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Executive Summary of Report

STORY OF A CITY.

«MARIINKA: IN THE FIRING LINE»



2018

STORY OF A CITY. MARIINKA: IN THE FIRING LINE

The conflict in eastern Ukraine and its periodic escalations are having a direct impact on everyday life of entire Ukraine and have resulted in a large number of victims killed afterwards the occupation and liberation of Donbas cities and smaller towns.

The Human Rights Abuse Documentation Center of the Ukrainian Helsinki Human Rights Union (UHHRU) presents chronicles of the events of hybrid armed conflict in Ukraine in 2014-2018 using the example of several Donbas cities/towns. In course of its monitoring visits, the Center collected eyewitnesses' stories and studied open information sources and statistical data regarding serious violations of human rights, including the right to life. A series of brief analytical reports proceeds with events in Mariinka, a town in Donetsk oblast.

The town, being the administrative center of the same-name Mariinka district, is situated on the Osykova River and adjoins western outskirts of Donetsk: during the peacetime, the industrial Donetsk and agrarian Mariinka were separated by sunflower fields and walkways, and now, by mined outskirts and a fighting front. Such a neighborhood is the cause of continuous shelling, new casualties among the local population, and the destruction. The population of nearly 10 thousand has practically been living in the line of fire all this time.

At the same time as the power was seized by Russia-led forces in Donetsk, Mariinka appeared in sight of illegal armed formations. From the tactical point of view, the town is a stronghold for further invading Kurakhove settlement and opens a direct way to Zaporizzhia, Mapiupol and other cities located alongside the Azov Sea. Which is why during 4 recent years Russia-led forces took control over the town several times and the Ukraine's Armed Forces were regaining it.

In contrast to other cities in Donetsk oblast, no administrative buildings were seized in Mariinka and local authorities were aloof. The local residents differed in opinion: some of them supported the idea of autonomy, while others advocated establishment of a unitary state. However, the majority strived for peaceful resolution of all the matters.

The combat actions within the town started in July 2014 and are still continuing up until now. Periodic shelling changed to full-scale military operations in spring 2015. The shelling intensified in April-May 2015 and Russia-led armed groups made some attempts to take control of the Mariinka checkpoint. A full-on assault of illegal armed formations against Mariinka district started on 3 June 2015. At the crack of dawn, Krasnohorivka and Mariinka strongpoints were shelled from the heavy weapons banned by the Minsk agreements. Such conduct of the illegal armed formations made the General Staff of Ukraine to lift the restrictions on the use of heavy artillery and defenders of the city to use it. Following the hours-long exchange of gunfire and sorties in the course of street clearing operations, control of Mariinka was taken by the Ukrainian authorities again. The combat action that continued from 3 June to 5 June 2015 became one of the biggest military actions conducted in the given area.

As a result of permanent shelling, back in July-August 2014, damaged were residential houses, electricity transmission lines as well as a compound feed meal plant, a dairy, a tire repairing plant and a filtration station. The city center became a complete ruin. The shells damaged facilities of the town council, a post office, dozens of shops and destroyed a local museum. The civilians massively evacuated; everybody who had the opportunity to leave, availed of it. Those who could not leave the town tried to survive. As a result of damages to industrial facilities, the people found themselves without jobs. Some of them have got jobs in neighboring towns, however, the majority lives off pensions and other welfare payments.

The most difficult was the winter season of 2014-2015. Shelling did not cease, water, gas and electricity supplies were cut off in the town, which substantially complicated people's living conditions. Repairs

were often postponed because of a threat to life of the maintenance team workers. Neither public transport nor ATMs were operational. The quality of life in Mariinka decreased every day: a humanitarian crisis started in the city. The population suffered because of starvation and low temperatures in their homes. The worst situation was observed among the socially vulnerable groups of Mariinka's residents. The volunteers and representatives of the civilian and military cooperation organizations took care of their provision with food. The humanitarian convoy from the Red Cross was visiting the town every month.

Today the town is divided into two zones: ordinary and red. The first one is controlled by the Ukrainian troops and the benefits that existed before began to be reinstated there (banks open their branches; repairs are carried out to electrical grid and gas pipeline). The Ukrainian mobile operators provide, though with interruptions, their communication services; the town is visited by volunteers bringing their cultural projects. The red zone is restricted since almost every day it is shelled from the side of Donetsk. It cannot be accessed by the "humanitarian assistance" missions, ambulances or fire brigades though some civilians remained there (the right to cross the demarcation line between the two zones is vested to them only). Being aware of the level of potential danger, people continue to live in the line of fire as they no other options are available to them.

Notwithstanding the peace talks and agreements, during the full 4 years of the conflict, the town has still remained to be one of the flashpoint areas in the theater of operations. The war became an everyday occurrence there. According to official data, 41 town dwellers including 2 children perished during the armed conflict in Mariinka. 57 blocks of flats and 652 private houses were destroyed or partially damaged.

Massive shelling of Mariinka, which led to numerous fatalities among civilian population, constitutes a war crime in the meaning of Article 8 of the Rome Statute of the International Criminal Court. Furthermore, the facts that shells were fired on the facilities such as schools, hospitals, a museum, a post office and a town council are also treated as the breaches of the provisions of the International Humanitarian Law. Such shelling that can be referred to as terrorist acts caused multiple destructions and damages of civilians' homes. Now, submitted to the European Court of Human Rights are the applications of the Ukrainian citizens who became victims of such crimes as there has been a violation of the right to peaceful enjoyment of the possessions as guaranteed by Protocol 1 Article 1 of the European Convention on Human Rights and Fundamental Freedoms.

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