



Human Rights Violations in the Occupied Parts of Ukraine's Donbas since 2014

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Summary

This report highlights human rights violations in the two self-proclaimed 'republics' in the Donbas (Donets Basin) region of Ukraine since April 2014. Most such violations are the result of Russia's effective, yet persistently denied, political control over the pseudo-states. Former prisoners of the so-called Lugansk and Donetsk People's Republics have reported torture and the absence of fair trials, as well as a much larger number of captives held than officially acknowledged by the two satellite regimes. Ukrainian and independent media have been expelled from the occupied territories and replaced with outlets engaged in daily anti-Ukrainian propaganda and disinformation. Children and young people are being inculcated with a variant of Russia's military-patriotic education. Any future reintegration of the currently occupied parts of Ukraine's Donbas into the Ukrainian state will require more than the mere withdrawal of Kremlin mingling. A number of policy recommendations are made to begin the reintegration process.

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Introduction

There have been egregious abuses of political and civil rights in the occupied territories of eastern Ukraine since 2014. In *Freedom in the World 2020*, Freedom House gave what it refers to as Eastern Donbas (Donets Basin) a score of 5 points out of 100 and a 'Not Free' rating in its table of Global Freedom Scores. This was much lower than Ukraine's score of 62 points and its 'Partly Free' ranking for government-controlled areas and also notably less than Russia's 20 points and even somewhat below occupied Crimea's 8 points out of 100.¹ Only Eritrea, North Korea, South Sudan, Syria, Tibet, Turkmenistan and Western Sahara were ranked below the separatist territories of the Donbas, in terms of access to political rights and civil liberties in 2020.²

The so-called Lugansk and Donetsk People's Republics (Russ. abbrev.: LNR and DNR) have existed as self-proclaimed republics, but de facto Kremlin-installed and guided puppet regimes, since 2014. These fictitious statelets occupy roughly one-third of the overall Donbas in eastern Ukraine, and parts of Ukraine's Luhans'ka and Donets'ka oblasts – the Luhansk and Donets'k Regions. Although there are certain political differences between the two, the human rights violations that occur in both the LNR and the DNR are largely similar.

This brief report highlights the major human rights issues in the occupied territories of the Donbas. The next section outlines a number of peculiarities of the two satellite regimes' political set-ups and the consequences for human rights protection. Section 3 focuses on the severe limitations on the freedoms of the mass media and political speech. Section 4 outlines the

ongoing propaganda and militarization campaigns, in the occupied territories of eastern Ukraine, especially those directed at young people. Section 5 deals with arbitrary imprisonment and systematic torture and section 6 illustrates the far-reaching restrictions on political and religious life. The concluding section formulates observations and policy recommendations for the Ukrainian state and Kyiv's various international partners, including the Organization for Security and Co-operation in Europe (OSCE). The report provides only glimpses of the wide range of human rights abuses in the two pseudo-states. Its recommendations cover only some of the most urgent – and by no means all of the necessary – measures required to improve the situation.

Russia's Ambivalent Stance in the Donbas

Although the two pseudo-states are financed, armed and tightly controlled by Russia, Moscow has not formally recognized the LNR and the DNR. The Kremlin currently appears to view them as useful for undermining Ukrainian state- and nation-building. It also sees them as future instruments for influence over and the destabilization of Ukraine as a whole. Moscow's official denial of its control over the LNR/DNR is one reason why the human rights situation there is even more dire than in annexed Crimea. Being beyond the realm of Russian legislation and civil society, the territories of the LNR and the DNR lack even the low degree of transparency, the rudimentary rule of law and the partial public scrutiny of officials that exist in Russia.

¹ Freedom House, *Freedom in the World 2020: A Leaderless Struggle for Democracy*, December 2020. https://freedomhouse.org/sites/default/files/2020-02/FIW_2020_REPORT_BOOKLET_Final.pdf

² Freedom House, *Countries and Territories*, December 2020. <https://freedomhouse.org/countries/freedom-world/scores>



For instance, as part of their 'nationalization' drives having gained control of parts of the Donbas, the LNR and the DNR have appropriated not only Ukrainian state enterprises, but also many companies belonging to people now living in government-controlled Ukraine. According to the eastern Ukraine NGO, Vostok SOS, such seizures have happened on a mass scale.³

Nonetheless, the territories of the LNR and the DNR are universally considered by Kyiv, Moscow and the West to still be part of Ukraine. Against this background, the Ukrainian authorities have been criticized by international bodies for the ongoing situation in which pensioners must travel to government-controlled areas of the Donbas in order to receive their Ukrainian pensions. There is no viable solution to this issue that would not in some way recognize the illegal republics or provide them with certain financial benefits from the Ukrainian state. The situation of pensioners in the occupied territories of the Donbas was already dire before 2020 but has become even more critical since the start of the COVID-19 pandemic. The resulting restrictions have made it very difficult for elderly people to cross into and from the government-controlled areas.

Putative judicial, law enforcement and governmental structures have been installed in the pseudo-states but, behind this facade, the two republics are little more than arbitrary fiefdoms ruled by Kremlin-installed

local warlords. A variety of – often grave – human rights violations are commonplace. Especially brutal measures are meted out against Ukrainians who might reveal the involvement of Russian military and security service personnel in the LNR and the DNR. Halyna Haieva, for example, a 60-year old nurse, was imprisoned and tortured in the notorious Izoliatsiia (Isolation) secret prison in Donetsk for making a list of Russian military service personnel treated in her hospital.⁴

In December 2020, the Chief Prosecutor of the International Criminal Court (ICC), Fatou Bensouda, announced that she had found reasonable grounds to believe that war crimes and other crimes against humanity that fall within the ICC's jurisdiction have been committed in both occupied eastern Ukraine and annexed Crimea.⁵ Among those who provided testimony to the ICC were former victims of torture and incarceration in secret prisons such as Izoliatsiia and witnesses to extrajudicial executions.⁶

Restrictions on Media Freedom

Each time Russian and Russia-armed militants seized control of part of Donbas in spring/summer of 2014, they quickly blocked access to Ukrainian television. Within five days of temporarily capturing Slovians'k, for instance, the militants had seized the television tower and replaced Ukrainian channels with Russian ones.⁷ After occupying Donetsk, the largest city in the

³ Vostok SOS, *Report on rights violations in occupied Donbas in November 2020*, 7 December 2020. <https://vostok-sos.org/vijskovi-zbori-v-l-dnr-ta-situacziya-z-covid-19-porushennya-prav-lyudini-na-tot-zafiksovani-u-listopadi/>

⁴ Mashai, B., 'Izoliatsiia': place of pain and terror in Donetsk, 6 December 2019. <https://zn.ua/ukr/personalities/izolyaciya-misce-bolyu-i-strahu-v-donecku-332154.html>

⁵ *Statement of the Prosecutor, Fatou Bensouda, on the conclusion of the preliminary examination in the situation in Ukraine*, 11 December 2020,

<https://www.icc-cpi.int/Pages/item.aspx?name=201211-otp-statement-ukraine>

⁶ Aseyev, St. and Umland, A., 'Isolation': Donetsk's Torture Prison, 4 December 2020.

hir.harvard.edu/donetsks-isolation-torture-prison/
⁷ *Separatists in Sloviansk seize local television tower and cut Ukrainian television*, 17 April 2014.

<https://novosti.dn.ua/news/205936-v-slavyanske-separatysty-zakhvatyly-mestnuyu-televyshku-y-vyklyuchyly-ukraynskoe-tv>



Donbas's, in June 2014, the Russia-led separatists forced the removal of a number of Ukrainian television channels.⁸ The militants justified their censorship by claiming that Ukrainian channels 'incited enmity' and 'discredited their republics'.⁹

These actions had much to do with the enhanced role that Russian and pro-Russian local media outlets would seek to play in the occupied zones in Crimea and the Donbas. In parallel with its military operation, Moscow conducted a deliberate campaign of defamation through its state-funded channels, which among other things spread the narrative that Ukraine's army was deliberately bombing civilians, Kyiv was engaged in genocide,¹⁰ and, in one particularly revolting story, that Ukrainian soldiers had 'crucified' the young son of a separatist fighter.¹¹ In August 2015, some former employees of Russian state television channels admitted their involvement in this propaganda. One journalist reported that their editors-in-chief were instructed by the Kremlin to refer to Ukrainians as fascists and Kyiv's government as a junta.¹²

In May 2020, a former manager of a television channel in occupied Horlivka gave himself up to Ukraine's Security Service (Ukr. abbrev.: SBU) and provided insider information. According to his testimony, the media in the occupied territories is tightly controlled by the Russian Federal Security Service (Russ. abbrev.: FSB) and the DNR's

so-called Ministry of State Security (Russ. abbrev.: MGB). The individual, who insisted on full anonymity, asserted that each channel has its own censor in the DNR MGB who is told what can be shown and what is taboo.¹³

Access to the internet and social media is somewhat less restrictive, although many websites, including the main Ukrainian sites providing information about Russian military engagement in the Donbas and countering disinformation, were already being blocked within the first six months of the occupation. Over the years, official LNR policy, for example, has closely followed Russia's overt policy of officially blocking certain websites. By contrast, the research agency DSI Lab Ukraine reported in 2019 that it was unable to find a published list of officially banned websites in the DNR.¹⁴

There were still some independent Ukrainian and foreign journalists in the occupied parts of the Donbas in the first months of the conflict, but that soon changed. Several journalists were abducted and savagely tortured, and a few were held captive for several months. Since then, most people living in occupied Donbas have received information either mainly or solely from Russia- or LNR/DNR-controlled media outlets.

Stanislav Aseyev, a Donetsk's blogger and journalist, spent 31 months in DNR captivity, including 28 months in the Izoliatsiia torture

⁸ In Donetsk, DNR forced providers to cut Ukrainian channels, 6 June 2014.

https://news.liga.net/politics/news/v_donetske_dnr_z_astavila_provaydera_otklyuchit_ukrainskie_kanal_y

⁹ Press conference of the LNR ministry of information 'On the information security of the republic', 12 November 2015,

https://www.youtube.com/watch?v=P750ag_IL2U

¹⁰ Coynash, H., *Russia Today's 'Genocide in eastern Ukraine': Sick, distorted and deleted*, 16 July 2014. <http://khpg.org/en/1405478412>

¹¹ Coynash, H., *New low in Russia's propaganda war*, 14 July 2014, <http://khpg.org/en/1405339370>

¹² Sidorov, D., *How they make TV-propaganda: Four testimonies*, 6 August 2015.

<https://www.colta.ru/articles/society/8163-kak-delayut-tv-propagandu-chetyre-svidetelstva>

¹³ TV Ukraina, *Testimony of a defector: exclusive interview about life under occupation*, 24 May 2020.

https://www.youtube.com/watch?v=nN3H40UoGLU&feature=emb_title

¹⁴ *It has become known which sites are most often blocked by occupied Donbas providers*, 6 August 2019, <http://coynash.com/tech.informator.ua/2019/08/06/stalo-izvestno-kakie-sajty-chashhe-vsego-blokiruyut-internet-provaidery-ordlo/>



prison, because of some revealing reports he wrote under a pseudonym for the Ukrainian media.¹⁵ Eduard Nedeliaev, a blogger from Luhans'k, received a 14-year prison sentence for 'spreading negative information'.¹⁶ Ihor Halaziuk was held for 2 years for, among other things, disclosing information about the Russian BUK anti-aircraft missile system, which had downed flight MH17, a Malaysian Boeing-777 airliner, over eastern Ukraine on 17 July 2014 and using inverted commas around the words 'Donetsk people's republic'.¹⁷

As of early 2021, there were several people serving 10–15-year sentences for 'spying' based merely on the pro-Ukrainian comments they have made on social media. Maryna Yurchak, for example, was sentenced to 15 years in prison after being tortured in Izoliatsiia for media reposts and Twitter comments, such as calling the vehicles of top militants 'orc-mobiles'.¹⁸ Yuri Shapovalov, a 55-year-old neuropathologist, was sentenced to 13 years for posts on Twitter which a DNR court alleged were 'destabilizing the situation'.¹⁹ In his case, and in that of Pavlo Podvezko, who received a 14-year sentence for pro-Ukrainian comments on Twitter,²⁰ their video 'confessions' to spying were almost certainly extracted through torture.

Propaganda and Militarization

Unlike in the cases of Abkhazia and South Ossetia in Georgia, Russia has not recognized its proxy republics in Ukraine's Donbas and Moldova's Transnistria. Nonetheless, Moscow exerts largely similar psychological and ideological influence on the population of each of the pseudo-republics. This includes the children in the DNR/LNR, who are exposed to a constant distortion of reality, and to anti-Ukrainian and pro-Russian propaganda. A study by Kyiv's Institute for Mass Information in May 2019 found an alarming level of disinformation about Ukraine being spread in occupied Donbas, and that the amount of fake news had doubled over the previous two years.²¹

Both the DNR and the LNR have largely removed the Ukrainian language and most Ukrainian content from their school curriculums. School textbooks present an especially biased picture of the period since early 2014.²² Children at preschool and school level are being taught that they should love and defend the Russian proxy republics, and that the Ukrainian state is their enemy. According to Vera Yastrebova, Head of the Eastern Human Rights Group, Russia is spending millions of dollars on projects aimed at developing pro-Kremlin

¹⁵ Aseiev, St., *All occupied Donbas territory is one huge 'Izoliatsiia' concentration camp*, 29 December 2020. <https://www.pravda.com.ua/articles/2020/12/29/7278243/>

¹⁶ Coynash, H., *Donbas militants 'sentence' blogger to 14 years for 'spreading negative information'*, 2 August 2017. <http://khpq.org/en/1501597083>

¹⁷ Coynash, H., *Blogger spent 2 years in captivity for calling Russian-controlled Donbas occupied territory & writing the truth about MH17*, 13 January 2020, <http://khpq.org/en/1578702066>

¹⁸ Omelianchuk, O., *15 years for a repost. The story of a Donetsk woman 'sentenced' in ORDLO*, 22 April 2020. <https://www.radiosvoboda.org/a/30568504.html>

¹⁹ *Report and videoed 'confession' posted on the 'DNR ministry of state security' website*, 15 May 2020.

https://mgbdnr.ru/news.php?id=20200515_01&img_num=0

²⁰ *Report and videoed 'confession' posted on the 'DNR ministry of state security' website*, 11 February 2020. https://mgbdnr.ru/news.php?id=20200211_00&img_num=

²¹ IMI: *Fakes and hate speech: how Ukraine is presented in the media of occupied Donbas*, 20 May 2019. <https://imi.org.ua/articles/feyky-ta-mova-vorozhnechi-iak-vysvitliuiut-ukrainu-v-media-okupovanykh-terytoriy-donbasu-i47>

²² Durnev, D., *'Only five grades!' How the battle for schoolchildren of the self-proclaimed Donbas republics is playing out*, 2 September 2019. <https://spektr.press/tolko-pyat-ballov-kak-idet-borba-shkolnikov-samoprovozglashennykh-respublik-donbassa/>



views among young people in Ukraine's Donbas.²³

In September 2019, for example, all school children in the DNR were taught the same 'First Lesson': 'The DNR is five years old: We are growing with the republic!' On the internet, instructions for these lessons called on children to become 'true patriots of the DNR' and to 'be prepared to defend their Fatherland'. Lesson plans also contain summaries of 'DNR history' that children learn and that claim that a legitimate republic arose as a result of a spontaneous referendum on 11 May 2014.²⁴

This is in line with the 'programme of patriotic education for children and young people of the DNR' adopted in 2017, which states that 'patriotic education should become the main objective of the republic's state ideology as part of the Russian world ideology'. The programme also promotes systematic work on forming 'high patriotic consciousness, devotion to their Fatherland, readiness to carry out their civic duty and constitutional obligations in defending the interests of the DNR'.²⁵

To a large extent, the methods of indoctrination and militarization in the LNR and the DNR are identical to those in Crimea and Russia itself. Children take part in 'military education' activities and are taught the 'Russian world ideology'. The most

overtly militaristic of the various re-education programmes for young people is the 'Yunarmia' (Youth Army) project. Announcing the creation of this children's war training programme in the DNR, Edward Basurin, deputy head of the People's Militia, asserted that 'it is important to not only to bring youth up even more patriotically, but to fight against the falsification of history which the mendacious Kyiv authorities are currently involved in'.²⁶ Young people swear allegiance to the unrecognized republics and are forced to commit to defend them against 'enemies', most notably the Ukrainian state. Children from the occupied territories also take part in Russian competitions aimed at convincing them that they are part of a united Russian ethnicity.²⁷

In some regards, however, the official DNR and LNR mythology goes beyond remembrance and education policies in Russia and Crimea. Thus, the 'heroes defending the Fatherland' that children are taught to glorify in the occupied Donbas territories include, among others, Arsen Pavlov or 'Motorola' (1983–2016), a Russian mercenary born in the Komi Republic.²⁸ Pavlov is believed to have killed several prisoners of war, including Ihor Branovyts'kyi, one of Ukraine's so-called Cyborgs who had been defending the Donetsk Airport. Branovyts'kyi and other

²³ *Occupied Mind. The threat that children's 'upbringing' in ORDLO holds for Ukraine.* 21 January 2020 <https://vchasnoua.com/articles/63702-okupovanyi-rozum-iaku-zahrozu-ukraini-nese-vykhovannia-ditei-v-ordlo>

²⁴ *Plan for a single first lesson for Knowledge Day in the 2019-2020 school year on the topic 'DNR is five years old. We are growing with the republic!' for Grade 7.* 2 September 2019. <https://infourok.ru/let-dnr-rastem-vmeste-s-respublikoy-3821418.html>

²⁵ *Program of patriotic education for children and young people of the DNR*, 9 August 2017 http://mincult.govdnr.ru/sites/default/files/rasporiazhlavan252_09082017.pdf

²⁶ *A 'Young Guard – Yunarmia' movement will be created in DNR.* 30 March 2019. <http://gorlovka-news.su/novosti/novosti-gorlovki/12577-v-dnr-sozhdadut-dvizhenie-molodaya-gvardiya-yunarmiya>

²⁷ *Occupied Mind. The threat that children's 'upbringing' in DNR/LNR holds for Ukraine.* 21 January 2020. https://vchasnoua.com/articles/63702-okupovanyi-rozum-iaku-zahrozu-ukraini-nese-vykhovannia-ditei-v-ordlo?fbclid=IwAR3QaAXlyVACfcSYd_Q0IFn04W_zBfGJR4R83zYev-XnHZ6MIWPj8MJtt8

²⁸ Sukhov, O., 'I killed 15 prisoners of war in Ukraine,' claims Russian fighter, 15 April 2015. www.theguardian.com/world/2015/apr/10/russian-fighter-ukraine-motorola



Ukrainian soldiers were taken prisoner in January 2015.²⁹

Another officially celebrated martyr of the pseudo-republics is Aleksei Mozgovoi (1975–2015), an LNR military commander. In May 2014, Mozgovoi tricked the fighters he commanded into ambushing and killing a family heading to the Russian border for the money family members were carrying with them. Mozgovoi had told his fighters that the two cars was a convoy of dangerous Ukrainian ultra-nationalist Right Sector fighters. The parents were killed outright and their 10-year-old daughter was maimed for life.³⁰ In October 2014, Mozgovoi participated in the adoption of the 'Novorossia (New Russia) People's Court's first death sentence by show of hands.³¹

Imprisonment and Torture in the Pseudo-Republics

As of January 2021, there were officially around 250 civilian prisoners in the LNR and the DNR, but there is no reliable way of estimating how many civilians have really been seized and are being held in various basements and secret prisons. Judging from the accounts of former captives, the number is significantly higher than the official figures given by the authorities in the pseudo-republics.

For instance, a number of miners who took part in an underground protest in June 2020

to demand pay arrears were imprisoned and probably tortured.³² In many cases, however, there is no obvious political motive for arrests, and people either disappear or are sentenced to long terms of imprisonment in order to appropriate their property or businesses. For example, Roman Sahaidak was seized at Krasnodon in June 2017, shortly after having refused to sell his part of a company he jointly owned. His business partner is believed to have close contacts with people in the LNR MGB. Sahaidak was sentenced to 13 years in prison and confiscation of his property, shortly after his father had been released after also being held hostage for several months.³³

Both men and women have provided especially harrowing accounts of what they refer to as the 'Izoliatsiia concentration camp' in Donetsk, including reports of torture such as electric currents being attached to fingers or genitals, and teeth being extracted.³⁴ Former victims, such as the above-mentioned Halyna Haieva, have described how their torturers were often inflicting pain 'for entertainment' as much as to obtain information.

Stanislav Pechonkin spent almost three years in prison, most of that time in Izoliatsiia, after he was found with a photograph of the car of a local head of the DNR MGB, and to have made pro-Ukrainian

²⁹ How 'Motorola' killed a 'Cyborg' POW, 16 April 2015.

https://www.bbc.com/ukrainian/politics/2015/04/150415_branovytsky_death_witness_sova_interview_vs

³⁰ Kazansky, D., How 'Novorossiya hero' Mozgovoy killed a whole family for money. April 2020.

<https://www.youtube.com/watch?v=ITm8XiNfLYI>

³¹ First Novorossiya people's court. October 2014.

<https://www.youtube.com/watch?v=I8UQ76dSLuI>

³² Kazansky, D., Arrests in Antratsyt. LNR militants have imprisoned striking miners. 10 June 2020.

[https://www.youtube.com/watch?v=yp1ww0mtpzU&](https://www.youtube.com/watch?v=yp1ww0mtpzU&feature=youtu.be&fbclid=IwAR2eSYUnPHQeVicL1jRUJImgLpiphUmMfwkyHCgMWy2jq_vYacQ9BtiFlo)

[feature=youtu.be&fbclid=IwAR2eSYUnPHQeVicL1jRUJImgLpiphUmMfwkyHCgMWy2jq_vYacQ9BtiFlo](https://www.youtube.com/watch?v=yp1ww0mtpzU&feature=youtu.be&fbclid=IwAR2eSYUnPHQeVicL1jRUJImgLpiphUmMfwkyHCgMWy2jq_vYacQ9BtiFlo)

³³ Coynash, H., Ukrainian gets 13-year 'sentence' for annoying friend of Russia-backed Luhansk militants. 3 December 2018. <http://khp.org/en/1543287388>

³⁴ Tschistjakowa, Ju., Schtscherbatschenko, W., Halling St., *Menschenrechtsverletzungen in illegalen Gefängnissen und Haftanstalten in den nichtregierungskontrollierten Gebieten der Ostukraine*. 29 January 2021. www.laender-analysen.de/ukraine-analysen/245/menschenrechtsverletzungen-in-illegalen-gefaengnissen-und-haftanstalten-in-den-nichtregierungskontrollierten-gebieten-der/



comments on social media.³⁵ Detainees are often held at Izoliatsiia for up to a year and a half before being 'tried' and sentenced to 10 to 15 years – frequently for 'spying' – following a one-day hearing. Relatives who try to arrange independent lawyers to represent a prisoner are often unsuccessful as attorneys are frightened to defend a person arrested by the LNR or DNR security services.

These and other violations of the right to a fair trial are outlined in a 2020 report by the UN Office of the High Commissioner for Human Rights (OHCHR), in which grave concerns over death sentences passed in the DNR were also raised.³⁶ There is nothing to suggest that such sentences were passed after a fair trial. Reporting the first of such confirmed sentences, the 'acting head of the DNR military tribunal', Lyudmila Strateichuk, spoke of other cases where the death penalty was envisaged, saying that 'these are cases of killings and of spying'.³⁷ A large number of prisoners are given long sentences by the republics for supposed spying – a term often used for mere reporting or social media posting about the situation in the occupied Donbas. The death sentences are over and above the extrajudicial executions known to have been carried out by militants in 2014 and allegations of such killings reported by the OHCHR.³⁸

Publicly professed support for the 'Russian world' and the pseudo-republics is no guarantee of safety. Captives released from Izoliatsiia prison report that they were often held with former separatist fighters or others with pro-Russian views. At least two former DNR propaganda workers are now in prison. Oleksandr Bolotin, a member of the DNR civic chamber, has not been seen since his arrest on 21 January 2020.³⁹ Roman Manekin's third arrest in 2020 makes him a record breaker after his first two periods in 'a basement' failed to prompt a readjustment of his ideological affiliations. The Russian, who is well known for his strong anti-Ukrainian views, was arrested for a third time on 25 December 2020 on suspicion of 'spying for Ukraine'.⁴⁰

Restrictions on Political and Religious Life

While both the LNR and the DNR pretend to have two large competing political parties, in reality these scarcely differ. It is commonly understood that appointments to powerful posts are only made with the approval of Moscow. Any genuine opposition, including basically pro-Russian opposition such as from the Communist Party, is not permitted in either republic. Even moderate criticism of people in high places can get the critic arrested, as seems to have been the case with the above-mentioned Oleksandr Bolotin.

³⁵ 'The paramedic could not resuscitate everybody:' Stanislav Pechonkin talks about 'Isolyatsia'. 4 February 2020. https://www.radiosvoboda.org/a/donbass-reali/30416486.html?fbclid=IwAR0GWN0CboWABfKcfwYo5LD_RGku6kBRjOtiHGmTb9DIYCSq54ljPRyDoUs

³⁶ OHCHR: Human Rights in the Administration of Justice in Conflict-related Criminal Cases in Ukraine, April 2014 – 2020, <https://ukraine.un.org/en/88803-human-rights-administration-justice-conflict-related-criminal-cases-ukraine-april-2014-april>

³⁷ Acting head of the military tribunal explains the article of the DNR criminal code on the exceptional measure of punishment. <https://www.youtube.com/watch?v=NcbLiOkBypo>

³⁸ OHCHR: Report on the human rights situation in Ukraine 16 August to 15 November 2019 <https://www.ohchr.org/EN/Countries/ENACARRegion/Pages/UARports.aspx>

³⁹ What happened to pro-Russian blogger Bolotin in Donetsk? 18 May 2020. <https://www.radiosvoboda.org/a/30619197.html>

⁴⁰ Blogger Roman Manekin detained in DNR in connection with possible collaboration with a Ukrainian security service agent, 28 December 2020. <https://dan-news.info/pravoporyadok/zhurnalyst-roman-manekin-zaderzhan-v-dnr-po-podozreniyu-v-shpionazhe-mgb.html>



While Russia has not officially recognized the DNR or the LNR, the Kremlin organized the arrival of politically biased, mostly far-right 'international observers' to approve the illegal referendum conducted to legitimize the creation of the republics in May 2014, and the first elections in November 2014. Moscow has also continued to push for local elections in the two republics before Ukraine regains control of its border with Russia, and without the demilitarization of the occupied territories. Such calls have received considerable support from some Western politicians and diplomats, even though free and fair elections cannot be effectively administered by heavily armed militants in conditions where a person can be imprisoned for a pro-Ukrainian tweet.⁴¹

The two Donbas pseudo-republics have also proved intolerant of Ukraine's rich religious diversity, and only recognize the Orthodox Church under the Moscow Patriarchate – even though it did not officially take a clear stand on the conflict in the Donbas. Human rights groups have presented detailed evidence of the persecution of other religious groups by the separatist militants in the Donbas, and of the role played by Russian irregulars in crimes against humanity in the occupied region.⁴² A number of the paramilitary groups fighting Ukraine did so under the banner of Russian Orthodoxy, and some Moscow Patriarchate priests have been seen 'blessing' militant fighters. When in August 2014 Igor Druz confirmed to the BBC that his group

had carried out extrajudicial killings in Sloviansk, purportedly 'to prevent chaos', he did so as part of a self-ascribed 'Orthodox Christian' paramilitary unit.⁴³

All faiths in the unrecognized republics apart from the Orthodox Church under the Moscow Patriarchate have been forced to 're-register'. Such re-registration presents considerable ethical and legal challenges, especially for communities that are part of a greater, all-Ukrainian religious organization. This is used as a weapon against those religious communities that decide to comply with this demand. Many re-registration applications were simply turned down, effectively outlawing these religious organizations. By October 2018, for example, most Protestant churches in the LNR had been refused re-registration.⁴⁴

The only remaining independent mosque in occupied Donetsk was closed in late June 2018, following an armed search and the interrogation of the mosque's Imam and worshippers. Only those mosques that agree to be under the control of the militants have been able to function. In the occupied parts of the Donetsk oblast, these are under the strict surveillance of the DNR MGB.⁴⁵

Both Donbas republics have imitated Russia in banning and persecuting with special verve members of Jehovah's Witness. In the DNR, the Mormons are also banned, but this may primarily be linked to the goal of appropriating Mormon real

⁴¹ *Local elections in DNR / LNR? What the advisers to the Normandy Four agreed on.* 12 September 2020. <https://www.bbc.com/ukrainian/news-54129456>

⁴² *When God becomes the weapon. Report by the Centre for Civil Liberties and International Partnership for Human Rights.* 6 May 2015. https://ccl.org.ua/wp-content/uploads/2013/07/When-God-Becomes-The-Weapon_6May2015_closed-for-editing.pdf

⁴³ *Strelkov's adviser confirms executions in Sloviansk.* 2 August 2014. <https://www.bbc.com/ukrainian/politics/2014/08/140>

[802 separatist executed people dk?ocid=socialflow twitter](https://twitter.com/802_separatist_executed_people_dk?ocid=socialflow)

⁴⁴ Coynash, H., *Russian controlled 'Luhansk republic' bans all Protestant churches*, 17 October 2018. <http://khpg.org/en/1539727352>

⁴⁵ *In Donbas mosques which did not comply with the militants' demands were shut – Mufti Said Ismagilov.* 19 November 2020. <https://hromadske.radio/news/2020/11/19/na-donbasi-mecheti-i-aki-buly-ne-zghodni-z-vymohamy-boyovykiv-zachyneni-muftiy-said-ismahilov>



estate.⁴⁶ As a result of these and other similar actions, a considerable number of active believers of all faiths have fled the occupied territories.

Implications for Ukraine's and Western Policies towards the Donbas

As indicated above, this report does not provide a full overview of the political situation or of human rights violations in the Donbas. The following observations are based on the author's long involvement in daily reporting on and analysis of the conflict.

1. In so far as the human rights situation in occupied Donbas depends largely on Moscow, which has no incentive to end or even ease the conflict in Donbas, harsher Western sanctions and other methods of exerting pressure need to be applied vis-à-vis the Kremlin.
2. It would be helpful if the OSCE, France and Germany, as participants in the Normandy Four negotiations, officially clarified their view on the exact sequence of developments that need to occur, according to the second Minsk Accords of February 2015, in order to reintegrate the occupied territories into the Ukrainian state.
3. As free and fair local elections in the currently occupied areas cannot take place until Ukraine regains full control of its border with Russia, and until Russian weapons have been withdrawn, no pressure on Kyiv should be exerted to agree to

elections. An untenable situation in which the OSCE Office for Democratic Institutions and Human Rights (ODIHR) observes an event that is an election in name only must be avoided.

4. Ukraine's government and its partners need to increase access to reliable information in the occupied Donbas, in both Russian and Ukrainian, about Ukraine and developments in the two pseudo-republics. The newly established specialist Ukrainian 'Dim/Dom' [Home] television channel is a first step in this direction but provides insufficient information and does not reach deeply enough into the occupied territories. Among other things, new towers will need to be erected for transmission to the occupied territories.
5. Ukraine's government should ensure that young people from the occupied territories can easily enrol in educational institutions in the government-controlled parts of Ukraine, and that they are provided with adequate preparatory courses, for instance, to improve their Ukrainian language skills.
6. Detailed plans must be drawn up and published as a matter of urgency for the full reintegration of the occupied territories.
7. The propaganda that people in the occupied territories are exposed to, on the one hand, and the stereotypes that many Ukrainians have about people from occupied Donbas, on the other, must be

⁴⁶ Durnev, D., 'If you want a quiet, untroubled life, pray for those in power', 23 November 2020. [https://spektr.press/esli-hotite-imet-zhizn-tihuyu-i-](https://spektr.press/esli-hotite-imet-zhizn-tihuyu-i-bezmyatezhnuyu-molites-za-suschestvuyuschuyu-vlast-kak-liniya-fronta-v-ldnr-podelila-pravoslavnyh-protestantov-musulman-i-drugie-konfessii/)

[bezmyatezhnuyu-molites-za-suschestvuyuschuyu-vlast-kak-liniya-fronta-v-ldnr-podelila-pravoslavnyh-protestantov-musulman-i-drugie-konfessii/](https://spektr.press/esli-hotite-imet-zhizn-tihuyu-i-bezmyatezhnuyu-molites-za-suschestvuyuschuyu-vlast-kak-liniya-fronta-v-ldnr-podelila-pravoslavnyh-protestantov-musulman-i-drugie-konfessii/)



countered more intelligently and systematically by the Ukrainian state and mass media.

8. Greater attention is required from all the relevant international bodies, including the OSCE, to ensure that Ukrainian civilian hostages and prisoners of war are not forgotten, and that increased pressure on Russia leads to an exchange of all captives.



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