



Religious freedom and war

Ukrainian realities

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Abstract

The ongoing war in Ukraine creates many challenges for religious communities in Ukraine, as armed conflict provokes the violation of human rights in any country. The article focuses on violations of Freedom of Religion and Belief in Ukraine since 2014 – in the occupied Crimea and on the occupied territories of the Donetsk and Luhansk regions as well as during the first two months after the full-scale aggression of Russian Federation in Ukraine in February 2022, including the destruction of the religious sites, killings of the priests and persecution of various religious groups.

Keywords

Freedom of religion or belief, human rights, war, religious persecution, Ukraine, Russian invasion.

1. Introduction

On 24 February 2022, at 5 am, Russia started a full-scale military invasion of Ukraine, with multiple cities all over the country, including the capital, Kyiv, hit by missile strikes. Russian troops attacked simultaneously from every possible direction, crossing the Ukrainian border from the territories of Russia, Belarus, and the occupied Crimea. In just a few hours the Russian troops reached the suburbs of Kyiv but faced a strong response from the Ukrainian side. Nine months later the war continues, with successful counterattacks from the Ukrainian side, a few regions fully liberated, and heavy battles on numerous parts of the front-line, especially in the Eastern and Southern parts of the country. Starting from the atrocities and war crimes which were discovered after the withdrawal of the Russian troops from Kyiv region and continuing with the recent massive attacks

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on civilian infrastructure, leaving millions of Ukrainians without electricity and heating in the late fall and winter, the attacks on civilian population with little respect to the international humanitarian law has proved to be one of the strategies of this war. Therefore, attacks on the religious freedom are also a part of this policy, including the deliberate shelling and destruction of religious sites, kidnappings, torture and killing of religious figures, burning religious literature, and stealing religious objects.

2. Religious life in Ukraine: general context

2.1. Religious representation

Ukraine has a broad and diverse religious map, with more than 37,000 religious organisations present in a country as of the end of the 2020 (excluding the temporarily occupied territories of Donetsk, Luhansk regions and Crimea), according to the Annual Statistical Report, published by the State Service of Ukraine for Ethnic Affairs and Freedom of Conscience.² The majority of the population are Christians, mostly Orthodox, but Catholics and Protestants are also well represented. The Ukrainian Greek Catholic Church (UGCC) plays a prominent role in spiritual life, being also widely recognised for its social and educational activities (one of the best private Universities in Ukraine, the Ukrainian Catholic University (UCU), was founded in Lviv by the UGCC with support from the Ukrainian diaspora). Ukraine historically has large Jewish and Muslim communities, and numerous other religious traditions, including Buddhism, Hinduism, paganism and native faith, and even Old Greek religion.

According to the sociological study “Specifics of Religious and Church Self-determination of Citizens of Ukraine: Trends 2000-2021,”³ conducted annually by the Razumkov Center, the majority of Ukrainians identify themselves as believers – 67.8 percent in 2021. People who waver between faith and non-belief are 13 percent, non-believers – 5.7 percent, convinced atheists 3.4 percent. The number of people who found it hard to answer the question or did not care about religion was 10 percent. The highest percentage of people who said that they were believers was in 2014, after the Revolution of Dignity, and the beginning of the war with Russia. We may expect that in 2022 the numbers will spike again, as many people come to churches for comfort and support.

It must be emphasized that the spread of misinformation regarding nationalism and antisemitism in Ukraine by Russian propaganda is also untrue and

2 State Service of Ukraine for Ethnic Affairs and Freedom of Conscience, “Report on the network of religious organizations in Ukraine,” 1 January 2021. Available at: <https://dessa.gov.ua/statistics-rel/>.

3 Razumkov Centre, *Specifics of Religious and Church Self-determination of Citizens of Ukraine: Trends 2000-2021*, Kyiv, 2021. Available at: https://razumkov.org.ua/uploads/article/2021_Religiya_eng.pdf.

unjust. The Jewish community of Ukraine is very diverse and active, as stated by various Ukrainian Jewish leaders, including the Head Rabbi of Odesa Abraham Wolf: “Our city, and Ukraine in general, is the most loyal country for any nationality.”⁴ The number of reported crimes of antisemitism is really low compared to other countries – the number of acts of antisemitic vandalism is constantly decreasing: in 2020 only eight cases in total were reported, compared to 14 cases in 2019 and 12 cases in 2018, according to the Monitor Group for Ethnic Minorities’ Rights expert Viacheslav Lichachev.⁵

As of 2019, according to the data provided by regional and Kyiv city state administrations,⁶ there are five preschools in Ukraine with education in Hebrew. In general education institutions of Ukraine, in 58 classes 4665 students study Hebrew as a subject. Eighty amateur groups operating in most regions of Ukraine are promoting the cultural development of the Jewish national minority.

The library funds of Ukraine contain 4,000 units of Hebrew books. Twenty-two newspapers of Jewish public organizations with a circulation of 30,900 units/month were published in Ukraine in 2019. One hundred and fifty-eight national and cultural societies of the Jewish national minority are registered in Ukraine. The largest number of them was recorded in Vinnytsia, Kyiv, Poltava, Khmelnytsky and Cherkasy regions.⁷

2.2. Legislation

The legislation regarding freedom of religion or belief is very open and allows any type of religious activity and faith, as long as it is not violating the laws. Religious organisations can function freely without any registration, approval or surveillance from the state, but in order to be recognised as a legal entity they must be officially registered by the state. Ten people are enough to establish a parish. The procedure of registration as well as other questions regarding religious life and activities are regulated by the Law of Ukraine “On Freedom of Conscience and Religious Organisations.”⁸

4 UA News, “‘We don’t need to be liberated from anything,’ the clergy of Odesa appealed to the residents,” 16 March 2022. Available at: <http://uanews.odessa.ua/society/2022/03/16/288361.html>.

5 Elisaveta Socurenko, “Antisemitism in Ukraine: what’s really happening?” Zmina, 28 January 2021. Available at: <https://bit.ly/47e2CQY>.

6 State Service of Ukraine for Ethnic Affairs and Freedom of Conscience, “Implementation of the rights of persons belonging to national minorities and indigenous peoples of Ukraine: a general overview.” Available at: <https://dcss.gov.ua/realising-rights-of-national-minorities-in-ukraine/>.

7 State Service of Ukraine for Ethnic Affairs and Freedom of Conscience, *Report on the number of civic associations, the state of protection of the rights of national minorities and indigenous peoples in Ukraine, 2020*.

8 Law of Ukraine, On Freedom of Conscience and Religious Organisations. Available at: <https://zakon.rada.gov.ua/laws/show/987-12?lang=en#Text>.

According to the Ukrainian Constitution,⁹ every citizen of Ukraine is guaranteed the right to freedom of conscience. This right includes the freedom to have, adopt and change the religion or beliefs out of preference, and the freedom, whether individually or jointly with others, to profess or not to profess any religion, to practice religious cults, to freely manifest and share religious or atheistic beliefs.

The Church (religious organisations) in Ukraine is separated from the State. The State protects the rights and lawful interests of all religious organisations; promotes the establishment of mutual religious and ideological tolerance and respect between citizens, whether professing religion or not, between believers of different faiths and their religious organisations; takes into account and respects the traditions and internal guidance of religious organisations if they do not contradict current legislation.

The State does not interfere in the legitimate activities of religious organisations and does not finance the activities of any organisations established based on their attitude to religion. All religions, faiths and religious organisations are equal before the law. Any advantages or restrictions for one religion, faith or religious organisation compared to others are not allowed.

3. Religious freedom in the occupied territories since 2014

3.1. Donetsk and Luhansk regions

Back in 2014, in occupied Donetsk, illegal armed groups controlled by the Russian military declared the Orthodoxy of the Moscow Patriarchate as the main religion of the region and began deliberate persecution of religious minorities.¹⁰ Dozens of churches, prayer houses, and places of worship were illegally taken away from the religious communities. Abductions, torture, and extrajudicial executions of clergymen and believers of the Orthodox Church of Ukraine, the Ukrainian Greek Catholic Church, and several Protestant churches (Baptists, Pentecostals, Adventists, Ukrainian Christian Evangelical Church, etc.) were happening in the area for the past eight years. The Latter-day Saints Church (Mormons) and Jehovah's Witnesses were subjected to targeted harassment. As a result, in the Russian-occupied territories of the Donetsk and Luhansk regions, most religious communities have ceased to exist, believers are forced to pray privately or gather clandestinely, and freedom of thought, conscience, and religion has practically disappeared. According to the information which Ukrainian human rights de-

9 Constitution of Ukraine, article 35. Available at: <https://zakon.rada.gov.ua/laws/main/254K/96-BP?lang=en#Text>.

10 Institute for Religious Freedom, "Appeal of Euromaidan SOS and the Religious Freedom Roundtable in Ukraine regarding the attack on religious freedom during the armed aggression of Russia against Ukraine," 16 March 2022. Available at: <https://irf.in.ua/p/85>.

fenders were able to gain through private interviews with the believers who are continuing their religious activities undercover, private houses and apartments have become the primary places for worship. Believers implement specific security measures such as gathering irregularly and in different locations each time so that the occupational authorities are not able to distinguish a specific pattern and discover the religious group.

3.2. *Crimea*

The forced implementation of Russian legislation has significantly disrupted freedom of religion or belief in Crimea. Since the beginning of the Russian military intervention on the Crimean Peninsula in February 2014, Ukrainian churches and religious communities became targets for purposeful harassment of their activities. During the years of occupation, the number of parishes of the OCU decreased from 49 to five, according to the report based on the work of the United Nations Human Rights Monitoring Mission in Ukraine (HRMMU).¹¹ The occupation authorities of Crimea continue to persecute religious figures and individual believers, in particular Muslims from among the Crimean Tatars, the community of the Orthodox Church of Ukraine, evangelical Christians, and Jehovah's Witnesses. One of the methods of pressure is the deprivation of ownership of religious buildings of Ukrainian churches through physical seizures and decisions of the courts of the occupation authorities. One example is the case with the community in the name of the Immaculate Image of the Mother of God "The Unburned bush" of the Orthodox Church of Ukraine in Yevpatoria. In November 2019, the so-called "Yevpatoria City Court" in its decision has required the parish to demolish the wooden church, the construction of which has started even before the occupation of the peninsula by Russia. "*Oblige jointly and severally.. to release a municipal plot of land with a total area of 30.25 square meters by dismantling the building erected on it.*"¹² The representatives of the OCU in the occupied Crimea have refused to demolish the church building, which was followed by additional penalties and threats from the occupational authorities.

On 3 November 2020, Metropolitan Kliment of the OCU addressed the 75th session of the UN General Assembly in New York, where a thematic online event on the human rights situation in the temporarily occupied territory of the Republic of Crimea and the city of Sevastopol was held. In his video address, he spoke about the situation surrounding the Crimean Eparchy of the Orthodox Church

11 United Nations High Commissioner for Human Rights (OHCHR), Report on the human rights situation in Ukraine: 1 August 2020 - 31 January 2021. Available at: <https://bit.ly/3rjc27P>.

12 Religious Information Service of Ukraine, "Invaders fine the OCU's Parish in Yevpatoria and demand to demolish the church," 4 December 2020. Available at: <https://bit.ly/3ZINOHv>.

of Ukraine in Crimea. During the years of occupation, the number of parishes of the OCU decreased from 49 to five. According to the Metropolitan Kliment of the Orthodox Church of Ukraine, in 2019 all the church utensils of the diocesan administration were stolen from the Cathedral of Saint Volodymyr and Olga in Simferopol. In 2020 the Ukrainian Orthodox Church community was evicted from its principal cathedral in Simferopol for a debt of 2,95 UAH (0,09 euro).¹³ Many priests were forced to leave the peninsula because of the constant pressure, threats and persecutions from the side of the occupational authorities, leaving many believers without necessary spiritual assistance.

The Ukrainian Greek Catholic Church is also facing similar challenges as their priests are obliged to receive a special “permission for missionary activities” and can be in Crimea only with “migration cards”, which allow them to be in the territory of the peninsula only for 90 days at a time. This means that pastoral care is disrupted, and regular services are also under question. As of January 2016, there was only one priest of the UGCC in Crimea on a permanent basis. The Ukrainian Greek Catholic Church is also a subject of religious persecution, specifically for having a prominent Ukrainian identity. In Simferopol, an attack was carried out on a private house in which the chapel of the UGCC was arranged; the attackers committed a pogrom and left behind offensive inscriptions with aerosol paint calling on the “enemies of Orthodoxy” to leave Crimea. In Sevastopol, on 15 March 2014, the chaplain of the Naval Military Academy, Father Mykola Kvych was kidnapped from the church just after the service. Father Ihor Havryliv, who served as the dean of the Crimean deanery of the UGCC until the beginning of 2014, was pressured to transfer to the Ukrainian Orthodox Church of the Moscow Patriarchate. This specific kind of demand has a correlation with the events of 1946, after the Western Ukraine was included in the Soviet Union, the Ukrainian Greek Catholic Church was supposedly “re-united” with the Russian Orthodox Church, meaning that its priests had to either forceably change their religious identity or had to continue their activities undercover.

Some religious groups are facing even more extreme persecution. On 20 April 2017, the Supreme Court of the Russian Federation declared the Jehovah’s Witnesses an extremist organization and banned its activities on the territory of the Russian Federation. On 16 August 2017, the Ministry of Justice of the Russian Federation added the Crimean cells of Jehovah’s Witnesses to the list of extremist organizations. Since 2018, the persecution of Jehovah’s Witnesses also began in criminal cases. In 2020, the first sentences were handed down to members of the

¹³ Archbishop Clyment said there is no debt and has payment documents to prove the statement (see <https://bit.ly/3M34KTt>). The situation is an example of the occupation authorities using a formal reason to take the church from the parish.

Jehovah's Witness organization with imprisonment. Just recently two members of the religious community have been sentenced to six years in a general regime prison. 62-year-old Olexander Litvinyuk and 49-year-old Olexander Dubovenko have been under house arrest since August 2021, and on 3 December 2022 they have been found guilty of extremism. In addition to Dubovenko and Litvinyuk, 17 other Crimeans are being prosecuted for their religious beliefs. Four of them are in the colonies, and in early October 2022, the "court" in Sevastopol sent three more to prison.

Another widely persecuted religious group is the Muslims. Crimean Tatars who are recognised as Indigenous Peoples of the peninsula by the Ukrainian state are traditionally Muslims. Russian occupation authorities continue to subject Muslim Crimean Tatars to imprisonment and detention, especially if authorities suspect the individuals of involvement in Hizb ut-Tahrir, the Muslim political organization, which is banned in Russia but completely legal in Ukraine. The practice of mass raids on Tatar homes, mosques, media outlets, and schools is widespread all over Crimea.

Overall, the forced implementation of the Russian legislation has significantly worsened the situation of religious communities and associations in occupied Crimea, which was reported by the international human rights organisations, Ukrainian authorities and non-governmental organisations.

4. FORB violations after 24 February 2022

4.1. Destruction of religious sites

Since the beginning of the full-scale Russian invasion in Ukraine the violations of freedom of religion and belief have reached a new scale, not only by increasing numbers, but also with new forms of violations, which include the damage and destruction of the religious sites, kidnappings and killings of the priests, stealing of relics and sacred objects, damage to the cultural heritage and other forms of violent persecutions. According to the data provided by the State Service of Ukraine for Ethnic Affairs and Freedom of Conscience, from 24 February to 20 September 2022, at least 270 religious buildings in at least 14 regions of Ukraine were completely destroyed or suffered damage of varying degrees: churches, mosques, synagogues, prayer houses, Kingdom Halls, educational and administrative buildings of religious communities of Ukraine.¹⁴ The data regarding the destruction of religious sites is being collected by the Workshop for the Academ-

¹⁴ State Service of Ukraine for Ethnic Affairs and Freedom of Conscience, "Seven months of full-scale Russian invasion: the aggressor destroyed at least 270 buildings of religious communities in Ukraine," 21 September 2022. Available at: <https://dcss.gov.ua/ussia-ruined-at-least-270-religious-sites/>.

ic Study of Religion (WASR),¹⁵ the Institute for Religious Freedom and individual researchers. There is also an interactive map created by the State Service of Ukraine for Ethnic Affairs and Freedom of Conscience in cooperation with the WASR, which contains the information on the affected religious sites – affiliation, general information on the building, the level of destruction, etc.¹⁶

During the first two months after the invasion the average speed of the destruction peaked at almost two churches damaged each day. The largest number of religious buildings were destroyed in Donetsk (67) and Luhansk (58) regions. After them – Kyiv (43) and Kharkiv (35) regions saw the most religious buildings destroyed.

Out of 270 religious buildings damaged as a result of the Russian invasion, five are Muslim, five are Jewish, and the remaining 260 are Christian. Thirty belong to Protestant communities, 21 to the Orthodox Church of Ukraine, four to the Roman Catholic Church, three to the Ukrainian Greek Catholic Church and 66 belong to communities of Jehovah's Witnesses. Fifty-two percent (136 objects) of the 260 Christian buildings that were completely or partially destroyed belong to the Ukrainian Orthodox Church of the Moscow Patriarchate. This can be explained by the fact that this religious confession is dominant in the Eastern and Southern parts of Ukraine.

Some religious facilities were hit by indiscriminate bombardment, while others were deliberately destroyed with machine guns or artillery. There are published testimonies of eyewitnesses who saw the targeted shelling of a religious facility via large-calibre machine guns or other weapons.¹⁷

Some of the affected churches were historical monuments that survived two World Wars and a 70-year atheistic regime. The damage to the cultural heritage has been repeatedly reported by the Ministry of Culture and Information Policy. On 7 March, a 160-year-old wooden church in honour of the Holy Mother of God of the Ukrainian Orthodox Church of the Moscow Patriarchate in the village of Vyazzka, Zhytomyr region, was destroyed. On 7 March, St. George's Church, built in 1873, burned down in the village of Zavorichi, Brovar district, Kyiv region, as a result of shelling. It belonged to the Boryspil Diocese of the UOC MP. According to parishioners, the shelling was carried out by Russian troops.

15 Workshop for the Academic Study of Religion, "Religion on Fire: Documenting Russia's War Crimes against Religious Communities in Ukraine." Available at: <https://www.mar.in.ua/en/religion-on-fire/>.

16 State Service of Ukraine for Ethnic Affairs and Freedom of Conscience, Workshop for the Academic Study of Religion, Google map of the damaged buildings of religious communities. Available at: <https://bit.ly/48VcZuG>.

17 Religion on Fire, *Report based on the results of monitoring the damage to religious buildings as a result of Russia's full-scale invasion of Ukraine (24 February - 24 August 2022)*. Available at: <https://bit.ly/3RO8Bau>.



Picture 1

The damage of the sacred places and sacred objects also includes the damage to the icons. Members of the Workshop for the Academic Study of Religion have reported that some icons were directly shot at by the military, and many more were affected as a result of shelling and debris.

In the Kyiv region, the Russian military destroyed and robbed the buildings of the Ukrainian Evangelical Theological Seminary. In Irpin, also Kyiv region, the occupiers burned Bibles and destroyed the building of the Christian mission “Eurasia”.



Picture 2

Moreover, in some places Russian military use religious sites and church buildings as their bases (probably, because they don't expect Ukrainian military using weapons against the church), not only residing there, but also turning it into places of torture and detention for prisoners (primarily civilians). For instance, Russians set up their headquarters in the Ascension Church (1913) in Lukashivka, Cherni-



Picture 3

hiv region. Cars with mortars and ammunition were placed around the temple. There were also boxes of shells inside the temple. A mobile crematorium was also brought here. In addition, a torture chamber was set up in the church, where civilians from the neighboring villages of Yagidny and Ivanivka were taken.

4.2. Attacks on clergy

Numerous killings of priests have been reported starting from the very first week of aggression – including Father Maxym Kozachyna, the priest of the Orthodox Church of Ukraine, who was wearing a soutane when he was shot dead by Russian soldiers in Kyiv region. The Russian military stopped the priest as he was trying to evacuate and took his car after killing him. On 27 February, a church servant of the Ukrainian Orthodox Church (Moscow Patriarchate), his wife Olena, the church choir regent, their three children and the church psalmist were killed by artillery fire. On 13 March, the military killed the OCU chaplain Platon Morgunov in Volnovakha, Donetsk region.

Some priests are in captivity. The story of the OCU priest father Vasyl Vyrozub is quite remarkable in this regard. He was a member of the Ukrainian border rescue mission on Zmiiny Island when the crew of the Sapphire Civil Rescue Ship was taken prisoner on the first day of the full-scale invasion. For two and a half months the priest and chaplain of the OCU has been in Russian captivity, suffering from moral and physical torture, which was later reported by other crew members.

In another case, priest Serhiy Chudinovich from Kherson was kidnapped from the church building and tortured until he agreed to cooperate with the occupiers. He reported:

On March 30, 2022, in Kherson, I was captured by representatives of the Russian Federation. I spent the whole day in their room. I was accused of participating in the activities of sabotage and reconnaissance groups of the Armed Forces of Ukraine and of being a member of the territorial defence. This is not the case, of course.¹⁸

On his Facebook page, he posted a video in which he told the story of his captivity.¹⁹ He shared that he was not allowed to drink or use the toilet, had been repeatedly beaten, suffocated, stripped naked, threatened to be raped, killed and other kinds of physical and psychological tortures for a few hours. He was later set free and left the occupied territories one week after the incident. He was known for his pro-Ukrainian position and was the one carrying out a memorial service for the perished members of the territorial defence of Kherson on 2 March. After Kherson was liberated in November, the priest returned to the city.

There are a few possible motivations for the persecution of priests from the side of the occupational authorities, such as:

- forcing the priest to cooperate with the occupied authorities;
- intimidating religious leaders who have previously expressed a pro-Ukrainian position in order to silence them;
- putting pressure on denominations whose activities are “undesirable” for the occupation regime; or
- blackmail in order to obtain a ransom or for the “exchange fund”.

It is important to emphasise that civilians in areas of armed conflict and occupied territories are protected by the 159 articles of the Fourth Geneva Convention. Civilians are to be protected from murder, torture, or brutality, and from discrimination on the basis of race, nationality, religion or political opinion.²⁰

5. Conclusions

The ongoing war in Ukraine creates many challenges for religious communities and religious freedom in Ukraine and as armed conflict continues, more and more religious groups suffer direct harassment and persecutions and indirect vi-

¹⁸ Institute for Religious Freedom, “Russian Attacks on Religious Freedom in Ukraine: Research, analytics, recommendations,” Kyiv, 2022. Available at: <https://bit.ly/46YvM6D>.

¹⁹ “The truth makes us free” – Facebook video by Serhiy Chudinovich. Available at: <https://bit.ly/3RKRFXi>.

²⁰ American Red Cross, “Summary of the Geneva Conventions of 1949 and Their Additional Protocols.” April 2011. Available at: <https://rdcrss.org/48HPPYw>.

olations of religious freedom, such as not being able to regularly gather in places of worship for safety reasons. Numerous instances of FORB violations have been reported to the international community by the local and international human rights watch organisations, religious studies scholars, and Ukrainian authorities.

The religious factor is also one of the crucial ideological aspects of this war, as the occupying authorities are trying to diminish religious diversity and establish strict surveillance and religious favouritism similar to the situation in Russia itself. Some religious communities are officially banned and persecuted for fictional reasons. Many people suffered torture and unjust treatment for their beliefs.

The situation with freedom of religion and belief on the occupied territories is of great concern and is getting worse after the full-scale Russian invasion started in February 2022. Ukrainian authorities and criminal justice professionals are collecting the evidence and working on investigating those crimes for later representation in the international court.

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