Ukrainian Orthodox Church's Representation to European and International Organizations comments on the Ukrainian authorities' response to joint communication of UN Special Rapporteurs concerning violations of the rights of believers

The commentary was published by the Information and Education Department of the Ukrainian Orthodox Church.

On 20th May 2019, Ukraine's Ministry of Foreign Affairs, through the Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva, presented a response to the joint communication of the UN Special Rapporteurs concerning violations of the rights of believers of the Ukrainian Orthodox Church (UOC) in 2014-2018. The response was sent almost 5 months overdue, but it is indicative that a central body of state authority for the first time officially reacted to the problems of violation of the rights of the UOC believers and in a written form expressed its position, although this document leaves many questions unanswered. The full text of the response is available in the system of the UN Special Rapporteurs **[1]**.

It is to be recalled that on 30th October 2018, several UN Special Rapporteurs, namely, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, and the Special Rapporteur on freedom of religion or belief, addressed the state of Ukraine with a joint communication, asking to clarify the situation regarding seizures of church buildings, acts of violence against and intimidation of the UOC faithful, discrimination and violation of the rights of believers during the All-Ukrainian Cross Procession, as well regarding the fact that no investigations were initiated into these and many other cases (to learn more, read Mandates of the Special Rapporteurs **[2]**).

It should be noted that the official response of the authorized body of Ukraine's Ministry of Foreign Affairs with regard to the facts, well known to the international community, of the violation of the rights of the UOC faithful contrast with the hate speech comments of many Ukrainian officials, public figures and journalists over the years 2014-2018.

For instance, the document says that the All-Ukrainian Cross Procession "took place peacefully and calmly without violations of civil order;" yet, everyone remembers that the UOC faithful were not

permitted to take part in the cross procession in Odessa, as the Press Service of the Odessa diocese officially stated **[3]**, as well as that attempts were made to block the procession in the Zaporozhie region **[4]**, where 16 buses with believers were detained under different far-fetched pretexts.

At the same time, the authorized body of Ukraine's Ministry of Foreign Affairs provides unclear information concerning a case of the UOC religious community in Ptycha village, Rivne region. The document informs the UN representatives about the "arrest of the church," but does not specify who initiated it. It should be noted that the court made such decision upon a motion of investigating bodies within the framework of criminal proceedings, initiated under far-fetched pretext and politically motivated. Thus the church belonging on the basis of ownership to the UOC religious community was blocked. A question why the authorities kept under attachment the property of the religious community for more than a year and a half has been left unanswered.

It seems that the authors of this document have no factual materials on the case of Katerynivka village, Ternopil region, where the Orthodox faithful were brutally beaten by representatives of law enforcement agencies, while the recorded data on this case has already been presented to the UN Special Rapporteurs and other international legal organizations.

Especially telling are the claims of the Ukrainian side that in the villages of Kotiuzhyny of Zbarazh district, Katerynivka and Kolosova of Kremenets district, Ternopil region, new churches were built for the UOC believers. The context creates an impression that the state did that. However, in reality, these buildings were constructed by believers themselves, despite the opposition from the local authorities, for churches were being built in private lands, that is, the local government bodies could not even allocate the land for these buildings **[5]**.

We will leave it on the diplomats' conscience what assessment they gave to the activities of His Eminence Metropolitan Sergiy of Ternopil and Kremenets. The official response of the authorized body of Ukraine's Ministry of Foreign Affairs says, in particular: "Conflicts in these villages [Ternopil region] arose in 2014-2017 mainly due to the socio-political situation, the position of a certain part of the clergy of the UOC on the events in eastern Ukraine and certain gaps in the organization of management of the diocese. The leader of the diocese practically does not personally participate in any events organized either by religious communities or state authorities for organization of dialogue and elaboration of compromise decisions. During all the meetings organized by the state authorities in order to find ways out of a crisis situation it was clear that the diocese of UOC was not ready to look for compromises and did not see the need for dialogue with UOC-KP accusing it of raider seizures of churches." In our view, this information is unethical and untrue. It seems that the authors of the official document did not even try to objectively appraise the situation, for since 2015 it is Metropolitan Sergiy and those authorized by him who hold meetings not only with the local officials, but also with the OSCE representatives **[6]** who

visit the Ternopil diocese on a regular basis. We bring it to the attention of all those concerned that in the Ternopil region, at the initiative of the OSCE and with the blessing of the diocesan hierarch, an attempt of dialogue took place between representatives of the UOC, UOC KP and UAOC, which continued in the agreed format between all sides of the conflicts. However, despite all the exerted efforts, the regional authorities could not or did not want to enforce the law during those conflicts when violations of the rights of the UOC faithful were obvious.

The published response of Ukraine's Ministry of Foreign Affairs, through the Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva, to the joint communication of the UN Special Rapporteurs once again demonstrates that the facts of systematic violation of the rights of the UOC believers have become known at a high international level. The Ukrainian Orthodox Church does not lose hope that the aforementioned problems will be resolved very soon and that in future representatives of the government authorities of Ukraine will not have any new reasons to reply to inquiries of the international community.

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