The Ukrainian Orthodox Church released a statement on certain issues related to the situation of the its believers in the context of international law

The Representation of the Ukrainian Orthodox Church to European International Organizations issued a statement in which it pointed out the continuing violations of the rights of Orthodox Christians in Ukraine and the inconsistency of the actions of the Ukrainian state in these matters in the context of international law and OSCE standards.

Among the violations of the rights of the faithful of the canonical Ukrainian Orthodox Church, the statement mentions, in particular, the continuing church raiding, serious criminal offences against believers of the Ukrainian Orthodox Church, blocking registration of statutes and restricting civil rights of religious organizations of the UOC by the law on forced renaming, dissemination of hate speech in the media against clergy and laity of the UOC.

«The Holy Synod of the UOC and the Council of Bishops of the UOC have repeatedly voiced their concern regarding the facts of violations of the UOC believers' rights, as well as a discriminatory policy pursued by the authorities at various levels. At the same time, a number of State actors, religious leaders, as well as the media continue to promote a thesis that the UOC communities change their canonical jurisdiction voluntarily. – stresses the document. – Giving an assessment to these false

claims, it has to be noted that nearly 500 churches of our confession have been seized or illegally re-registered since 2015. During the seizures of the temples, for example, in Zadubrivka, Katerynivka, Ptycha, lots of grave crimes were committed, which inflicted damage on the UOC believers. Furthermore, the number of public testimonies and appeals of believers on such grievous offenses is so numerous that the fact of en masse human rights violations associated with church raiding does not require any special inquiry».

It is noted that «the church raiding scheme applied to UOC temples and currently implemented in Ukraine occurs both via direct seizure without any supporting documentation and through illegal re-registration of the community in favor of “Orthodox Church of Ukraine” (hereinafter referred to as the “OCU”) by virtue of regional state administrations». The documentary forgery under this scheme foresees the submission to the state body of the minutes of a parish assembly meeting on the transfer of the community to another confession, signed by persons who in fact have no legal right to sign anything.

In the statement of the Representation it is also noted that the international law condemns any form of manifestation of intolerance, discrimination, incitement to hostility towards a group united on racial, ethnic or religious grounds. Offenses against this group include a hostile or accusatory rhetoric in relation to the entire group of believers or the entire denomination, regardless of individual people and without any legal evidence of inappropriate behavior of representatives of the victim group. «The political accusations of the UOC conducting anti-Ukrainian activities, contained in the statements of state officials, appeals of deputies of different levels, approved by decisions of local self-government bodies, are a clear manifestation of hate speech and incitement of intolerance towards the entire confession of the UOC as a whole at the state level», – stresses the Representation of the Ukrainian Orthodox Church to European International Organizations.

The document provides specific examples of such violations and notes that the accusations «have never been confirmed in any way by the decisions of law enforcement agencies. Therefore, they are only unreliable speculations, value judgments of individuals who, nevertheless, are endowed with powers and hence have a negative impact on shaping public opinion in relation to the multimillion flock of the UOC».

«It is precisely these propaganda patterns that shape the opinions of the population and notably radical organizations, which elicit information from the narratives of state officials, deputies and the media about the possibility and even encouragement of committing offenses against the believers of the UOC», – states the document, pointing out the stable tendency of political marking of the believers of the canonical Church that has developed in the country and ignoring the fact that the UOC is an organization that provides the exclusively spiritual guidance to its flock in order to «save and unite

believers with the Lord Jesus Christ».

Having stated that the position of the Ukrainian Orthodox Church regarding the actions of Patriarch Bartholomew of Constantinople is based on the canon law, the Representation of the UOC to European international organizations notes: «At the same time, the actions to create in Ukraine the religious association “Orthodox Church of Ukraine” on the basis of the Tomos, issued by the Patriarch of Constantinople, obviously entails increased discrimination and pressure on the UOC due to the privileges granted to this confession by the authorities and seething hate propaganda in relation to the UOC. If the state authorities of Ukraine had ensured the voluntary change of confessional affiliation and hadn’t given preferences to the OCU, the creation of the new religious structure wouldn’t have eventuated in tragic clashes around the communities of the UOC, which are forced to change their jurisdiction by various political forces and radical organizations».

The statement also points out that Ukraine does not comply with the UN recommendations on the inadmissibility of privileged churches. For example, the newly created structure of the “OCU” was arbitrarily granted the temple of the St. Sophia of Kyiv complex, while repeated attempts by the UOC to obtain a similar right were ignored.. «Structures of the UOC in other regions of Ukraine face similar restrictions on their rights, notably with the allocation of land plots to the UOC communities for the construction of churches, as well as with the implementation of other legal rights that are currently blocked for political reasons or are extremely hampered.», – states the Representation, noting that the process of the so-called “transitions” of the UOC communities to the “OCU” at the level of central and regional authorities receives substantial administrative support, while state structures of the highest level openly demonstrate a privileged position of the “OCU”. .

Touching upon the topic of the attitude of the believers of the Ukrainian Orthodox Church towards the actions of the Patriarchate of Constantinople to provide the Tomos to the newly created religious association "OCU", which are seen as a violation of canonical and international law, the Representation pointed out that «the UOC stated its position on these actions, having determined that the decision of the Holy Synod of the Patriarchate of Constantinople of October 11, 2018 to grant the Tomos of autocephaly to the OCU is invalid and has no canonical force. Mass crimes against the believers of the UOC as well as a discriminatory state policy allow us to conclude that the policy of the Patriarchate of Constantinople has created serious conditions for growing human rights violations in Ukraine in the religious field.» – stresses the document.

The Statement also points out that there is no full published text of the decision of the Synod of the Patriarchate of Constantinople on the “Ukrainian issue”, while judicial acts on the reinstatement of the “UOC KP” and “UAOC” hierarchs have not been made public, which gives reason to consider all these decisions as controversial, non-existent or having such legal faults that prevent them to be presented

publicly for evaluation and analysis.. «In fact, the decisions of the Patriarchate of Constantinople on the “Ukrainian issue” were assessed by the international and national community only on the basis of media publications, statements by some politicians, and the text of the Tomos, which is not an initial act on granting autocephaly and restoring the clerics of “UOC-KP” and “UAOC” in their canonical dignity.», – states the document. «All these facts indicate possible grievous violations of the law during the preparation and adoption of decisions on the “Ukrainian issue”, which therefore question their legitimacy».

The document argues that Orthodox believers-citizens of Ukraine cannot be persecuted and accused of inciting religious hatred if they declare their attitude to the actions of the Patriarch of Constantinople and the “hierarchy” of the “Orthodox Church of Ukraine”, questioning the latter’s canonicity and grace, and consider the actions of Patriarch Bartholomew of Constantinople on the “Ukrainian issue” to be destructive and fraught with a split in Ecumenical Orthodoxy. «Such a stance on the actions of the Patriarchate of Constantinople in Ukraine is shared by the entire UOC. Moreover, prohibiting millions of believers to embrace their position is a violation of international law, including Art. 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and Art. 19 of the International Covenant on Civil and Political Rights. Consequently, “shutting down” the UOC faithful is an unlawful restriction of freedom of speech and therefore constitutes an offense.» – states the document.

The statement notes, that the so-called “law on renaming”, adopted by the Parliament of Ukraine (No. 2662-VIII of 20.12.2018), which established an obligation for all religious organizations of the UOC to change their historical name, including the information about their subordination to the state recognized in Ukraine as the aggressor country, is a vivid example of discrimination, restriction of freedom of religion, as well as a way of forcing believers of the UOC to renounce their canonical and historical identity. «The right to choose the name is intrinsically part of religious freedom; hence any narrowing or imposing additional obligations and restrictions contradicts Article 22 of the Constitution of Ukraine, which explicitly prohibits the reduction in the scope of existing rights by new laws. In this context, relevant are the provisions of Article 18 of the International Covenant on Political and Civil Rights, ensuring the right to profess one’s faith and practice one’s own religion freely, including the freedom to choose one’s unique historical name without any coercion. Attention should also be paid to the provisions of the Framework of Analysis, developed by the UN Secretary General’s Office and aimed, in particular, at the prevention of genocide. According to this document, the marking of a group of persons on religious or other grounds alongside discrimination of this group is a sign of imminent mass crimes in the country and a failure to protect human rights in the region.», – reminds the Representation of the Ukrainian Orthodox Church to European International Organizations.

The text also says that the UOC has a centuries-old historical, canonical and spiritual relation with the

Russian Orthodox Church. The UOC is not under the administrative authority of the ROC but is a self-governing Church with its governing center in the capital of Ukraine – Kiev.

«The UOC has repeatedly stated that its status is sufficient to carry out religious activities in Ukraine, which is also in line with the right of believers to freely choose a confession they wish to practice their religious beliefs., – reads the statement. – In this regard, the idea of the need to change the status of the UOC believers under the pressure of external persons, including functionaries and politicians, can only be advisory and can involve no coercion whatsoever. It's mandatory that the already existing status and name of the religious organization be preserved in Ukraine».

Representation of the UOC to European International Organizations expresses its gratitude to the international structures that have shown their concern about the problems of the UOC and stressed that: «the responsiveness of international structures, particularly those authorized with international legal mandates aimed at protecting the believers' rights and curbing discriminatory attitudes, including on the part of civil servants, should undoubtedly facilitate the improvement of the country's policy in relation to religious organizations.».

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