



Ukraine



Discrimination / Unchanged —

Religion

Population

Area

- Christians : **86.1%**
- Agnostics : **9.9%**
- Atheists : **2.2%**
- Muslims : **1.6%**
- Others : **0.2%**

44,624,000

603,500 Km²

Legal framework on freedom of religion and actual application

Article 35 of the constitution provides for freedom of religion and worship, as well as the separation of church and state. State schools are secular. It guarantees the right to conscientious objection on religious grounds. People can opt out of military service in favour of another activity not involving the Forces.^[1]

The “Law of Ukraine on Freedom of Conscience and Religious Organisations” from 1991 states that a religious group wanting legal recognition should register with the Ministry of Culture (MOC), a government agency regulating religious affairs. The MOC oversees religious centres, missions, religious schools and religious associations. It is not possible for a religious organisation, which is active nationwide, to be recognised on a national level; registration is managed locally, in the places where such groups are active. While a non-religious group must have at least three members to be eligible for registration, the requisite minimum number for faith organisations is 10. Faith groups must also present a copy of their statutes to the local authorities. In addition, a religious group needs to be registered as a NGO with the Ministry of Justice.^[2]

Recently, several draft bills have caused controversy. Bills 4511 and 4128 have been seen as directed against the Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP). A group of parliamentarians claimed that the Russian government might be using the UOC-MP to deepen religious divisions in the country and further destabilise it. The bills place UOC-MP churches in a special category as religious organisations “whose administrative centres are located in a state recognised ... as an aggressor state”, and they promote the transformation of such churches into members of the Kiev Patriarchate (UOC-KP).^[3] The draft law would not allow the UOC-MP to appoint bishops or promote clerics to senior positions without central government’s prior approval. In response, the UOC-MP decided to move its administrative centre to Kiev in November 2017.^[4] Catholic Bishop Jan Sobilo of Charkiv said the bill potentially threatened Catholics, since discussions on a religious group’s future could be subject to improper influence by outsiders^[5]

In 2017 controversy broke after reports that the MOC was delaying the re-registration of the UOC-MP statutes. MOC representatives claimed the statutes were not in line with Ukrainian legislation, for example by omitting clauses stating its non-profit status. This delay was criticised by the UOC-MP leadership as arbitrary. In December 2017 the compulsory re-registration of Church statutes has been abolished by parliament. Currently, the entry of religious organisations to the register of non-profit organisations is guaranteed.^[6]

According to the 2016 US International Religious Freedom Report, there were several instances of the government trying to tackle religious discrimination against minority religious groups, such as the Jehovah’s Witnesses, especially when the acts of oppression were carried out by local officials. The parliament’s human rights’ ombudsman successfully sought to overturn a 2015 ban directed against all religious groups present in Osytniazhka village, central Ukraine, except the local Orthodox community. Another example was the reversal of another ban from 2015, in the village of Otyniya, in the Ivano-Frankivsk Oblast. There, the local village council prohibited religious organisations from renting buildings owned by the authorities. In some cases, local courts overturned rulings against Jehovah’s Witnesses fined for displaying their literature publicly.^[7]

On 16th June 2016, parliament appealed to the Ecumenical Patriarch to recognise a united Ukrainian Orthodox Church. While the UOC-KP and UAOC supported the appeal, it was criticised by the UOC-MP as government “meddling” in religious affairs. In his annual address to the parliament on 6th September 2016, President Poroshenko declared that the government would not “watch indifferently” while Russia interfered in the country’s ecclesiastical affairs. He advocated creating a united and independent Ukrainian Orthodox Church. UOC-MP representatives, on the other hand, continued to report discrimination against its members by both representatives and high-ranking supporters of the UOC-KP. The UOC-MP complained about the central government’s allegedly inadequate response.^[8]

There were several instances of discriminatory treatment by local authorities involving land allocated to minority religious groups for buildings, for example in Ivano-Frankivsk, Kirovohrad, Mykolayiv, Odesa, Ternopil Oblasts and the City of Kyiv. Roman Catholics, UOC-KP members, Ukrainian Greek Catholic Church (UGCC) members, adherents of the Church of Jesus Christ of Latter-day Saints and Muslims in the central and southern regions, reported similar discrimination. Meantime, the government was still refusing to return the Roman Catholic seminary in Odesa confiscated during Soviet times. Similar problems with restitution of former Roman Catholic Church (RCC) properties occurred in the city of Lviv and other cities in Western Ukraine, which in some cases had been turned over to Greek Catholics. The UGCC on the other hand, had difficulties obtaining land for its churches in Sumy and Odesa, while the UOC-MP reported similar issues in Lviv and Ivano-Frankivsk. The same goes for the Church of Jesus Christ of Latter-day Saints in Kyiv, who reported that the city government was not helpful in the reinstatement of a lease of land, which was intended for the construction of a place of worship. The respective representatives of the religious communities stated that local authorities were obstructive. Roman Catholic representatives stated that the authorities were biased in their approach to restitution disputes.^[9]

Eduard Dolinsky, the director of the Ukrainian Jewish Committee, criticised what has been described as the whitewashing of Second World War crimes committed by the Organisation of Ukrainian Nationalists (OUN) and its military wing, the Ukrainian Insurgent Army (UPA). While he commended the government’s 75th-anniversary commemoration of the Babyn

Jar Massacre, which resulted in the death of some 33,000 Jews during the Holocaust, he argued against the glorification of Ukrainian nationalists, who were often seen as complicit in such crimes. The apparent collaboration of the OUN-UPA during the Holocaust, as well as the massacres directed against Polish civilians, are reportedly being whitewashed by government-sponsored institutions such as the Ukrainian Institute of National Memory. Instead, its leaders and members are being honoured by having streets named after them. Since the parliament's 2015 Memory Law, which was widely criticised by activists and leading international scholars, there has been a state-supported movement to rehabilitate OUN-UPA fighters.^[10]

| Incidents

In the Oblasts of Luhansk and Donetsk, there were several instances where Russian-backed separatists imprisoned members of minority religious groups. The 2016 US International Religious Freedom Report highlighted the persecution of Jehovah's Witnesses. On 24th June 2016, separatist "authorities" adopted the Law on the Freedom of Worship and Religious Associations, which banned the creation of "sects". The legislation requires all religious groups to register with the separatist leaders, who are given extensive powers to deny applications of this nature.^[11]

After the law was passed, several Kingdom Halls were seized by the separatists. For example, on 22nd July 2016 a religious service was interrupted in the city of Horlivka by armed men, who ordered everyone present to leave. They stated that the service had been organised by a banned religion. The gunmen reportedly vandalised the building afterwards. Three days later, there was a similar incident in the same city, where another Kingdom Hall was seized. Volodymyr Popkov, the local minister, was seized and reportedly interrogated. He was apparently told on pain of death to stop his religious activities. The minister was not released until the following day. The Russian-backed separatists also seized a church belonging to the Seventh-day Adventists and staged a demonstration against "sects" outside a church belonging to the UGCC. Several places of worship previously seized by the separatists are being used as military facilities. According to the executive director of the Institute for Religious Freedom, a Kyiv-based NGO this includes a complex of buildings belonging to Donetsk Christian University, a building of the Word of Life Bible Institute in Donetsk, and several places of worship of the Mormons and Jehovah's Witnesses.^[12]

Other examples of religious persecution in the separatist-controlled regions date from July and August 2017, when the Supreme Court of the Donetsk People's Republic placed two publications of the Jehovah's Witnesses on the Republican Extremist Material List. On 4th August, religious services held by the Jehovah's Witnesses were interrupted by anti-terror units, police and soldiers in Alchevsk and Luhansk. During a search of the building, they allegedly found propaganda pamphlets directed against the separatists. The Jehovah's Witnesses said the literature was forged and had been planted there.^[13]

On 2nd February 2018 a new law was adopted in the area controlled by the Luhansk People's Republic, banning faith groups of five or more persons, which are not categorised as a "traditional religion".^[14]

In occupied Crimea, the situation for the local Tatar population deteriorated further. The 2016 US State Department International Religious Freedom Report stated: “The occupation authorities subjected Muslim Crimean Tatars to abductions, forced psychiatric hospitalisations, imprisonment, and detentions, according to human rights and international organisations.”^[15] Local police forces continually refused to investigate reported attacks on religious buildings belonging to the Crimean Tatar communities. Human rights groups reported that Russian media were running campaigns against Crimean Tatar Muslims. The media accused them of being linked to terrorist groups. A particular target has been the Bakhchisaray Mejlis (the executive-representative body of the Crimean Tatars), which in March 2016 was called an “extremist” organisation by the occupation authorities. Two months later, one of the Bakhchisaray Mejlis was kidnapped by uniformed men; others, meanwhile, were sent to psychiatric hospitals. More psychiatric hospitalisations and imprisonments were inflicted on Muslims accused of belonging to the Hizb ut-Tahrir, a Muslim organisation banned in Russia.^[16] According to a KyivPost report, pressure on Crimean Tatars intensified in the run up to the March 2018 Russian presidential elections.^[17]

The RCC, UGCC and UOC-KP was also targeted in Crimea. Russian media speak out against the UOC-KP and UGCC, which they label “fascists” for allegedly taking sides in the conflict between Ukraine and Russia. The UOC-KP said more than a third of its religious buildings were seized by the occupying authorities. The new Crimean authorities reportedly make it difficult for Catholic bishops wanting to send priests to parishes there.^[18]

The Jewish community was concerned about Lviv’s Krakivskiy Market which continued to be held on the site of an old Jewish cemetery. There were reports of vandalism at Holocaust memorials, synagogues, and Jewish cemeteries. According to the 2016 US State Department International Religious Freedom Report, the grave of Rabbi Aryeh Leib in Shpola, Cherkasy Oblast, was opened on 24th July 2016 and a Molotov cocktail thrown inside.

In Kharkiv, an unidentified man struck Israeli journalist Yitzhak Hildeshaimer from behind. The assailant reportedly performed a Nazi salute when Hildeshaimer turned around. After the attack, on 24th August 2016, the reporter said that his yarmulke was a likely reason for the attack.

In November and December 2016, a spate of anti-Jewish incidents took place – vandalism, verbal abuse and mockery of religious customs. These occurred in the cities of Chernivtsi, Uzhgorod and Uman. This last attack saw worshippers near a synagogue splashed with paint and sprayed with noxious gas. The authorities publicly condemned the attacks and opened investigations. On 31st December, again in Uman, a cross was vandalised. The police claimed it was a possible revenge attack in response to anti-Semitic incidents.^[19]

Another, anti-Semitic incident took place in March 2017 when the Holocaust memorial in Ternopil city was spray-painted with a swastika and an SS logo.^[20]

Prospects for freedom of religion

The religious divisions in the country might be best symbolised by the case of a UOC-MP priest in Zaporozhe who denied a Christian burial to a toddler killed in an accident because the two-year-old had been baptized in a UOC-KP church. The accident happened in January 2018 when a man committing suicide jumped off the seventh floor of a building and fell on the child.^[21]

Despite the armistice between the national forces and the Russian-backed separatists, there were many violations of human rights, including religious freedom. The separatists in Luhansk, Donetsk and Crimea continue to harass non-Orthodox religious groups. In the government-controlled areas, religious discrimination also occurs. The state continues a policy of downplaying World War II crimes and anti-Semitic incidents remain a problem. While the government attempted to reverse local authority measures discriminatory to religious minorities, overall there seem to be few signs of improvement. Religious freedom conditions remain acute.

Endnotes / Sources

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