

Regarding the violation of rights of Ukrainian Orthodox Church faithful

My dear fellow Conference participants !

I represent the largest religious organization in Ukraine - the Ukrainian Orthodox Church, which has over 12,700 church communities, in total, that are evenly distributed across the entire country. This includes the territories of the Crimea and the Donbass. In fact, we have 5 dioceses, 1,100 parishes, more than 1,000 priests and 300 monks, in addition to hundreds of thousands of faithful parishioners in the Donbass region.

Since the beginning of the year 2014, the UOC has been the target of numerous and frequent hostile acts, that can most accurately be described as discriminatory. These acts are in connection to the inter-religious and political conflicts within my country. But since the goal of this meeting is not a review of interfaith or political conflicts but , instead, violations of believers' rights and discrimination, I would like to provide you with some concrete facts with regards to such discrimination that have been perpetrated against my Church.

On the twenty eighth(28th) of January, 2015, deputies of the Kyiv City Council adopted a decision which provided benefits to religious organizations of Kiev in the form of exemptions from real estate tax. The only exception were the religious communities of the Ukrainian Orthodox Church. This clearly unconstitutional and discriminatory decision was nevertheless overturned by decision of the District Administrative Court of Kyiv on the eighteenth(18th) of June,2015. In its ruling, the court noted: "that the principle of non-discrimination, impartiality and equal treatment of all organizations, including religious, in particular the prevention of circumstances that gives rise to less favorable conditions or provisions compared with other persons and / or groups must be applied and to the regulatory acts of local self-government. " Similar violations of rights against the Ukrainian Orthodox Church have been carried out by the Ternopil and Lviv Oblast(or regional) Councils.

On the twenty fifth (25th) of June, 2015 , deputies of the Volyn Oblast Council voted for the initiative to rename the Ukrainian Orthodox Church, which for some reason they call "the UOC-MP" (since such an organization does not exist in Ukraine) to the name "Russian Orthodox Church in Ukraine." .This is a gross interference in the internal affairs of the Church and a blatant attempt to discriminate against the clergy and faithful of the Church in the eyes of Ukrainian society. Similar decisions were also made in other district councils and in certain Oblasts(or Regions) of Ukraine.

The following and separate sphere of action, is where, however, the most violations of the rights of believers occur , the so-called 'transfers' of parishes of our Ukrainian Orthodox Church to the jurisdiction of the so-called UOC-KP. We are ,in fact, talking about our churches being simply seized during raider attacks instigated by supporters of the UOC-KP, who use political forces, local deputies, and even radical nationalist power structures ("Right Sector", so-called "Freedom", and even the National Guard units, in particular the Battalion "Ternopol- 2 ") .

As of today, approximately thirty (30) churches belonging to the Ukrainian Orthodox Church have been seized. Whilst, four (4) religious communities have voluntarily changed their jurisdiction.

I want to clarify that we are not talking about the free change of jurisdiction according to the Law of Ukraine: "On Freedom of Conscience and Religious Organizations", but of takeovers using force, violence and deceit. Most of our seized churches are located in Volyn, Rivne, Ternopil, Lviv and Chernivtsi Oblasts.

The latest vivid example of lawlessness was the seizure on the twenty-first(21st) of September, 2015, of the Ukrainian Orthodox Church of St. George the Victorious in the village of Katerynovka, Kremenets district, Ternopil oblast, which has legally belonged to the community of the Ukrainian Orthodox Church since 1946. The above-mentioned Ukrainian Volunteer Corps "Right Sector", as well as soldiers of the "Ternopol-2" battalion with the connivance of the police, together with representatives from the UOC-KP illegally and arbitrarily seized the premises of the church. The raiders did not allow the parishioners of the UOC to enter their own church. Subsequently, everything ended in

bloodshed with parishioners being beaten with rubber truncheons as well as suffering the effects of tear gas. About twenty (20) parishioners of the UOC were injured. Those parishioners whose intention it is to remain in the community of the UOC are threatened and intimidated. Law enforcement agencies refuse to accept incident applications as well as victim injury reports from those parishioners who suffered beatings.

On its official website "Right Sector" confirms its complicity in the violent seizure of the church belonging to the UOC in the village Katerinovka and, moreover, confirms its intention to interfere in the activities of the religious communities of the Ukrainian Orthodox Church (UOC) <http://pravyysektor.info/news/akciyi/848/pravij-sektor-vidvoyuvav-u-moskvi-sche-odnu-cerkvu.html>.

So what exactly are the abuses being perpetrated by local authorities and how are the parishioners being discriminated against ?

Firstly (1.) The said religious community is entitled (under contract) to the premises of the church. This agreement is valid to this very day. Thus, the new decree establishing the procedure for the use of the church and the property on which it is located, is illegal. In addition, this order is being appealed in court;

Secondly (2). The transfer of property that really belongs to the above-mentioned religious community of the UOC to the alternate use by another religious community is also not legal. In this situation, the Chairman of the Ternopil Oblast Administration Mr. S. Barna is exceeding his authority, because he does not have the right to personally dispose of property that belongs to the said religious community;

Thirdly (3.) In addition, one of the main violations of the local authorities in this conflict was the decision of the police to allow representatives of the right-wing power structures ("Right Sector" and "Ternopol-2" battalion) to take part in resolving this conflict. In doing so, the representatives of the state "shared" monopoly on the legitimate use of legal force which is strictly regulated by national legislation with representatives of the unmanageable right-wing formations , leading to a further sharpening of inter-confessional relations, at both the regional and national levels. At a press conference held on 25.9.2015, representatives of the central organ of state power, which provides implementation of

state policy in this area (Ministry of Culture), did not have the courage to admit its mistake. Instead, they began to falsely accuse the Ukrainian Orthodox Church and additional unfounded accusations.

And fourthly (4). As a result, we can all clearly see the protectionist policies of the authorities in favour of a specific denomination - being the UOC-KP. It turns out that we are all equal before the law, but some are still more equal than others.

THE VILLAGE OF KOLOSOV: non-enforcement of court ruling.

On the 26th of September.2015, in the capacity as a guarantee for a claim, Kremenetskiy District Court banned the Ternopil Oblast Administration to carry out the registration of the new charter for the religious community of the Ukrainian Orthodox Church, St. John the Evangelist parish in the village of Kolosov, Kremenets district, Ternopil oblast. Despite this, the head of the Ternopil Oblast Council Mr S. Barna, acting in defiance of the judgment registers the changes in the statute, according to which the said Ukrainian Orthodox Church religious community became part of the UOC-KP. Thus, the actions of the Ternopil Oblast government Administration are aimed at further inciting inter-confessional conflict, and not on its settlement.

As one can thus see , in such cases, the executive authorities refuse to implement court decisions, which illustrates the point that our Church is openly discredited in the public domain, the rights of believers are being violated, since they are not able to exercise their legal right giving them an opportunity to freely practice their faith and to enjoy the religious buildings which actually belong to them. Deprivation of the religious community's own legal entity through liquidation of this legal entity and deprivation of believers' control over their religious organization in illegal ways is a flagrant violation of the international commitments undertaken by Ukraine.

However, I would like to also say that in defending our rights, our Church does not infringe on the rights and property of other religious

communities. In particular, when in the city of Anthracite, which is located in the occupied territory, on the Eighth of September (08.09.2014), armed men seized the prayer house of the Evangelical Christian- Baptists declaring that there it shall become an "orthodox centre", the Ukrainian Orthodox Church officially dissociated itself from such an action and stated that it not only strongly disapproves of their actions, but that it will never accept church property taken from other denominations. A similar refusal followed when a similar offer in Lugansk occurred. Metropolitan Mytrofan of Luhansk and Alchevsk refused an offer to take on the balance of the diocese , being the cathedral and diocesan management belonging to the UOC-KP, which was abandoned by believers of this denomination. Also in the autumn of 2014 in the city of Horlivka, Donetsk region, armed men interrupted the prayer and dispersed the faithful of the Seventh-day Adventist Church and their pastor - Serhiy Hryhorovych Litvinenka . was taken to an unknown destination. In that particular situation, representatives of the Ukrainian Orthodox Church established with God's help that the pastor was alive, and not in danger, and after a short time he was released. Thus, the UOC seeks to feasibly help other faiths in their problematic situations. I would like to see the same attitude with respect to the UOC.