May 15, 2021

All those state service personnel at the EECP who volunteered to get the vaccine have been vaccinated against COVID-19.

According to a representative from the Reintegration and Restoration state enterprise, a well for water was drilled on the checkpoint’s territory, but due to an error in calculations, there have been technical problems with the water supply to the checkpoint.

SETTLEMENTS ON THE DEMARCATION LINE

Krasnohorivka Monitoring Mission Visit: May 8, 2021

On May 8, the monitoring mission group visited the town of Krasnohorivka to document the shelling of a local hospital, which was reported by the Marinka City Military-Civil Administration.

By talking to witnesses of the event, the monitors learned that the shelling by pro-Russian separatists began at approximately 22:00 and lasted for about an hour. The territory of the hospital was hit at about 23:10. The projectile damaged the western wall of the main hospital building and an ambulance station, located on the territory of the hospital. The shelled building houses the therapeutic and cardiological wards of the hospital, where at the time of the shelling, there were 45 patients with COVID-19 and pneumonia. As a result of the shelling, there was a power outage in the building, which endangered the lives of patients as the ventilators exclusively use an external power supply. One of the patients in the COVID-19 ward died of a heart attack as a result of the shelling.
The Krasnohorivka hospital was damaged as a result of shelling.

The explosion of the shells had also shattered windows, damaged the exterior walls and the interior of the ambulance station, and damaged the COVID-19 and pneumonia wards. The ambulance parked at the front of the station broke down as a result – its windshield was completely cracked, and the door was bent. The ambulance that was issued as a replacement does not have the equipment needed to provide medical care.
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THE WAY HOME

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