

**Reply Statement of the Delegation of Ukraine
at the Working Session 7 “Fundamental freedoms I, including freedom of thought,
conscience, religion or belief” of the
2018 Human Dimension Implementation Meeting**

Madam Moderator,

Distinguished participants,

Referring to the statement of the representative of the civil society on the deterioration of the situation in the Crimea, we would like to draw the attention of the participants to the considerable deterioration of the basic human rights situation in the illegally occupied Autonomous Republic of Crimea and the city of Sevastopol, in particular the oppression of the freedom of thought, conscience, religion or belief.

After the occupation began, the freedom of religion and belief in the Crimea was threatened by incidents directed against representatives of individual faiths and their religious buildings. Restrictions on the freedom of religion, in addition, were the result of the introduction of requirements for re-registration, as well as legislation that increased restrictions on the activities of religious groups to combat terrorism and the relevant judicial decisions. In the summer and autumn 2014, inspections and searches were conducted in virtually all Muslim religious institutions – madrassas and mosques. In addition, searches were conducted in public libraries, libraries of schools and universities, in at least one bookshop. After the checks, not only the literature was seized, but also the residents of the Crimea were fined.

Analysis of the decisions of the “courts” in the temporarily occupied territory shows that the charges were built absolutely groundless and did not have the content of an offense.

Before the occupation of Crimea, there were 2,083 religious organizations in Autonomous Republic, and in Sevastopol – 137 additionally, both with the status of a legal entity, and without it. As of September 4, 2017, 722 religious organizations only were “registered” by Russian occupation authorities in the Crimea and 96 – in Sevastopol. Among them – the two largest religious organizations of the Orthodox and Muslim communities, various Protestant and Jewish denominations, the Roman Catholic and Greek Catholic communities, as well as other religious groups.

One of the religious communities registered in Crimea, Jehovah's Witnesses, was declared illegal and banned as “extremist” in Russian jurisdiction in April 2017, by the decision of the Supreme Court of the Russian Federation, which ruled that this group violated the country's legislation on combating extremism. On June 1, 2017, registration of all 22 Jehovah's Witnesses congregations in the Crimea was canceled, affecting the right to freedom of religion for about 8,000 believers, with brutal violation of IV Geneva Convention, of International Covenant on Civil and Political Rights and of Convention for the Protection of Human Rights and Fundamental Freedoms, both as of OSCE coherent standards.

In addition, the state-aggressor repeatedly violated the norms of international law of the Geneva Convention and the Additional Protocol 1 to this Convention, by refusal for the collective rights of the Crimean Tatar indigenous People to ethnic, cultural and religious identity in conditions of temporary occupation of the territory of Ukraine in the Crimea.

Since 2014, several kinds of pressure on religious freedom have been used in Crimea: administrative persecution for “prohibited” religious literature; administrative prosecutions for missionary activities; searches of religious organizations; prosecution

on charges of belonging to extremist and terrorist organizations; depriving religious organizations of property rights; language of hostility towards religious groups and direct discrimination.

For example, the commandant of the university hostel in Simferopol was fined for a book found in a room for prayers, where she did not have access. The head of the bookstore was accused of mass distribution of banned literature for the fact that only one copy of the book was put up for sale. Numerous decisions on fines imposed on imams of Crimean mosques ignore the fact that the mosque is a public place with unlimited access, and everyone can bring the book to the mosque.

Moreover, independent monitoring missions in 2014-2017 repeatedly established the facts by numerous cases of systematic pressure and criminal prosecution for participation in religious organizations recognized in the Russian Federation as extremist or terrorist. At the same time, in the decisions to prohibit the activities of these organizations, no single fact of participation in terrorist or extremist activities is indicated. At the moment, we know about 29 politic-grounded “terrorist” and “extremist” criminal cases against Muslims – Ukrainian citizens living in the Crimea. Those victims of Russian discriminative policy are threatened with long terms of imprisonment up to life imprisonment. During the period of occupation 23 fines were fixed for individuals and organizations for "illegal missionary activity".

This shows the selectivity of justice in the Crimea in relation to religious organizations that do not control the authorities. In addition, the situation is aggravated by the systematic incitement of hatred towards religious groups. Vulnerable groups are Muslims, Protestants, Ukrainian Orthodox Church of Kyiv Patriarchate, Ukrainian Greek Catholic Church.

The ODIHR and HCNM OSCE coherent activities, following an ODIHR OSCE expert meeting on 14 June 2018 in Kherson, highlights a number of human rights issues, including violations of the right to freedom of thought, conscience, religion or belief, and provides a list of recommendations for their removal.

We pay special attention to the use of extrajudicial executions, kidnappings and torture of Crimean Tatar activists, inciting inter-religious strife and using the language of hatred, and propaganda work carried out by the bodies of the Russian occupation authorities in the Crimea.

The current attempts of the aggressor state, contrary to international humanitarian law, to apply in the Crimea the legislation of the Russian Federation in the field of “combating terrorism” and “extremism” in order to combat the national liberation movement of Crimean Tatars under the guise of opposing “forbidden” religious groups is a direct violation of Article 5 of the Cordoba Declaration which rejects attempts to identify terrorism and extremism with any religion, culture, ethnic group, nationality or race.

Distinguished colleagues,

The failure of the Russian Federation to resolve the International Court of Justice in the case of Ukraine against the Russian Federation on the observance in Crimea of the UN International Convention on the Elimination of All Forms of Racial Discrimination against the Crimean Tatar People, ethnic Ukrainian and national minorities and attempts by the occupation authorities to manipulate information on the state of affairs in the field of linguistic, cultural and educational rights of these ethnic groups makes it necessary for the OSCE and the participating States to pay special

attention to the fulfillment of the requirements of the international conventions in measuring the standards of the Cordoba Declaration and the Declaration on the Rights of Indigenous Peoples.

The Russian Federation must immediately stop the persecution of religious organizations in the Crimea, release all those who were imprisoned for their religious beliefs. The Russian Federation should provide international organizations and Ombudsman of Ukraine with access to the Crimea for systemic monitoring of the situation, both with freedom of religion in the Crimea, and with other fundamental rights.

I thank you.