

RELIGIOUS FREEDOM CONCERNS IN UKRAINE

STATEMENT BY THE EUROPEAN ASSOCIATION OF JEHOVAH'S CHRISTIAN WITNESSES

For the OSCE Human Dimension Implementation Meeting, Warsaw, 24 September to 5 October 2012

HDIM.NGO/0227/12
1 October 2012

Jehovah's Witnesses in Ukraine suffered much oppression under Nazi and Soviet regimes. For example, on 8 April 1951, more than 6,100 Witnesses were exiled from western Ukraine to Siberia; in 1965, an amnesty released them from exile.

The religious organization of Jehovah's Witnesses was registered in Ukraine on 28 February 1991. In spite of this solid legal foundation, Jehovah's Witnesses experience an inordinate number of troubling and serious problems as they go about their worship in Ukraine. A few examples are outlined below, following news of a legal breakthrough.

Positive development for the rule of law

The Religious Center of Jehovah's Witnesses in Ukraine has been battling the illegal seizure of a portion of its property since 2007. The land grab scam involves the illegal sale of a property to a third party without the knowledge of the legitimate owners. The sale is then validated by decisions of the courts.

Though it had often ruled against the Witnesses in this matter, on 29 December 2011 the Supreme Economic Court ruled in favor of the Witnesses and on 3 April 2012, rejected SDC's cassation appeal. This confirmed the illegal nature of the sale of property rightfully belonging to Jehovah's Witnesses. Following this decision, on 10 July 2012, the Lviv Economic Court of Appeal revoked the unlawful decision of the local court that had recognized SDC as the owner of a portion of the Religious Center's property. **On 26 September 2012 the Supreme Court of Ukraine rejected the appeal filed by SDC.** Jehovah's Witnesses are grateful for this positive turn of events.

If the scam had succeeded, Jehovah's Witnesses would have been deprived of their administrative building and a large portion of their property, crippling activities at their national headquarters in Ukraine and their ability to direct religious activities for more than 275,000 citizens of Ukraine.

Mob attacks

In numerous cases of violent attacks against Jehovah's Witnesses and vandalism of their houses of worship, local law enforcement authorities either failed to act or did little to assist the victims. Following are a few recent examples.

- Jehovah's Witnesses in the village of **Komyshivka**, Odessa Region, were gathered on 5 April 2012 for their most sacred annual religious observance, the Lord's Evening Meal in memorial of Christ's death, when a mob of 20 people, led by a local Orthodox priest, attacked the building. The mob pushed their way into the building, striking some present with their fists and shouting that all attendees must immediately leave the village and never return. The priest then damaged about 200 copies of their religious literature.

The police not only failed to stop the mob action but have not brought criminal charges against those responsible. The police have not followed procedures that would allow the victims to appeal their inaction, and this has led to further crimes against the community:

- On the night of 23 / 24 May 2012, a car belonging to one of the Witnesses was burned;
- On 19 June 2012 the same priest, with another man, twice attacked a group of Witnesses, with physical violence and death threats demanding that they cease their religious activity and withdraw their criminal complaints filed with the police.
- A.H. Kapsamun, a priest of the village of **Kotlovyna**, Odessa Region, has repeatedly violently attacked Witnesses, most recently on 31 March 2012, yet no criminal case has been instituted.

Arson and vandalism

From October 2011 to August 2012 there were 45 incidents of vandalism against the houses of worship of Jehovah's Witnesses, resulting in damage that made them temporarily unsuitable for conducting religious services. Of these, there were seven arson attacks against Kingdom Halls (their houses of worship) in the city of **Cherkassy**, in the town of **Shostka**, Sumy Region, in **Mariupol**, Donetsk Region, in **Zugres**, Donetsk Region, in the city of **Donetsk**, and in the towns of **Yenakievo** and **Debaltsevo**, Donetsk Region.

- About 1 a.m. of 5 August 2012, the Kingdom Hall of Jehovah's Witnesses in **Debaltsevo**, in Donetsk Region, was set on fire. The perpetrators lit and threw an oil mixture onto the roof, igniting a blaze that consumed the building's contents and caused all but its shell to collapse. The police in Debaltsevo were uncooperative and unresponsive until a report was made to the Ministry of internal Affairs. An investigation is ongoing.
- Shortly after the arson in Debaltsevo, the same morning, the Kingdom Hall in the town of **Yenakievo**, Donetsk Region, was similarly set on fire.

It is disturbing to report that in both cases the fire brigade and the police were uncooperative. The fire brigade refused to issue a Fire Protocol and the police failed to institute criminal proceedings. For example, only at 3 a.m. did an investigator arrive at the scene, and both he and a criminal investigator refused to make a crime report. Policemen who arrived later observed the scene, not taking fingerprints, but obscuring them.



Debaltsevo

Yenakievo



The same Kingdom Hall in Yenakievo was vandalized in 2009 by a neo-fascist organization. At that time the building was desecrated with red nitro-dye signs and images promoting Nazi ideology, offending Jehovah's Witnesses and inciting hatred against them. This criminal case, along with three other attacks against Jehovah's Witnesses, has been vainly investigated by the local police department.

A delegation of Jehovah's Witnesses is ready to meet with representatives of Ukraine attending the present conference in order to clarify any misunderstanding and to promote a constructive dialogue.