Aggravation of the situation of the Ukrainian Orthodox Church ascertained in the UN

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The situation of the Ukrainian Orthodox Church has considerably worsened with the granting of ‘autocephaly’ to ‘the Orthodox Church in Ukraine’, states the report on Civic Space and Fundamental Freedoms Ahead of the Presidential, Parliamentary and Local Elections in Ukraine in 2019-2020, published by UN Office of the High Commissioner for Human Rights. The reports covers the period from January 1, 2018, to January 15, 2019, the *patrairchia.ru* portal reports.

In the section on freedom of religion and beliefs, it is noted that ‘although tensions between Orthodox communities in Ukraine existed prior to the armed conflict in eastern Ukraine, they have been significantly exacerbated by the ongoing autocephaly process.’

Throughout the reporting period, OHCHR documented 10 incidents of threats and acts of intimidation against clergy and parishioners mainly affecting the Ukrainian Orthodox Church.

OHCHR is concerned that the current political environment further contributes to tensions negatively impacting the freedom of religion or belief, with possible negative consequences for other human rights on the eve of the election.

In November 2018, following the refusal of the Ukrainian Orthodox Church to join the newly established Orthodox Church in Ukraine, the Security Service of Ukraine (SBU) launched a series of criminal investigations into allegations of incitement to religious hatred, with the additional charge of high treason in at least one case. SBU searched the property of the Ukrainian Orthodox Church and the homes of the clergy hierarchy. SBU also interrogated clergymen in different regions of Ukraine. Individuals interviewed by OHCHR, reported that such actions put them under pressure and said that despite the absence of direct threats or coercion, they considered these as attempts to influence their position on autocephaly.

On 20 December 2018, the Parliament voted to begin the mandatory renaming of the religious organizations affiliated with religious centres in the Russian Federation, primarily targeting the communities of the Ukrainian Orthodox Church. The Parliament also adopted restrictions on the access of clergymen of such organizations to the premises of the Armed Forces of Ukraine on the basis of

national security considerations. This contravenes article 18(3) of the International Covenant on Civil and Political Rights as national security is not a permissible ground for a restriction of freedom of religion or belief.

OHCHR recommends to the Ukrainian government to promptly improve the protection of fundamental freedoms of citizens. In particular, it is recommended ‘to uphold Ukraine’s international human rights obligations, i.e. not only to ensure the right to manifest one’s religion or belief in worship, either individually or in community with others, observance, practice and teaching, but also to take effective measure to ensure that no one shall be subject to discrimination by any State institution, group of persons, or person on grounds of religion or belief’.

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