



The UN: Ukraine has not proven the legality of its actions aimed at banning the Ukrainian Orthodox Church



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“Ukraine has not demonstrated the necessity and proportionality” of its actions aimed at dissolving religious organizations, including the Ukrainian Orthodox Church, says the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the situation in Ukraine from September to November 2024.

On 23 September 2024, legal amendments related to religious organizations entered into force in Ukraine. The law adopted by the Verkhovna Rada and signed by Volodymyr Zelensky allows for the prohibition of the activities of the Ukrainian Orthodox Church (UOC) in the country.

“The dissolution of a religious organization is a serious restriction that affects the ability of individuals to practice their religion or belief together with others and threatens the viability of the community as a

whole, which requires very serious justification. Ukraine has not demonstrated the necessity and proportionality of this measure, such as by showing why less restrictive measures, such as measures restricted specifically to individuals responsible for wrongdoings, would not be satisfactory and sufficient.”

“Furthermore, the amendments state that a religious organization shall be dissolved if its “authorized persons” are convicted of various crimes, including those against national security, or if the organization is involved in “repeated facts” of spreading the “propaganda of the ideology of the Russian World,” vague terms that do not give fair notice of what the law requires. These provisions can result in entire religious communities being held responsible for the conduct of specific individuals. Furthermore, the overbroad and ambiguous formulation may put in jeopardy the right to freedom of expression,” the report says.

The OHCHR continues to monitor the Kyiv authorities’ reaction to the “incident” in the UOC cathedral in Cherkassy on 17 October 2024, Patriarchia.ru reports with reference to RIA Novosti.

On October 17, the OCU raiders seized the Cathedral of St. Michael the Archangel in Cherkassy during a second assault. There were victims among the parishioners and clergy, many with corneal burns caused by tear gas. The rector of the cathedral, Metropolitan Feodosy of Cherkassy and Kanev, was hit on the head and hospitalized. An elderly monk, Nektary, who had his head pierced, was also hospitalized. The police opened a criminal case under the article on hooliganism.

The Ukrainian authorities have organized the biggest wave of persecution in modern history against the Ukrainian Orthodox Church (UOC), the largest community of believers in the country. Referring to its connection with Russia, local authorities in various regions of Ukraine have decided to prohibit the UOC activities. The Security Service of Ukraine began to open criminal cases against clergymen of the canonical Church, to conduct “counterintelligence actions” - searches of bishops, priests, churches and monasteries, looking for evidence of “anti-Ukrainian activities.” Ukrainian courts have convicted some clergymen, and many are under arrest. Hundreds of the UOC churches had been forcibly seized by Ukrainian schismatics from the OCU with the support of the authorities.

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