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### **Challenges to freedom of religion and religious peace in the occupied territories of Eastern Ukraine**

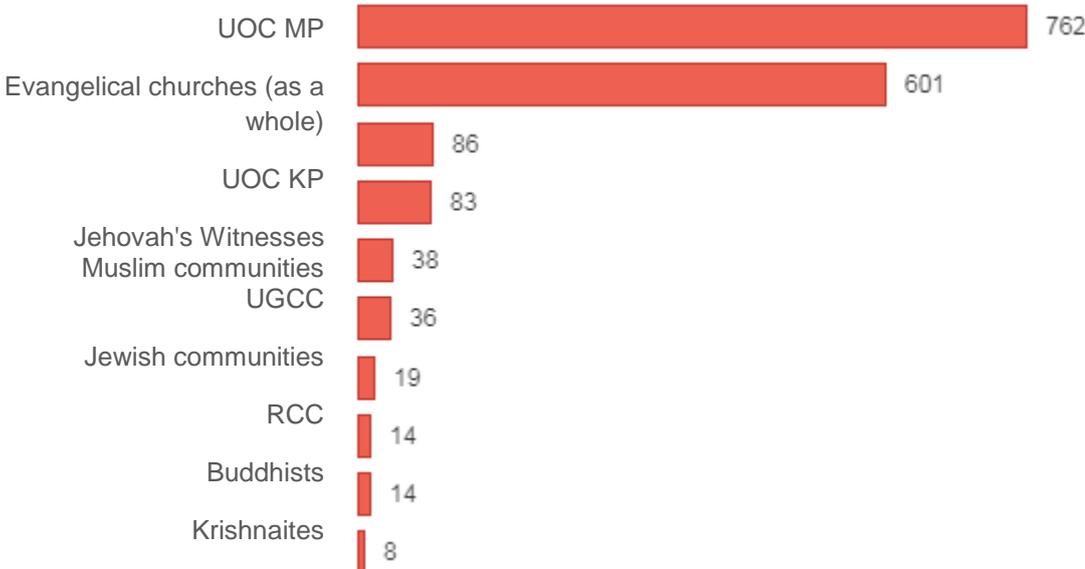
The armed aggression of the Russian Federation radically changed the situation with human rights, in particular, with religious freedom, in the territories of Ukraine, occupied by the Russian troops and paramilitary groups, fully supported by Russia. Russia's direct military intervention started with the occupation in February 2014 of the Ukrainian peninsula of Crimea and continued with the hidden subversive, provocative activities in the East and South of Ukraine. However, since July 2014, the attempts of the Ukrainian government to stabilise the situation in Donetsk and Luhansk regions were opposed by the Russian regular troops, their heavy artillery and multiple rocket launchers of volley fire, which were involved in military operations (often, without identification marks) against law enforcement agencies and the army of Ukraine.

As soon as the pro-Russian separatists had seized power in Donetsk, since April 2014 the Institute for Religious Freedom started to receive evidences of religious intolerance, in particular, information about anti-semitic postcards from the leaders of the self-proclaimed "Donetsk People's Republic" and, afterwards, about crimes on religious grounds, unseen here before. Kidnapping and illegal imprisonment, moral abuse, physical torture and even murders of unwanted clerics and believers of the "non-traditional denominations" became a real nightmare for the local religious community that had not experienced such persecution even during the Soviet terror. It was also accompanied by seizures of churches and prayer houses, by using some of them as firing positions and barracks for mercenaries and regular troops of Russia.

**So how has the religious situation in the East of Ukraine changed after the Russian aggression?** Religious pluralism, participation of religious organizations in public social life, ensuring religious rights at the level of international standards of freedom of religion or belief – this is what believers are now deprived of in the occupied territories of Eastern Ukraine. All these benefits of Ukraine as a democratic state, received and developed since the declaration of independence in 1991, are now available to the rest of the country's population. In particular, the opportunity for religious communities to act without state

registration, including printing and distributing religious literature, organizing public peaceful meetings, teaching children and adults about religion, disseminating their beliefs through the media and participating in public life.

Religious diversity was also peculiar to the regions of Eastern Ukraine. According to the official statistics for the beginning of 2014 (before the Russian occupation), there were 1797 religious organizations in Donetsk region. Among them, there were 762 parishes of the Ukrainian Orthodox Church of the Moscow Patriarchate (UOC), 366 churches of Evangelical Christians (Pentecostals, Charismatics and others), 186 churches of Baptist Christians, 86 parishes of the UOC of the Kyiv Patriarchate, 83 communities of Jehovah's Witnesses, 49 churches of the Seventh-Day Adventists, 38 Muslim communities, 36 Greek Catholic parishes, 19 Jewish communities, 14 parishes of the Catholic Church, 14 Buddhist and 8 Krishnaite communities.



*Denominational structure of religious communities in Donetsk region at the beginning of 2014*

By the example of Donetsk region, it was clear that, despite the Orthodox self-identification of the majority of the Ukraine’s population, a variety of other denominations was present in the region. Although, the number of Orthodox communities of the Moscow Patriarchate occupied a prominent place in Donetsk region (42% of the total amount), at the same time a third of all religious communities in the region consisted of the churches of Evangelical Christians of different denominations (33%), the Orthodox communities of the Kyiv Patriarchate (11%) were also available. Similar religious diversity was present in Luhansk region as well – there were 835 religious organizations of different faiths.

However, the militant groups, supported by Russia, almost in the first place began to establish their power by fighting against dissent: with any kind of loyalty both to the Ukrainian authorities and to Ukraine as a state and a nation. On the other side, apart from the motive of strengthening their influence at the expense of terror, the Russian propaganda was popularizing the myth that Orthodoxy and Russian language were being oppressed by the Ukrainian authorities and, therefore, allegedly needed armed protection. False propaganda influenced the attitude of the mercenaries and separatists, supported by Russia, towards the believers of other denominations. And some of them, for example, the illegal detachments of the so-called “Russian Orthodox Army” and Russian Cossack detachments, in particular, the “Great Don Army”, openly set for themselves a goal to build on the occupied territories an “Orthodox country”.

The above mentioned dominance of the Orthodox communities of the Moscow Patriarchate in the East of Ukraine disproves the thesis of the Russian propagandists about justification of military intervention on the grounds of protection of Orthodox believers, after all the Ukrainian government has ensured freedom of religion for all denominations in every possible way. In fact, the occupational authorities have followed the Russian experience, using the religious factor to strengthen their power. The methods of terror of the pro-Ukrainian communities and the eradication of any opposition and dissent, which have been used by the Russian authorities in the occupied Crimea, has become an example of this.

As a result, the residents of the territories of Donetsk and Luhansk regions, uncontrolled by the Ukrainian government, under Russian influence have been isolated from the rule of law and justice, from the influence of state and international human rights instruments – without any guarantees of respect for their human dignity, without being ensured human rights in general and freedom of religion in particular.

**Religiously-inspired persecution has become an instrument for strengthening the occupation power.** The majority of churches and religious communities in the occupied districts of Donetsk and Luhansk regions, excluding the Orthodox communities of the Moscow Patriarchate, are now forced to stop their religious activities or severely restrict them and operate underground. In particular, it has become impossible for most denominations to hold worship services in their own churches or prayer houses, either through the occupation authorities’ seizure of these church buildings or through the threat of identification of members of a particular religious community and their further harassment.

Peaceful street meetings (religious processions, prayers and evangelistic activities) have become also impossible, as has the distribution of religious literature, educational work with children and youth, chaplaincy services in hospitals and penal institutions.

Both large and even small religious communities in the East of Ukraine (primarily, the Evangelical Christians, the Orthodox Christians of the Kyiv Patriarchate, Greek Catholics and Jehovah's Witnesses) are perceived by the separatists as a threat to their undivided and arbitrary power.

**The “laws” of the self-proclaimed republics are implementing religious policy of Russia.** Religious situation in the occupied territories of Eastern Ukraine is being more and more aggravated by the fact that the occupation authorities, supported by Russia, have started to “legalize” their crimes against believers and religious communities, trying to hide them from the international community under the guise of legality. The authorities of the self-proclaimed “Donetsk People’s republic” (DNR) and “Luhansk people’s republic” (LNR) have adopted the so-called “laws” on the activities of religious organizations and on combating extremism, which, like in Russia, have become instruments for terrorizing religious minorities, fighting against dissent and any manifestations of opposition.

In June 2016, the occupation authorities in Donetsk introduced their own “DNR law” on religious freedom and religious associations. This document was not applied for two years until it was amended in May 2018, requiring all religious organizations in the region to re-register no later than March 1, 2019. The militants, supported by Russia, forced religious organizations to re-register under the threat of a ban on all their activities, fines, and confiscation of church buildings, prayer houses, and other church property.

The mentioned document also tells that religious expertise is mandatory for the re-registration of existing religious organizations. It is obvious that this requirement will be the main tool that the occupation authorities in the East of Ukraine will use to deny registration of religious communities. At the same time, if registration is successful, religious organizations and groups are required to submit a report on the continuation of their activities to the authorized body of “DNR” at least once a year.

Similar situation was repeated in Luhansk region, where the occupation authorities took the path of copying the legislation of the Russian Federation in order to use legal instruments for the total control over religious organizations and the legalization of repressions for religious beliefs. On February 2, 2018, the so-called “LNR Law” on freedom of conscience and on religious associations was adopted. However, among other things, that

document prohibited any activity of religious groups, understood as an organization consisting of five people and not directly related to any of the “traditional denominations”. At the same time, there was no list of such denominations, what allowed the “LNR” structures to act arbitrarily.

Indeed, the occupation authorities in Luhansk continued the deadline for re-registration, which ended on August 2, 2018, for another two and a half months, until October 15. Meanwhile, in February 2018, the occupation authorities introduced the so-called “LNR Law” on countering extremist activities, that, literally, copied a similar law of the Russian Federation. The similar “law” was introduced by the occupation authorities of Donetsk in June 2015. Obviously, the militants, controlled by Russia, used the same methods of restricting religious freedom and of control over religious organizations in the East of Ukraine, as in Russia itself.

The problem of re-registration concerns all religious organizations in the region, except the Orthodox communities of the Moscow Patriarchate, for which a simplified procedure of “legalization” is provided.

**Illegal confiscation of church buildings became a common practice of the occupation authorities in the East of Ukraine**, which pursued two aims. Firstly, to stop physically the activities of ideologically unreliable denominations that did not fit into the concept of “Russian World”. Secondly, to rob churches and prayer houses because of the desire for personal gain of the perpetrators of these crimes. At present, dozens of churches and prayer houses are not used for their intended purpose, most often, because of the seizure or closure by the pro-Russian militants, or as a result of the cessation of activities of the religious community due to fear and threats to the lives of believers. Positively, there is no evidence that on the occupied territories the Orthodox communities of the Moscow Patriarchate have claimed religious buildings of other denominations.

**International institutions also recorded a deterioration of religious freedom in the occupied territories of Ukraine due to the Russian aggression.** The Office of the United Nations High Commissioner for Human Rights (OHCHR) reported that during the entire period of the conflict, from April 2014 to May 15, 2018, at least 2,725 civilians were killed, including 140 children. In addition, 298 civilians, including 80 children, died on July 17, 2014 in the crash of an MN17 flight, adding 3,023 civilian deaths.

According to the OHCHR estimates, the total number of civilians, injured because of the armed conflict, was between 7,000 and 9,000. Herewith, more than 2 million people left

the conflict zone, including thousands of Jews, Muslims, Protestants and the representatives of other religious minorities, who faced pressure and discrimination.

In July 2014, OHCHR confirmed that the militants had stated that Orthodox Christianity (of the Moscow Patriarchate) was the main religion in the Donetsk region and that activities of “sects” were prohibited.

*“This approach explains largely the growing number of attacks on Protestants, Mormons and Roman Catholic churches in the areas, controlled by the militant groups. Religious leaders have been harassed, intimidated and abducted”*, confirms the OHCHR report.

**The U.S. Commission on International Religious Freedom** has specified in its annual report that the official ideology in the self-proclaimed “republics” is a mixture of Russian nationalism, Soviet nostalgia and Russian Orthodoxy. At the same time, for the members of the Christian minorities, living in “LNR” and “DNR”, including Evangelicals, Pentecostals, Greek Catholics and Jehovah's Witnesses, the initial stage of the occupation has become a blatant terror: kidnappings, torture and robberies have become the norm, doing which the occupants have openly demonstrated their contempt for the religious beliefs of the victims. More than 50 church buildings have been confiscated, and congregations have decreased by 30 to 80% as believers have been leaving the territories, occupied by the separatists.

While the number of the worst cases of violence have decreased since 2015, Christian minorities continue to be attacked, insulted, fined and defamed by the occupation authorities. It is difficult to obtain any information on the violations of religious freedom, because believers are afraid of persecution for the complaints to human rights organizations and foreign news agencies. The DNR and LNR authorities continue to be highly suspicious of any religious associations that are not affiliated to the Russian Orthodox Church.

*“Russia is a unique case in the list of the countries, included into this report, – it is the only state that has not only constantly been increasing the suppression of religious freedom since USCIRF has begun monitoring the situation in this area, but has also extended its repressive policy to the territory of a neighboring state through military invasion and occupation. This policy, from administrative threats to arbitrary arrests and killings without trial, has a systematic, blatant and constant character,”* USCIRF has stated in its 2017 report.

## **Conclusion**

Religious persecutions in the occupied territories of Eastern Ukraine is a foreign phenomenon both for this region and for the whole Ukraine. Before the Russian occupation, hundreds of religious communities of different Orthodox jurisdictions, evangelical churches of different denominations, as well as Jews and Muslims, Jehovah's Witnesses and Mormons, Buddhists and Krishnaites have co-existed on these territories for decades.

There is no doubt that religious factor has been used as one of the instruments of Russia's hybrid war against Ukraine, in which the false propaganda and the destabilization of society on religious, national and linguistic grounds play a significant role. Through provocations of splits and social explosions, the Russian authorities have been preparing the ground for further military intervention and occupation, as evidenced by the examples of the illegal annexation of the Ukrainian peninsula of Crimea and the military invasion of the eastern regions of Ukraine.

However, unlike in the Crimea, the Russian authorities do not take legal responsibility for everything that is happening in the occupied territories of Donetsk and Luhansk regions. Despite of the fact that the self-proclaimed "republics" could not exist without strong armed, military, financial and food support from Russia, the Kremlin leadership is still trying to hide Russia's presence in the region and its actual control over it.

Therefore, the situation in the occupied territories of Eastern Ukraine is being aggravated by the fact that there is no legitimate authority there that would be responsible for the observance of human rights and fulfilling international obligations in this area. Consequently, under the conditions of de facto military occupation, the civilian population cannot find justice and protection from the arbitrariness of Russian-supported militants and separatists.

Religious persecution and oppression of religious freedom, which has reached a terrible level of unprecedented cruelty during 2014-2015, is being continued till now in the occupied territories of Eastern Ukraine. An atmosphere of fear, created in the conditions of arbitrariness and impunity of the Russian militants, has led to the eradication of entire religious communities that have been forced to flee the occupied territories, saving their lives. As a result, local religious communities have been significantly reduced in number, many of them have lost clergy and the opportunity to contact their bishop, as the church leadership has been repressed in the first place.

The lack of proper international monitoring and the isolation from human rights organizations results in total impunity of the occupation authorities, supported by Russia, that carry no responsibility before anyone for their numerous religious crimes. This encourages the militants to continue their violence against the believers on the occupied territories of Eastern Ukraine.

As a result of this, by efforts of the international community it is **proposed** to establish a comprehensive and impartial international monitoring of the state of freedom of religion or belief, documenting and public disclosing of violations and crimes based on religion in the territories of Donetsk and Luhansk regions, that lie outside of Ukrainian government control. This should include the facts of forcing religious communities to re-register, further religious persecutions for the activities “without registration”, as well as groundless accusations of extremist activities.

It is also important that Ukrainian civil society and the government take measures to improve communication with the occupied territories of Ukraine and develop an appropriate information policy, that would help to counteract the Russian propaganda and dispel myths and stereotypes about religious minorities, in order to lay the foundation for peacebuilding and reintegration of the inhabitants of these territories after its de-occupation.