

# FEMALE FACE

# OF DONBAS HOSTAGES



MEDIA  
INITIATIVE  
for Human Rights



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And to:

**Vitalii Khekalov**, a lawyer of the Ukrainian Legal Advisory Group;

**Dr Kateryna Busol**, a consultant for Ukraine with the Global Survivors Fund, the initiative of the Nobel Peace Prize laureates Denis Mukwege and Nadia Murad, on a Study on the needs and opportunities for conflict-related sexual violence survivors in Ukraine. Kateryna provided her comments in her private capacity;

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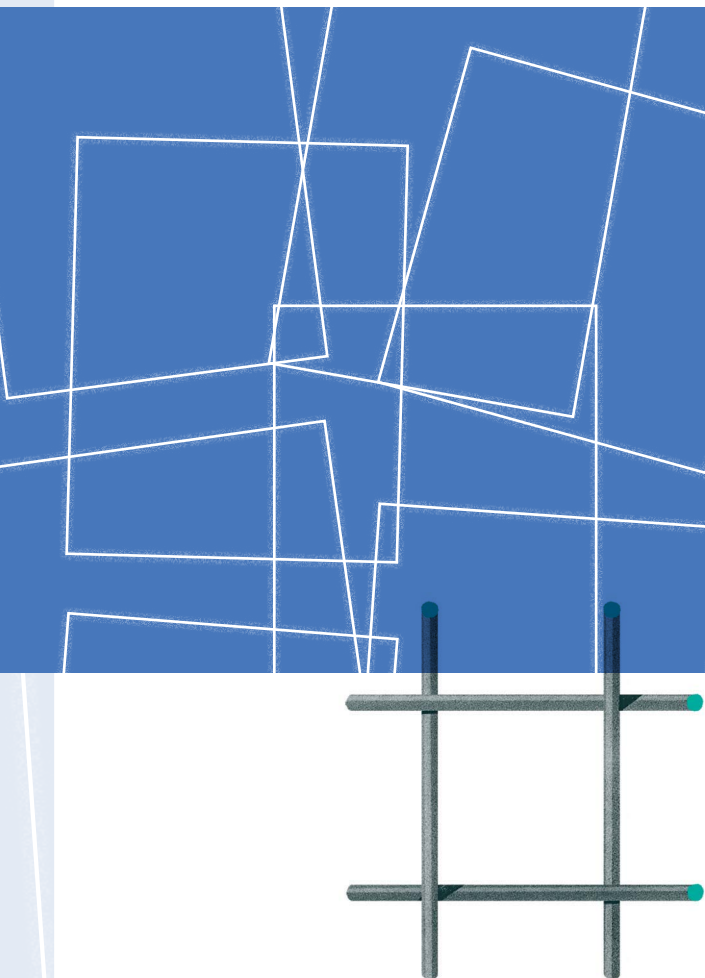
## ACRONYMS:

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<b>ORDLO</b>	some districts of Donetsk and Luhansk oblasts
<b>“MSS”</b>	the so-called Ministry of State Security
<b>“LPR”</b>	the so-called Luhansk People’s Republic
<b>“DPR”</b>	the so-called Donetsk People’s Republic
<b>IAG</b>	illegal armed groups
<b>SIZO</b>	detention center
<b>TDF</b>	temporary detention facility
<b>SSU</b>	Security Service of Ukraine
<b>AFU</b>	Armed Forces of Ukraine
<b>MIA</b>	Ministry of Internal Affairs
<b>CCU</b>	Criminal Code of Ukraine
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>ICRC</b>	International Committee of the Red Cross
<b>UN</b>	United Nations
<b>URPI</b>	Unified Register of Pretrial Investigations
<b>UkrSSR</b>	Ukrainian Soviet Socialist Republic
<b>RF</b>	Russian Federation
<b>IHL</b>	international humanitarian law
<b>IHRL</b>	international human rights law
<b>MIHR</b>	Media Initiative for Human Rights
<b>EECP</b>	entry-exit checkpoint
<b>ICC</b>	International Criminal Court

# INTRODUCTION

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According to the Security Service of Ukraine (SSU), 3,360 people, including 276 women, have been held hostage by members of illegal armed groups (IAG) since 2014.<sup>1</sup> In fact, the number of people unlawfully detained in some districts of Donetsk and Luhansk oblasts (ORDLO) may prove several times that number, as Ukrainian special services were not always involved in the release process, as some were released for lack of “evidence,” some relatives managed to address the release on their own by paying considerable amounts for the freedom of their relatives.

In general, hostage release has been a classified process all these years. And there are several reasons for that. Those who were de facto responsible for the release recommended not disclosing the details of detention for a faster release. Keeping quiet did sometimes help to achieve a release (and often exchange people with the SSU’s assistance for IAG members detained by Ukrainian law enforcement). In addition, hostages’ relatives were confident that too much of publicity could harm the hostage (by worsening incarceration conditions, creating a threat to their health and life). However, these two reasons for silence were only relevant early into the armed aggression of the Russian Federation (RF)<sup>2</sup>, until the negotiation of recipro-

<sup>1</sup> SSU’s response to MIHR’s request of August 2, 2021.

<sup>2</sup> The term “armed aggression of the Russian Federation” is used hereinafter in accordance with the Law of Ukraine On Special Features of Public Policy on Ensuring State Sovereignty of Ukraine in the Temporarily Occupied Territories in Donetsk and Luhansk Oblasts, available at <https://zakon.rada.gov.ua/laws/show/2268-19#Text>

cal releases was included in the mandate of the Trilateral Contact Group for the peaceful settlement of the situation in eastern Ukraine. After that, IAG members increasingly decided to keep persons detained for political reasons (meaning detained for a pro-Ukrainian position – statements about the integrity of Ukraine, social media posts, photos posted and even likes, relatives serving in the police or the Armed Forces of Ukraine (AFU) etc.), for the so-called exchange of POWs, which Ukraine and Russia negotiated at the highest level. But people have to remain hostage for years because reciprocal releases have been infrequent in the past three years, with only three such “exchanges” known for December 2017 to September 2021. The suppression of the hostages’ names and incarceration conditions stops the authorities actually responsible for their release and the society from developing a clear requirement that would prevent new detentions and speed up the release process.

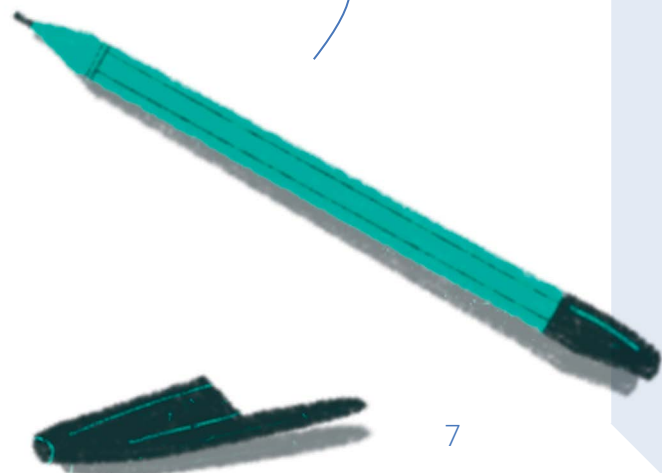
Meanwhile, according to official data alone, 296 people, including 30 women, remain hostage in ORDLO as of early August 2021. Most have been detained over the past two years, some unlawfully kept in custody for more than four years. They include Olena Zaitseva, a woman detained in February 2019 for only trying to prevent an unlawful arrest of her 19-year-old son by IAG members. As of September 2021, Zaitseva is held in Donetsk Detention Center, suffers from major medical conditions, and needs to be hospitalized. Dermatologist Nataliia Statsenko, who has a spinal disease and needs urgent surgery, is also kept there on suspicion of espionage. Currently, Liudmyla Huseinova, Olha Mozolevska, Oksana Parshyna, Olena Fedoruk, Maryna Yurchak, Olena Piekh and others are held in ORDLO’s detention centers and penal colonies.

**“During my detention, it did not matter at all that I was a woman. They beat me and never stopped to think that I could be their mother in terms of age. They don’t care about things such as age and gender, they are not to be bothered with such ‘trifles’,” – said Olha Politova, a former hostage and resident of Donetsk oblast.**

To bring Donbas hostages to the foreground, MIHR decided to implement Female Face of Donbas Hostages, a project that will show the status of hostages through the problem of unlawful detention of women. To do this, we created a questionnaire and interviewed 12 former hostages released during 2017–2019. Last names of two of them did not end up on the official lists of unlawfully detained persons: their relatives did not request the SSU’s intervention because the women were released a month after detention. We also spoke to five family members of women who are currently being held hostage.

We separately covered the problem of female relatives of hostages of both sexes for the first time in such studies. These women are often left in the background even though they also call themselves hostages to circumstances: after a relative is detained, their lives change, because they have to withstand threats and searches, survive the move, arrange their lives and the lives of their families in a new place.

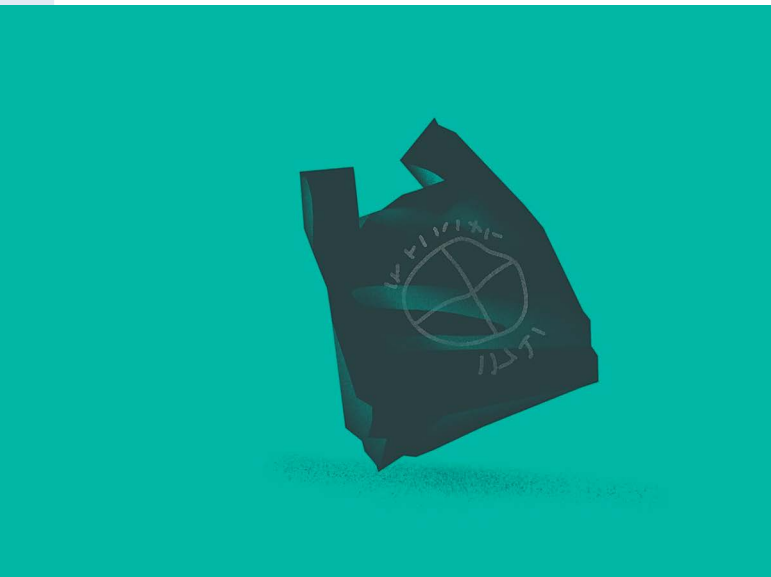
This report is based on women’s testimony. It includes five sections covering the period from the arrest and the first interrogation to the release and subsequent challenges. We have also come up with recommendations for the Ukrainian government, civil society, and Ukraine’s international partners.



## SECTION I

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# DEPRIVATION OF LIBERTY



### 1.1. DETENTION

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On the morning of October 14, 2016, Halyna Haiova, a senior nurse at the maternity ward of a hospital in Dokuchaievsk, a city 40 km south of Donetsk, was in her office. “My phone rang, and now I do not even remember who it was. They said:

**“You are wanted by Serhii Petrovych.” Serhii Petrovych is the head physician. She came out to find him standing near her office accompanied by two more men. Pieces of the puzzle quickly clicked in my head, and I realized that I had seen them somewhere.**

**Near my yard. They must have been watching me. So, they took me away,”** – said the 62-year-old woman. Halyna recalls the subsequent search of her apartment: **“They were interested in money and jewelry in my apartment. But they found nothing, only old SIM cards from**





Halyna Haiova

**phones, an old PC processor, some flash drives. The flash drives only contained my son's diploma and course papers. After the search, the strangers put Halyna Haiova into their car and said that they were taking her to "DPR" "MSS."**

Since the Russian armed aggression against Ukraine started, civilians in the territories of Donetsk and Luhansk oblasts not controlled by the Ukrainian government have been suffering persecution, some unreasonably detained by IAG members as numerous reported by international human rights organizations and documented by international intergovernmental organizations.<sup>3</sup> According to Article 34 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War<sup>4</sup>, civilians may not be treated as participating in the conflict if they do not have weapons and do not side with one of the parties to the conflict, and their capture is a gross violation of international humanitarian law (IHL).

<sup>3</sup> Available at <https://www.ohchr.org/Documents/Countries/UA/32ndReportUkraine-ua.pdf>

<sup>4</sup> The Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 12 August 1949, available at [https://zakon.rada.gov.ua/laws/show/995\\_154#Text](https://zakon.rada.gov.ua/laws/show/995_154#Text)

**Those who often come under the scrutiny of IAG members can be categorized into several groups.** One risk zone includes **medical personnel** that works in surgeries and trauma departments and could witness the administration of aid for injuries and wounds to persons who participated in hostilities on the side of IAG. The twelve former unlawful detainees (hostages) interviewed during the project include four nurses and doctors.

Another group is **women who used to frequently cross the line of separation with the occupied territories for personal reasons or due to their civic engagement.** They are mostly detained during ID checks directly at checkpoints. "On March 19, 2018, I was stopped at Maiorsk checkpoint when I was driving my car to the territory controlled by Ukraine. I had two sons living in Kharkiv, and my 80-year-old sick mother, whom I had to take care of, living in Horlivka," – says Maryna Chuikova, 50 years old. Liudmyla Husseinova (Parkhomenko), a 59-year-old resident of occupied Novoazovsk, was abducted by IAG members on October 9, 2019, and has been held

hostage ever since. According to her relatives, the reason for her unlawful detention was obviously her volunteering to help orphans.

A third group that IAG members were especially focused on includes **carriers.** The high-risk services of transportation of people across the line of separation could be provided by both women and men. "One detainee was an adult woman who used to take people from Alchevsk to the sea as a driver for Azov Company. When the war broke out, everyone forgot about the sea, and the woman began taking trips to Kharkiv, Izium, Sviatohirsk. Militants thought that she was working for "Ukes" because her company is called Azov (just like a regiment of the National Guard of Ukraine)," – says Tetiana Horbulich, a 43-year-old resident of Luhansk, who was detained by IAG members in March 2018 as she was crossing the entry-exit checkpoint (EECP).

However, most hostage interviewees say they did not understand reasons for their detention because, in their opinion, they had done nothing that could provoke IAG members to detain them.





Maryna Chuikova

## 1.2 SHOCKED BY THE FIRST INTERROGATION

“I was taken for an interrogation, to be humiliated, insulted, and forced to sign some documents. If I didn’t want to talk about something or couldn’t remember things, I was taken to another room where I was shouted at, pressured, humiliated, could be hit. They specially showed me an unknown man, beating him in front of me and saying that they would do the same to me. Then I signed everything I was told to. In fact, all my “confessions” were drawn up in advance – they were just printed

out and given to me for signing. From time to time they put a bag on my head so that I could only see the legs of those present and hear conversations between unknown persons. “Shoot her,” – said a man in expensive shoes. “Are you sure? – another asked. “F...cking shoot her!” – the first one said. After than I was taken somewhere. Words cannot convey what I felt at those moments. At first, I cried, then calmed myself down: ‘Well, if they shoot you, you’ll suffer pain for five minutes, and that’s it.’ No one came to me for a while, so I had another day to live,” – Maryna Chuikova recalls the details of her first “interrogation.”

According to the testimony of former hostages, all unlawfully detained persons, both in Luhansk and Donetsk oblasts, were **brought to “MSS”** for their first interrogation. In Donetsk, it was in a building at 26 Shevchenka Boulevard (which previously housed Donetsk Research Institute of Ferrous Metallurgy and the Administrative Court of Appeal); in Luhansk – at 79 Radianska Street (a former building of the SSU Office in Luhansk oblast).

Many hostages got a clue that they had been brought to these facilities only later because they were not only handcuffed, but also with bags on their heads (made of cloth, often army type or polyethylene) ever since their detention. They were taken off only in a room.

There were several people in the rooms – “operatives” – during first “interrogations.” Wanting to remain anonymous and unidentified, some of these people either did not allow plastic bags to be taken off the heads or were wearing balaclavas themselves. But sometimes detainees were able to recognize faces. Some former hostages were released to find out that some of the people involved in their unlawful detention had served in Ukrainian law enforcement before the Russian armed aggression and then started cooperating with the occupation authorities. Some even knew them in person.

Former hostages also refer to the presence of RF citizens, likely service members. “They are of higher ranks than ordinary locals. In some situations, these people themselves said that they were from Russia or could be betrayed by an obvious Russian accent. For example, those who interrogated me included a Slavik from Yekaterinburg, a serviceman who said that he was in charge of the ‘MSS.’ He told me that was nothing personal, just business,” – nurse Halyna Haiova recalls.

The purpose of such “interrogations” was to extract “confessions” through threats, intimidation, and physical force. Those involved in all these procedures knew that, to achieve this purpose, they could do as they pleased, especially in the first days of detention.

## 1.3 CHARGES

The most common reason for detention, which the hostages learn about later, in the so-called DPR is alleged “cooperation with Ukrainian secret services” or, as classified locally, “**espionage**.” While in “LPR” (“Luhansk People’s Republic”) militants usually incriminate “**treason**.” It is espionage that Halyna Haiova was also charged with.

Besides, “espionage” is understood by IAG members to include overt or covert **pro-Ukrainian activity, disagreement with the occupation**, for example, **making posts on social media**. E.g., Olena Zavalna, a 58-year-old cashier from occupied Makiivka, kept a Twitter page. Zavalna says that she started blogging because she could not accept the new government ever since the occupation started.

**Taking photos of military and other facilities, license plates** in ORDLO was also treated by IAG members as subversion. After her release in December 2019, Halyna Tereshchenko, 68 years old, says that she used to work in Donetsk next to the “MSS” building and the military unit before her detention. According to her, a woman she knew asked her to jot down the plate numbers of cars stopping or parked near the “MSS,” and she agreed.

Anastasia Mukhina, a 73-year-old retiree from Luhansk, was seen **putting up a leaflet** on a house wall in her hometown in February 2018. “Several of them were found in my bag. One had a picture of the Ukrainian flag, the other read ‘Luhansk is Ukraine.’ They later said those incited ‘ethnic hatred, the overthrow of government, and the redrawing of the border’,” – she said.

In addition, women were charged with **sabotage**. Olha Politova, a doctor at Yasynuvata District Primary Medical and Sanitary Care Center and Deputy Chief Physician for Public Health Care, was charged with allegedly carrying an unknown package that was seized as she was crossing the line of separation. “During the ‘interrogations’ I was forced to admit that I was a member of an AFU sabotage and reconnaissance detail,” – the doctor says.



Nadia Atamanchuk

Notably, the “republics” have active “law enforcement agencies” responsible for criminal prosecution. “Investigative authorities” commence criminal proceedings in accordance with the “LDPR laws.” Charges in DPR are based on its so-called criminal code derived from the 1960 Criminal Code of the UkrSSR. The same is true for LPR.

#### 1.4. PLACE AND CONDITIONS OF DETENTION

**“It was only when I was thrown into the cell that I realized where I was. I was sitting on an iron bed and didn’t know how long this would take,”** – says Nadia Atamanchuk, a 72-year-old former hostage. She, her husband and son were detained on one day, September 4, 2018.



After their detention and first interrogation, women were taken to temporary detention centers for the term of the so-called administrative arrest. On August 8, 2014, the “DPR” “council of ministers” issued Order No. 34 On Urgent Measures to Protect the Population from Banditry and Other Manifestations of Organized Crime. According to this instrument, the MSS and the “Ministry of Internal Affairs” get the mandate for “preventive detention” and arrest for up to 30 days without suspicion. This “procedure,” which in fact serves as a mechanism of arbitrary detention, has been introduced in the territory of Luhansk oblast not controlled by the Government of Ukraine. IAG members use these 30 days to extract “confessions to a crime” under their criminal law, using torture and other forms of physical or psychological violence.

For the first 30 days, some women were held **in the basement of the “MSS”** or in **temporary detention facilities** (TDF). In Donetsk, hostages were also kept in the facilities of Izoliatsia, the former factory of insulating materials. Most detainees describe their first hours and days of the hostage status as being held in dark, damp rooms with no daylight, no toilets, no water, no communication. Incarceration in such inhumane conditions was designed to destroy human dignity and in no way met the sanitary and other special needs of women.

“I was not beaten in a cell in the ‘MSS’ basement at 26 Shevchenka Boulevard, but the conditions were harsh. I did not know what time of day or night it was. The room was small at

two and a half meters, dirty and very cold. There was no drinking water anywhere. There was no toilet nearby, I was taken out twice a day. I could have been punished and denied the walk at all. One day I found a disposable paper cup for beer in the toilet and took it. And I, an adult woman, used this cup to answer the call of nature under video surveillance as there was no other way out. As my bed, I had planks and a mattress with the word “Ukrzaliznytsia” [Ukrainian Railway]. There were a few bottles of urine and blood left by a detainee who had been kept in the cell before me. It all stank horribly,” – says Maryna Chuikova. She was kept in the “MSS” basement for 30 days.

“They put a bag on my head and brought me to **Izoliatsia**. I go into a room to see tiles under my feet. A voice says: ‘Watch out, there’s a step. Go to the basement.’ They took me to a room that used to be a toilet or a shower room. It used to be a factory, which had a bomb shelter,” – says Halyna Haiova.

Izoliatsia is the place where hostages are held in the facilities of a former factory of insulating materials (at 3 Svitloho Shliakhu Street, Donetsk). Before captured by IAG members in the summer of 2014, it was the Center for Contemporary Art. The militants first set up a military base there, which housed a warehouse of stolen cars, military equipment, and weapons, and later converted the factory into a prison, which was handed over to the “MSS.” Released people describe Izoliatsia as a concentration camp, a torture chamber.

Some women say they were kept in TDF, “MSS” facilities, or Izoliatsia room for 30 days only, while others were to spend years there. It has been reported that a woman was kept in Izoliatsia for more than two years, and only when information about her leaked to the media, she was transferred, like everyone else, to detention centers. In Donetsk, it is a facility at 4 Kobozeva Street, in Luhansk – at 4 23-ia Linia.

Conditions in the detention centers were also harsh. “A metal table, metal bunk beds, a metal bench. Everything is chained to the floor, – says retiree Anastasia Mukhina. – You have the sink, the

toilet nearby. As you sit down, your head can be seen. In the cell, women heated water with immersion heaters, washed themselves, did the women’s stuff. Women washed and dried their clothes in the cell. The window was not closed, because otherwise water started trickling down the wall, especially in winter. I was transferred from cell to cell. One that I remembered especially was No. 256, where bedbugs bit so hard that everything around was red. And rats used to come out of the toilet bowl, so we plugged the hole with a bottle.”

Olha Politova shows scars on her hand during the interview: “After a grueling interrogation and bullying, a few sleepless nights, I fell asleep and did not notice the cockroaches. After I was bitten, infected fluids oozed from the wound for more than a month. The overall conditions in the detention center were terrible. Two-level bunk beds, thick metal plates, and a very thin mattress, that is, only the remaining mattress cover: when women had menstruation, all the cotton wool had been taken out a long time ago, because no one had given hygiene products to female drug addicts and thieves. But life goes on, physiological needs remain, so we slept on these metal plates. I ate what my relatives passed on to me. It was impossible to eat the food that was served in the detention center.” Olha Politova spent two years in this detention center.

The detained women were kept in the detention center until the “court” handed down a “verdict.”

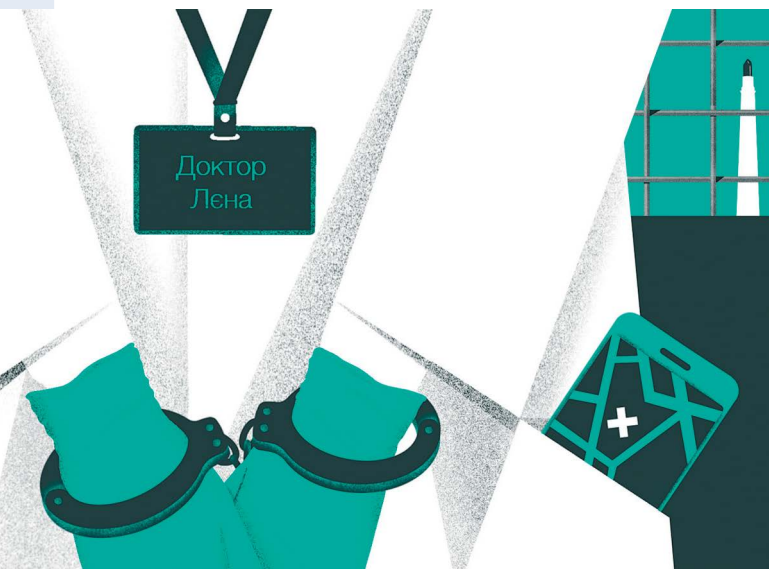
### Vitalii Khekalo, lawyer:



*IHL rules include quite clear and strict requirements regarding the treatment and detention conditions of prisoners of war. The state – the Russian Federation – which effectively controls the occupied territories of Donetsk and Luhansk oblasts, is responsible for them and has the obligation to create favorable conditions that will not harm their health.*

## SECTION II

# UNDER PRESSURE



### 2.1. PHYSICAL FORCE

“The operatives at the checkpoint handcuffed me and took me to the ‘MSS’, where I was led up to the fourth floor, walked into a room, and tied to a battery. During the interrogation, they beat me with hands, brass knuckles, and the butt of a Kalashnikov assault rifle. Mostly they hit me on my back, knocking out my left shoulder joint so that I could not raise my left arm for six months. They also beat me on my head, causing a nosebleed,” – says Olha Politova.

Like most women detainees, she confirmed that they had been subjected to numerous physical tortures by IAG members at almost all stages of their incarceration. According to former hostages, some POWs were mutilated or even died.

**Beating** is one method of physical coercion used by IAG members against detainees. Former hostages refer to kicks and punches, hits with rubber or metal batons, and rifle butts.





Zinaida Maltseva

The women say they were beaten the most during their first “interrogation” at the “MSS” and in private cars, during transit to their place of incarceration. Violent beatings also took place in detention centers, during investigation, often in the “MSS” basement and in Izoliatsia.

A 54-year-old doctor from Donetsk, Olena Lazariyeva was taken hostage on October 16, 2017. She says she witnessed the torture of her cell-mate Maryna Yurchak. Maryna was arrested for pro-Ukrainian reposts on Twitter a month after Olena and charged with espionage: “After one interrogation, she was brought to Izoliatsia from the ‘MSS’ with swollen legs. When Maryna began to change clothes, I saw her thighs, which were solid black and blue all the way from her knees up. She said they had put her on the floor, fastened her to a battery, and beaten her.” Olena Lazariyeva also happened to be kept in Izoliatsia for almost a year. She says that she could hear the detainees’ frightful cries day and night: “I

can’t tell you how those people shrieked... I had a feeling that one could only shriek like that when skinned.”

Maryna Chuikova shares what she saw during her incarceration: “Every woman that ended up in the detention center after Izoliatsia showed signs of physical violence. Once a girl was thrown into our cell... She had her teeth filed, very swollen legs, kidney failure, concussion, bruises, broken nose. I’m too scared even to imagine the extent of physical violence she had to endure.”

Another former hostage held in Luhansk, retiree Anastasia Mukhina recalls nearly two years of torture, abuse, humiliation, and inhumane treatment. During our conversation, Ms. Anastasia told MIHR how she was hung on the door during interrogations, abused, and left to go without water and food for days.

## Vitalii Khekalo, lawyer:



*Such facts of abuse must be evaluated in the context of IHL, ICL, and IHRL. They suggest that international standards of prisoner treatment are being violated in territories controlled by "L/DPR." In particular, what IAG members do in the territories of Donetsk and Luhansk oblasts not controlled by the Government of Ukraine to hostages have signs of such war crimes as torture or inhuman treatment; violation of human dignity through abusive and degrading treatment; intentional infliction of severe suffering, serious bodily injury or harm to health.*

Ex-hostages prefer not to report cases of **sexual violence** against women. This can be due to several factors. First, sexual and reproductive matters are stigmatized in the Ukrainian society, and the victim is traditionally blamed for what has happened. Second, this is the lack of understanding of the entire range of forms of sexual violence, which is only associated with rape. Third, sexual violence is perceived as an exclusively female matter, and there is no special medical care and targeted reparations to support victims of this type of violence; they fear for their own safety and the safety of their loved ones; they do not trust the law enforcement system and have lost trust in justice; Ukrainian investigators, prosecutors, judges, and documenters are not specifically trained to address such a vulnerable category of victims. Finally, women who have been sexually abused are very afraid of making this publicly known by being leaked to the media and, consequently, becoming available to relatives and friends. That is why most cases of sexual violence are hard to record.

Sexual violence is a gross violation of human rights. Its most severe forms can be a crime against humanity and, in the event of an armed conflict, a war crime. The world community prioritizes preventing, overcoming the consequences of, and helping victims of, sexual violence. Investigating and prosecuting such crimes takes maximum focus on detail and the victims' willingness to talk about what happened to them and to see their case to the end.

MIHR has been able to record a few cases. Halyna Haiova recalls: "In Izoliatsia, women were sexually abused. They did not touch me – I am an old woman – but raped young girls. Cases differ, and some are very scary." Olha Politova talks about what happened to her cell-mate, an ex-fighter of a volunteer battalion detained by IAG members in October 2016. Politova saw her in Donetsk detention center. "She went through an extremely brutal rape... She is a young and pretty girl, born in 1988, so graceful, with beautiful shapes. She endured such terrible stress that I find hard to put into words. After that, she had severe psychological disorders," – says Politova.

## Kateryna Busol:

*Ukraine should prioritize the investigation of conflict-related sexual violence. This will help gradually destigmatize the society's wider debate on psychological, physical, and sexual violence against women and girls and, finally, move from a culture of accusing the victim to helping her.*

**Torture with electric shock.** It has been referred to by almost all the hostages – they saw others exposed to electricity, if not exposed to it themselves. "In Izoliatsia, there was a 'tapik' – an old army telephone – in the basement. The militants used it to generate electricity," – says one woman. Such torture left deep long-term burns on the body. They could also torture with electricity in an "MSS" room or in a garage in the "MSS" yard.

The detainees share how they were brought to an unfamiliar room with the plastic bag still on their heads, got fastened with adhesive tape or plastic wrap to a horizontal surface (which the women later found out to be a special table), had wires attached to their toes or fingers, ears, breasts, and electricity turned on. “They came to my cell and told me to come out. I didn’t see where they were taking me. They say: ‘Sit!’ Then they pushed me hard and started fastening to the table. I can’t tell you how much I was scared! Then electricity hit. Hard to say what they wanted to find out this way. As a medical professional, I know that you cannot say anything at this time because you are paralyzed to an extent that you can neither speak nor move. After such ‘procedures,’ you confess to anything in the world, even to killing US President Kennedy,” – says Halyna Haiova.

IAG members abused women not only to extract “testimony” and “evidence,” but also to obtain all the “confessions” they needed. They used completely unmotivated violence, “because they just felt like doing it,” and they knew they would get away with it.

This is what happened to Olha Politova. The woman recalls that, after signing all the necessary “documents” for her case to go on “trial,” she was taken out, allegedly for another interrogation by the same “operatives” who had arrested her. “Three ‘operatives’ ordered me to strip down to my underwear, then put me on a metal tennis table face down,” – says Olha Politova. – I was forced to stretch my hands out forth. In this position, a third of my body was covered with bags of wet sand. Electrodes were attached to my fingers to pass electrical discharges. They were very strong, so I felt at that moment that I was about to die. I repeatedly lost consciousness from these tortures. They brought me back by splashing water in my face. However, they would ask me nothing and demand no confessions.”

## 2.2 PSYCHOLOGICAL PRESSURE

Almost every detained woman says that she was subjected to psychological pressure during her imprisonment. It was exerted for two reasons usually. One was to extract “confessions” of espionage or subversions “on behalf of the SSU.” The other one was for entertainment and due to hatred for what is happening in the territories controlled by the Government of Ukraine. People were tortured for any affiliation with Ukraine, whether they had a Ukrainian passport, spoke Ukrainian, or had any Ukrainian symbols found during their search.

Olha Politova recalls that, on the day of her detention, a blue-and-yellow scarf of the Metalist Kharkiv football club was confiscated from her apartment during a search. It was this scarf that IAG members used during her arrest to blindfold the woman, contemptuously stressing their attitude to Ukrainian symbols.

Former women hostages said they were virtually paralyzed by a **feeling of nagging fear** and often got disoriented. “Being morally and psychologically humiliated is even worse than being beaten. That is, you are so humiliated that you just stop feeling human at some point. You are like an animal in that you eat, try to sleep, move around, and that’s it. You have no desires left,” – Olena Lazarieva recalls.

Hostages were threatened with **transfer to the Russian military**. “Come on, tell us everything, confess, or we’re calling Rostov right now and transferring you to Russia,” said Larysa B., a former 40-year-old hostage who does not disclose her last name for security considerations because her relatives live in the occupied territories.

Prisoners say that **jailers often abused** them by torturing some with starvation, subjecting others to “sleep deprivation,” a tactics when a person is deprived of the opportunity to sleep for a long time. “They told us: ‘All sorts of vermin get used to everything, so you’ll get used to it, too... They could do anything to us,’” – says the former prisoner.

Tetiana Horbulich from Luhansk says that she found humiliation, the violation of human dignity, the most difficult thing during her imprisonment: “An

animal and a human are treated as the same thing. But no, they sometimes treated us even worse than dogs.”

**Family feelings** were also manipulated. Former hostages say they were threatened with reprisals and abuse of them or their family members. “You have a family, you have children, little grandchildren, we can bring your grandchildren and cut off their fingers before your eyes, and you will be watching...,” – the “investigators” said multiple times to Olena Lazarijeva during the “interrogation” right after her detention.

Former prisoners refer to **video surveillance systems** installed in the cells they were kept in, especially in Izoliatsia, often with the sound recording feature. As a result, IAG members could see and hear everything that was happening in the cells and the prisoners were saying.

The former hostages perceive as pressure **that the so-called political prisoners and non-political prisoners – women that have allegedly committed crimes** (arrested for murder, robbery, or drug distribution) – were kept in the same cell. Arrested before 2014, some of them have been in prisons for a long time. As testified by former hostages, more than a half of criminal prisoners had HIV, hepatitis, tuberculosis, or other dangerous diseases. The administration of the facilities specifically set criminals on “spies.” Women say they sometimes did not let them go to bed, sit down, walk around the cell, or even eat at the same table. Such instances of pressure are reported, inter alia, by Maryna Chuikova, Halyna Tereshchenko, Zinaida Maltseva, and Olena Lazarijeva.

Besides, detainees were **publicly humiliated and called traitors**. For example, Maryna Chuikova says that right after she was arrested, she was taken handcuffed outside to EECP. “There were a lot of people there, I was presented as a traitor of the homeland, as a spy for foreign intelligence,” – she says. Halyna Tereshchenko described how the so-called reporters, who interviewed for Russia-1 TV channel, were once brought to her. “They filmed me for two days: on the first day, they walked me with a sack on my head around downtown, – the woman recalls. – The next day, they brought me to my place of work, the hospital, walked me demonstratively in handcuffs across the yard so that all personnel and patients could see what a terrorist I was. A lot of people came, and when I showed up, they all shouted: ‘Fascist! You put up locators! You killed our children!’ They came little short of throwing stones at me.”

## 2.3 COMMUNICATION WITH FAMILY MEMBERS

IHL requires reporting that a person has been detained and is in the custody of the conflicting party. However, the vast majority of detainees note that after they were taken hostage by IAG members, this was not reported to their relatives, even when they asked. Weeks and months passed until the detainees were able to contact their relatives, let them know about their imprisonment, obtain medication, and find out that they were on an exchange list.

**In most cases, detainees’ relatives looked for missing relatives on their own.** Former hostage Halyna Tereshchenko recalls that, after her arrest, her sister was not allowed into the detention center: “No one told my family that I had been arrested. My friend joined the effort, filed a search. Later I featured on Russian TV news, so that’s how my sister found out about everything.”

**“We acquired the ‘official’ status after being transferred to a detention center,”** – said a former hostage in an interview. Primarily because prisoners could get a package from their relatives after that.

**“Political detainees” at detention centers were not allowed phone calls and especially visits, either.** But, according to former hostages, there were cases a phone call could be arranged with those serving a term on criminal charges for a fee, such as cigarettes. Then one had a few minutes to talk to one’s family.,



## 2.4 FORCED LABOR

Article 4 of the European Convention for the Protection of Human Rights and Fundamental Freedoms<sup>5</sup> reads that “no one shall be held in slavery or servitude; no one shall be required to perform forced or compulsory labor<sup>6</sup>”, but IAG members use hostages as free labor. Women were often forced to do work such as supporting internal processes in prison (cleaning the territory and cells, cooking) and also doing other assignments for IAG members (repair, truck unloading, etc.). The working day lasted an average of 10 to 12 hours with a six-day workweek.

**Most of the women detained in Donetsk oblast recall having to work in Izoliatsia.** Some were taken out in the morning to do “dirty” work by taking “chamber pots” from cells that had no toilet, cleaning cells, and washing corridor floors. Others were forced to work at night. “I witnessed how the facilities of the Izoliatsia plant were converted into a prison. Everything was done by prisoners themselves, as men tore down walls, did the welding and plastering, and women cleaned and removed debris,” – says Halyna Haiova. She also worked in the kitchen. “Besides, we dug garden beds, pruned the roses, washed the floor and clothes... The only thing we were not allowed to do is load ammunition, which was done by the boys, mostly at night,” – the woman added. One could not refuse to work as one risked being beaten by the guards.

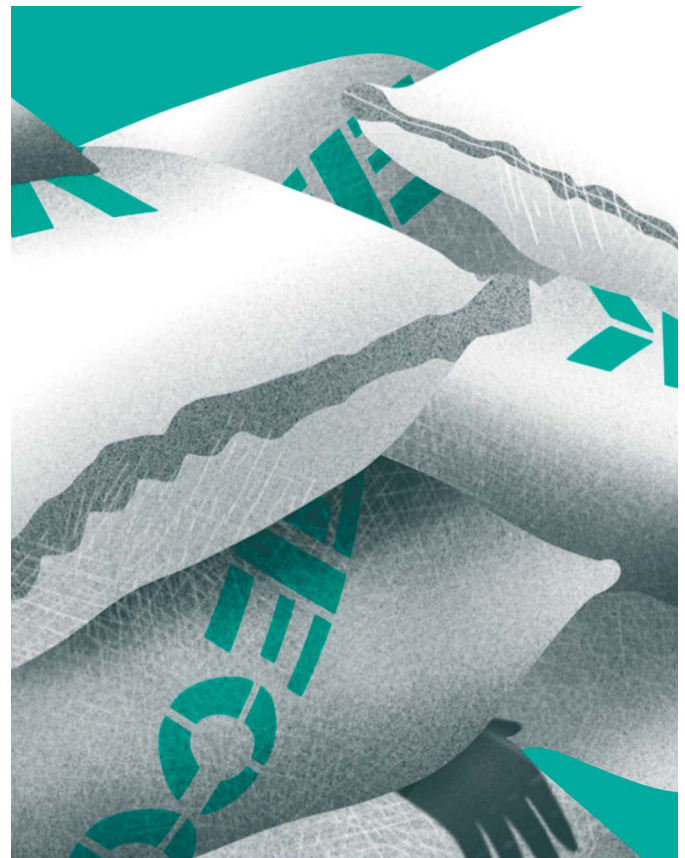
**Inmates of Penal Colony No. 127 in Snizhne city were also forced to work.** For example, Maryna Chuikova describes her work at a garment production with a 12-hour workday: “Colony warden Alla Kraievskya set up a sewing business and won large contracts. We made bed linen and protective clothing from 7 am to 7 pm, six days a week.”

Another hostage, Halyna Tereshchenko, who was in Snizhne Penal Colony at the same time as Chuikova, says she was forced to clean toilets all

the time: “I often cleaned the latrine as punishment for any ‘fault.’ Anyway, I had to work almost every day by plucking grass, taking buckets of coal to the boiler room in winter, clearing the snow, getting my hands completely frozen. I also carried around and piled up firewood almost every day. It was usually taken to the dining room for heating. You carried armfuls of firewood in bundles with your bare hands.”

In addition, the women’s penal colony kept domestic animals such as pigs and cows. Feed was occasionally brought for animals by truck. So, women prisoners had to unload it. When food trucks came to the colony, women had to carry bags of flour and haul heavy boxes of food. The hostages recall their backs aching and chronic diseases getting worse after such exhausting work.

Tetiana Horbulich also said that she had worked in Seleznivka Women’s Penal Colony in Luhansk oblast. “We were driven out at half past three in the morning and had to work until nine p.m. by looking after tomatoes. The colony lacked drinking water, but always had enough of it for watering tomatoes,” – she says.



<sup>5</sup> Available at [https://zakon.rada.gov.ua/laws/show/995\\_004#Text](https://zakon.rada.gov.ua/laws/show/995_004#Text).

<sup>6</sup> The term “forced or compulsory labor” means work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily, – Case of Van der Musselle v. Belgium, appl. no. 8990/80, judgment 23 November 1983, § 32, available at <http://hudoc.echr.coe.int/eng?i=001-57591>

## 2.5. THINGS PROHIBITED AND ALLOWED

Many things were prohibited, including some completely meaningless and unreasonable. Some inmates were not allowed to have a second pillow in their detention center cell, some were not allowed to cover themselves with a blanket during the day, just because the imprisoned woman was a “political figure.”

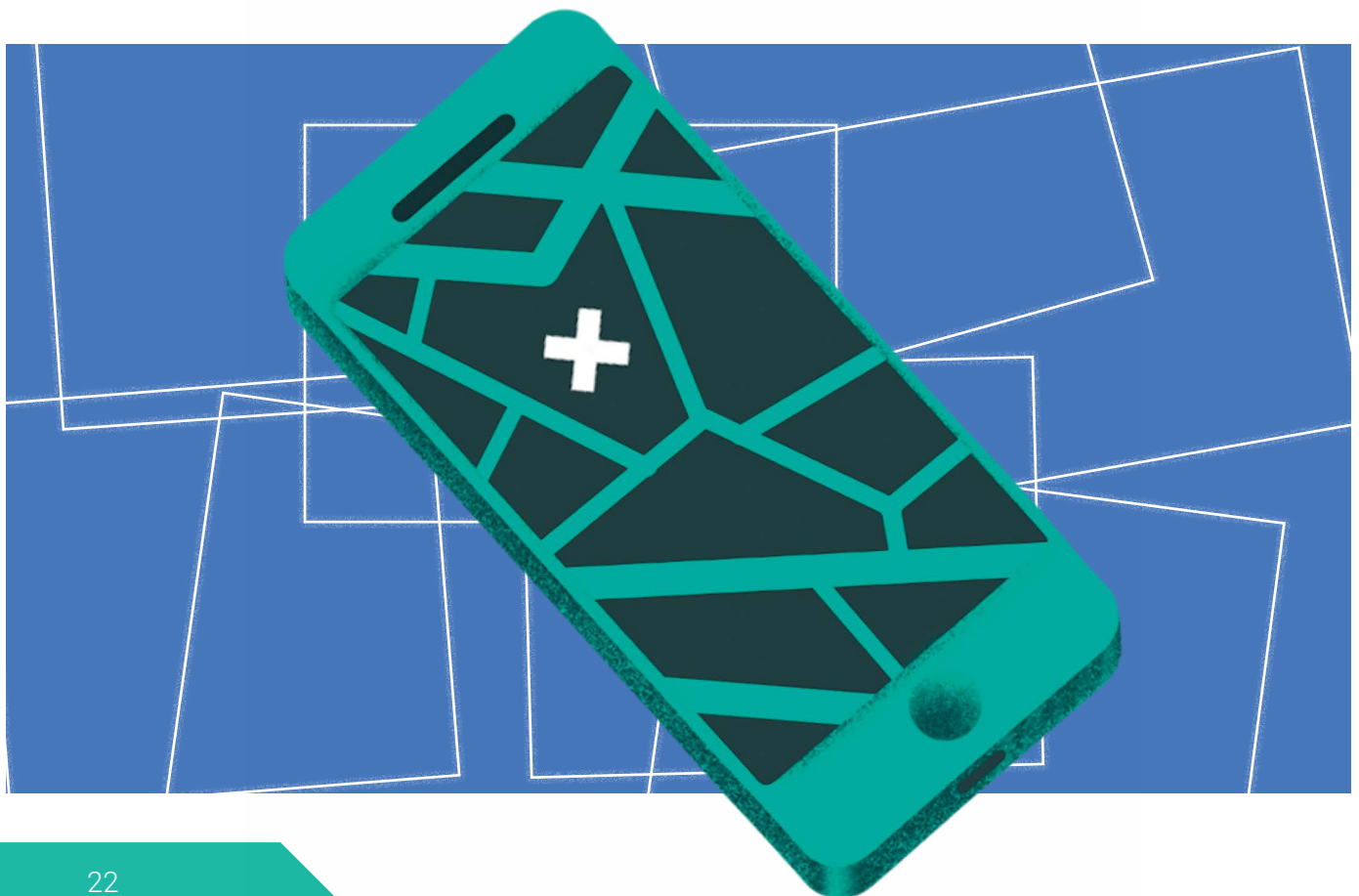
All the hostages say they were subject to special treatment by jailers and security guards (mostly men, with women only in the detention center and the penal colony). For example, in Izoliatsia, you **could be forbidden to sit at the table, go near the window, talk loudly, or laugh.**

Besides, **in the first months of imprisonment, you were not allowed to have personal belongings**, including hygiene products. Olena Lazariyeva explains: “This aspect psyched me out. I had no clothes to change into. For example – sorry for the intimate details – I would wash my panties, put on and sleep in the jeans on my naked body while my panties were drying. The next morning, I would try to change clothes hiding under a bed sheet.

Zinaida Maltseva recalls that, on instruction of an “investigator,” some things would get occasionally banned for her in the detention center. For example, they once prohibited her to use the kettle for a month. “I washed in cold water for the entire month and could not have a tea. Then I got sick and caught a cold. Obviously, my cell-mates were instructed to treat me cruelly like that,” – Maltseva recalls. According to her, during the 16 months she spent in the detention center, she got four bans of this kind.

Doctor Politova refers to **prohibitions and demands imposed by the administration of the penal colony**: “We had to learn the schedule, the rules of conduct. For example, jailers came to the cell every three hours and carried out inspections. We were forced to line up next to the wall and call out our last name, charge, and prison term. We also had to learn how to properly address the jailer, how to greet the administration, how to take care of linen, how to move around the facility.”

As a rule, any violation of the prohibitions was penalized.



## 2.6 RELIGION AND DENOMINATION

There is evidence of suppression of the freedom of religion where hostages were held in ORDLO. On the pretext of fighting “sects” and “extremists,” IAG members actively attack various religious organizations.

In early February 2018, “LPR” adopted the so-called *Law On Freedom of Thought and Religious Associations*. This instrument delegitimizes religious groups that local occupation authorities believe to have nothing to do with any conventional denomination by prohibiting such religious groups to operate. In November 2020, “DPR” also **amended its “legislation” by prohibiting the activities of any religious associations other than the Russian Orthodox Church.**

Anastasia Mukhina recalls that **the religious Protestant organization Jehovah’s Witnesses was strictly forbidden** in Luhansk Penal Colony. This is further supported by Zinaida Maltseva, who was imprisoned in Donetsk and is a follower of this organization.

Maltseva recalls how the head of the colony told her that Jehovah’s Witnesses were prohibited in the DPR: “No one will ever forbid me to have a belief and pray,” – I replied. The woman is convinced that if she started preaching among the colony prisoners, IAG members could punish her for it and add another charge.

Olena Piekh, another hostage and former employee of Horlivka Art Museum detained by IAG members on August 9, 2018, has repeatedly been the victim of religious discrimination, according to her daughter Izabella Piekh. At a press conference in Kyiv, her daughter told reporters, among other things, that **Olena Piekh was regularly called a “kike” for the Star of David that she wore on her chest.** “One of the ‘soldiers’ put a knife to her throat and defiantly cut off the Star of David, throwing it to the floor,” – says Izabella Piekh<sup>7</sup>.

<sup>7</sup> The round table on “Persecution for Political and Religious Reasons in the Occupied Territories,” Ukrinform, December 18, 2020, available at <https://www.ukrinform.ua/rubric-presshall/3156638-peresliduvanna-z-politicnih-i-religijnih-motiviv-na-okupovanih-teritoriah.html>; <https://www.youtube.com/watch?v=X6bRcUykMMI>.

## 2.7 MEDICAL CARE

Former prisoners note that they developed health problems almost right after their detention. Stress, injuries from beatings, poor diet, the lack of fresh air – their health was affected by a variety of factors combined. For example, some women developed a severe swelling of legs, acuter vascular diseases, or bleeding hemorrhoids after sitting for hours-long interrogations. A deficient diet and a poor quality of drinking water caused diseases of the gastrointestinal tract, tooth decay for many of them.

Women say that, **when they complained to the facility personnel about their health, medical care or even a medical examination was denied, or an ineffective painkiller was administered.** According to the victims, those in charge of medical care in political prisons generally were not adequately skilled in medicine. **Prisoners had to treat themselves with drugs they managed to get from their relatives.** However, very often such packages went missing.

Penal colonies that women were later sent to had a medical unit. However, according to the released hostages, **one was not allowed to have any medical products in the barracks themselves.** “Neither pills nor ointments were allowed. You were not allowed to even have an elastic bandage in your cell,” – says Olena Lazariava.

Another former hostage, Maryna Chuikova, says she had a gynecological condition for which she needed to take hormonal drugs on a regular and ongoing basis. However, they were not allowed in the colony, which caused the woman to bleed. “I had to hide these pills by burying them under a tree during a walk, but they would still find them,” – she says. After all, the woman was shown to a gynecologist (who was sometimes invited to the colony for examinations), who confirmed that she needed to take hormonal pills regularly. It was only after that that the woman was administered daily medication brought by her family members.

Former hostages report **cases where “doctors” of unlawful prisons used expired medicine or failed to follow instructions.**

## 2.8. SEPARATING THE MOTHER AND HER CHILD

**Whether women had little children or not was of no particular importance for IAG members during their arrest**, did not make it less stressful, and was not taken into account in any way. In some cases, details of the minor child were not even filed.

**Stories have been recorded of a mother separated from a very little child who was still breastfeeding.** Such reports were provided, inter alia, by Anna Taran, unlawfully detained by IAG members on March 23, 2017, in Donetsk. At the time of her arrest, her daughter was only eight months old and was breastfeeding. It was Anna's husband Oleh Taran who was the first to be arrested. But she was summoned just because, according to the records, the car on which her husband had been earlier detained was registered in her name. However, once she arrived at the so-called "DPR" police department, Anna would not be able to return to her family: she was told that she was under arrest for 30 days. It was not until the next day that the woman was allowed for one last time to feed her daughter that her mother had brought to the building where she was kept in custody. The woman recalls that the next morning she asked a nurse to help her bind her breasts to stop the flow of breast milk, which she was rudely denied. Anna Taran was kept at TDF for a month, not allowed to feed her baby or hand over pumped milk. "As far as I remember, in no record did staff who detained me mention that I was a nursing mother," – says Anna Taran. Her husband is still being held hostage by IAG members.

Larysa B. also had a little child: "I thought about my daughter, who was left without maternal love and support, day and night." The woman recalls her ten-year-old daughter witnessing the search carried out in their apartment by IAG members: "One operative took her to the kitchen and started asking if dad came often and who she loved more, daddy or mommy." The former prisoner says that it was the most terrible thing for her in prison – not to see her daughter and not to know how she was doing. "During interrogations, I was threatened that my daughter



would grow up in an orphanage... They said that my child would be subjected to physical force..." says Larysa B. The woman was captured by IAG members in Donetsk in February 2019 and had not seen her daughter once until her release on December 29, 2019.

There is evidence that **IAG members also keep pregnant women in custody**, including Oksana Parshyna, who is now being held in Donetsk detention center. She was arrested on espionage charges in May 2021 in the tenth week of pregnancy, which, according to her relatives, she reported during the arrest. She was taken for examination but was still put in the detention center. The woman is still held hostage. Nobody knows what she and her child will feel like after birth, as there have been no similar cases of hostages ever since Russian-controlled IAG emerged.

### Vitalii Khekalo, lawyer:

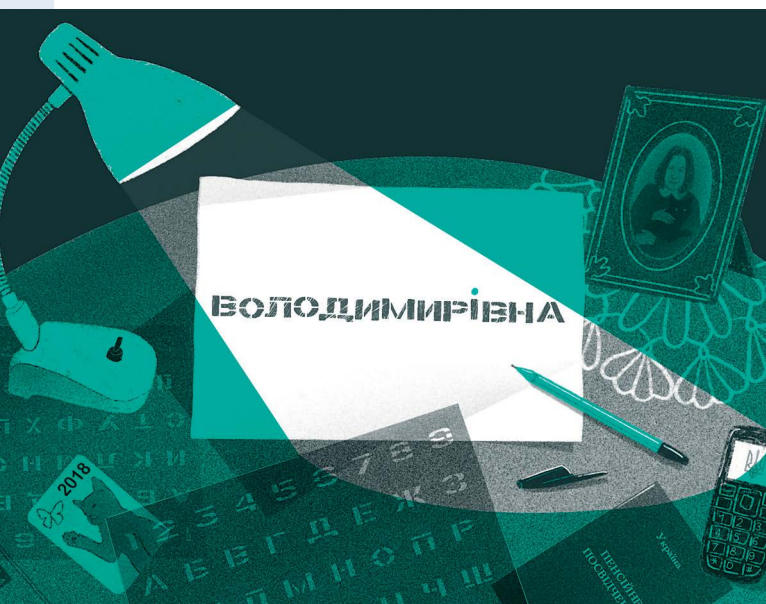


Children should not be born in prison – this is a generally accepted principle. Every effort should be made to meet the special dietary needs of imprisoned pregnant women; they should be offered a high-protein diet and plenty of fresh fruits and vegetables. Cases of pregnant women and mothers with infants interned because of the armed conflict should be considered as a matter of priority.



## SECTION III

# ACCESS TO JUSTICE



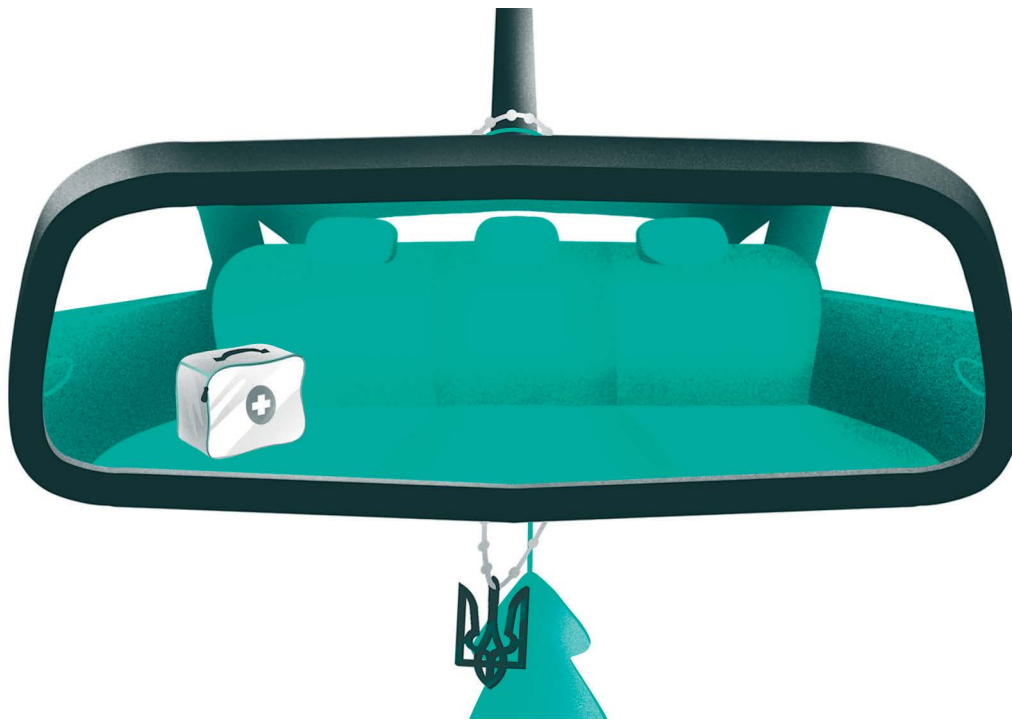
### 3.1 RIGHT TO COUNSEL

“Operatives” who interrogated and tortured women, as well as “investigators” are the first to be described by women as those involved in their arrest. **Most of them served in the law enforcement system of Luhansk and Donetsk oblasts before the armed conflict started.**

Women especially share their stories of “**counsels**.” All former political hostages say that they were not allowed to reach out to counsel during their arrest. At first, their families tried to hire a counsel, but they were not allowed to attend. Then, mostly a month later, a counsel was provided for free. There weren’t many of them at the “MSS,” according to former hostages, and they did nothing to try and help their clients.

Maryna Chuikova saw her potential defense counsel for the first time only 30 days after her arrest. “It was Vitalii Viacheslavovych Lastovetskyi. I was happy to learn that I would have a counsel – there was a glimmer of hope that I would be acquitted, – the woman says. – The ‘investigator’ that I was brought to that day began to read my file, video recording was conducted. And suddenly I heard someone starting to snore – it was my ‘counsel,’ who fell asleep. So, I push his leg, saying: ‘Come on, you came to save me, you must stand up for me.’ And he replies: ‘Given the offense you are charged with, nobody was going to defend you’.”

One could not practically reject such counsel.



Charged with “espionage,” former “DPR” political prisoner Valentina Buchok says she produced dozens of complaints against the actions of “investigators,” “prosecutors,” “judges,” and “counsels” during her unlawful imprisonment. “I showed Olena Shyshkina (counsel) traces of beatings I suffered in the cell. She shrugged her shoulders saying this is what convicts’ life is like. I wrote more than 20 complaints to have this ‘counsel’ withdrawn. But to no avail,” – says the woman.

Olha Politova was “sentenced” in 2016 after two hearings by Voroshylovskiy Interdistrict Court to 3 years and 10 months of prison and the confiscation of property. “No one summoned me to hear the verdict – they just handed me a copy of the verdict in the detention center,” – Politova says. However, the prosecutor filed an “appeal,” and the decision of the lower court was overturned, and the case referred to the “Supreme Court” of the “DPR,” and the woman was tried by a “court martial.” “Judge’ Svitlana Smielik presided, assisted by ‘judges’ Liudmyla Strateichuk and Mykola Tokarenko. Iryna Krotova and Ruslan Shaipov were the ‘prosecutors.’ The new trial lasted for almost four months. On November 24, I heard their ‘verdict’ – 5 years and 6 months in prison. I was found guilty on charges of terrorism under Article 256. The ‘trial’ was one-sided, and it was immediately clear that their plan was to ‘convict’ me,” – Politova says.

## Vitalii Khekalo, lawyer:



IHL prohibits conviction and punishment without a court verdict, which ensures that all procedural guarantees that are believed compulsory have been observed<sup>8</sup>.

All parties involved in an armed conflict must ensure that penal prosecutions comply with, at a minimum, the following: the right to an independent and impartial tribunal, the right to information and defense, presumption of innocence, the right of the accused to be present at their own trial, the right not to be compelled to testify against themselves or to confess guilt, right to be informed of judicial remedies and of the time limits in which they may be exercised, and the prohibition of arbitrary deprivation of liberty.

<sup>8</sup> The subject-matter report of OHCHR “Human Rights in the Administration of Justice in Conflict-Related Criminal Cases in Ukraine,” April 2014 – April 2020, pages 31–32, available at <https://www.ohchr.org/Documents/Countries/UA/Ukraine-admin-justice-conflict-related-cases-ukr.pdf>

## 3.2. TRIAL

In April 2014, key public authorities in ORDLO were captured, so most Ukrainian government entities, including courts, located in this territory effectively ceased to operate or report to the Ukrainian government and officially suspended their operations in autumn. Instead, “L/DPR” started creating their own “law enforcement agencies” and “courts.” For example, the “Supreme Courts” in Donetsk and Luhansk started operating in January 2015 and October 2018, respectively. They try “political cases” of those charged with “treason,” “espionage,” “terrorism or subversion.” Until 2018, “political cases” were sometimes tried by “local courts.”

Some **“judges”** now serving in these “courts” are defector judges who violated their oath by beginning to cooperate with IAG members contrary to the Constitution of Ukraine and the applicable laws of Ukraine. For example, judges Liudmyla Strateichuk and Svitlana Smielik referred to by Politova used to serve in Donetsk Oblast Court of Appeal until the autumn of 2014, and Mykola Tokarenko is a former judge of Horlivka District Court. Now they serve in the “Supreme Court” of the “DPR.” Most of such judges feature in criminal proceedings into the involvement in the creation of the terrorist organization “DPR,” and some cases have been submitted by the Prosecutor’s Office of Donetsk Oblast to court.

The behavior of the “judges” created the impression for some hostages that their trial was a show, nothing more, during which **“judges” simply followed formal procedural rules, having no intention of trying cases independently and impartially.**

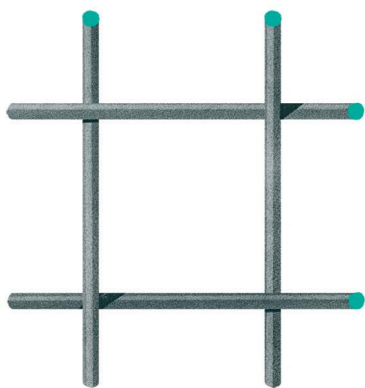
Larysa B. says that she appeared before the “court” once only. “I was found guilty immediately, in one hearing, which lasted 15 minutes. I was convicted to 11 years for espionage under Article 321 (of the so-called ‘DPR’ Criminal Code – ed.). Before the trial, I was allowed to read the ‘verdict.’ It was only after reading it that I learned what I was being charged with. I said: ‘This is simply not true. You have not proved my guilt.’ They answered: ‘What difference does it make? Plead guilty in court. You will be used for an exchange. If you admit everything, you will be released sooner,’” – the woman says.

Usually, **hearings were held in closed chambers.** Not every person was allowed to attend. The “judges” said “hearings” had to be in closed chambers in order to protect “state secrets.” This applied to all “political cases.” Family members could only attend the trial if summoned as witnesses in the “trial.” Some cases until 2017 are known when members of the UN Human Rights Monitoring Mission could attend trials. This is reported, among others, by former hostage Halyna Haiova.



### 3.3. PENALTY AND SERVING A SENTENCE

“I was taken from the detention center to the penal colony together with four women. We were brought to the gates and counted. Then, once commanded, we crossed the area. I couldn’t carry my bag, which was too heavy, so I arranged for a prisoner to help me. But the sturdy and fat-faced guard shouted loudly and didn’t let me, so I left my things outside, only taking a small bag. Then they stripped us naked, made us bend double, inspected everything carefully, and then took us to a room for a two-week quarantine,” – says retiree Zinaida Maltseva.



**After the “verdict” was passed, women “convicted” for political motives were sent to penal colonies** run in areas not controlled by the Government of Ukraine. Those who were in the “DPR” – to Snizhne Correctional Colony No. 127, and those who were captured in the “LPR” – to Seleznivka Correctional Colony No. 143. According to the Penitentiary Service of Ukraine, until 2014 both facilities had a minimum level of security with general confinement conditions for women. In both facilities, “political” convicts were held together with women serving sentences for common crimes – murder, banditry, drug trafficking, and others.

Zinaida Maltseva ended up in Snizhne, as did Maryna Chuikova. The two women were there at the same time. “Colony warden Alla Kraievskia immediately met and warned us: ‘You’ve come to hell. Political convicts get a special treatment. So, watch out and get ready,’” – Chuikova recalls. She says that their living conditions and treatment by jailers and cell-mates could be seen as ongoing pressure.

**They lived in barracks for 160 people** where two-level bunk beds were set up. Wake-up call at six a.m., lights out at ten p.m. Work took up all of their time, including housework and work in the garment production. There was TV time in the evening. “But this existence came with a few catches. If you fall asleep during the day or just close your eyes, you write a note of explanation of why you fell asleep and get a duty detail as punishment,” – says Halyna Tereshchenko. **Snizhne Penal Colony held two personal examinations a week** to take a detailed inventory of all the prisoners’ personal belongings. “If one sock happens to be missing, you must write a note of explanation, because you had a different number of socks during the previous inspection. As punishment, you get to clean the toilet or an extra duty detail. You fed the crow with your ration bread – you must not; if they notice, you write a note of explanation and promise that you won’t feed the crow anymore, and then you clean the latrine. You must not pick up flowers. I picked up a calendula to put into my tea, so I had to write a note of explanation, and cleaned the latrine again,” – recalls one prisoner.

“They gave better food than in the detention center,” – a former hostage replies to the question about the quality of food. “But at first I was afraid to eat. – adds Chuikova. – The thing is that **the kitchen was run by those who not only were convicted of terrible crimes, but also had various diseases such as HIV, hepatitis.** Tuberculosis patients ate at a table next to ours. They may have eaten separately, but they used dishes which were later gathered and washed together with ours.”

Besides, **Snizhne Penal Colony had problems with water** – there was a constant shortage of it. Including drinking water. “Water supply was turned on once a day. You have to make it and pour a bottle of it (you were not allowed to pour more). Otherwise, you’re left without water. This water should be enough for drinking, washing yourself, and brushing your teeth,” – says Maryna Chuikova. One could have a bath once a week only, on Sunday. “The bathhouse was in the former morgue, with two autopsy tables left behind. You were given two buckets of warm water to wash yourself and do the laundry. You could pour it onto yourself or wipe yourself up with a rag,” – the woman adds.

Anastasia Mukhina, a retiree from Luhansk, was taken to Seleznivka Correctional Colony after her so-called verdict. She describes conditions in which she was held, which differed little from those in Snizhne. Women were also held in large cells. “We were in a barracks for forty people. Those prone to suicide were near the door, and everyone else was accommodated farther on,” – the woman says. There were some privileged prisoners in the colony.

**The women lived by the schedule and rules with many prohibitions.** “For example, the toilet in the room was open from lights out to six a.m. At other times, everyone had to go outside, in summer and in winter alike. The TV only worked for one hour in the evening. Only seventeen women were allowed to watch it,” – adds Mukhina. Your bunk bed had to be neatly arranged and always covered with something white on top. The room with bunk beds could not be entered during the day. As testified by the former prisoners, only those who worked night shifts (some prisoners were to work in the boiler room overnight) could stay there during the day.

### 3.4 DAY OF RELEASE

“Immediately before the exchange, we were afraid if everything would work out... We might just get taken to the forest and shot,” – recalls one former hostage.

During 2014–2015, the release of people held by IAG members was usually negotiated directly by their relatives assisted by volunteer organizations. Personal connections and money that the hostages’ family was willing to pay played a large role in such negotiations. Since 2015, the release process has been effectively assumed by a special SSU Joint Center in charge of searching and releasing persons unlawfully detained in ORDLO, and exchanges were negotiated at meetings of the Trilateral Contact Group in Minsk. These talks have been difficult to hold because the release of hostages has become less a humanitarian issue and more a political one, where people were released for certain political arrangements rather than in exchange for other people. As a result, some political prisoners had to wait several years for release.

Most of the hostages learned about their upcoming release a few days in advance.

Olha Politova recalls that on December 25, 2017, before her release (she was handed over to the Ukrainian authorities on December 27, 2017), she was wanted in the report room of the colony. “I was dictated how to write a letter addressed to Oleksandr Zakharchenko (the then leader of the ‘DPR’) requesting pardon, where I had to say that I had realized my guilt and repented. I was told to write another statement to Oleksii Riazanov, the ‘head of the DPR’s penitentiary service,’ saying that I had no grievances about the conditions of my detention, had been provided with a bed, linen, proper household conditions, and required medical care. **Wishing to get out of prison as soon as possible, I just had to write all these statements,**” – says Politova. At that time, the woman was warned not to let any other convicts know about her upcoming release. The next day, Politova was taken out of



Anastasia Mukhina

the colony. “In the evening, I was carefully examined by the colony doctor so that there were no visible bruises,” – the woman notes. On December 27, 2017, Politova and other hostages were taken in prison vans to Maiorsk EECP near Horlivka city. The exchange took place in the evening.

Halyna Haiova was released the same day. But, unlike Politova, she was kept in Donetsk Detention Center until the day of her exchange. “The senior jailer came in the morning and took us to where papers were issued, put us into a car, and waved. On our way to EECP, we were packed like sardines: the three eight-seater prison vans each carried about 70 people, both men and women,” – says Halyna.

Other women interviewed in this project had to wait another two years for their release, although some were also detained in 2017.

Maryna Chuikova says that on the day before her exchange, two women came to them and forced them to strip naked: “We were filmed on camera. I believe it was violence. This was done by two girls, who we later saw at the checkpoint, two journalists. They took interviews for the Oplot TV channel. We kept silent, afraid that something might go wrong because of us.”

Former prisoners say that, right before the exchange, IAG members started treating them

differently. For example, Maryna Chuikova remembers that when they were brought from Snizhne Correctional Colony to pass the night at Detention Center No. 5 in Donetsk, the jailers and guards even joked with them. Tetiana Horbulich, another former prisoner who was detained in “LPR,” says that they were allowed to wash longer than usual right before the exchange.

However, IAG members did not allow many of them to take all of the so-called documents such as “indictment” and “verdict.” As they explained the refusal to release documents to Olha Politova, she did not need the originals because she was being “pardoned.” But Politova managed to keep some copies.

Notably, MIHR managed to find a few women whose names never made it to the exchange lists and who were released by IAG members a month after their detention. These are Nadia Atamanchuk and Anna Taran. The former says that she was simply taken to downtown Donetsk and left there. The latter, Anna Taran, says she was released from TDF after 30 days in custody. “I had no money, no passport, no phone. They were all taken away from me by the Organized Crime Control Department, whose officers never returned my belongings before my release, instead telling me to come back to their department to pick them up and joking that, while I was driving without my documents, I would be arrested again,” – Anna reports.

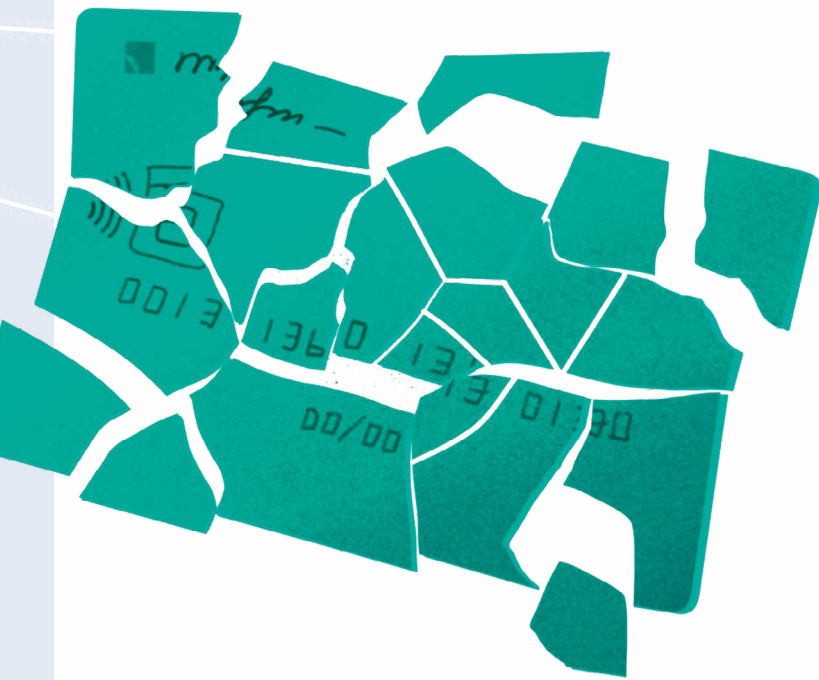
## Section IV

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# UNCERTAINTY, OR LIFE AFTER RELEASE

### 4.1 STRESS AND PSYCHOLOGICAL SUPPORT

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“On the day of my release on December 27, 2017, no one met me in Boryspil. So, I’m standing alone at 2 a.m., freezing. A woman approaches me and asks if I’ve been released. It was former hostage Volodymyr Zhemchuhov’s wife, Olena. She took me to the bus. So I ask her there: ‘Is this bus taking us to the SSU?’ She does not get my question. I say again: ‘Well, we have to be put in solitary confinement or in a detention center, or somewhere else to be checked.’ She answers: ‘Nonsense. They are taking you to a hospital for examination.’ And I started crying. I am an adult woman, but I still believed the militants’ threats that we would all be punished after our release. I even took bed linen, soap, and a change of clothes along. It’s scary after two years of such life,” – Olha Politova recalls.



Olha Politova

The woman says that **she found it difficult at first to get used to freedom**. She thought that she would be able to handle this condition on her own by listening to some music and the sounds of the sea to relax. But this would not help. “Soon I realized that I should be taking antidepressants already. I still take them occasionally, even though it’s been more than three and a half years since I was released,” – she adds.

Former civilian hostages say that, after their release, the state arranged a medical examination for them at the Feofania Hospital but **failed to provide any psychological support**. However, according to the victims, they needed a comprehensive program of psychological adaptation. Attempts to help in this area have been made by several NGOs.

According to the former hostages, on returning to normal life, they needed not only psychological care, but also continued medical care. Chronic diseases got worse and new ones developed for many of them.

Olha Politova says that as a result of her experience she **suffers from the post-traumatic stress disorder**. “I got systemic osteopenia (lower calcium levels in the body). A risk of fracture of the second lumbar vertebra. I have post-traumatic paresis of my upper left extremity after an injury to my left shoulder. My overall health has significantly deteriorated after my experience in captivity,” – says Politova. Olena Lazariyeva also talks about her

health problems: “I need surgery that costs a lot of money, which I as a doctor don’t have.”

Almost everyone **refers to her need for financial and social support**. Notably, after their release, former hostages are entitled to a lump sum payment of UAH 100,000 (on getting the status of a person detained as a result of the armed aggression against Ukraine<sup>9</sup>). Most of them received it almost right away. But this amount is not enough to start a new life. Most women, especially those released in 2017 and 2019, left their homes and other property behind in the occupied territories, have no access to them because their entry is banned by IAG members. They were unable to export their personal belongings, either.

Besides, **former hostages lost their jobs** and had to seek employment again, this time in a new place.

## Kateryna Busol:

*The experience of war is traumatic for everyone, but it affects women and men differently. That is why the two sexes’ needs and recovery processes differ. This must be taken into account at all stages of assistance to the victims.*

<sup>9</sup> Resolution No. 38 of the Cabinet of Ministers Some Matters of Social Support for Persons Unlawfully Deprived of Personal Liberty dated January 31, 2018, available at <https://zakon.rada.gov.ua/laws/show/38-2018-n#Text>



## 4.2 RESOCIALIZATION

“At first, I didn’t want to see people. I didn’t want to be asked how things used to be, because I didn’t have an answer to that question. In most cases, everyone says, ‘You are strong, you will cope, everything is going to be all right.’ I got infuriated with this ‘everything is going to be all right.’ What I like to ask is, ‘If you know the date, please tell me when it’s going to happen.’ But thanks to the dog we had, I started to go outside,” – recalls Maryna Chuikova.

**“The only thing that has always supported me is work** – it was the best rehabilitation for me. To avoid being all bottled up and instead to feel that you are needed and appreciated by someone, you have to work. Former prisoners do not get this, they don’t even want to understand it. They’ve assumed the role of victims and want everything handed on a plate, like humanitarian and social aid. I am 67 years old, but still I work every day. Because I want to live!” – says Olha Politova.

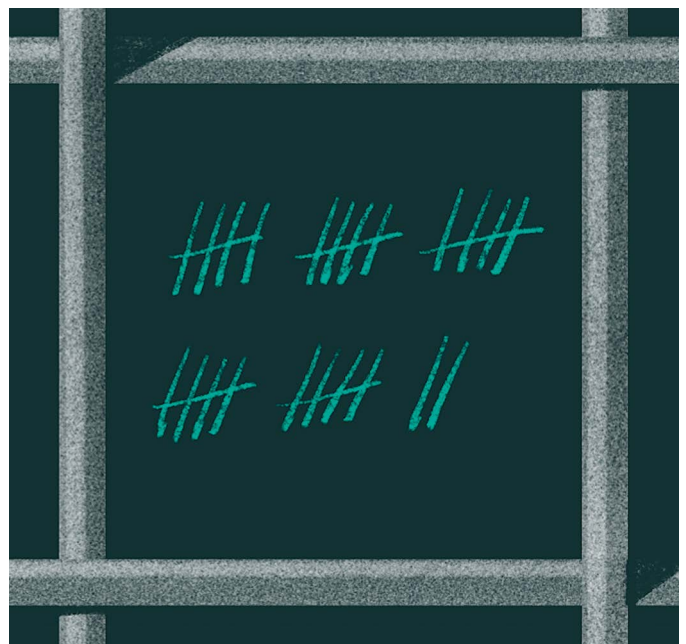
**A chance to work enabled Larysa B. to take her minor daughter from the uncontrolled territories.** “I was fired on December 29, 2019, and I went to work as early as on February 1, 2020. A bit later, I took my daughter, – she says. – It was only then that I began to realize what had happened to me. I have dreams at night that I am still behind the bars, and I wake up in fear. Often, I want to forget everything, but when I remember that there are other women there – you know that we have to help them. When I feel bad, and apathy kicks in, I remember where I was, and that’s how I start to love life. And I love my country even more.”

## 4.3 HOUSING AND OTHER BASIC NEEDS

Having no housing is a critical issue. **“This is the biggest issue for me as an adult,”** – says Marina Chuikova.

Retiree Zinaida Maltseva says, “When I began to think that I had lost my apartment, money, property in the temporarily occupied territory, as well as my son, who is currently imprisoned there, I got horrified. After my release, they put me, an elderly and sick person, in a dormitory on the 3rd floor. But I could not go down the stairs at all. Then I had knee surgery and was moved to the first floor. But there still were stairs to the entrance door, effectively putting me in isolation.” After numerous petitions and requests for financial aid, Maltseva managed to buy a two-room apartment in Kramatorsk, where she is now awaiting her son’s release.

In addition, some women needed legal assistance: some needed to have their documents renewed, others needed legal advice on property left behind in the territory not controlled by Kyiv. But some former prisoners were not prepared to fight through all the red tape on their own, so they are assisted by human rights advocates, who provide legal support in court proceedings in Ukraine and in the European Court of Human Rights.



## 4.4 STATUS

“We lack basic government support. For example, **we have not yet been granted the status of a political prisoner.** If service members who were taken hostage in “LPR” and “DPR” are considered prisoners of war under international law, then who are the civilians detained for expressing their pro-Ukrainian position? After all, civilians include people who tried to resist the occupation to the best of their ability. Some did it in public, others not. Hanging out a blue and yellow flag in downtown Donetsk or going to Lenin Square and shouting that we are for Ukraine is, of course, an act of courage, but it will certainly be punished, and very quickly. If you act covertly, for example, by watching what is happening in Donetsk, you can be useful for a longer time. And people like us did just that,” – says Olena Lazarieva.

The woman implies that various legislative initiatives have emerged and been discussed over the six years to legalize the status of prisoners of war and civilian hostages. Some only focused on welfare matters, while others proposed to amend anti-terrorism laws, in no way taking into account the conditions of the armed conflict in the country and the rules of international law that lay down guarantees to this category of victims. On March 27, 2018, the Verkhovna Rada of Ukraine registered Draft Law No. 8205 on the legal status of and social guarantees for persons who were unlawfully deprived of liberty, held hostage, or convicted in the temporarily occupied territories of Ukraine and abroad. On July 11, 2019, the plenary session adopted the text of Draft Law No. 8205 in the first reading. However, the Parliament of the 9th Convocation never considered this matter as a whole for two years<sup>10</sup>. On September 27, 2021, the President of Ukraine finally submitted a draft law *On Social and Legal Protection of Persons Deprived of Personal Liberty as a Result of the Armed Aggression against Ukraine and of Their Family Members*<sup>11</sup>, which is based on and refines Draft Law No. 8205, to the Verkhovna Rada.

<sup>10</sup> Draft Law No. 8205 On the Legal Status of and Social Guarantees for Persons Who Were Unlawfully Deprived of Liberty, Held Hostage, or Convicted in the Temporarily Occupied Territories of Ukraine and Abroad dated March 27, 2018, available at [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=63748](http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=63748)

<sup>11</sup> Draft Law On Social and Legal Protection of Persons Deprived of Personal Liberty as a Result of the Armed Aggression against Ukraine and of Their Family Members, registration No. 6104, available at [https://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=72870](https://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=72870)

## 4.5 PUNISHMENT FOR ABUSERS

“**Sometimes I talk to my son about what happened and say, ‘Sasha, you know, even if it all were to happen again, I wouldn’t be able to act otherwise.’ I just couldn’t put up with ‘DPR’ in my heart, I was so wound up that I couldn’t contain myself even during ‘trial.’ ‘Tell us if Donetsk is DPR,’ – they would ask. And I would answer, ‘No, Donetsk is Ukraine.’ They called me a ‘Uke.’ I was aware that they could punish me for that, deny my exchange, everything was in their hands at that time,**” – says Haiova.

Today women admit thinking about what punishment should be inflicted on those who abused them from their day of detention until the day of release.

“Many are no longer alive, they have already been punished, and those who still live, I think, will pay their price... They live there in constant fear. Is this a life? They can’t go anywhere; they are unwanted both in Ukraine and in Russia. I think their biggest punishment is that we are already free. And they live and are afraid for their families,” – says Halyna Haiova.

“The 20 years in prison that they threatened for me is a punishment for them, – says Olena Zavalna. – One has to deserve a bullet into one’s forehead. That’s what they told me, ‘If you deserve it, you’ll get a bullet. If not, you’ll be rotting in our prisons.’”

Anastasia Mukhina emphasizes that **it is critical to bring those involved in torture to justice:** “Many of them used to serve in Ukrainian law enforcement agencies. They told me I was a traitor. I said I had not



Olena Lazarieva

betrayed anyone, neither my relatives, nor my country. Instead, they were the traitors. One answered: 'We had no choice.' I told him that everyone has a choice."

**Some former hostages suggest that IAG members involved in torture and killings should be subject to death penalty.** "Why spend money on keeping them in custody?" – says Olena Lazarieva.

However, most of the women interviewed do not believe that those who abused them will be punished, although they believe they have provided all the information they have to Ukrainian law enforcement agencies, and their testimony is available in criminal files against Russia's armed aggression.

## Kateryna Busol:

*Gender-sensitive support for women surviving captivity is not only about helping them as victims. It is also about actively engaging women victims in formulating sensitive policies for transitional justice, deoccupation, reintegration, and wider public administration tailored to the needs of different population groups and offering reliable guarantees that the conflict will not recur.*

## Section V

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# UNCERTAINTY, OR ON THE OTHER SIDE OF THE HOSTAGE STATUS



### 5.1 DETENTION AS PERCEIVED BY THE FAMILY

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“I was to give birth on December 13, 2018, my husband went missing on the 11th: he left on some business and never returned. I did not know for 24 hours where he was. The next evening, armed men in a military uniform came to us and brought Andrii, who was brutally beaten and handcuffed. They started a search saying he was suspected of terrorist acts and explosions. My son, who was only 1.8 years old at the time, and I were ordered to go to another room and stay there,” – Viktoria Harrius testifies to MIHR. She is the wife of Andrii Harrius, a former Ukrainian police officer currently



Oleksandr and Svitlana  
Timofeeva

held hostage by IAG members. As the events in Donbas developed, like his other team members, he left the territories not controlled by the Government of Ukraine but could not work in the new place for personal reasons and returned to Donetsk.

But for the “search,” Victoria would have been unaware for a long time where her husband had disappeared. After detaining a person, IAG members usually do not let his or her relatives know about this, especially the basis and circumstances. Many families had to look for their relatives on their own by calling hospitals and even morgues, contacting the so-called local law enforcement agencies. **In many cases, these agencies take very long time to confirm detention.**

Iryna Momot says that she lost touch with her husband on June 24, 2019, when she called him, but got no answer. “I called his relatives, classmates, and colleagues. At the hotel, one employee

suggested that Slava had been detained because of his trips to ‘Ukraine.’ Three days later, I got a call from an ‘MSS’ staff member who would not introduce himself. He said, ‘Vyacheslav Olehovych Shabolda was detained. Bring along his things;’ – she recalls. Iryna later learned that Vyacheslav was charged with espionage and held in Izoliatsia.

When women witnessed an unlawful detention of their husbands, they were threatened with detention, too.

Svitlana Timofeeva had to be an eye witness of the arrest of her husband Oleksandr. And that **she was not detained by IAG members together with her husband can be considered great luck.**

“Sasha was detained while crossing Olenivka EECP. We were going together from Kyiv to see my sick mother in Donetsk,” – says Timofeeva. The spouses were informed that they would all take a trip together to their apartment in Donetsk for a search. During the “search,” her husband was afraid lest Svitlana should be detained as well. “We looked into each other’s eyes, aware that disaster had come not only to our country and our city, but also to our home,” – Svitlana recalls.

## 5.2. THREATS AND DEPARTURE

Right after learning that her husband was detained, Viktoria Harrius **decided to leave Donetsk urgently**. “Miraculously, I managed to take our child away without his father’s permission,” – Viktoria recalls. On the other side, she was met by her mother-in-law. They boarded the train together and were soon to arrive in Dnipro. “But suddenly the labors started, and I had to stop the train. An ambulance arrived and took me to a hospital. My mother-in-law and son went on, while I stayed all alone in a strange city, where I didn’t know anyone, to give birth...” – the woman goes on. Viktoria’s daughter was born on December 16, 2018.

**But after their family member’s detention, some women do not have the courage to move hoping to help the detainee**, most stay for a month, if not for a year, in the occupied territories, living with a nagging sense of danger and fear.

Svitlana describes the two months following her husband’s detention as hell. Now even she wonders where she got so much courage to try and find out as much as she could about Oleksandr by going to the “MSS” all on her own. In



response, during the “investigation” IAG members **intimidated** Svitlana and her old and sick mother in every possible manner, demanding USD 20,000 for Oleksandr’s release.

Living in fear – this is how hostages’ wives describe their existence after detention. “I was completely isolated from the outside world, did not leave my home, did not turn on the TV, did not stay updated. I was just sitting there silent and crying all the time,” – Svitlana Timofeeva recalls. She was aware that she was being watched not only by those who had arrested her husband, but also by many of those who started to condemn her.

This is exactly what Tetiana Lach, a young woman from Makiivka, says. Her husband Oleksandr Korol was also detained at Olenivka EECP. It happened on September 19, 2017, when he was coming home from Volnovakha. **“After my husband was detained, most of my acquaintances and friends turned their backs on me and my family.** We were like lepers. Nobody wanted to keep in touch, we were called ‘Ukes,’ people used to say behind our backs that ‘if her husband was not guilty, he wouldn’t end up in jail.’ I got regular threats. My door was regularly knocked out, fence damaged, dog poisoned, family, me, my small child, and my retired mother intimidated. They were driving us to a nervous breakdown. My child would scream, get scared, huddle up into a corner, and cry, saying: ‘Mom, the police are coming, they will take us to the woods and eat us’,” – says Tetiana Lach. The woman lived in the territory not controlled by Ukraine for almost three years, but she got resolved in 2020 to move out with her daughter. “I was threatened that I’d be arrested, and my child sent to an orphanage. And these threats were becoming more real,” – she explains.

Svitlana Timofeeva also moved out. “I was packing my things, only taking the essentials. I was crying terribly because I was aware that I would not come back here again,” – she recalls.

Instead, dozens of prisoners’ mothers and wives still live in the territories not controlled by the Government of Ukraine as they cannot leave their relatives behind: they take packages to prison and try to get permission to visit. Some are presently not allowed by IAG members to leave.

## 5.3 NEW LIVING CONDITIONS

The major problem primarily facing hostages' relatives is **finance**. *"It is very hard to live without your husband far away from home. You always have to think where to get money for some basic things like food and clothes,"* – says Viktoriya Harrius. The woman tries to save on everything so that she can send larger packages to her husband in the detention center, where he is still being held by IAG members.

Today, Viktoriya Harrius and her children live in a one-room apartment in Pokrov, a city in Dnipropetrovsk oblast. The woman does not work because her children are still very young. She managed to get aid for a low-income family, her children go to the kindergarten, and the family's housing and communal services are subsidized.

Iryna Momot does not work now, either, as she is still on maternity leave. Iryna also left the territories not controlled by the Government of Ukraine and lives with her parents and grandmother in Novoukrainka, a village in Maryinka district, Donetsk oblast. She gets 860 hryvnias a month as a welfare benefit for caring for a child aged under three. He has

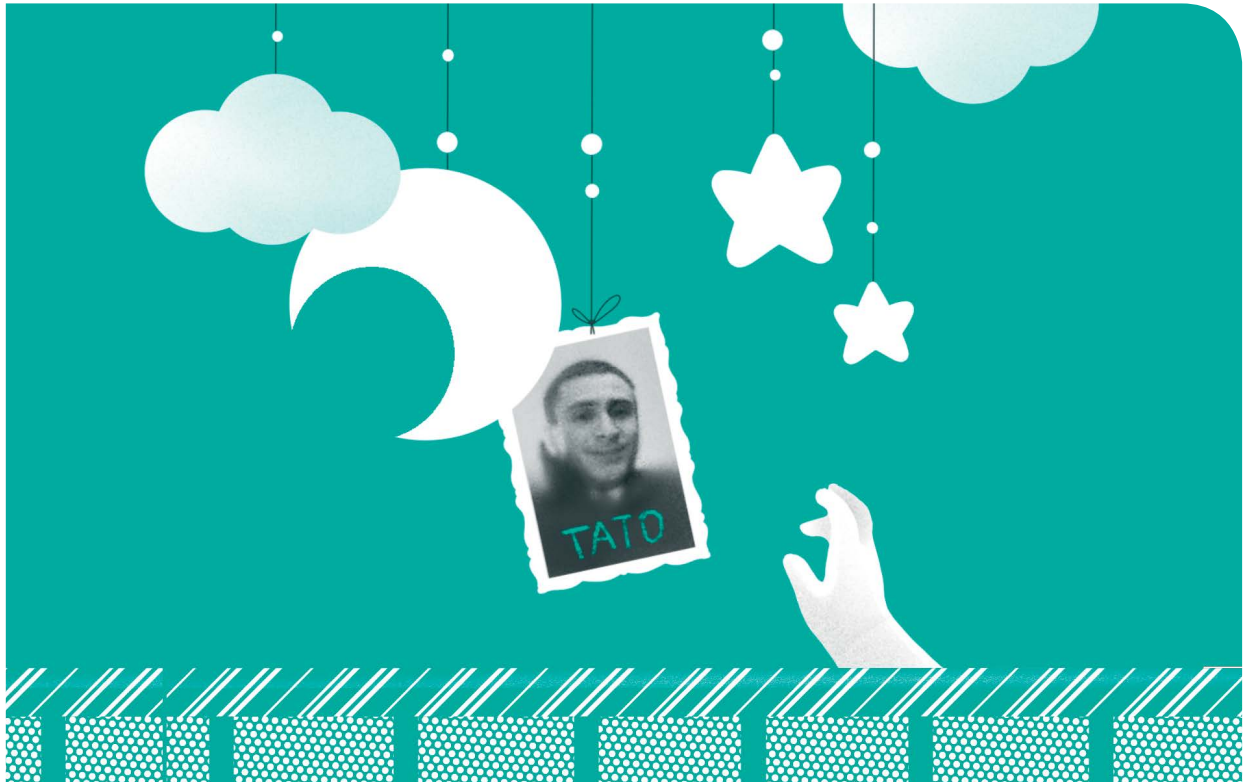
no other income. The ICRC pays for Iryna's training courses so that she can find a job in the future. *"It's my dad only who works now. My grandmother is retired with a pension of two thousand hryvnias. My mother is at home, doing housework. There is no work for her in the village. I am also unlikely to find a job here,"* – adds Momot.

Hostages' relatives also need **legal aid**. For example, Iryna Momot says that she desperately needs professional legal assistance to draft an application to the European Court of Human Rights.

After leaving the occupied territory, hostages' relatives face the **lack of housing**, which they have to rent on their own.

But perhaps the most important problem for women is that their young children do not know or remember their dads. *"When my husband was detained, our son was only two, and our daughter was only a couple of months old. The older child remembers his father a little. I show them his photos from time to time, saying that their father loves them and will soon return. My son misses his father very much. He often asks about him or simply says: 'Mom, let's go to dad'."*





## 5.4 FIGHTING FOR RELEASE

All women say that they often have to fight for their relatives' release on their own. Immediately following their detention, they did not know who to contact, who to ask for release, who could provide legal aid, and who they could report cases of torture to. Relatives are often unaware exactly where the detainee is held and how he or she feels. To find out, the relatives turn to "local authorities," including Daria Morozova, the "Commissioner for Human Rights" of the "DPR." Answers in writing are rarely received. Most of them state that requested information is being verified.

"But even if I know that Slava is being held in Donetsk detention center, I am not allowed to visit him," – says Iryna Momot. She first learned about her husband's condition after release in December 2019. "A former hostage said he had seen her husband in the basement of Donetsk Detention Center No. 5. Vyacheslav is alive, holds on, and misses his family very much," – Momot added.

Relatives often complain that they do not know how to approach the official Ukrainian authorities about the hostages' release. And they have no opportunity to monitor how the Ukrainian side is doing

after reporting kidnapping to the police and contacting the SSU.

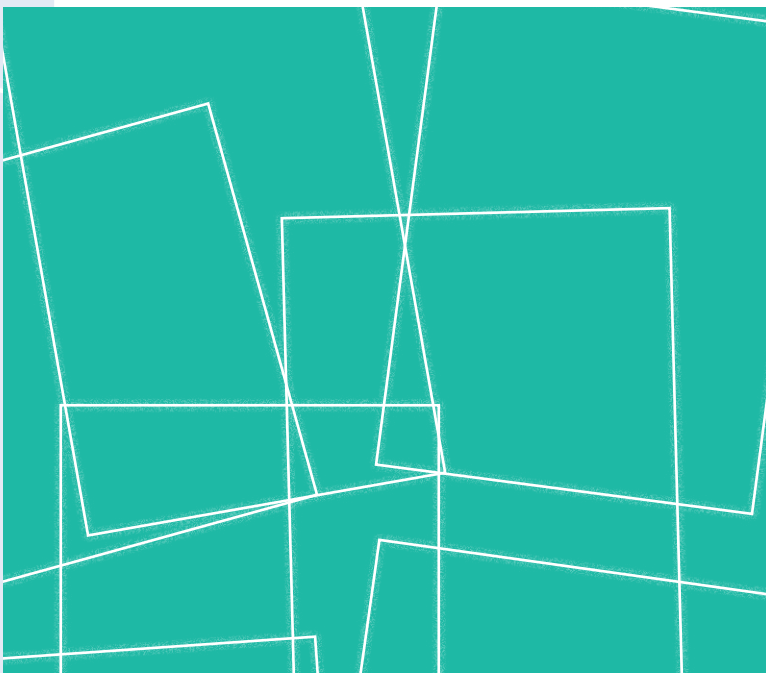
"Besides, I wrote letters to both the ICRC and the UN asking these organizations' staff to request access to my husband. So far, it's all in vain. Of course, I understand that a lot is beyond their control because the 'DPR' blocks such initiatives," – said Vyacheslav Shabolda's wife.

While he and Viktoria Harrius' husband are still being held hostage, Oleksandr Timofeev is already free: he was released on December 29, 2019. But Svitlana says that, to some extent, she contributed to her husband's inclusion in the "exchange" list. She moved to Kyiv and was able to personally meet officials, law enforcement officers, staff of various foreign embassies, participated in numerous demonstrations and rallies in support of the hostages and their relatives. "I've had three meetings with the Commissioner for Human Rights Valeria Lutkovska. I've been to the Military Prosecutor's Office. I've had two personal appointments with the Deputy Chairman of the SSU. I've had meetings with ambassadors of various European countries to Ukraine. I've had two meetings with OSCE Representative Toni Frisch. I personally fought for my husband's freedom, without sitting and waiting, I fought for his release every day," – Svitlana emphasizes.



# RECOMMENDATIONS

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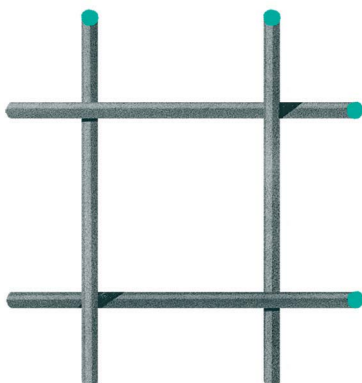
## I. **THE UKRAINIAN STATE SHOULD: ADOPT REGULATIONS:**

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- ✓ By supporting the Presidential Draft Law on Social and Legal Protection of Persons Deprived of Personal Liberty as a Result of the Armed Aggression against Ukraine and of Their Family Members.
- ✓ Ratify the Rome Statute of the International Criminal Court (ICC).
- ✓ The Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine should develop and submit relevant regulations (resolutions) as soon as possible to the Cabinet of Ministers of Ukraine for implementation of the provisions of the law.
- ✓ Harmonize national criminal and criminal procedure laws of Ukraine with international law, including by having the President of Ukraine sign Law of Ukraine No. 2689 On Amending Certain Legislative Acts of Ukraine Concerning the Implementation of International Criminal and Humanitarian Law. This will improve the quality of national criminal proceedings related to armed conflict.

### PROVIDE EFFECTIVE REPARATIONS:

- ✓ Provide ongoing psychological counseling after the release of persons deprived of personal liberty as a result of the armed aggression against Ukraine.
- ✓ Design, by engaging victims, a gender-sensitive reparations program for persons deprived of personal liberty as a result of the armed aggression against Ukraine and their family members.
- ✓ Include the delivery of sustainable high-quality free medical and psychological care in the reparations program. Such care should be gender-sensitive and must include counseling on sexual health/life, reproductive issues, and communication with a loved one.
- ✓ Include the provision of housing for released persons who were deprived of personal liberty as a result of the armed aggression against Ukraine in the reparations program. If such persons are still held in unlawful prisons, Ukraine should provide housing directly to their families.
- ✓ Make sure that high-quality sustainable psychological, legal, and financial support is available for families, especially children, persons deprived of personal liberty as a result of the armed aggression against Ukraine, during such deprivation of personal liberty and after release.
- ✓ Effectively support released victims in finding employment and getting, if necessary, professional re-training.



### IMPROVE THE EFFICIENCY OF INVESTIGATIVE AUTHORITIES:

- ✓ Prioritize criminal proceedings into crimes that remain unresolved due to stigmatization or the investigation's and prosecution's lack of experience.
- ✓ Design gender-sensitive investigative strategies, especially regarding alleged crimes of unlawful deprivation of liberty, torture, sexual violence, forced disappearances, forced labor, human trafficking, deportation, or forced displacement.
- ✓ Provide continuous training and psychological support to investigators, prosecutors, judges, and other government staff facing the victims of serious human rights violations, war crimes, and crimes against humanity.
- ✓ Make sure that a psychologist is available at all times during the communication of victims with law enforcement/public authorities and at all stages of criminal proceedings where the victims are involved.

### IMPROVE THE DEVELOPMENT AND IMPLEMENT THE FOUNDATIONS OF TRANSITIONAL JUSTICE:

- ✓ Make sure women are engaged at all times in formulating and implementing transitional justice, deoccupation, reintegration and, more broadly, public administration policies in Ukraine.
- ✓ Consult with victims throughout the development and implementation of transitional justice and reconciliation policies.
- ✓ Pursue high-quality strategic communication of various gender impacts of grave human rights violations, war crimes, and crimes against humanity, and incorporate the special needs of female and male victims in transitional justice, deoccupation, and reintegration policies. Among other things, such communication should help destigmatize and facilitate the resocialization of victims.

### **ENHANCE COOPERATION WITH INTERNATIONAL COURTS AND FOREIGN INVESTIGATIVE AUTHORITIES:**

- ✓ Effectively cooperate with the ICC at all stages and assist the Court in investigating all cases of unlawful deprivation of liberty as a result of the Russian-Ukrainian armed conflict, including the related cases of torture and sexual violence.
- ✓ Continue to deliver high-quality analytical reports to the ICC on alleged war crimes and crimes against humanity, including imprisonment, torture, inhuman treatment, biological experiments, forced disappearances, and sexual violence. Emphasize the gender aspects of crimes concerned in such communications to the ICC.
- ✓ Maintain ongoing cooperation with foreign national investigative and prosecution authorities, including by providing evidence required to commence criminal proceedings in other countries on the principle of universal jurisdiction over alleged grave human rights violations, war crimes, and crimes against humanity in the Russian-Ukrainian armed conflict.

### **ENHANCE COOPERATION WITH CIVIL SOCIETY:**

- ✓ Incorporate different gender impacts and related special needs of victims of grave human rights violations, war crimes, and crimes against humanity in relevant public education programs and memorial initiatives.
- ✓ Expand constructive cooperation with civil society and the professional community, including as concerns the recording of alleged grave human rights violations, war crimes, and crimes against humanity, the reporting of such acts to the ICC within its jurisdiction. Collaborate on gender-sensitive assistance to persons deprived of personal liberty as a result of the armed aggression against Ukraine and their families and on other matters of transitional justice, deoccupation, and reintegration.

### **II. THE UKRAINIAN CIVIL SOCIETY SHOULD:**

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- ✓ IRecord alleged grave human rights violations, war crimes, and crimes against humanity in a gender-sensitive manner.
- ✓ IReport documented crimes to the ICC by emphasizing their gender aspects.
- ✓ IEstablish cooperation with Ukrainian law enforcement agencies, including the Department for Oversight of Investigations of Crimes Committed in the Armed Conflict of the Prosecutor General' Office of Ukraine and newly created relevant units of the SSU and the National Police, facilitate communication of released hostages and their relatives with investigation and prosecution, raise the victims' awareness of the need to cooperate with law enforcement agencies so that justice can prevail.

### **III. UKRAINE'S INTERNATIONAL PARTNERS SHOULD CONSIDER:**

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- ✓ Imposing or strengthening sanctions and other restrictive measures against persons implicated in grave human rights violations, war crimes, and crimes against humanity in the Russian-Ukrainian armed conflict.
- ✓ Deliver more effective professional and technical support to Ukraine's investigation, prosecution, and judiciary authorities regarding a gender-sensitive approach to addressing alleged grave human rights violations, war crimes, and crimes against humanity and their victims.
- ✓ Supporting the commencement of criminal proceedings into alleged grave human rights violations, war crimes, and crimes against humanity in the Russian-Ukrainian armed conflict, including on the principle of universal jurisdiction.

