

FORBIDDEN TARGET:

healthcare facilities
under shelling



Monitoring report on the use of methods and means
of warfare against civilian healthcare facilities prohibited
by international law during the armed conflict
in Eastern Ukraine

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Kyiv – 2017

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INTRODUCTION

A number of municipalities in Donetsk and Luhansk regions (oblasts) have been caught in the middle of armed conflict and suffered shelling in 2014–2015 during hostilities between Ukrainian army and militant groups of the so-called “Luhansk People’s Republic” (“LPR”) and “Donetsk People’s Republic” (“DPR”) which are backed by the Russian Federation. Shelling imposed damages of various severity to the healthcare facilities of these municipalities.

According to Article 23(e) of the Regulations concerning the Laws and Customs of War on Land annexed to the Convention (IV) respecting the Laws and Customs of War on Land and Article 35(2) of the Protocol Additional to the Geneva Conventions of 12 August 1949 (Protocol I), it is prohibited to employ weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering. International law establishes limitations on the allowed weapons and methods of warfare — in particular, it is prohibited to attack or bombard unprotected

towns, villages, dwellings or buildings, including hospitals, etc., provided they are not used for military purposes.

According to Office of the United Nations High Commissioner for Human Rights, at least 45 hospitals in Donetsk and Luhansk oblasts have been destroyed or damaged, numerous healthcare facilities were not able to recover its activities partially or in full.¹ At the same time, information about the damaged healthcare facilities is incomplete, has suboptimal level of credibility and does not allow for assessing systemic violations of international law and its consequences. Cases or accounts on each individual facility that suffered attacks or was used for military purposes are lacking. No respective data from victims, witnesses and other informants have been collected.

To document violations of international humanitarian law in terms of attacks against healthcare facilities and using them for military purposes, a monitoring survey was carried out from May 2016 to March 2017.

¹ Office of the United Nations High Commissioner for Human Rights, Seventh report on the human rights situation in Ukraine, 15 November 2014: <http://bit.ly/2tGzQFP>

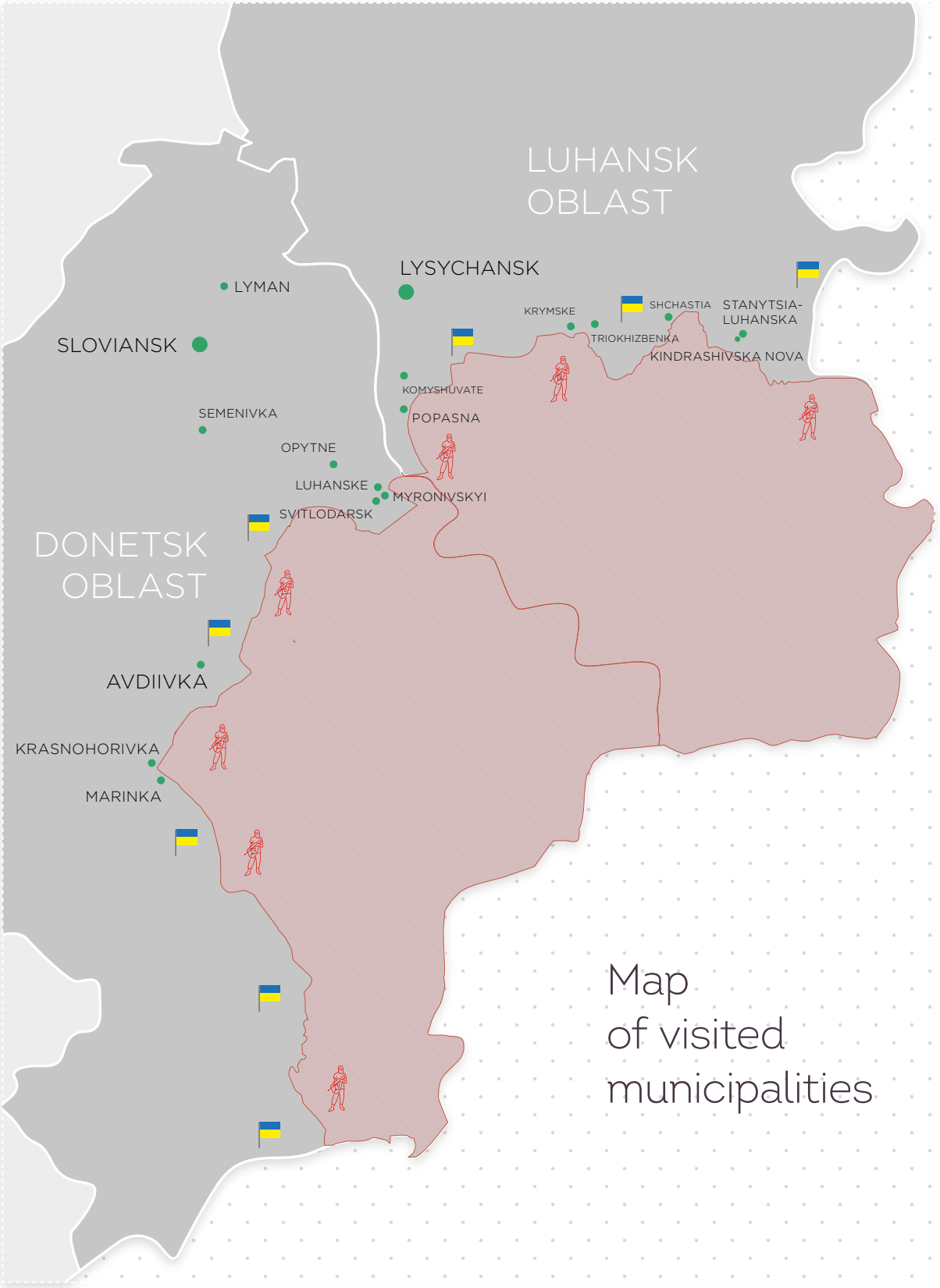
METHODOLOGY

The research methodology included submitting information requests and using open source data, interviews with witnesses, victims and other informants, monitoring visits to healthcare facilities on government-controlled parts of the conflict area. The methods enabled a study of incidents of armed attacks against healthcare facilities during armed conflict and cases where such

facilities were used for military purposes, as well as the impact of such actions.

A total of 64 interviews with witnesses, victims and informants have been carried out, 24 healthcare facilities have been surveyed, and 78 information requests have been sent within the framework of this research.

The collected data was analyzed to establish any violations of international humanitarian law.



ISSUES BEYOND THE SCOPE OF RESEARCH

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This research does not aim to identify the party to the conflict which is responsible for violations of international humanitarian law – namely, for armed attacks against healthcare facilities and/or their use for military purposes. Neither has it aimed to assess capacity of the national law enforcement system to conduct effective investigation into crimes associated with such violations.

The research was not aimed at covering every healthcare facility on the government-controlled area affected by the armed conflict. Instead, it focused on analyzing the situation of the majority of them.

Given that access to the conflict-affected healthcare facilities on non-government-controlled area is limited, this survey did not aim to examine such cases. At the same time, considering that certain data became available during the research implementation, this report provides an account on some of these cases.

Operation of healthcare facilities in the area of anti-terrorist operation (hereinafter – ATO zone or conflict area) was also out of focus, but since it is a high-profile issue, the respective information is provided in a separate section “Problems of healthcare facilities.”

EXECUTIVE SUMMARY

Documents shared by medical staff and information collected during interviews prove the facts of destruction and damage to the healthcare facilities in 2014–2015. Shelling from heavy weapons killed and injured a number of health professionals.

The staff of oblast psychiatric clinic of Sloviansk, Luhanske outpatient clinic of Bakhmut district (Donetsk oblast), central district hospital of Stanytsia-Luhanska, Slovianoserbsk regional anti-TB hospital, outpatient clinic of Kindrashivska-Nova, regional anti-TB clinic in the village of Krymske and Shchastia city hospital² reported troops and weapons being stationed in their respective healthcare facilities.

According to medical staff, other civilian infrastructure objects were damaged by shelling alongside with healthcare facilities. It could be concluded that the shelling was chaotic rather than deliberately targeting hospitals and other medical facilities.

At the same time, in several cases (central district hospital of Stanytsia-Luhanska, outpatient clinic of Kindrashivska-Nova³) the respondents alleged that healthcare facilities could have suffered shelling in response to

the military units firing directly from these facilities.

It means that the parties to the conflict neglected international humanitarian law which grants special protection to the healthcare facilities, as inviolability of healthcare facilities during the hostilities was not guaranteed.

Medical staff shared different opinions on the relations with Ukrainian armed forces and militant groups of the so-called “DPR” and “LPR”. The majority of health professionals did not report any psychological or physical pressure on the side of Ukrainian service members. One of the possible reasons is that medical staff on the government-controlled territory were afraid to report the actions of Ukrainian military. At the same time, interviews with health professionals who used to be employed in healthcare facilities of Donetsk and Luhansk oblasts during the period when the militant groups of the so-called “DPR” and “LPR” controlled the respective municipalities revealed that they suffered threats for speaking Ukrainian, helping Ukrainian military and refusing to perform orders of the militant groups.

Medical staff continue working under heightened risk in the municipalities adjacent

² See items “Oblast mental clinic,” “Luhanske out-patient clinic,” “Stanytsia-Luhanska central district hospital,” “Slovianoserbsk oblast anti-TB hospital,” “Out-patient clinic of Kindrashivska-Nova,” “Oblast anti-TB clinic in the village of Krymske” and “Shchastia city hospital” below.

³ See items “Stanytsia-Luhanska central district hospital” and “Out-patient clinic of Kindrashivska-Nova” below.

to the contact line. They perform their duties and move around the territory under shelling in non-armored vehicles and without special protective equipment. Staff of the emergency station in Marinka were the only ones to report that they had one bulletproof vest and one helmet.

Throughout 2014–2015, there was a number of illegal seizures of medical vehicles by representatives of both sides. It negatively affected the timeliness of healthcare provided to clients.

The majority of visited healthcare facilities have basements used by the staff and patients as bomb shelters. Unlike basements in residential houses that are usually unadjusted to accommodate people during the hostilities, basements in hospitals provide better security. Thus, people living next to the hospitals also use them as shelters. The reasons why people come there to seek protection are the availability of medical aid and confidence that hospitals, outpatient facilities and polyclinics will not be attacked.

Notwithstanding the relative de-escalation of hostilities in 2016–2017, healthcare facilities continue to suffer from shelling. The threat to life and health of medical staff forced to work in stress remains.

DATA COLLECTION

SENT



78 information requests

RECEIVED



66 responses

SURVEYED



24 healthcare facilities

CONDUCTED



64 interviews

FACTS



7

health workers killed



7

health workers injured

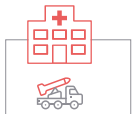


24 medical vehicles stolen



10

incidents of stationing servicemen/military equipment in hospitals



4

incidents of shelling from healthcare facilities



2

ambulances suffered shelling



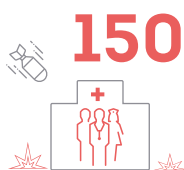
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healthcare facilities did not resume operations on the government-controlled territory



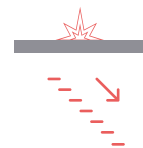
5

healthcare facilities that have destroyed or non-rehabilitated building



1500

Approximately patients and medical workers were in the healthcare facilities that suffered shelling



13

basements in healthcare facilities accommodated people during shelling



1

A checkpoint (turnpike) installed in oblast clinical trauma center in Donetsk



1

patient killed by deliberate actions of illegal militant groups



1

patient kidnapped from a hospital with the use of fire weapons on the non-government controlled territory



!!!

Numerous incidents of psychological pressure against medical workers

MONITORING OF HEALTHCARE FACILITIES ON THE GOVERNMENT- CONTROLLED AREAS OF DONETSK OBLAST



HEALTHCARE FACILITIES OF SLOVIANSK

During monitoring survey in Sloviansk it was found out that the militant group of the so-called “DPR” had shelled municipal infrastructure from Nona self-propelled mortar system in spring and summer 2014.⁴ This shelling allegedly aimed to deface Ukrainian army. Firing took place from various parts of the city which were not controlled by the government at that time. According to municipal healthcare department, 10 medical facilities of Sloviansk were damaged during this period.⁵ The following damages were documented: a mine hit the roof of the main building of clinical hospital (and killed a head-nurse of a surgery department); a direct hit to the façade of children’s hospital created a huge opening in the wall of admission unit of in-patient department; a mine exploded in front of a maternity clinic breaking out all the panes from one side of the building; and shell fragments damaged the roof and windows of the polyclinic of the hospital No. 1.

On 11 April 2014, the militant group under the command of Russian citizen I. Girkin (nickname “Strelkov”) seized the building of Sloviansk Department of Security Service of Ukraine. Since the buildings of in-patient hospital No. 1 are located nearby, the patients were moved to other healthcare facilities. The militant groups used these premises to station their troops and cook meals in the hospital’s food unit. After the militants left the city, the food unit was found in terrible unhygienic conditions.

According to medical staff, they had no choice but to merge surgery and trauma departments of the hospital, because the militants had been occupying the first floor of the building until 5 July 2014.⁶

Many civilians were injured during the intense shelling of Sloviansk. The doctors came up with a mechanism of patient evacuation — after their condition was stabilized, the ambulance cars were taking them to the hospitals in Kramatorsk or Mykolaivka during the lulls in fighting. The respondents described the case when an ambulance car was attacked when it evacuated people injured during the shelling of residential area:

“We moved the first group (five persons) through the checkpoint with no trouble, but when we were transporting the second group, the militants started to fire at the car after we crossed the checkpoint near Semenivka. They either were about to threaten us or did not want to let us go... we do not know...”⁷

Importantly, the car was properly labelled with the Red Cross label.

A total of 16 vehicles were stolen during the period when Sloviansk was under control of illegal militant groups — including three ambulance cars, sanitary care Ford Transit of an emergency station and 12 Niva cars (healthcare facilities of the city received 20 such cars within the framework of medical reform).

Human Rights Watch also reports illegal seizure of medical cars.⁸ Its monitors documented illegal seizure of at least four ambulance cars

⁴ Interview DO_029

⁵ Interview DO_030

⁶ Interview DO_029

⁷ Interview DO_030

⁸ Information of Human Rights Watch as of 05.08.2014 “Militants interfere with regular operation of healthcare service,” <http://bit.ly/2o77Ete>

in Sloviansk by the militants who used them to transport the armed fighters to Donetsk.

In Sloviansk, oblast psychiatric clinic and children's municipal hospital were scrutinized.

Oblast psychiatric clinic



The clinic is located in the village of Semenivka on an international road Kharkiv-Rostov that had numerous checkpoints then. The first serious fighting next to the hospital took place on May 5, 2014. Many of

the combatants from both sides of the conflict suffered injuries, and the clinic's doctors — although they are psychiatrists — were providing first aid.

According to a doctor, “Our coworker died on that day — he went out from the door to look out, and a sniper killed him. The second doctor tried to help him, to pull him back, but got his leg gun-wounded. He had to undergo treatment during several months...”⁹

After that, fighting happened almost every day on the territory adjacent to the clinic. The medical staff usually work on shifts; one shift is 24 hours. Constant shelling sometimes made it

impossible to change shifts, as health workers were unable to go home or to the clinic. Thus, once and again they had to work for 3–4 days. There were instances when medical staff had

⁹ Interview DO 034



to lie on the grass for 2–3 hours waiting for the shelling to end.

According to Human Rights Watch citing a deputy chief doctor, in early May 2014, the fighters occupied one of the clinic's buildings that was normally used to organize leisure time for the patients.¹⁰

In mid-May, a shell hit the building with patients. It did not explode and remained under the floor of a dining room. Later on, a mine exploded on the clinic's territory, its fragments damaged the walls. At that moment, there were over 500 persons including 420 patients in the clinic. When the shelling intensified and the

threat to life and health became obvious, it was decided to evacuate the patients. By 25 May, all the patients under shelling were moved to other psychiatric clinics. Then, the medical staff started transporting medical documents and equipment. Soon, the clinic stopped working.

It was occupied by the armed groups of the so-called "DPR" that deployed artillery weapons and mortars there and fired at the Ukrainian army. The main damages to the clinic occurred after the patients and medical staff had left it. Eventually, the following damages were documented: serious damages to the roof, outer and inner walls, partition

¹⁰ Information of Human Rights Watch as of 05.08.2014 "Militants interfere with regular operation of healthcare service," <https://www.hrw.org/ru/news/2014/08/05/254771>



walls; complete destruction of windows and doors, utility networks of the main, hospital, laboratory, children's, and food units, laundering unit buildings, garages, fences and clinical buildings No. 10 and 11.¹¹

During the period when the city was controlled by the militant groups (until July 5, 2014), a total of three medical vehicles and mobile disinfection unit have been stolen from the clinic. The medical staff managed to evacuate four cars, while others have been repaired.

After the government restored control over Sloviensk, an inventory was carried out and

a report specifying the damage and theft of the clinic's assets was submitted to Sloviensk police department in Donetsk oblast; this fact was duly documented in the Unified register of pre-trial investigations.

The psychiatric clinic is currently functional in the city of Sloviensk. The village of Semenivka — where it was located before the conflict — only hosts an anti-TB department. According to Volodymyr Kolesnyk, Deputy Head of the Healthcare Department of Donetsk Oblast Military Civil Administration (hereinafter — DOMCA),

“Oblast psychiatric clinic in Sloviensk requires a lot of work. Four buildings should be written off, since they cannot be restored. Thus, we currently don't have any children's psychiatric department at all.”¹²

Before the conflict, there were 14 psychiatric clinics in Donetsk oblast. Now, there are as few as three of them on the government-controlled part. Considering a large influx of internally

displaced people¹³ and increased number of mental and depressive disorders due to conflict-related stress, there is a critical shortage of mental health facilities in the region.

¹¹ Video of the damages to oblast mental clinic in Sloviensk, <https://www.youtube.com/watch?v=bHStfCAizpA>

¹² <http://bit.ly/2ou2xFM>

¹³ According to DOMCA, a total of 725,100 IDPs were officially registered in Donetsk oblast as of June 1, 2016.



Municipal children's hospital

The building of Sloviansk municipal children's hospital was hit by 15-minute shelling in the morning of May 30, 2014. At that time, there were 16 employees, 15 children aged from 1 to 6 years, and two mothers in the building. One child was in the resuscitation department. The shelling destroyed one wall, damaged offices on the first and second floors, the roof of admission department, the entrance to in-patient department, and broke out nearly 100 windows. According to medical staff, the journalists from Russian TV channels Life News, Russia Today and Russia 24 arrived to the hospital as quickly as 20 minutes after the shelling. Neither the patients nor health workers were harmed during the shelling. The hospital's basement was used as a shelter during intense fighting.

So far, the rehabilitation of the hospital has been completed. The roof of the food unit and admission department have been repaired; plastic windows have been installed; window jambs have been made, and minor repairs have



been finalized all over the buildings. The hospital functions in a regular mode.

When the militant groups under the command of Girkin controlled the city, they first wanted to place an observation post and quarters in the hospital, but then abandoned

this plan. They also tried to seize the hospital's vehicles, but the staff had timely hid them.

The researchers collected evidence that fighters sheltered themselves behind the civilians when firing at Ukrainian army.

According to a worker of the children's hospital, "A lot of facts prove so. I saw with my own eyes armored vehicles coming to the hospital's territory, chaotic shelling in both sides."¹⁴



Next to the children's hospital, there is a mass grave for the residents of Sloviansk and other cities of Ukraine killed by fighters along with the fighters. One of the respondents

who has personally seen 18 persons buried there confirmed it.¹⁵ It is known for sure that four crucified believers of the Church of Transfiguration are buried there.¹⁶

¹⁴ Interview_036

¹⁵ Ibid

¹⁶ <https://www.facebook.com/anton.gerashchenko.7/posts/698336113586572:4>

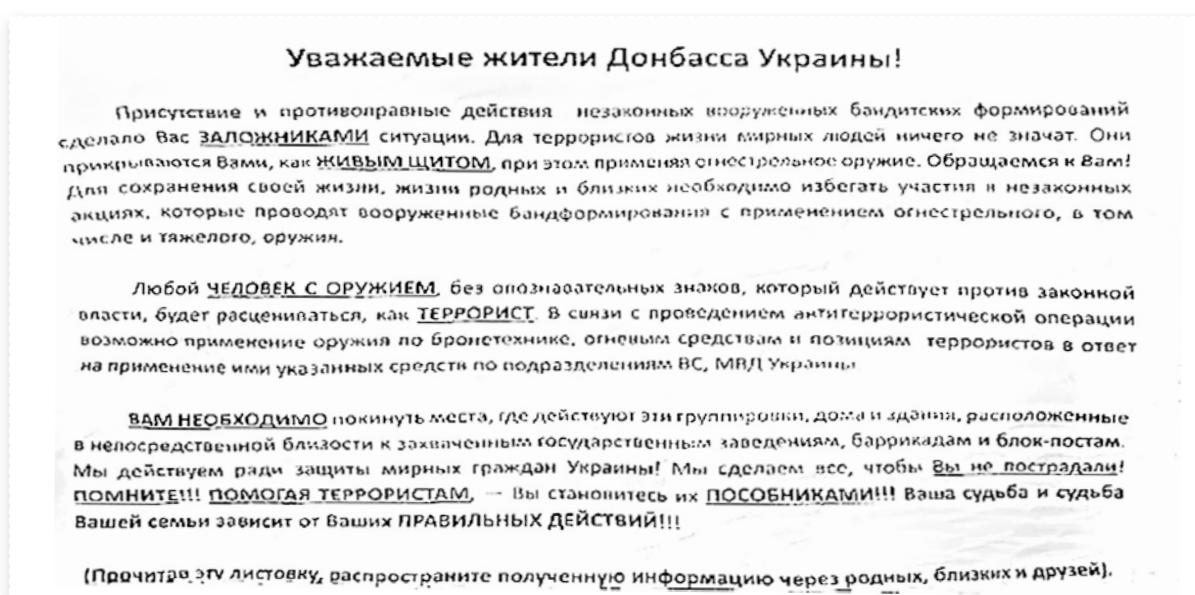
LYMAN RAILWAY HOSPITAL

The building of Lyman railway hospital (now – Lyman municipal hospital) was heavily damaged by shelling on June 3, 2014. At that time, Ukrainian army conducted military operation to regain control over the town of Lyman. On the previous day, Ukrainian military disseminated among residents of the northern part of the town (the town is divided into the northern and southern parts by the railway, the

hospital is located in the southern part) the leaflets warning of the upcoming operation. According to witnesses, they were dropped from a plane in shell dummies.¹⁷

On June 3rd, only about 10 persons from the duty staff continued working in the hospital; all other workers and patients (except for eight seriously ill patients) were let home.

The hospital workers who witnesses these developments recall:



“It was around 2 o’clock in the afternoon. We just finished lunch and were in the office. I was sitting at a table when an explosion broke the window, and shell fragments left traces on the walls and made two large holes in one of the offices. We ran away — to the surgery, to the resuscitation department. There were patients there. We heard a shout, went to the second floor and saw our chief surgeon Vasyl Shystka (honored doctor, ex-chief doctor of this hospital — ed.) laying on the floor covered with blood. He went there to switch off the TV-set and was wounded by a shell fragment in his head. We had no other surgeon to help him. We took him on wheelbarrow to first-aid room. We called a surgeon that had worked with us earlier and an anesthesiologist. They were running to us under shelling...”¹⁸

¹⁷ <http://bit.ly/2nuO8L3>

¹⁸ Interview DO_045



The victim needed an intervention of neurosurgeon. It was decided to transport him to Donetsk. A trolley was sent from there, and all the doctors had to do was to bring a victim to Siversk by an ambulance car. However, Ukrainian service members at the checkpoint did not let them pass, explaining that security could not be provided. It was only the next night when the car was allowed to go to hospital in Donetsk. Later on, Vasyl Shystka died.

Information collected during the research is confirmed by open sources — an interview with then chief doctor Leonid Zahurskyi who currently lives in Russia.¹⁹

On that day, nine shells hit the territory of the hospital. They completely destroyed the roof, second and third floors of the therapy building, broke out all the panes in link building, damaged the corner of surgery building; the roof of the food unit and accountant office



was pierced by shell fragments. The explosion broke out all the windows and doors in the pharmacy, and shell fragments hit the garage. The medical staff and patients along with the residents of neighbor houses sought shelter in hospital basement. In addition to the hospital, the shelling also damaged the railway station, locomotive depot, bakery plant, installation and maintenance management unit and broke out the windows at the kindergarten next to the hospital.

According to medical staff, Ukrainian service members entered the hospital on June 4. They broke the doors in the offices during searches, although the staff offered keys to them. Kostiantyn Mateichenko, *Artemivsk* battalion commander (then the Head of *Artemivsk*

¹⁹ <http://bit.ly/2nY7Uuz>



District Administration, then the Member of Parliament of Ukraine) met the town residents after liberation and explained that they had done it because of notifications received from various sources that a militant group had been hiding in the hospital.²⁰ The witnesses confirmed at the interview that the chief doctor had also stated that the service members had shown him a map where Lyman hospital had been referred as the militant hospital and had considered that the fighters used it for military purposes.²¹

The hospital was rehabilitated in July 2014 at the expense of Ukrainian Railways. No direct evidence of responsibility of either party to the conflict for shelling the hospital was collected. Public authorities did not provide any information requested from them.



SVITLODARSK MUNICIPAL HOSPITAL

According to Svitlodarsk mayor Anatolii Brekhunets, from July 3, 2014 – January 25, 2015, Svitlodarsk municipal hospital was occupied by the field hospital of the Armed Forces of Ukraine providing healthcare to the injured ATO combatants.²² After Debaltseve had been

surrounded, the hospital was moved to Bakhmut.

The hospital suffered first damages on January 27, 2015. A mine exploded nearby at approximately 3 p.m. having broken the windows. A shell fragment killed a nurse who was going home from work.

“The work day has just ended, our nurse was going home with her friend. A mine explosion killed our nurse, while her friend stayed safe... It was outside the hospital’s territory. This time the hospital’s building didn’t suffer serious damage but for the windows,” witnesses recall.²³

After this, the shelling became regular. At that time, there were near 20 staff members and 10 patients in the hospital. The basement was equipped with water and electricity supply; surgery, first aid and delivery

rooms were organized there. Doctors and nurses were working in the basement during February and March. Some workers even used to live there because their regular residence was in multi-apartment buildings

²⁰ <http://bit.ly/2nY7Jzs>

²¹ Interview DO_046

²² Interview DO_050

²³ Interview DO_048



without basements, leaving them fearing for their lives.

The hospital also used to have an outpatient department. According to staff,

“At that time, we backed off the outpatient and intensified in-patient care. I was sent to the surgery department. Medical staff worked there even during the shelling. We tried to stay a little farther away from the windows and closer to main walls. We were offered evacuation, but almost everyone refused because of different reasons. After the stress, many staff started to stammer, some got heart problems...”²⁴



The shelling destroyed a two-story building of infection department (not restored so far)²⁵ and damaged the building of laundry, food unit and morbid anatomy department. It also damaged the roof of the main building, broke out windows in all the buildings which made it impossible to use medical equipment and hospital linen. Later on, five unexploded mines were found on the hospital territory. So far, glazing of all the hospital buildings has been completed along with capital repair of the laundry and surgery room of the in-patient building.

²⁴ Interview DO_049

²⁵ <https://www.youtube.com/watch?v=qDSjzPtIQcG>

MYRONIVKA OUTPATIENT CLINIC

In January 2015, Myronivska outpatient clinic of Bakhmut district also found itself in the area of hostilities. A doctor recalls,

“The first shelling was in the morning of January 22. From my private house, I heard a terrible roar and watched a huge glow through the window. Everything was exploding and bubbling — a rocket hit a transformer booth. There was a blackout; all the communications were cut. Outpatient clinic opens at 7 o’clock in the morning — some staff members were there already. On that day, a mine hit the building’s façade. In five days or so, another mine damaged the end wall, the gas pipe and heating system. A lot of people started to flee the village...”²⁶

The village had been shelled every day until February 12. Initially, the facility had 30 employees, but as few as 13 stayed after the shelling. There was only one physician for eight thousand residents. Since there was no in-patient department in the clinic, the operating tables were installed in the hallway. There was neither electricity nor heating. Medical staff, patients and local residents used the basement as a shelter- up to 50 persons used to gather there during the most intense fighting. Some employees were living there, because it was more secure than staying in multi-story buildings.



The ICRC was providing humanitarian aid, including bandages and analgesics. No one was let out of the village — the road was closed, it was only possible to leave with the help of service members. The shelling lasted for some 40 days. There was no gas, electricity and water supply, no communications; and people had to make fire to cook meals. There were civilian casualties in the village. However, no patients or staff members were injured but for a nurse who suffered a mild concussion.

²⁶ Interview DO_052

According to this nurse,

“It was before lunchtime. I went round the corner of my house to talk over the telephone to my children. I heard a scream and saw something falling down across the street. Windows were broken out, roof slates began to fall, and an explosive blast threw me to a juniper bush. I lost my phone; a hat fell down from my head. I get up and I understand nothing. I am shaking; tears flowing; ringing in the ears; I hear nothing. My husband runs to me (he is a guard here), but I can’t talk, I show him that I lost my phone. We had a look there and saw a huge shell crater, and no single intact window. Later on, I got better, I said — let’s move to Svitlodarsk, I can’t stand it here. We packed up and went there for one month.”²⁷

As soon as the shelling became less intense, medical staff started to come to the clinic for 2–3 hours a day — they provided care to patients, sorted out the mess, nailed up windows to prevent thefts. The building was promptly renovated at the expense of the ICRC and faith-based organizations.

According to the respondents, Ukrainian military wanted to station in the clinic, but the medical staff opposed it referring that the “shelling always hit the places where they stay.”²⁸ There was an incident when armed soldiers came to the clinic, broke the locks and looked for the militants in the basement and upper store helping themselves with flashlights. They were also looking for a driver since



they wanted to seize the car, but the doctors managed to timely hide. According to medical staff, Ukrainian servicemen did not resort to physical, psychological violence or threats.

The respondents also said that Ukrainian troops had been firing from residential areas,

“I live in a private housing area. A mortar came next to our house to fire several times before leaving, but we “received” shelling in response — two neighbor houses were damaged... They also shelled from our cemetery. They didn’t let us go there, but I have my father and mother-in-law buried there. We asked — What are you doing? They say back — Well, that’s war!”²⁹

²⁷ Interview DO_054

²⁸ Interview DO_053

²⁹ Interview DO_052

LUHANSKE OUTPATIENT CLINIC



During the monitoring survey in Luhanske of Bakhmut district, employees of the clinic provided an account of Ukrainian army stationing in the healthcare facility. After the retreat from Debaltseve in late January 2015, the service members of the

128th Mountain Brigade with their equipment were quartered in the clinic and a kindergarten nearby. They stayed in the clinic for a month or so, and in a kindergarten — until early May (it resumed its operation on June 1).

“We have two buildings here — the first accommodates a therapy in-patient department, the second is an outpatient clinic and an emergency unit. They moved into the second building. I went there sometimes to collect some documents. There were about 100 servicemen there. The beds and mattresses were on the floor, about eight persons in each office. When they had left and we were preparing to resume the operation of outpatient clinic, the offices were knee-deep in rubbish... The first time the clinic was shelled on January 26, windows were broke out. From that day and until March 23, the clinic was closed, many staff left. When soldiers were stationed there, the clinic and its territory was hit by three mines — the roof was destroyed, and a guard house was burned down,” a clinic employee tells.³⁰

³⁰ Interview DO_055



After the military left, the staff was not able to find two computers, equipment from physical therapy office and glucometers. A copying machine was damaged too (beyond repair). The necessary equipment has not been bought so far. Caritas charity provides significant aid to local residents; it brings and disseminates free medication among people with chronic diseases. The charity rented out an ECG machine to the clinic for four months, but it has to have its own machine to ensure timely diagnosis.

The soldiers were using three medical vehicles for their own purposes. When the clinic resumed operation in April 2015, they returned only one UAZ. The second car was damaged during the fighting in Debaltseve. They refused to return the third car — Niva — irrespective of the persisting demands of staff. They used it until it was piled up in May, then they returned an inoperable car to the clinic.

According to respondents, there were cases when Ukrainian military were firing from the clinic's territory,

“During spring and summer, there were shellings from our territory. One day, local residents said that they had been firing from the clinic that night. We came in the morning to see a broken gate and military equipment traces on the ground. Last time, that was on June 5, 2015. They arrived at 12 p.m. and started to set up the arms. I asked them, “What are you doing? We have patients here, a kindergarten nearby is full of children. Get out of here.” And they say, “There is the war around.” We ran to the chief doctor’s office to call the district administration. We raised snakes, and they never came back. But they had fired four times for here. Twice, we had to run away in the afternoon from here on the bicycles...,” witnesses recall.³¹

³¹ Interview DO_055

OPYTNE OUTPATIENT CLINIC

Opytne outpatient clinic of Bakhmut district provides healthcare to the residents of adjacent villages. It has two buildings. On February 14, 2015, one-story brick building constructed in 1938 was severely damaged by a shelling. A direct hit to a physiotherapist's office inflamed the building bringing damage to the equipment, furniture and medical documents.

“We had a physiotherapist's office, a vaccination office, children's and dental care department in this building. We are lucky to have one more building. We currently receive patients there,” staff members tell.³²

The village council provided premises to set up a physiotherapist's office. According to the opinion of technical commission composed of healthcare workers and local officials, the clinic's building is beyond repair. The renovation of a nearby two-story building is underway. It is going to accommodate both the outpatient clinic and the Center for primary healthcare.



³² Interview DO_056

HEALTHCARE FACILITY IN MARINKA



In Marinka, the research team focused on a healthcare facility that accommodates a healthcare department of local administration, general/family medicine outpatient facility, primary healthcare center and an emergency unit. According to the respondents, the building suffered the most serious damage in August 2015.³³ The morning shelling from the side of Donetsk destroyed the roof, broke out the windows. A shell came under the base of the

building of children's reception office. During 2014–2015, the part of the town where a clinic is located was heavily shelled twice. As a result, every window in the building was broken out. Neither the patients nor the staff members were injured. The building was renovated at the expense of municipal budget.

The first floor of the building hosts an emergency unit where the staff members go during the shelling.

“This is a more secure space. We try to stay near the windows less. We don't panic, we immediately assess damage after each shelling and report it to the leadership. The new vaccines are stored in the fridge, and if the power is cut due to shelling, we quickly decide whether we should bring them to some other place or wait. We have a power generator, but you have to go outside the building to the garage to take it, and it is dangerous during the shelling. Moreover, it makes such a loud noise that we don't hear visitors knocking on the door. We have a bomb shelter here, and a lot of local residents — up to 30 persons — come to us. Our guard, paramedic and driver are on duty. When the shelling starts, they open a bomb shelter, help and bring water to people,” the staff tells.³⁴

³³ Interview DO_057

³⁴ Ibid



In summer 2014, there was a fighting for liberation of the town. The medical staff did not go to work for one month or so. The militants of the so-called “DPR” set up checkpoints throughout the town. The medical staff confirmed that armed militants had entered the clinic, broken the signs in blue and yellow (like Ukrainian flag) with gun-butts and had gone up to the roof.³⁵ The facts of theft and looting were documented then. Local residents stole a computer. These facts have been investigated, and perpetrators have been prosecuted.



The main challenges of the clinic referred by the respondents include the lack of doctors, difficult working conditions due to powercuts (and heating cuts, respectively) because of the damaged power supply lines.³⁶

Staff of an emergency unit said during an interview,

“Most shelling happened in the evenings and nights. In the nighttime, we go out to confirm the fact of death (it is a duty of doctors during daytime). We have Slavuta car with a Red Cross label, one bulletproof vest and one helmet. Going to the “grey zone” is always a risk. We firstly focus on our own security — a dead body can wait. We serve the entire Marinka district. There were times when our staff was on duty at the checkpoints, we provided healthcare. We work in dangerous conditions but receive no additional benefits. Staff of the State Emergency Service of Ukraine are awarded the status of ATO participant when they go from Kurakhovo to Marinka. Our medical staff are awarded with nothing...”³⁷

³⁵ Interview DO_058

³⁶ Interview DO_057

³⁷ Interview DO_059



The town of Marinka is in direct proximity to the contact line. In fall 2016, a direct hit of the door of one of the offices by a sniper bullet was documented. Official data about those guilty are lacking. According to allegations, a sniper was firing from the positions of the so-called “DPR” militant groups.³⁸

In 2014–2015, outpatient clinics in Marinka district suffered damage. The shelling broke out windows in the facilities in Stepne, Novomykhailivka, Yelyzavetka. Healthcare facilities in Karlivka (next to Pisky) and Slavne sustained more serious damage — roofs, walls and windows were destroyed.

MARINKA CENTRAL DISTRICT HOSPITAL

Marinka central district hospital is located in the town of Krasnohorivka. It suffered the heaviest damage on June 3, 2015: twelve storage units, the roof and armored concrete floor of the third building were damaged, two cars were burned away. In August, the emergency unit, roof of the accountant’s office, neurological department, children’s reception office and maintenance building were damaged. Power unit that supplies electricity to the hospital was destroyed. Shelling continued in 2016. On June 9, July 29 and 31, and August 7 the shell fragments broke out the panes. On the night to



³⁸ Interview DO_058

October 22, the shelling destroyed a power unit again. The mines were exploding on asphalt, their fragments destroyed end-wall windows in the polyclinic and the first building of the hospital.

There is a basement under the polyclinic – local residents used to hide there from June-December 2014.

*“In 2014, the hospital’s territory was never shelled, and people came to hide here hoping that we won’t be hit. But later on, everyone got used to such a life. People had enough of living in the basement – come what may. And since then, almost nobody comes to us...,” a doctor tells.*³⁹

The hospital employs more than 100 staff; and two in-patient departments accommodate some 50 patients. Nobody was injured during the shelling.

According to the respondents, the military troops and equipment have not been stationed in the hospital during 2014–2015. Marinka central district hospital only serves civilians. The doctors alleged that the men in camouflage had stolen Toyota medical car in 2014. The respective report was made to police.

During the interviews, medical staff were asked about the current challenges that the hospital faced.



³⁹ Interview DO_060

*“We need construction supplies to renovate the facility. We fixed the roof where we could do it and installed windows. There is no gas supply in the town. Lack of gas and water supply in the hospital is a major challenge. There is a technical water supply in the city, but we have a separate pipeline that is currently cut off by the other side. We spent two winters without heating. Every patient admitted to the hospital brings his or her heater. Another problem is the lack of staff. We used to have 450 employees, but only 100 remain. We lack medication, too. In 2015 a lot of charities were helping us, but not now...,” the employees share their concerns.*⁴⁰



⁴⁰ Interview DO_060



A research team met the staff of emergency unit in Krasnohorivka, they showed garages and cars damaged during shelling.

The staff members also told about the shelling of ambulance car by the “DPR” militants in October 2014.⁴¹ On October 10, a Krasnohorivka resident suffered a heavy face injury. There were no specialists to help a man in Kurakhovo hospital, so it was decided to bring him to dento-facial department of the first municipal hospital in Donetsk. The ambulance car was hit at a checkpoint close to the village of Shyrokyi at the entrance to Donetsk at approximately 9 p.m. A paramedic and a driver died immediately. A patient was still alive, but he died in half an hour because no timely aid was provided to him.⁴² It is important to mention that the car had the Red Cross Label and the respective text on it. Soon, the Ministry of Interior published the intercepted radio traffic of the fighters about shooting at the ambulance car.⁴³



⁴¹ Interview DO_061

⁴² <http://bit.ly/2nYcJE5>

⁴³ <http://bit.ly/2slKwfj>

AVDIIVKA CENTRAL MUNICIPAL HOSPITAL

During summer 2014 — February 2015, Avdiivka was in the epicenter of intense hostilities. In January 2017, the situation escalated again. The shelling has resumed and is still taking place.

Avdiivka central municipal hospital suffered first serious damage in August 2014.

The shelling damaged trauma department and broke out all the windows. One mine hit the room through the window, injuring a nurse — she lost her finger. A patient brought for a surgery got a shell fragment into her abdomen, and she died.

According to an injured nurse,

“The shelling started, and we had to evacuate patients to the basement. I was going down the hallway in front of the first room. Something hit the room, and my leg felt hot. I didn’t even notice at once that I lost a finger. By a miracle, a fragment did not hit my abdomen, it only scratched the skin. I called a nurse and fell down, and a woman injured in her belly fell down on me. Doctors and nurses rushed to bring me to the operation room to make surgery. I was receiving treatment for four months and was not working for half a year. Now I receive UAH 265 (USD10 — ed.) per month for recovery. The police came, they made a report but a criminal case was not initiated...”⁴⁴

The research team sent an official request to Avdiivka unit of Pokrovsk police department. A response stated, “Since 2014, police did not receive from Avdiivka hospital any requests to document damages caused by shelling.” It implies that Ukrainian law enforcement authorities did not perform due investigation into the shelling of healthcare facility. It critically harms the quality of evidence for preparing further applications to international courts.

All windows in the main hospital building were installed at the expense of Avdiivka coking plant. However, in October the repeated shelling broke them out again. The window openings were covered with plywood and buck ram.

The hospital has two buildings and a link between them — a five-story and a smaller one. Before the hostilities started, the bigger building accommodates polyclinic and in-patient department, while the latter — antenatal clinic, laboratory, gynecology and maternity ward.



⁴⁴ Interview DO_064

Due to serious damage suffered by the main building before the winter frosts, the hospital administration and local authorities decided to move the hospital to another building where it works so far.

In January 2015, the shells hit a separate building of infection department and damaged the roof (a repair was underway during the research), food unit, mortuary and central sterilization department.

According to a doctor who witnessed this incident,



“That January was horrible. We lived in the sanitary center or in the basement — we had beds, mattresses and water there. Going home was terrible. I used to rush there once per three days to feed my cat and immediately run back. You go there, everything around is roaring, broken trees, holes on the ground. There was an incident when our surgery chief doctor went out from the office to look from where the firing came. He went to the surgery unit and when he returned, he found a shell fragment in the wall at the level of his head...”⁴⁵



⁴⁵ Interview DO_062



Seven shells hit the hospital territory from summer 2014 – February 2015. There are still Grad rocket cases with serial number there.

In winter 2014–2015, there was no electricity or water supply in the town. State Emergency Service staff was bringing technical water to the hospital, and potable water was taken from the wells of local residents.

Before Ukrainian forces regained control over Avdiivka in late July 2014, the town had been under control of the “DPR” militant groups. During these months, the treasury, tax authority and banks were not working, and the hospital staff did not receive salary.

The research team collected evidence that the “DPR” militants were present at the hospital. According to a witness,

“I was in the sanitary center. They arrived, aimed their guns at me — “Where is chief doctor? We’ll shoot everyone. Our nurse who is hypertensive person resigned immediately after that incident...”⁴⁶

A hospital doctor also recalls another incident that happened when the militant group controlled Avdiivka:

⁴⁶ Interview DO_063

“It was mid-July 2014. Sloviansk was liberated, and intense fighting took place in Donetsk airport. Ukrainian officers managed to transport two injured servicemen to our hospital through the military unit in Opytne. One of them was quite aged; he had a serious lung injury. He got a surgery but couldn’t breathe by himself. He stayed in the hospital on an artificial lung. Another one received a knee surgery and wasn’t able to walk. Everything started early in the morning. The “DPR” militants surrounded the hospital, blocked two exits and forbade the staff to move. Five armed men entered the resuscitation unit requesting to give these two soldiers to them. The chief doctor, his deputy, trauma doctor and surgeon came to them. They had an hour-long conversation, that the hospital was not the right place for that kind of staff and that those patients needed treatment. But what can a doctor do against a gun? As a result, the doctors disconnected the first patient from an artificial lung and the militants took him away. We are sure, he died in their car. They made the second person walk by himself. We know nothing about him...”⁴⁷

The hospital building is currently in the priority recovery plan of Donetsk oblast; the scope of work and cost estimate are prepared.⁴⁸

To provide medical care to Ukrainian military, a stabilization unit was established in the hospital. Military doctors closely cooperate with civilian colleagues. The hospital needs a

mobile X-ray unit to provide high quality and timely examinations.

In January-February 2017, Avdiivka became an epicenter of hostilities again. The shelling damaged power supply lines leaving the town without water, electricity and heating. Mass media reported three shells that exploded close to Avdiivka hospital.⁴⁹

On January 31, all patients were evacuated from the hospital. “Today, we transported 12 patients to Kostiantynivka healthcare facilities. These are neurology, surgery and therapy patients,” Volodymyr Kolesnyk, Deputy Director of HealthCare Department of Donetsk Oblast Military-Civil Administration, reported.⁵⁰

According to him, no patients were left behind, and evacuation routes were checked to ensure availability for evacuations in case there are new patients.

During the shelling on Svitlodarsk Arc on February 2, an anti-tank missile launched by the militants hit an ambulance car that evacuated an injured soldier, killing a paramedic of the 54th Mechanized Brigade.⁵¹

⁴⁷ Interview DO_031

⁴⁸ https://www.youtube.com/watch?v=7_9FwnJf8V4

⁴⁹ <http://bit.ly/2os0aUM>, <http://bit.ly/2nVYuig>

⁵⁰ <http://bit.ly/2os0e6Y>

⁵¹ <http://bit.ly/2orUV7x>

MONITORING OF HEALTHCARE FACILITIES ON THE GOVERNMENT- CONTROLLED AREAS OF LUHANSK OBLAST



STANYTSIA-LUHANSKA CENTRAL DISTRICT HOSPITAL

The shelling of Kindrashivska-Nova station (the municipality of Stanytsia-Luhanska) started approximately at 8.25 p.m. on Ukraine's Independence Day – August 24, 2014. Ukrainian government controlled this territory. Ambulance cars started to bring injured civilians to Stanytsia-Luhanska central district hospital. The staff was providing

care to them. There were approximately 40 persons in the hospital, including 27 patients. At 10.40 p.m., the mortars started shelling the very hospital – explosions were all around, windows were breaking.

According to the hospital employees who witnessed this incident,

“I was in the surgery department during the shelling. I heard the first mine exploding somewhere farther, than a second one, than the panes of glasses were fractured. The mines hit the roof. The slates fell down. We looked around in the morning to find 22 craters on the ground and two craters on the roof...”⁵²



“We had patients in therapy, surgery departments, and in the resuscitation unit. I was in the surgery room during the shelling, and then I went to the basement to help there. Medical staff brought patients down to the bomb shelter – in the darkness, in-between the explosions. We stayed there until 4 a.m. while the shelling went on. When we went out in the morning, everything around looked horrible – there were almost no intact windows, the roof of in-patient building suffered heavy damages, glass fractures were all around...”⁵³

⁵² Interview LO_003

⁵³ Interview LO_002



Three nurses were injured — two sustained a concussion of brain, and the third nurse was

injured by a shell fragment.⁵⁴
According to the injured nurses,

“At 11 p.m. on August 24, when the shelling started, we were at the reception unit. We managed to go down to the basement; we were four. After the first shelling, we went up to check the patients and the building. As soon as we were outside, the second shelling started. We have just run into the hospital’s building when a mine exploded ten meters behind us. I got numerous fragment injuries on my back, arms and legs, the senior nurse suffered head injury and brain concussion. We made sick-leave certificates related to professional injuries. We have all the documents, but didn’t receive any payment. You have safe and sound now, what else you need, they say. But I have four fragments in my body...”⁵⁵

⁵⁴ <https://www.youtube.com/watch?v=FU7a9U83XCU>

⁵⁵ Interview LO_004

“That day, I was in the hospital on duty. We had a lot of injured patients and lacked staff, so I helped the doctors in surgery department. At 10.40 p.m. I was performing doctor’s instruction in the procedure room when I was hit by shelling. An explosive blast threw me to the door...”⁵⁶

On August 26, the chief doctor, head of medical unit, chief doctors of surgery and resuscitation departments left the hospital. The authorities were about to shut it down. However, the remaining staff started to clean up the facility and treat the patients. The hospital did not suspend its activity at all. To support the facility, the staff used their own salary savings fund and benefited from the assistance of volunteers and the ICRC.

During the New Year holiday season (2014–2015), the heating system of the hospital froze after a blackout. Power generators and heaters helped the facility work in outpatient modality.

The hospital suffered repeated shelling on February 9, 2015. The laundry and reception units were damaged. No staff or patients were injured.



On April 1, 2015, the hospital resumed full-day operation. The hospital got an anesthesiologist, and the surgeries were made possible. In fact, the patients who needed surgery had been sent to Bilovodsk district hospital or to Luhansk facilities before that.

According to Stanytsia-Luhanska District State Administration, the shelling made the following damages: roof – 1,580 m² (600 roof slates); slabs of elevator well (2 slabs 6 × 1.5 m);



⁵⁶ Interview LO_005

walls – façade of in-patient building was destroyed; 669 windows of various size; 17 doors. Following a blackout, the hospital heating system was damaged, including 620 heaters and 2,717 meters of pipes of various diameter. The total loss estimate amounted to UAH 6 million.

As of June 24, 2016, 314 windows were glazed and 355 plastic windows were installed. The roof of the in-patient building was fixed, 19 doors were installed, heating system in the in-patient and outpatient departments

was replaced, and minor repairs were made throughout the hospital premises.

Interviews with medical staff and other witnesses of the developments of August 2014 revealed that, in addition to shelling, healthcare facilities were used for military purposes. Namely, from August 17–24 some 300 soldiers were stationed on the third floor of the therapy department. These Ukrainian armed military members associated themselves with Ukrainian troops.

“They entered at 8 P.M. or so on August 17, bringing machine guns and assault rifles with them and rudely requested to provide the third floor to them, broke all the doors that were closed at the time, walked around all the premises, damaged the equipment (digital X-ray which costs UAH 300,000 is still out of order). It was impossible to station every soldier on the third floor, so they organized a camp at the hospital. They stood overnight ordering that nobody leaves or enters the hospital. They put their guards, and we were waiting there. There was no instruction that the soldiers have to be quartered here,” says a hospital doctor.⁵⁷

According to the witnesses, the hospital was shelled on August 24, after the military were firing from its territory the night before. When the next morning the service members were asked about the reasons for firing, they said that they had seen “something suspicious in the woods.”⁵⁸

Ukrainian military also entered the territory of the hospital in November–December 2014. The medical staff, sadder but wiser, requested from the Head of Stanytsia-Luhanska District State Administration that the armed persons be not stationed in the hospital. It was agreed that the troops would stay for two weeks and only overnight to prevent dissemination of information about their location. They were quartered on the fifth floor; the staff had no negative feedback concerning their behavior.

⁵⁷ Interview LO_002

⁵⁸ Interview LO_003

OBLAST ANTI-TB HEALTH RESORT IN KRYMSKE



Starting from the second half of 2014, Ukrainian military were stationed in the oblast anti-TB health resort in the village of Krymske in line with the order of Hennadii Moskal, the then Governor of Luhansk oblast. All the patients were

moved to one building; the soldiers used other buildings.

Before that, the militant group “Great Don Army” controlled the village. They wanted to station their troops in the two-story building of health resort, but not it time.

“Commander of the “Great Don Army” Mykhailo Oleksandrov, born in Zymohiria, came to us with his fighters. They wanted to stay there, but didn’t manage to. Ukrainian army was in the offensive. The fighters left on Friday, October 17, 2014, and took Volga vehicle belonging to health resort. Soon after, we had three Ukrainian armored vehicles here. And before that, the fighters killed a local police inspector. He was a Ukrainian patriot, he said it openly. No post-mortem honor for him, they even looted his apartment. His wife fled the village...,” a doctor of health resort recalls.⁵⁹

⁵⁹ Interview LO_001



The health resort is located on the outskirts of the village; the next firing point is as close as 650 meters. In late October 2014, the

shelling started. Ukrainian soldiers started to dig trenches near the village.

*“We had 22 patients and 56 staff members. But these were mostly the cooks who remained. Staff members were allowed to stay at home, thus we had only those employees who could work...,” a doctor notes.*⁶⁰

On November 1–2, 2014, the fighters shelled the village from mortars, Grad system and artillery. The shelling destroyed power supply lines, several private houses and anti-TB health

resort. The mine explosion destroyed the food unit (TB patients had to make an open fire to cook meals) and heavily damaged the in-patient building.

*“The clinic has been renovated recently, all the windows and doors have been replaced, the rooms were properly equipped, and now it cannot accommodate patients. We will move all the patients to oblast anti-TB facility in Lysychansk on Monday, because it’s dangerous for them to stay here, and the treatment is not possible,” Hennadii Moskal commented.*⁶¹

⁶⁰ Interview LO_001

⁶¹ <http://bit.ly/2os6Faa>

“We heard the bullets whizzing once. Soldiers immediately got to the floor, and the accountants go to kitchen ignoring this whizz and asking them: “Are you doing your training, right?” It was a real fighting, but the accountants didn’t understand it. Then the Grads shelling started — windowpanes were out, trees were broken. The food unit was the first to burn, since it had plastic sheds. I asked the soldiers to put out the fire, we had extinguishers, but the soldiers had other job to do. After that, we were suffering regular shelling. It was the most intense from January-March 2015. The building is sometimes hit at present time, too. We could even go there earlier — I had my personal belongings left there. Now you can’t go there, it’s a frontline. The ceiling has already fallen down, few windows remain intact...,” a doctor tells.⁶²



The order of chief doctor No. 108 as of November 1, 2014, forbade the staff to stay in the facility because the access to workplaces and medical documentation was blocked, power supply was cut; other conditions made the work impossible, too.

According to administration of the health resort, over 100 windows and 70 doors have been destroyed; the roof, heating network, exterior and interior walls of the buildings No. 1-4, X-ray office, event hall, library and

laundry were damaged; water supply and sewage system in the food unit sustained damage.

The damage to the material assets, including vehicles, medical equipment, medicines, household consumables and equipment amounts to UAH 1,424,754; to the real estate — UAH 2,414,000.

No renovation works take place, because the health resort is on the contact line. Ukrainian servicemen are stationed there.

⁶² Interview LO_001

OUTPATIENT CLINIC NO. 3 OF THE PRIMARY HEALTHCARE CENTER NO. 1 IN LYSYCHANSK

Lysychansk suffered heavy shelling on July 22–24, 2014, when Ukrainian forces were liberating the town.

The order of chief doctor of the primary healthcare center No. 1 instructed the staff of outpatient clinic No. 3 to stay home.

When the shelling started, the clinic had 18 employees, but no patients stayed there. Some employees who resided far from the clinic were afraid to go home because of the risk of shelling. They went to the basement along with the patients who had come to receive treatment.

“After we came to the clinic, the heavy shelling started, it was dangerous to go home through the entire town, and I had nothing to do but to go down to the basement,” an outpatient clinic employee says.⁶³

Five medical workers, some 20 patients and residents of neighbor houses that had no place

to hide from the shelling, stayed together in the basement.

“When the shelling started, we covered windows with the bags full of sand and opened the basement. We were sitting there overnight, the following day and night. Some people (local residents who had no basement in their houses) spent 3–4 days here. In total, there were 30–60 persons in average. In-between the shelling, we went outside to cook meals in the yard,” head pharmacist of the clinic recalls.⁶⁴

⁶³ Interview LO_014

⁶⁴ Interview LO_013



A shell hit the roof of the clinic on July 24, 2014. The roof burst out, and the staff tried to extinguish it by themselves. In total, shelling hit the clinic's building twice. The roof of children's department was broken through, walls in the addiction department were damaged; the fragments hit façade of the building, and the windows were broken out.

According to witnesses, the clinic was shelled from the side of Lysychansk oil refinery by Grad rocket systems.⁶⁵ This is confirmed by the fact that the staff found fragments of Grad rockets on the building roof. During the shelling, the territory of oil refinery was under control of the so-called "LPR" militant groups.

"During the stand-down, a driver and I went to the outpatient department to see heavy damages there. They wanted to shut down the facility, but the staff committed themselves to restore and protect it from looting," a doctor of the Center for primary healthcare No. 1 notes.⁶⁶

⁶⁵ Interview LO_014

⁶⁶ Interview LO_012



According to information of the Healthcare Department of Luhansk Oblast Administration, a total of 15 windows and 145 glass units, 90 meters of gas pipes was damaged; the shell broke through 16 m² of the wall 1,419 m² of roof slates, and 48 m² of partition walls.

In 2015, the roof and walls were repaired; gas pipes were recovered, a hole in the wall was



fixed; windows were replaced; and the building of outpatient department was renovated.

The staff members, local residents, local authorities as well as the ICRC and other NGOs contributed to renovation of the clinic. A total of UAH 1,171,000 was allocated for the capital repair from the state budget of Ukraine.

SLOVIANOSERBSK OBLAST ANTI-TB HOSPITAL

Slovianoserbsk oblast anti-TB hospital is located in the village of Triokhizbenka. Its capacity is 120 beds and it provides treatment to patients with multi-drug-resistant TB – the heaviest form of the disease.

Throughout 2014–2015, the hospital was hit by numerous shelling. On June 14, 2014, the Grad rockets hit the five-story building on the hospital's territory where the staff was accommodated.⁶⁷

According to a witness,

"A Grad rocket hit a five-story building breaking the trees all over the hospital's territory. It was hot, and everything burst out. I called people for help, everyone was running with fire extinguishers — we were thinking that the fire would destroy everything. Firefighters came on three cars a bit later..."⁶⁸

⁶⁷ <http://bit.ly/2rSe7cB>

⁶⁸ Interview LO_009

When the facility was still functional, it suffered the most intense shelling in November 2014. At that time, the hospital had 120 patients and 106 staff members (35 of them were on duty overnight).

According to a hospital's employee,

“We were hiding in the basement during the shelling. We usually spent 1–1.5 hours there while the shelling was going on. We had a ‘to-do’ list for such situations. The basement fit well for hiding there. It was spacious; it had water supply, sewage and restroom. We brought sofas and chairs there. Neither patients nor employees were injured.”⁶⁹

Due to heavy shelling, the hospital was closed on November 10, 2014. This decision was tentatively approved with the head of Oblast Healthcare Department. All the patients were evacuated to anti-TB clinic in Lysychansk. Staff members continued working for two months more.

In December 2014, Ukrainian army units were stationed in the hospital for three days, and some 50 armored vehicles were deployed there.

According to medical workers, the soldiers of Aidar volunteer battalion were quartered in the hospital in early 2015.⁷⁰ They forcibly opened procedure rooms, offices of chief doctor, senior nurse, stole the medication, chairs, 11 beds, kettles, mattresses and bed linen (although the staff warned them on the severity of TB).

After the armed men left, the staff called the police officers to document everything and lift fingerprints.



⁶⁹ Interview LO_008

⁷⁰ Interview LO_006



In July 2015, over 60 employees were dismissed because of the staff reduction. The inventory showed that the damage suffered by the hospital amounts to UAH 74,000.

Most of this damage included the damage made by shell fragments, as there were no direct hits.

The chief doctor noted that a certificate of inspection of the damage was drawn up on November 2, 2015. According to this certificate, a total of 28 glass units, six doors, 11 plastic window frames, doors of X-ray unit, food unit, laundry, mortuary, administrative building



and bacterial lab were destroyed, gas metering unit and control panel of water wells in boiler house were broken. A total of 400 kg of 5-mm aluminum wire is necessary to repair power supply lines.

Considering the proximity to contact line, no repair has been carried out; the hospital is not functional.

At the time of monitoring visits, no budgetary allocations were made to support the hospital. A total of 28 workers — chief doctor, chief accountant, engineer, senior nurse, guards, workers of pumping stations and sewage treatment units — are still employed in the hospital.

“It’s impossible to abandon the hospital — everything will get looted. How to renovate it during the hostilities? We have no gas supply for two years — it means we also lack heating and hot water. We used to have a very good heating system. We were about to extend the hospital and build a boiler house for that. If we switch it to coal or firewood, it won’t be able to heat such a big territory. We definitely have to preserve the hospital, it is the only hospital of this kind in the district...,” a doctor says.⁷¹

SHCHASTIA MUNICIPAL HOSPITAL

Shchastia municipal hospital sustained numerous mortar shellings throughout 2014–2015. The first one took place on the night of June 3, 2014.

During winter, the hospital suffered shelling almost every day.

“The shells were used regularly — three times one day, twice the next day, then once, then four times...,” a doctor recalls.⁷²

There always were some 50–60 persons in the hospital in addition to the staff. They went down to the basement during the shelling.

In late January-early February 2015 the shelling destroyed the central heating system of the town. For one week, the patients were evacuated to Novoaidar district hospital. Some patients were also transported to healthcare facilities of Petrivka, Lysychansk and Sievierodonetsk. The injured service

members were sent to military hospital in Svatove.

From August 2014-end of 2015, the first floor of surgery department of the hospital was occupied by the medical unit of Aidar volunteer battalion that supplied the hospital with some medications. During the most intense fighting, 1500 persons received surgery (both civilians and military). According to the witnesses, armed service members along with the military

⁷¹ Interview LO_006

⁷² Interview LO_015



and sanitary equipment were present on the hospital's territory during this period.⁷³

One of the heaviest shelling suffered by the hospital happened on February 11, 2015. It was documented that a shell had hit an

ambulance care of medical unit of Aidar battalion on the hospital's territory. The car was burned down.

According to Luhansk Governor Hennadii Moskal,

“Today, on February 11, at 2 a.m. the fighters fired mortar shells at Shchastia municipal hospital. The shells hit the surgery and therapy departments. Most windows were broken out. An ambulance car which was used to evacuate the injured from the frontline was burned down.”⁷⁴

⁷³ Interview LO_015

⁷⁴ <http://bit.ly/2nYee5k>

Several departments of the hospital continued to serve patients — a therapy department was working in day in-patient modality, the surgery department delivered urgent surgeries. To provide full-fledged care, the hospital had to replace or repair the windows. In February 2015, Luhansk Oblast Administration committed to allocate money to have the repair works completed within two weeks.

Moreover, the shelling made harm to the staff — a storekeeper suffered a fragment injury of her foot.

“On October 4, 2014, after I handed C-ration to the patients, I opened the door to my office and a mine exploded nearby. Its fragment hit my foot. The wound was not sewed up, only a bandage was applied. I spent three days at home and went back to work. I was toddling for two months more...,” a victim recalls.⁷⁵

A total of 15 shells hit the hospital's territory. As a result, 2 m² of reinforced concrete roofing in the event hall was destroyed, 257 windows were broken out, six exterior and interior doors were destroyed, a total of 500 m² of roof slates in the polyclinic and maintenance unit were damaged. A procedure room was damaged, too.

By the time of monitoring visit, all the renovation has been completed. A total of UAH 2 million was allocated from the budget for a capital repair of the therapy department, UAH 1.5 million more was given to repair the roof and UAH 800,000 — to rehabilitate the children's department. According to the executive committee of Shchastia City Council, a total damage to the hospital amounts to UAH 75 million.



⁷⁵ Interview LO_016

OUTPATIENT CLINIC OF KINDRASHIVSKA-NOVA RAILWAY STATION OF DISTRICT HOSPITAL OF LUHANSK STATION

The clinic is located in Stanytsia-Luhanska, 300–400 meters to Siverskyi Donets river which is used as a contact line. During intense hostilities, Tornado volunteer company occupied the buildings and territories of the clinic on December 28, 2014.

“The night before, we closed the clinic. We came in the morning to see the military guards in front of the door who didn’t let us inside,” a former employee tells.⁷⁶



Commanders of Tornado informed the staff that a military operation was going on, so the soldiers would stay in the clinic for some days. The staff was told to go home.⁷⁷

The military left the clinic on January 2, 2015, only to come back several days later and stay there until late March. The chief doctor reported this occupation to the Head of Stanytsia-Luhanska District State Administration, head

of village council and OSCE representatives. Nobody could help, referring that it was necessary to wait for the end of hostilities.

According to the staff, the military treated medical workers respectfully and provided medication.⁷⁸ Only civilian light vehicles of Tornado company were parked on the hospital’s territory, they placed no military equipment there. The soldiers stationed there had weapons with them.

“First, we came to them every day to ask for some medical equipment — they brought blood pressure monitors and personal belongings from our offices, but didn’t let us in. The windows were barricaded and covered with blankets...,” ex-employees recall.⁷⁹

The clinic had 20 employees before the conflict started; no day in-patient care was available. In January 2015, Tornado company

vacated the first floor so that the clinic could provide outpatient care. The patients were coming for several days. On January 20,

⁷⁶ Interview LO_018

⁷⁷ <http://bit.ly/2nYaBfD>

⁷⁸ Interview LO_018

⁷⁹ Interview LO_017



regular shelling of the outpatient unit started. It lasted until February 15. The shells hit the windows, walls and roof. Thus, the chief doctor ordered to suspend the activity. Neither staff members nor patients were hurt.

Considering that a volunteer company was stationed in the clinic, the respondents allege that the shelling could be targeted. The staff members also allege that the military fired back from the clinic and/or adjacent territory.⁸⁰

The clinic benefited from renovation two years before the conflict started. The damage caused by hostilities was not assessed.



⁸⁰ Interview LO_018

*“The next week after Tornado had left, we were cleaning up and burning the rubbish. It was enough to make a minor repair then to resume the activity. But since there were no guards, local residents looted the clinic. Currently it doesn’t work. It is still a part of the hospital of Luhansk station, it was not transferred to communal property. After a long idle period, the clinic is unfit for healthcare at all,” an ex-employee notes.*⁸¹



⁸¹ Interview LO_019

LYSYCHANSK TITOV CENTRAL MUNICIPAL HOSPITAL

The building of Titov central municipal hospital in Lysychansk was damaged on July 24–25, 2014, when Donbas volunteer battalion of Ukrainian forces was liberating Lysychansk from illegal militant groups. The shells hit the roof of therapy department and exploded near ophthalmology department breaking out the windows and doors. The shell fragments damaged the windows, walls and doors of other hospital buildings. Moreover, the shelling resulted in power, gas, water and communication cuts.



Patients who could walk were let home. Those unable to walk stayed in the hospital. The State Emergency Service units helped transport them to a building with a basement. In total, 140 patients and medical workers were evacuated to the basement. All the staff stayed at the hospital continuing to provide care to the civilians and military. In this period of intense fighting alone, they served approximately 300 patients.



After the hostilities had ended, statements of defects were drawn in the town to raise funds from the charities and other stakeholders. The UN Development Program and the Government of Japan provided assistance to rehabilitate the hospital worth of UAH 6.5 million.

A total of 134 glass units were replaced in therapy department, 12 m² of the roof was repaired in maternity department, the hallways, restrooms and patients rooms were rehabilitated.⁸²

Volunteers of Oleksandr Romanovskyi charity provided chairs to transport the patients, multifunctional bed, IV drips, catheters, mattresses, towels and other necessary equipment and supplies. Traumatology department received 10 pairs of crutches.

By the date of monitoring visits, the rehabilitation works had been completed in full.

⁸² <http://bit.ly/2rRrjhU>



According to doctors, when the town was under control of illegal militant groups, the armed men stayed in the hospital, “When the hospital received injured militants, they were always guarded by their fighters. They had camouflage and arms and let nobody in the department but for medical staff. There were no incidents of unmannerly conduct towards the staff.”⁸³

POPASNA SUBSTATION OF LYSYCHANSK EMERGENCY AID STATION

Before the hostilities, Popasna substation was managed by Pervomaisk emergency aid station. The town of Popasna was liberated by Ukrainian military on July 22, 2014. Considering that Pervomaisk (15 km away from Popasna) was then controlled by the so-called “LPR,” the staff of Popasna substation had virtually no management for three

months until it was transferred under the auspices of Lysychansk emergency aid station. The staff did not receive salary but continued to work, visit patients and provide care to the injured.

The substation building and garages located nearby with vehicles in them suffered shelling in late September 2014.

⁸³ Interview LO_020

“At 9.15 a.m. on September 30, 2014, I was in my office when I heard strong buzzing and whistling. I thought it was a train, as a railway is very close to us. The windows started trembling. I had just left the office and closed the door when the glass shards went falling down all over the building, and we heard a powerful blast. The shells hit our garage. An explosive blast threw one car to the yard, while two others burst out. The cars started exploding, as they were full of fuel and had oxygen bottles for lung ventilation. We called firefighters, but they had went to extinguish fire at the printing house that had also burst out due to the shelling. They arrived to us later, but the garage had been almost burned off already...”
*a substation employee recalls.*⁸⁴

There were 10 employees and 2 police officers at the substation when the shelling

started. They had just entered the building and closed the door when the mine exploded nearby.

“When we saw the cars burning, our driver rushed to drive off a car which was parked near the garage. The roof burst out at that moment, we went there with fire extinguishers and started taking medication and oxygen bottles out of the fire. Even the employees who were home at the time of explosion came to help,” the employees tell.⁸⁵

The town mayor arrived on the scene. On that day, a meeting with newly appointed Head of District Administration and Luhansk Governor Hennadii Moskal was scheduled. Many media representatives were there, thus they went to the substation to cover the developments while the fire was burning down.⁸⁶

Neither the employees nor visitors were injured. The central district hospital rehabilitated the roof, windows and heating system pipes at own expense.⁸⁷

⁸⁴ Interview LO_025

⁸⁵ Interview LO_026

⁸⁶ <http://informator.media/archives/35433>

⁸⁷ <http://rasot.gov.ua/news/1312>

POPASNA CENTRAL DISTRICT HOSPITAL

Popasna found itself in the epicenter of hostilities during the winter of 2014–2015. According to the employees of central district hospital, its buildings were not damaged after

numerous shelling of adjacent territories. A mine explosion in front of the gate damaged eight window frames.

*“I was at workplace always; I only went home late nights. It often happened that they called me to operate patients overnight. The members of volunteer battalion were stationed in the town from summer 2014. Their doctor was an oral surgeon, and I am a general surgeon. This is how we operated, in four hands...,” a hospital doctor recalls.*⁸⁸

Popasna sustained the most intense shelling in February 2015. According to the employees, two shells hit the hospital on the night of February 18 damaging the honors board and offices of chief doctor and his deputy. The shells broke through the roof and destroyed it along with the ceiling of the second floor, while an explosive blast broke out the glass. All the severely ill and injured patients (some 20–30 persons) were evacuated to Lysychansk by several ambulance cars. The surgery department was temporary closed. The patients who could be discharged were asked to go home and only come to receive dressing.

The medical staff continued serving the patients and those injured under the shelling. Currently the hospital is completely rehabilitated.

The military (except for military doctors who worked in the hospital) only came to the facility to bring their injured mates. First, the soldiers stayed in the hospital until fully recovered, then the medical staff changed the practice. They provided first aid to injured soldiers – they stopped the bleeding, applied dressing, took out of shock condition, took out the fragments, set bone splints to patients with fractures, and then drove them to Bakhmut. In some cases, the injured were transported by helicopters.

According to information from open sources, the hospital and adjacent territory were hit by shelling on the night of October 15, 2016. The explosions broke out the windows, damaged a gas pipe and cut power supply. Five craters were found around the hospital building (one of them was as close as 20 meters). Nobody in the hospital was killed or injured.⁸⁹

⁸⁸ Interview LO_011

⁸⁹ https://lb.ua/blog/pdmsh/348018_obstril_likarni_unochi_yak.html

KOMYSHUVATE OUTPATIENT CLINIC

The staff of outpatient clinic were home on Saturday, February 7, 2015. The employees of Popasna emergency aid substation were on duty. They had just moved to Komyshuvate outpatient clinic, because

regular shelling made it impossible to work in Popasna.

The entire village of Komyshuvate was shelled on that day. A mine exploded near the outpatient clinic building at about 9 a.m.⁹⁰

“We arrived as soon as we learned that the clinic had been shelled. There was no single window intact, a wooden building extension was deformed, the entrance door and roof were damaged by shell fragments...,” a family nurse practitioner recalls.⁹¹



⁹⁰ <http://bit.ly/2nYikuj>

⁹¹ Interview LO_021

According to an ambulance doctor,

“Our Ford fully equipped with medication and medical equipment was parked next to the clinic. I inspected it and went to the building when the shelling started. A mine exploded eight meters from the entrance, and three-four meters from the car. It was a powerful blast. Everyone was in the building but for except for our operator, but she was farther behind the building. Therefore, nobody was injured, only the car sustained damage...”⁹²

The shell fragments broke through the tailgate, the side-doors were strained, and an explosive blast broke the windscreen.

An explosion crater was about 0.4 × 0.8 meters wide and 0.2–0.3 m deep.

To prevent looting, the staff started to fix the building by themselves, cover the windows and doors and clean up the glass shards.

The building is completely rehabilitated now, the ambulance car is repaired, and the outpatient clinic works normally.

⁹² Interview LO_023

SITUATION IN HEALTHCARE FACILITIES ON THE NON-GOVERNMENT- CONTROLLED AREAS OF DONETSK AND LUHANSK OBLASTS



Information collected at interviews

The research team conducted interviews with seven doctors who used to work in healthcare facilities during the period when the so-called “DPR”

militant groups controlled the respective municipalities. They repeatedly stated that psychological conditions of their work were hard.

“As a doctor, I can’t refuse aid to a patient. But it was extremely hard to talk to the so-called “defenders,” see a passport from Novocherkask in the Russian Federation and hear resentment that I don’t welcome fighters in Ukraine. He is not a fighter — he is a mercenary! I had a situation when their representative came to my office with three medals on his chest. I asked whether it was really necessary to wear all his medals when going to the hospital, and he took me for execution. Well, he changed his mind later on...,”
a doctor of Sloviansk clinic who used to work in Donetsk tells.⁹³

According to doctors, the militants set up a checkpoint with a turnpike on the territory of oblast clinical trauma hospital in Donetsk in summer 2014. The fighters were on duty checking all the cars.⁹⁴ During the same period, damage was also made to Kuibyshev central district hospital in Donetsk. The “DPR” militants used heavy weapons to fire from a military unit

they seized that was located next to this hospital, and the hospital windows were cracking.

Medical staff shared a number of proofs that the militants threatened them with physical violence for speaking Ukrainian, non-performing their orders or helping Ukrainian military. Excerpts from the respective interviews are provided below:

“Our doctor returned from vacation. He liked speaking Ukrainian, he spoke it well. Once he entered the third department where the fighters were staying and habitually started speaking Ukrainian with them. They said something unclearly, but later they went to doctor’s room and threatened that they would shoot him in the knee if he spoke Ukrainian again. The doctor left Donetsk on the next day...”⁹⁵

⁹³ Interview DO_032

⁹⁴ Interview DO_041

⁹⁵ Interview DO_042

“My friend is a brain surgeon. He works in Kyiv now, but he shared an incident. A Chechen fighter with fragment spine wound was brought to a hospital. A doctor refused to operate him without a sectional image. But he was forced to operate — other fighters standing two steps from him aimed Makarov gun at his head...”⁹⁶

“The fighters established a military hospital in the railway hospital on Universytetska St. in Donetsk, in front of trauma clinic where I worked then. There were repeated incidents when they were agitated, inappropriate. They used to bring their ghastly-looking mate, call an anesthesiologist and threaten that if the patient died, they would kill the doctor. They used to fire in the ceiling or close to a doctor. They could bring several injured persons in a truck and order whom to start treating first. Sometimes they even ordered to treat someone and leave others behind...”⁹⁷

“There was an injured Ukrainian serviceman in our hospital; he had his legs shot through. The fighters of Vostok battalion of the so-called “DPR” brought him. The members of “main investigative department” of the so-called “DPR” came to him, poked him by knives and offensively called him “ukrop.” I gave my phone to him; he called his family to say he was alive. And the fighters started threatening me for that. I had another incident, too. There was a 19-y.o. Ukrainian serviceman with a gun wound. I let his mother from Khmelnytskyi oblast see him. The fighter nearly beat me with the rifle butt. They always guarded all Ukrainian servicemen...”⁹⁸

⁹⁶ Interview DO_041

⁹⁷ Interview DO_043

⁹⁸ Interview DO_044

“There was an incident in the 17th central municipal hospital of Donetsk when due to lack of medication a doctor offered a pregnant woman to buy medication by herself or pay for them. She submitted a complaint against this doctor to the “ministry of state security” of the so-called “DPR,” and the armed fighters came to the doctor. He was forced to buy medication at his own expense and help the woman give birth with armed men present in maternity ward...”⁹⁹

In Luhansk oblast, the research team met an ex-doctor of Pervomaisk central municipal general hospital. The town of Pervomaisk is under control of the so-called “LPR” since the hostilities started.

According to the respondent, on July 18–21, 2014, during intense shelling around

Pervomaisk, he was told over the phone that a commander of illegal militant group was heavily injured and needed healthcare. Armed militants of the so-called “LPR” arrived to the hospital and threatened to kill medical staff if their commander died.

“The armed fighters in camouflage with Orthodox Army chevrons run into the hospital threatening to kill medical workers if something was wrong with their “general.” In fact, he was not injured, he had a heart attack because of a mine explosion. He died later...,” a doctor says.¹⁰⁰

In summer 2014, Pervomaisk hospital was out of water supply, almost lacked fuel for generators and medication. Only one ambulance car was in service; illegal militant groups seized other cars. Municipal perinatal center with expensive equipment was looted by the so-called “LPR” militants, and it is not functional now.

The hospital was hit by shelling in the winter of 2014–2015.¹⁰¹ The patients of urology and trauma department were evacuated, some 100 patients were brought to a hospital in Stakhanov (now Kadiivka), and 13 seriously ill patients were moved to healthcare facilities of Luhansk.

During spring-summer 2015, the shells hit the roof of medical statistics, trauma and maternity departments. According to a witness, a path of projectile allowed to allege that the shot had been made from the town of Irmino controlled by the so-called “LPR” militant groups.¹⁰²

During the interview, information about violence against medical staff of local healthcare facilities was also collected.

⁹⁹ Interview DO_033

¹⁰⁰ Interview LO_011

¹⁰¹ <http://nbnews.com.ua/ru/news/138760/>

¹⁰² Interview LO_011

*“A chief doctor of perinatal center of Pervomaisk was illegally detained. He was a respectable man, pro-Ukrainian; he could afford saying anything he thought about these jerks to their faces. He also had a private clinic called “Our doctor” in our town. This clinic was looted and destroyed. He was taken hostage, detained in the basement and held to ransom...,” an ex-doctor of Pervomaisk hospital recalls.*¹⁰³

Information from open sources

Since it was impossible to visit healthcare facilities on the non-government-controlled territory, a research about damages suffered by them was carried out on the Internet, specifically, on the news websites, online media of Ukraine, the so-called “DPR” and “LPR” and social networks.

According to the press unit of Donetsk Administration, fighters of the so-called “DPR” seized oblast prevention and treatment center of Kalinin hospital in Donetsk. This center used to provide healthcare to staff of the public institutions of the oblast. Staff of the center was told that the “DPR hospital” would be established there.¹⁰⁴ Later on, the fighters occupied the first floor of brain surgery department.

The majority of information about damage and destruction of hospitals is published on the websites of the so-called “DPR” and LPR” and cannot be checked through official requests. Thus, it cannot be considered impartial and reliable. In such situation, the only real evidence of damages caused by shelling are photos and videos. However, it is a fact that on the territory controlled by the so-called “DPR,”

the hospitals in the outskirts of Donetsk and in areas adjacent to the frontline suffered the most. In particular, Donetsk municipal hospitals No. 1, 2, 3, 12, 14, 19, 20, 21, 23 and 27, Donetsk psychiatric clinic, children’s polyclinic of Kirov district of Donetsk, Primary healthcare center in the village of Nyzhnia Krynka, Dokuchaivsk hospital, children’s polyclinic and psychiatric clinic in Horlivka, Makiivka municipal hospital No. 2, Kondrativka outpatient clinic No. 3, maternity clinic in the village of Vilne of Telmanove district, psychiatric clinic in the village of Staromykhailivka, railway hospital in Debaltseve, health post in the village of Kominternove and district hospital in the village of Telmanove sustained most serious damages.¹⁰⁵

When it comes to the territory controlled by the so-called “LPR,” the following healthcare facilities suffered damage during intense hostilities in 2014–2015: Luhansk oblast clinical hospital, Luhansk oblast children’s clinical hospital, Luhansk oblast clinical cancer clinic, Luhansk municipal hospitals No. 1 and 2, railway hospital of Luhansk station, maternity

¹⁰³ Interview LO_011

¹⁰⁴ <http://bit.ly/2nYiMJ1>; <http://bit.ly/2nYiKRn>

¹⁰⁵ <http://bit.ly/2nYqouO>; <http://bit.ly/2nY520V>; <http://bit.ly/2nY700x>; <http://bit.ly/2nYgzx0>; <http://bit.ly/2nYloq7>; <http://bit.ly/2nYcjNX>; http://reporter.dn.ua/news/incidents/posledstviya_obstrelya_bolnitsy_21_u_donetske_foto/; <http://bit.ly/2nYpXB1>; <http://bit.ly/2nYhOMO>; <http://bit.ly/2nYhJbY>; <http://bit.ly/2nYrIOt>; <http://bit.ly/2nYi26z>; <http://bit.ly/2nYcEQT>; <http://bit.ly/2nY3XGt>; <http://bit.ly/2nYmtIf>

clinic in Pervomaisk, Lutuhyne central district hospital, municipal hospitals in Stakhanov (now Kadiivka), Irmino and Kirovsk (now Holubivka).¹⁰⁶

Whatever party was involved into the shelling, all these incidents should be properly investigated, and the perpetrators should be held accountable.

¹⁰⁶ <http://bit.ly/2nYhSMY>; <http://rian.com.ua/story/20141117/359621983.html>; <http://bit.ly/2nYlJcn>; <https://www.youtube.com/watch?v=CX8KbXK3Cmw>; <http://bit.ly/2nYmeDe>; https://su.npu.gov.ua/mus/control/luhansk/ru/publish/printable_article/160002; <http://bit.ly/2nYml1C>; <http://cxid.info/lugansk-poslevoennyi-v-gorode-vosstanavliuaut-bolnicu-1-n121155>; <http://bit.ly/2nYj2rf>; <http://korrespondent.net/ukraine/3401312-v-luhanske-y-debaltsevo-obstrely-pouredyly-bolnytsy-zheleznodorozhnykov>; <http://bit.ly/2nYrXsR>; <http://www.segodnya.ua/regions/donetsk/terroristy-pricelno-obstrelyali-gorod-lutugino-luganskoy-oblasti-542699.html>; http://antimaydan.info/2017/01/obstrely_irmino_23_01_2017.html; <http://informator.media/archives/205829>; https://www.youtube.com/watch?v=0C0ck6x3_WQ; <http://bit.ly/2nYq8uW>

IDENTIFIED PROBLEMS OF HEALTHCARE FACILITIES



The research revealed a number of problems outside of the scope of this study that, nevertheless, deserve attention.

The hospital and outpatient clinic in Svitlodarsk and outpatient clinics in Myronivske and Luhanske used to be administered by city council of currently non-government-controlled Debaltseve. After these municipalities had been re-subordinated to Bakhmut district, healthcare institutions were re-established as the new legal entities. However, the process of their handover to Bakhmut District Council created a legal collision — current legislation prohibits

accepting assets and property rights without involvement of a giving party, and this giving party is located in non-government-controlled Debaltseve. This dispute was settled by court in December 2015. Medical staff were legally employed by new facilities and received new records of employment. At the same time, they were not officially dismissed from the previous employment and, thus, they lost their benefits and pensionable service. There is also a nine-month salary arrear for the period when medical staff was working in healthcare facilities that had no clear legal status. The solution has not been found so far.

*“It means that people whom I issued disability status while still working in the clinic in Debaltseve receive benefits, and I do not, although I was working all these months. I am deprived of both the salary and pensionable service. Moreover, the last document that we received in response to our numerous requests reads that we will receive all our money after the end of anti-terrorist operation...,” a doctor tells.*¹⁰⁷

Medical staff of the outpatient clinic in Kindrashivska-Nova station also face a problem of salary arrear. Before the ATO, it was administratively subordinated to the hospital of Luhansk station that is now on non-government-controlled territory. By the time of monitoring visit, the staff did not succeed to defend their rights in court.

Other problems highlighted by the respondents include lack of staff resulting in heavy burden on workload for existing medical workers. This problem was relevant in eastern oblasts even before the conflict. Now the situation has deteriorated, especially in the facilities close to the contact line. For example, a hospital in Avdiivka has only 30% of necessary doctors and 65% of paramedics; in Krasnohorivka, some 25% of medical workers left the town.

Another driver of the compromised healthcare in Donetsk and Luhansk oblasts is that almost all the hospitals providing specialized healthcare (third level) with high-tech equipment, which are supposed to provide diagnostics and treatment to all the residents of the respective oblast, are now on non-government controlled territory. According to the Ministry of Health, as few as 90 healthcare institutions out of 332 are on government-controlled territory of Donetsk oblast. In Luhansk oblast, 85 out of 224. In other words, less than a third of the facilities are accessible on government-controlled territory.¹⁰⁸

The respondents also referred to power cuts and poor roads to transport patients as factors impairing the healthcare system.

¹⁰⁷ Interview DO_052

¹⁰⁸ <http://bit.ly/2nYsy5>

Healthcare in the “grey zone” is yet another issue. According to staff of the Healthcare Department of Donetsk Oblast Administration,

people living there cannot buy the most common medication even if they have money because private pharmacies left this area.

“People have to spend UAH 50 even on analgin which usually costs UAH 10, because they should bear transport expenses. Let alone the pensioners with chronic diseases who always need certain medication. We can’t make private pharmacies work there — it’s the security that matters the most,” a public official notes.¹⁰⁹

Staff of the Healthcare Department focus on hiring medical staff from among local population, because it is impossible to force a doctor or a nurse work in a health post in the “grey zone.” A doctor of the Center for primary healthcare of Yasynuvata district twice per month pays visits to the village of Pisky where 37 persons live. He wears a bulletproof vest and a helmet and is accompanied by Ukrainian service members there.

So far, if a patient from Maiorsk, Donetsk oblast, calls an ambulance through emergency number 103, the non-government-controlled Horlivka unit receives the call. Changing the routing is a duty of Ukrtelekom. Yet, it is extremely hard to launch separate routing on the street some houses on which range within the government-controlled territory while others do not.

“Lack of unimpeded access to those territories is a major challenge. We spent two weeks trying to gain access to Maiorsk. Well, you can go through a checkpoint, but you have to stand in long lines, and it is critically hard to explain to the military that we are going there to provide healthcare. When it comes to the ambulance cars, the military request the list of staff members to cross the checkpoint. But how come? How can we know in advance which team would go there? We face a lot of problems, and we work hard to find solutions...,” an official tells.¹¹⁰

¹⁰⁹ Interview DO_038

¹¹⁰ Interview DO_039

CONCLUSIONS



- During the armed conflict in certain districts of Donetsk and Luhansk oblasts, indiscriminate attacks and indiscriminate weapons are used (in particular, multiple rocket launchers) to shell the positions of the parties inside the municipalities and in civilian healthcare facilities. This prohibited method of warfare may amount to a war crime. Such actions should be terminated;
- During the armed conflict in certain districts of Donetsk and Luhansk oblasts, there was a practice of placing the troops and military equipment in acting healthcare facilities. It aggravates the risk of harm to the life and health of the patients and medical workers, and the risk of damage to these facilities. Civilian healthcare facilities should never be used to station the servicemen or other combatants of an armed conflict;
- During the hostilities in certain districts of Donetsk and Luhansk oblasts, incidents of firing from the healthcare facilities were documented. It provokes return fire at these facilities. It is a prohibited method of warfare. Healthcare facilities should never be used for firing;
- There is a practice of illegal seizures of medical vehicles by the belligerents and their use for military purposes;
- There is a practice of attacking medical vehicles, including those labelled with Red Cross;
- The majority of healthcare facilities that suffered shelling and are currently on the government-controlled territory have been rehabilitated at the expense of budget and donor funding. At the same time, work of several facilities was suspended due to the hostilities;
- The medical staff employed in the conflict area might be subjected to additional psychological pressure and intimidation from the belligerents with regards to performing their medical duties or expressing their civil attitudes different from those of the belligerents;
- There were incidents of the belligerents' interference with the activity of doctors — in particular, determining the order to medical aid to be provided to different patients. Only a doctor can determine such an order based on current condition of the patient;
- There were incidents of grave violations of the rights and guarantees extended to the injured and patients. In particular, several belligerents prohibited the doctors from providing care to the injured and ill representatives of the opposite side or illegally deprived them of life, or kidnapped them;
- Medical staff in the conflict area face an increased risk of damage when performing professional duties. Almost no action is taken to mitigate this risk.

RECOMMENDATIONS



THE PARTIES/BELLIGERENTS OF THE ARMED CONFLICT IN CERTAIN DISTRICTS OF DONETSK AND LUHANSK OBLASTS SHOULD:

- Renounce the use of indiscriminate attacks and indiscriminate weapons in populated areas as well as in areas where numerous non-military facilities and civilian healthcare facilities are located;
- Renounce the attacks on civilian healthcare facilities in any circumstances;
- Renounce stationing their troops and military equipment in civilian healthcare facilities;
- Respect the rights and guarantees for the injured and patients by international humanitarian law;
- Respect the property of civilian healthcare facilities and never use it for their own and military purposes;
- Respect the doctors and other medical workers and never interfere with their professional duties;
- Exert no influence on determination of treatment — it is only up to medical staff to determine it.

PUBLIC AUTHORITIES OF UKRAINE SHOULD:

- Take action to mitigate risk of damage for medical workers who work in the conflict area;
- Introduce incentives and encouragement for medical workers for diligent performance of their professional duties in the conflict area;
- Timely address the damage suffered by civilian healthcare facilities during the hostilities, rehabilitate them as necessary;
- Investigate all instances of indiscriminate attacks and the use of indiscriminate weapons with regard to civilian healthcare facilities, as well as other violations of international humanitarian law against them.

