



WAR IN RELIGIOUS DIMENSION

ATTACKS ON RELIGION IN CRIMEA AND DONBAS REGION



Kyiv 2019



truth-hounds.org
@truthhounds
info.hounds@gmail.com



INTERNATIONAL
RENAISSANCE
FOUNDATION

irf.ua
@irf.ukraine

Report submitted for the Prosecutor of the International Criminal Court

**You are free to share, to copy, to update, to distribute this data for non commercial use.
Reference to Truth Hounds is welcomed.**

TABLE OF CONTENTS

THE AUTHORS	4
TRUTH HOUNDS	4
INTERNATIONAL RENAISSANCE FOUNDATION	4
EXECUTIVE SUMMARY	4
LEGAL ASSESSMENT	5
METHODOLOGY	6
COLLECTING DATA	6
ANALYZING DATA	6
BACKGROUND	7
PREWAR CONTEXT	7
FIRST AGGRESSION CAMPAIGN: ANNEXATION OF CRIMEA	7
FURTHER AGGRESSION: MILITARY EXPANSION TO EASTERN UKRAINE	8
RELIGIOUS LANDSCAPE IN UKRAINE	8
RELIGION AS A WARFARE	10
PARTICIPATION OF RADICAL ORTHODOX PRO-RUSSIAN ARMED GROUPS	12
ALMIGHTY DON HOST	12
THE RUSSIAN ORTHODOX ARMY	13
PARTICIPATION OF THE MOSCOW PATRIARCHATE CLERGY IN THE CONFLICT	13
CASES OF PERSECUTION BASED ON RELIGION AND AND CRIMES AGAINST RELIGIOUS INSTITUTIONS	14
DONETSK COUNCIL OF CHURCHES	14
UKRAINIAN GREEK CATHOLIC CHURCH AND ROMAN CATHOLIC CHURCH	15
UKRAINIAN ORTHODOX CHURCH OF KYIV PATRIARCHATE	17
PROTESTANT AND EVANGELICAL CHURCHES	17
MURDER OF FOUR EVANGELISTS, SLOVIANKS	18
THE KIND NEWS CHURCH, SLOVIANSK	18
KHRUSTALNYI EVANGELIST BAPTIST CHURCH	18
HOSTAGE TAKING NEAR SEPARATISTS' CHECK-POINT KRASNYI MIST	19
WORD OF LIFE CHURCH, TOREZ, SHAKHTARSK, DONETSK	19
THE SEVENTH DAY ADVENTIST CHURCH, DEBALTSEVE, HORLIVKA	19
PENTECOSTAL CHURCH, DONETSK	19
BETHANY BAPTIST CHURCH, DONETSK	20
PETROVSKY CHURCH OF CHRIST, DONETSK	20
OTHER CASES OF CONFISCATION OF PROTESTANT CHURCHES, DETENTION	
AND TORTURE OF CLERGY	20
JEHOVAH'S WITNESSES	21
MUSLIM COMMUNITIES	22
CRIMEAN TATAR MUSLIMS AFTER THE ANNEXATION	22
MUSLIMS ON CONTINENTAL PART OF UKRAINE	23
INTERNATIONAL SOCIETY FOR KRISHNA CONSCIOUSNESS	24
OTHER RELIGIOUS MINORITIES	24
CONCLUSION	24

THE AUTHORS

Truth Hounds

Truth Hounds is a non-profit organization with its headquarters in Kyiv, Ukraine. It was registered as a legal entity in 2016, although de-facto its team has been working since 2014 as a group of activists and human rights defenders. Its specialists work in human rights, training and monitoring activities in Ukraine, Georgia, Armenia and Belarus. The founders were among the initiators of the 'Euro-maidan-SOS'. In September, 2014 the team worked as a field mission on documenting war crimes and crimes against humanity in eastern Ukraine and the Crimea. In Georgia, the Truth Hounds team, together with its partners, runs the Tbilisi Shelter City project. It provides a safe environment and counseling to activists and human rights defenders operating in difficult circumstances. Since its establishment, Truth Hounds has worked with the Council of Europe, European Commission, OSCE/ODIHR, the International Criminal Court, and became a member of the Civic Solidarity Platform and Coalition for the International Criminal Court.

International Renaissance Foundation

International Renaissance Foundation is one of the largest foundations in Ukraine that works with leading Ukrainian nongovernmental groups to engage them in developing a shared public policy agenda for the country, catalyze initiatives that address corruption, and prevent backsliding from democratic reforms. It helps to develop an open society in Ukraine based on democratic values. The IRF is part of the Open Society Foundations network established by investor and philanthropist George Soros.

EXECUTIVE SUMMARY

The Truth Hounds NGO in collaboration with International Renaissance Foundation presents this report that sets forth new evidence of international crimes in Ukraine, perpetrated by pro-Russian regimes of the so-called Donetsk Peoples' Republic (DPR) and Luhansk Peoples' Republic and Russian regime on Crimean peninsula.

In publishing this Report the Authors aim:

- (a) to provide the public and Prosecutor of the International Criminal Court (ICC Prosecutor) with evidence of concrete episodes which qualify as war crimes, namely crimes committed against the religious institutions, ministers of the religions and the believers, and against buildings dedicated to religion;
- (b) to demonstrate the widespread and institutionalized nature of such crimes and their gravity – highlighting that legal requirements for opening a full ICC investigation have been met;

- (c) to urge the ICC Prosecutor to seek authorisation for opening a full investigation at the earliest opportunity to ensure accountability and to prevent the loss of key evidence;

- (d) to preserve evidence for future investigations and prosecutions in Ukraine, at the ICC or in other national or international jurisdictions.

Territories that are out of Ukrainian government's control are a place where members of all religions and denominations except Ukrainian Orthodox Church of the Moscow Patriarchate are subjected to systematic oppression. Part of the crimes are disguised as campaigns against extremism, part results from authorities' connivance, part are disguised as so-called legislation. Most of the crimes may be qualified as violation of art. 9 of European convention on human rights¹ and art. 18 of Universal Declaration of Human Rights².

The Filing Parties state that there are substantial grounds to believe that Russian Federation is responsible for committing and/or ordering and/or conniving at least some of the violations of the right to freedom of thought, conscience and religion; that includes freedom to change religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

The allegations set out below are based on witness statements, obtained by the Authors in field missions to Donbas region settlements that lie on the so-called 'contact line' and to Crimea, as well as on gathered documents, photographs, investigative reports of international organizations and Ukrainian civil organizations such as such Center for Civil Liberties (Kyiv), Institute for Religious Freedom (Kyiv), Kharkiv Human Rights Protection Group, and on open-source materials.

The research covers events that took place since annexation of Crimea by the Russian Federation in March 2014 till May 2019 in eastern and southern regions of Ukraine: Luhansk region, Donetsk region and Autonomous Republic of Crimea.

The Authors make the following recommendations:

- (a) To the international community: continue to apply sanctions on individuals and entities responsible for serious violations of human rights in Crimea and in Donbas region;
- (b) To the Prosecutor of the International Criminal Court: include the hereinafter described cases into the purview of her preliminary examination on Ukraine and to request an authorisation for a full investigation as soon as practicable;
- (c) To Ukrainian authorities: continue to investigate violations against its citizens with a view to bringing those responsible to justice;

¹ European Convention on Human Rights, 1950, available at: https://www.echr.coe.int/Documents/Convention_eng.pdf

² Universal Declaration of Human Rights, 1948, available at: https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf

LEGAL ASSESSMENT

Rome Statute of the International Criminal Court knows only one type of war crimes that by definition has to target the religion infrastructure, namely the “*intentionally directing attacks against buildings dedicated to religion*”³. Article 8(2)(b)(ix) of the Rome Statute criminalizes such attacks when committed in the context of international armed conflict (IAC), and article 8(2)(e)(iv) criminalises them when committed in the context of non-international armed conflict (NIAC). In order the attack to be qualified as a war crime under the named articles, the perpetrator has to have an intention to make the building or buildings dedicated to religion, which were not military objectives, to be the object of the attack.

Although, other legal definitions of other types of war crimes don't directly mention religion or religious constructions as the object of the crime, the scope of war crimes that may target freedom of religion is much wider than that mentioned in articles 8(2)(b)(ix) and 8(2)(e)(iv). Therefore, the following war crimes may also be committed against the religious institutions, ministers of the religions and the believers:

(a) Torture or inhuman/cruel treatment. Inhuman and cruel treatment (article 8(2)(a)(ii) for IAC and article 8(2)(c)(i) for NIAC) means the infliction of severe physical or mental pain or suffering upon one or more protected by the 1949 Geneva Conventions persons. Therefore, a war crime is being committed whenever civilians, including ministers of different religions and believers, are subjected to the severe physical or mental pain or suffering by the representatives of the armed forces of the party to the armed conflict. The definition of the war crime of torture is similar to the definition of the inhuman/cruel treatment but supplements it with one additional compulsory element. That is the purpose of the crime. That is to say, the perpetrator of the war crime of torture should have the purpose to inflict the pain or suffering of the victim for any reason based on discrimination of any kind. Discrimination on the religious ground fully satisfies the wide definition from articles 8(2)(a)(ii) and 8(2)(c)(i).

(b) Wilful killing/Murder. Articles 8(2)(a)(i) (for IAC) and 8(2)(c)(i) for NIAC criminalize the act or omission that causes death⁴ when committed in the context of IAC or NIAC against the persons protected by the 1949 Geneva Conventions. Therefore, the killing of civilians, including ministers of religions and believers, while they do not take an active part in the hostilities would be a war crime under the mentioned articles.

(c) Wilful causing great suffering. Article 8(2)(a)(iii) names a specific for the IACs only type of war crime, namely “*wilfully causing great suffering, or serious injury to body or health*”. This crime as the previous ones may be committed against the persons protected by

the 1949 Geneva Conventions. Compared with the crime of inhuman treatment, this type of war crime requires demonstration of lesser physical or mental pain or suffering, or injury to body or health.

(d) Committing outrages upon personal dignity. Violation of dignity of the person if reaches the degree as to be generally recognized as an outrage upon personal dignity, constitute a separate type of war crime (articles 8(2)(b)(xxi) for IAC and 8(2)(c)(ii) for NIAC). To be qualified as such, it should be committed against the persons protected by the 1949 Geneva Conventions. The crime differs from the wilful causing of great suffering in the severity of the consequences to the mental health⁵.

(e) Seizing the property. The property of the religious institutions if seized by the occupying power and the seizure cannot be justified by military necessity constitute a war crime of seizing the enemy's property (article 8(2)(b)(xiii) for IAC and article 8(2)(3)(xii) for NIAC). The religious property, both movable and immovable, in most cases unable to contribute to the military strength of the party to the conflict. Therefore, its seizure in most of the cases should be qualified as a war crime.

The war crimes referred above while do not usually involve the religious motives, still may be and frequently are being committed against religious infrastructure, ministers of different religions and believers. If that is the case, the religious motive does not constitute a compulsory element of the corpus delicti (except war crime of torture). Instead, it vividly manifests the general pattern of behaviour of the occupying power.

Apart from the war crimes, the different types of attacks against religion freedom may be qualified as a **crime against humanity** of persecution. The definition of the latter crime consists of three-part material element: severe deprivation, contrary to international law, of one or more persons of fundamental rights; targeting of the groups or collectives basing on the religious grounds; commission of the conduct in connection with any act that constitutes another crime against humanity.

This report doesn't aim to thoroughly analyze all the elements of the alleged crime against humanity of persecution on religious ground. That is why it doesn't contain the evidence or even mention other crimes against humanity committed on the occupied territories. The report only attracts attention to the possible qualification of the documented acts against religion.

The report also unveils **the violations of the international humanitarian law** that do not reach the war crime or crime against humanity threshold. Thus, article 27 of the 1949 Geneva Convention IV (applicable only to the armed conflict of international nature) stresses that the protected civilians are entitled to exercise their religious du-

³ Rome Statute of the International Criminal Court, effective 2002, available at: <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>

⁴ See for more details: Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui, International Criminal Court, Decision on the confirmation of charges, 30 September 2008, para. 287.

⁵ See examples of the outrages upon personal dignity in Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui, International Criminal Court, Decision on the confirmation of charges, 30 September 2008, paras. 370-371

ties. In case of occupation, the occupying power shall facilitate such exercise. The latter means that the occupying power carries both passive and active obligations with regards to religious institutions and its followers. On the passive side, the occupying power has to abstain from acts that may prevent the execution of religious rites, any other manifestations of religious belief. On the active side, the occupying power is obliged to facilitate the exercise of religious duties by protecting the involved civilians and their institutions during the occupation. Many of the documented cases, if even do not fully satisfy the definitions of war crimes or crimes against humanity, should be regarded as a violation of article 27 of the 1949 Geneva Convention IV.

In the first place, the current report portrays the main trends of the suppression of the freedom of religion on the occupied territories of Crimea and Donbas. But it also goes into details with the description of dozens of concrete cases of violation of individual or group rights. In this part, the report carefully studies the acts that may constitute:

- (a) war crimes of torture against priests and other ministers of religions;
- (b) the murder of the adult sons of the pastor and two of the deacons of the Transfiguration Church in Sloviansk;
- (c) numerous cases of inhuman/cruel treatment, willful causing of great suffering and committing outrages against personal dignity against the representatives of all the denominations present in Crimea and Donbas that are different from the Russian Orthodox Church;
- (d) seizing of the movable and immovable property of several religious communities.

METHODOLOGY

The evidence of violations presented in this Report has been empirically documented by the Authors through fact-finding field missions and witness interviews, or collected from independent, reliable sources.

Collecting data

The main form of data collection for the purposes of documentation of persecutions is interviewing witnesses and victims of alleged crimes. To gather witness and supporting evidence, documentation teams travel to the alleged crime site with the view of identifying victims, witnesses and, whenever possible, physical evidence. Witness statements, conducted in an impartial and open manner, form the bulk of the evidence – a crucial part of the investigation. Further contextual and/or corroborating information is sought from official documents such as reports from State and quasi-State organs (e.g. statements by representatives of the warring parties, law enforcement agencies, international monitoring organizations, media reports).

The purpose of interviews is to obtain the victim's most complete answers on the event in question. To ensure the reliability and credibility of witness evidence, the documentation team resorts to the use

of open questions: i.e. who, what, where, when, why, how and what was the result. The following data is gathered from every witness:

- (a) Brief description of interviewees, their occupation, previous occupation, education, workplace and residence, date of birth and other personal and contact details; timing and location of the incident with questions aimed at verifying the accuracy, reliability, credibility;
- (b) Verbal description of the location where victims were detained, tortured or interrogated, address; graphic representation of the location where the incident took place (hand-drawn scheme of the scene if necessary);
- (c) Factors identifying garment of crime suspects, their military/paramilitary unit affiliation, language and pronunciation, specific appearance and behavior features, vehicles they used, cultural memes they mentioned, their navigation skills and knowledge of local toponyms.
- (d) Addresses on buildings, street signs or unusual objects;
- (e) Information about other civilians who suffered from persecution.

At the end of each interview, the statement is read back to (or by) the interviewee and he or she may make amendment to the record. The interviewer and the respondent sign a form, which includes information on the potential use of the data and the duty and purposes of interviewing organization to ensure the confidentiality of the data. All evidence is collected from each witness separately and independently. The presence of other witnesses or anyone that could have an influence on the testimony is not allowed during the interview (or if unavoidable, placed on the record).

Monitoring the crimes in the occupied territories is extremely difficult. Many victims and witnesses have family or congregation who live in the occupied territories, others frequently visit the conflict zone and out of fear for their safety and safety of those they care about, they refuse to testify about the crimes.

Some data in this Report is anonymized due to reasons of witness' safety. In such cases only a code instead of name is provided, for e.g. 'witness 156REL8'. The information about decoding the identity of the witnesses is provided to members of Office of the Prosecutor of the International Criminal Court only.

Analyzing data

After collection, all data is organized and analyzed using the framework of the ICC Statute and Elements of Crimes. The aims of the process are to

- (a) obtain the most complete picture of events documented (including contextual evidence and information on gravity and impact of attacks);
- (b) determine – to the standard applicable to preliminary examinations at the ICC – whether the documented evidence reveals the existence of an ICC Statute crime; and
- (c) identify gaps in the evidence and potential sources of information.

tion for bridging the identified gaps.

Based on the documented evidence, a determination is made on the harm caused to civilians and, its extent and gravity. The ICC Statute and Elements of Crimes are used to determine whether a crime has taken place. Linkage evidence is analyzed to determine those responsible by identifying the likely warring party responsible for the attack, the units stationed at or near the identified launch site and the chain of command of those units.

BACKGROUND

Alongside with military intervention and armed violence the Russian Federation brought abuse of wide specter of human rights to Eastern Ukraine and Crimean peninsula. Among the targets of Russian aggression is religious liberty as a universal human right. For the Russian regime on the annexed Crimean peninsula and pro-Russian regime in occupied territories of Donetsk and Luhansk regions religion start playing a crucial role. State-building processes in so called Luhansk People's Republic/Donetsk People's Republic as well as pro-Russian social changes in Crimea are largely referred to orthodox Christianity of Moscow type. Together with Russian language and centralized autocracy Moscow orthodoxy is claimed to be a social glue for society that Russia and pro-Russian units try to build there. This results in high level oppression against confessions that are different to Moscow Christianity.

In its 2017 Annual report United States Commission on International Religious Freedom asserts that Russia is the unique state to have not only continually intensified its repression of religious freedom since USCIRF commenced monitoring it, but also to have expanded its repressive policies to the territory of a neighboring state, by means of military invasion and occupation. Those policies, ranging from administrative harassment to arbitrary imprisonment to extrajudicial killing, are implemented in a fashion that is systematic, ongoing, and egregious⁶.

Prewar context

On November 21, 2013, Viktor Yanukovich, the 4th President of Ukraine who is currently in exile in Russia and wanted by Ukraine for high treason, announced that he would not sign the association agreement with the EU in Vilnius. Mass protests in the capital city of Kyiv began following the announcement. Mass protests surged after a violent break-up of the demonstrations by riot police early on Saturday morning, November 30, 2013. As a result, nearly a million people rallied on Kyiv's central square Maidan Nezalezhnosti on December 1, and demonstrators began to occupy the city centre for weeks to come. The protests would later spread to many cities across the nation, and in several cities protesters occupied regional govern-

ment buildings.

The protests, dubbed Euromaidan, included not only citizens with pro-western views, but also people who were infuriated by the level of corruption of the government and by police and security services' brutality, and demanded the government's resignation.

On February 18, 2014, clashes on the streets intensified, leaving 18 protesters dead. On February 20, at least 88 people were killed. Video footage showed uniformed snipers firing at unarmed protesters. On February 22, president Yanukovich fled the capital and protesters took control of his residence and the administration building. The new government issued an arrest warrant for Yanukovich and ordered the elite Berkut police unit, blamed for deaths of protesters, to be disbanded.

A Russian propaganda machine began to work full force, with twisted and fictitious news reports on Russian TV, depicting the protests in Ukraine as a take-over by nationalists and fascists, orchestrated and financed by Western institutions. Thus propaganda made heavy use of the myth that Moscow type Christian orthodox religion and Russian language are being harassed by Ukrainian authorities after Euromaidan and are badly in need of urgent armed protection. This myth became popular and efficient. To a great extent it predetermined hostile attitude of pro-Russian illegal fighters towards representatives of other religions. Some para-military units openly proclaimed sacred crusade against unfaithful and misbelievers. "Personally I wouldn't let them come back. Because I took up arms so that we could have an orthodox state", explained his position Donetsk People's Republic soldier to news channel⁷.

The Ukrainian Parliament's decision to remove the status of Russian as a second language gave further grounds for the officials in Moscow to portray the new leaders in Kyiv as US-backed Ukrainian nationalists bent on violating minority rights.

First aggression campaign: Annexation of Crimea

In the last days of February 2014, unidentified gunmen seized key government buildings in Simferopol, the capital of Autonomous Republic of Crimea. Gunmen in military uniforms without insignia, dubbed 'green men' by the locals and the media for the colour of their uniforms, appeared outside Crimea's main airports and began to block Ukrainian military bases on the peninsula.

On March 16, Crimea's secession referendum on joining Russia was apparently backed by 97 percent of voters in a poll that local opposition lawmakers claimed was a farce, characterized by rigging, fraud, and intimidation. The EU and US moved quickly to impose travel bans and asset freezes on several officials in connection with the Crimean referendum. On March 18, Putin signed legislation to absorb Crimea into the Russian Federation. Western governments did not recognize

⁶ United States Commission on International Religious Freedom, '2017 Annual report', Apr. 2017: page 68, available at: <https://www.uscifr.gov/sites/default/files/2017.USCIRFAnnualReport.pdf>

⁷ Vice News, 'Secret Protestant Churches in Donetsk: Ukraine's Religious War', March 2015, available at: <https://youtu.be/mhEe2PSaEW0>



the results of the referendum. Russia, on the other hand, acknowledged the results, citing the precedent of the recognition of the independence of Kosovo and the right of people to self-determination as specified in the UN Charter.

Further aggression: Military expansion to eastern Ukraine

After the annexation of Crimea by the Russian Federation, pro-Russian separatists began to move for control of the industrial east, seizing control of government buildings in Donetsk, Luhansk, Kharkiv, Sloviansk, Horlivka and Kramatorsk in April 2014, and calling for a referendum on independence. As Russian forces appeared to be building up at the border, the new Ukrainian authorities in Kyiv ordered an “anti-terrorist operation” and regained control of Kharkiv.

On May 11, 2014 pro-Russian separatists in the Donetsk and Luhansk regions held unrecognized referendums, declared independence as the Donetsk Peoples Republic and the Luhansk Peoples Republic, and drafted their “constitutions”. “Constitution” of the so-called Donetsk Peoples Republic (Donetsk People’s Republic) specifies: “The leading and dominant faith is the Orthodox faith... as professed by the Russian Orthodox Church (Moscow Patriarchate). The historical heritage and role of the Russian Orthodox Church (Moscow Patriarchate) are recognized and respected, including as a main pillar of the Russian World doctrine.”⁸

This has led to attacks on churches, cases of abduction, torture and other ill treatment as well as the murder of clergy members and the prohibition of religious practice other than that of the Orthodoxy of Moscow Patriarchy in Donbas region. Unlawful armed groups, under

the banners of the Russian Orthodox Army and the Cossack Army, openly manifest their adherence to orthodoxy and have begun a “crusade” across the Donbas region. Evidence has come to light that several priests of the Ukrainian Orthodox Church of Moscow Patriarchate have, to varying degree, supported these unlawful paramilitary groups in their campaign against representatives of Protestant, Evangelical and Catholic Churches and Orthodox believers who do not recognize the Moscow Patriarchy.

Russian Federation doesn’t take responsibility for social catastrophe on the occupied territories. In result these lands have no legitimate authorities and civilians are deprived of human rights protection and justice, as well as legal defense from crimes of pro-Russian militants.

It seems apparent however that so called People’s Republics have no financial and military resources to exist and keep fighting against Ukrainian army for five years without constant large scale support from third party. Thus paramilitary groups held their positions and as of June 2019 this military conflict remains unresolved.

Religious landscape in Ukraine

Ukraine’s religious landscape is generally characterized as diverse with many religious believers and a high level of religious tolerance. Before the war out of the estimated 45.5 million inhabitants⁹, 67% declare themselves to be believers and almost three-quarters feel that every religion should be respected¹⁰. For the majority of Ukrainians, religion is an internal spiritual matter, and is therefore valued as an important part of the traditional and cultural context, rather than an institutionalized faith.

⁸ Donetsk people’s republic, Constitution law, May 14, 2014, available at: <https://dnrsoviet.su/konstitutsiya/>

⁹ State Statistics Service of Ukraine, data as of January 1, 2013 ** cited page 4 of https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

¹⁰ Razumkov Center, April 2013 ** cited page 4 of https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

¹¹ 2014 Report of State Committee of Ukraine on Nationalities, Migrations and Religion Affairs accessible at <http://risu.org.ua/ua/index/resourses/statistics/ukr2014/55893/>

¹² Razumkov center, ‘Peculiarities of religious and church and religious self-determination of Ukrainian citizens: Trends of 2010-2018’, Kyiv, 2018, available at: http://razumkov.org.ua/uploads/article/2018_Religiya.pdf

At the beginning of 2014, about 35 thousand registered religious organizations operated in Ukraine, along with an additional 1,653 un-registered organizations¹¹. The vast majority of these denominations are Christian. According to studies carried out by the Razumkov Center, an independent public think tank, 87.4% of believers identified themselves as Christian in 2018¹².

According to the poll of 2016, a quarter of people who declared themselves to be Orthodox identify with the Ukrainian Orthodox Church of Kyiv Patriarchate, 15% with the Ukrainian Orthodox Church of Moscow Patriarchate; less than 2% adhere to Ukrainian Autocephalous Orthodox Church, while 21,2% declare themselves as "just Orthodox"¹³. The three Orthodox churches are identical in their doctrine. The difference between them is in their political views, with Ukrainian Orthodox Church of the Moscow Patriarchate taking a pro-Russian stance, while the Ukrainian Orthodox Church of the Kyiv Patriarchate and the Ukrainian Autocephalous Orthodox Church are pro-Ukrainian in persuasion.

The Ukrainian Greek Catholic Church is the largest non-Orthodox church, claiming an estimated 9,4% of believers, while the Roman Catholic Church congregation is estimated to attract 0,8% of worshippers¹⁴.

Islam is the fourth-largest religion in Ukraine. Estimates of the Ukrainian Muslim population vary. Independent research agencies estimate the Muslim population at 500,000¹⁵. Areas of their compact settlement are predominantly in Donbas where they constitute up to 6.0% of the population¹⁶ and in Crimea where they constitute up to 12% with the large ethnic group of the Crimean Tatars accounting for the majority of this¹⁷.

There are an estimated 103,600 Jews in the country, but some local Jewish leaders estimate the number of persons of Jewish heritage to be as high as 370,000¹⁸.

The Protestant community is represented by the biggest range of religious organizations. This branch of Christianity has been actively growing in terms of its institutionalized network, namely about a quarter of all registered religious organizations belong to the Protestant denomination. Many Protestant churches operate in eastern Ukraine.

In the constitutional and legal context, Ukraine declares itself to be a secular state. The freedom to profess or not to profess any reli-

gion and to carry out religious activity is guaranteed by Article 35 of the Ukrainian Constitution¹⁹. Non-discrimination based on religion is guaranteed by Article 24: "No privileges or limitations on the basis of race, skin color, political, religious, or other convictions, sex, ethnic or social origin, property status, place of residence, or linguistic or other traits, are permitted".

The Law of Ukraine on Freedom of Conscience and Religious Organizations was also adopted in 1991 and grants religious organizations legal status with the right to acquire property, to stand before the court and to hold public worship²⁰. In 2006 this law underwent a detailed review by the Advisory Council on Freedom of Religion or Belief of the OSCE, which found that although some provisions were vague or unclear, the draft law met the requirements of international instruments and best practice concerning freedom of religion or belief²¹.



Religious diversity was common to Eastern Ukraine. At the beginning of 2014 in Donetsk region there were 1797 religious organizations. Of them: 762 parishes of the Ukrainian Orthodox Church of the Moscow Patriarchate, 366 churches of evangelical Christians (Pentecostalism movement, Charismatic movement and others), 186 Baptist churches, 86 parishes of the Ukrainian Orthodox Church of the Kyiv Patriarchate, 83 communities of Jehovah's Witnesses, 49 the Seventh-day Adventist Churches, 38 Muslim communities, 36 Greek

¹³ Razumkov center, 'Religion, church, society and state: two years after the Maidan', Kyiv, 2018, available at: http://razumkov.org.ua/upload/Religiya_200516_A4.compressed.pdf

¹⁴ Razumkov center, 'Peculiarities of religious and church and religious self-determination of Ukrainian citizens: Trends of 2010-2018', Kyiv, 2018, available at: http://razumkov.org.ua/uploads/article/2018_Religiya.pdf

¹⁵ U.S. Bureau of democracy, human rights, and labor, '2012 Report on International Religious Freedom', May 20, 2013, available at: <https://2009-2017.state.gov/j/drl/rls/irf/2012/eur/208378.htm>

¹⁶ Razumkov center, 'Religion, church, society and state: two years after the Maidan', Kyiv, 2018, available at: http://razumkov.org.ua/upload/Religiya_200516_A4.compressed.pdf

¹⁷ Институт демографии Национального исследовательского университета «Высшая школа экономики», Demoscope.ru. "Распределение населения по родному языку и уездам 50 губерний Европейской России", 2016, available at: http://demoscope.ru/weekly/ssp/rus_lan_97_uezd.php?reg=1420.

¹⁸ US Department of State, 'Ukraine 2013 International Religious Freedom Report', accessible at: <http://www.state.gov/j/drl/rls/irf/2013/eur/222279.htm#>

¹⁹ Constitution of Ukraine, June 28, 1996, available at: <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80?lang=en>

²⁰ Law of Ukraine 'On freedom of conscience and religious organizations' april 23, 1991, available at: <https://zakon.rada.gov.ua/laws/show/987-12?lang=en>

²¹ Andrew Sorokowski, 'Contemporary Ukraine on the Cultural Map of Europe', p.76, available at: http://shron2.chtyvo.org.ua/Zbirnyk_statei/Contemporary_Ukraine_on_the_Cultural_Map_of_Europe_anhl.pdf

Catholic parishes, 19 Jewish communities, 14 Parishes of the Catholic Church, 14 Buddhist and 8 Krishna communities²².

In the Luhansk region before the beginning of war there were 835 religious organizations. Namely 423 parishes of the Ukrainian Orthodox Church of the Moscow Patriarchate, 131 churches of evangelical Christians, 99 churches of Christian Baptists, 35 parishes of the Ukrainian Orthodox Church of the Kyiv Patriarchate, 39 the Seventh-day Adventist Church, 28 Jehovah's Witnesses communities, 14 Jewish communities, 13 Muslim communities, 6 Greek Catholic parishes, 6 Buddhist communities²³.

Despite members of Ukrainian Orthodox Church of the Moscow Patriarchate were the most numerous in Donbas (42% of all the communities) the other confessions were still quite diverse.

RELIGION AS A WARFARE

Throughout the history of independent Ukraine never there were so large-scale examples of religious hatred and violence caused by religious motives.

Religion became among the key tools of Russia's hybrid military intervention. In combination with intense inevitable propaganda and mass persuasion it is used to destabilize society to make it incapable to withstand the intervention integrally.

For members of churches and religions that are different from Russian orthodox Christianity the first war year was a terror. Kidnappings, looting, tortures, illegal detentions, illegal appropriations, aggression and hatred became common.

In March 2014, the heads of the largest churches and religious organizations in Ukraine, with the exception of the Ukrainian Orthodox Church of the Moscow Patriarchate, released a joint statement denouncing the allegations of Russian media: "In our country there is no harassment on the basis of language, nationality or religion. Therefore, we testify that all attempts of Russian propaganda to represent the events in Ukraine as a 'fascist revolution' and 'the victory of extremists' are completely untrue"²⁴.

Shortly afterwards, the All-Ukrainian Council of Churches and Religious Organizations also released an official statement after the request by Russian President Vladimir Putin to send troops to Ukraine was formally approved by the Russian Parliament: "Bringing of foreign military forces to Ukraine is a threat not only for our country but for the peace and tranquility on the European conti-



ment as a whole." The Council also underlined that it recognized the current government of Ukraine as legitimate²⁵. Ukrainian Orthodox Church of the Moscow Patriarchate has generally avoided taking sides, denouncing aggression by both parties and calling for peace.

On May 16, 2014, representatives of the so-called Donetsk Peoples Republic released the text of its own "constitution". Section 9 of the document specifies: "The leading and dominant faith is the Orthodox faith ... as professed by the Russian Orthodox Church (Moscow Patriarchate). The historical heritage and role of the Russian Orthodox Church (Moscow Patriarchate) are recognized and respected, including as a main pillar of the Russian World doctrine."²⁶

The idea of a "Russian World", which Vladimir Putin has often referred to as the basis of his policies in Ukraine, calls for the unity of people across the historical territory of ancient Rus, and for the preservation of the common values of Russian language, religion, spirituality and way of life. This concept has been strongly promoted by Kirill the Moscow Patriarch of the Russian Orthodox Church²⁷.

On August 2014, Patriarch Kirill wrote an open letter addressed to the Ecumenical Patriarch of Constantinople Bartholomew I, the most senior cleric of the Orthodox faith, in which he called the war in Donbas a religious war. In his letter, the Moscow Patriarch accused representatives of the Ukrainian Greek Catholic Church and Protestant leaders of propagating hatred toward the Orthodox Church, taking over Orthodox shrines and attempting to eradicate orthodoxy from Ukrainian territory ever since autumn of 2013. He also accused the "uniates" and the "schismatics" [Ukrainian Greek

²² Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AOBq7Q3RiwHWMTCOG20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

²³ Ministry of Culture, The order «On annual statistical reporting on state-confessional relations in Ukraine for the year 2013 (religious organizations)», March 19, 2014, available at: http://mincult.kmu.gov.ua/control/publish/article?art_id=244950598

²⁴ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 6, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

²⁵ The All Ukrainian Council of Churches and Religious Organizations, full text in Ukrainian:

<http://vrciro.org.ua/ua/statements/380-council-of-churches-statement-on-decision-of-russian-military-invasion>

²⁶ Information portal of DPR, full text in Russian available at: <http://dnrespublika.info/o-республике/konstituciya-doneckojnarodnoj-respubliki/>

²⁷ His Holiness Patriarch Kirill, 'The Russian world is a special civilization that must be preserved', September 8, 2014, available in at: <http://www.patriarchia.ru/db/text/3730705.html>

Catholic Church and Protestants respectively] of taking up arms against the Orthodox clergy in the course of combat events in the east of Ukraine²⁸.

The heads of Ukrainian Greek Catholic Church and the Ukrainian Orthodox Church of the Kyiv Patriarchate have denounced accusations by the Moscow Patriarch as unfounded and lacking any substantial proof. The head of the Ukrainian Orthodox Church of the Kyiv Patriarchate also denied claims that the war in Donbas is a religious war, instead calling it a war between Russia and Ukraine that has an "occupational character". Following a period of relative silence since the summer of 2014, at the Supreme Church Council of the Russian Orthodox Church on February 17, 2015, Russian Orthodox Church Patriarch Kirill declared the military conflict in Ukraine to be a civil war. The Patriarch reiterated that from the beginning of military action the Russian Orthodox Church has not taken sides and has fully supported all peacemaking initiatives. Thus, the majority of Ukrainian denominations have declared their position in support of the constitutional unity of Ukraine. The Moscow Patriarchate of the Ukrainian Orthodox Church remains understandably neutral in the light of the ostensibly nonpartisan stance of the governing Russian Orthodox Church.

The situation with religious harassment is further worsened by intention of the occupation authorities to conceal the crimes under the guise of law and thus to legalize the oppression.

The authorities of the self-proclaimed Donetsk People's Republic and Luhansk People's Republic have enacted legislation aimed to control activities of religious organizations and to fight against extremism. The laws mimic those of the Russian Federation and serve as a tool for terrorizing religious minorities and for fighting against those who don't support the occupation authorities. Occupied Crimea is de facto governed by Russian legislation.

Thus, on June 2016, the authorities of the Donetsk People's Republic adopted a law about freedom of religion and religious organization²⁹. The regulatory document was not in use until May 2018 when the amendment was made that obliges all religious organizations in the region to register before March, 2019.

The document also stipulates that for the registration the religious expertise is mandatory. Disapproval of experts will qualify for denial in registration. According to testimony of Evangelical Baptist Union of Ukraine (or All-Ukrainian Union of Churches of Evangelical Christian Baptists) Serhii Moroz none of the Evangelical Baptist communities has been registered as of September 2018 because

the occupation authorities gave neither positive, nor negative resolution³⁰.

Religious expertise and registration are not obligatory to the Ukrainian Orthodox Church of the Moscow Patriarchate however. This religious institution has a right for special simplified procedure of legalization in the region.

Luhansk region has similar situation with regulatory legislation. On February 2, 2018, the so-called Law of the Luhansk People's Republic on freedom of conscience and religious associations was adopted³¹. This document prohibits activity of religious groups, which refers to a five-person organization that are not part of any "traditional religious denomination". However, there is no list of traditional religious denominations. This indeterminacy creates ground for unlawfulness of authorities. Moreover, religious communities on the occupied territories of Luhansk region were also obliged to undergo a mandatory registration procedure before October 2018 or else they are considered to be illegal and will be criminalized. A witness who still serves as a priest in occupied Luhansk on the condition of anonymity said to the members of Truth Hounds' filed mission that long before the adoption of the law he was warned by representatives of either so-called police or so-called Ministry of state security that the church will not be provided neither with water, nor with electricity unless they are registered. The law grants simplified procedure for legalization for the Ukrainian Orthodox Church of the Moscow Patriarchate in the Luhansk region as well.

Legal organizations of religious communities in Crimea are also required to re-register under Russian legislation in order to continue their organizational activities, such as renting facilities, hiring employees, or inviting foreigners to participate in their religious activities. Notably, only Russian citizens are legally permitted to register religious organizations as legal entities. The main technical problems faced by religious organizations seeking to register were extensive documentation requirements, lack of necessary legal knowledge, and long queues for those seeking to re-register [142]. Those seeking to register for the first time under Russian rules were required to provide additional information, such as on the organization's doctrine and political views³².

In May 2015, the head of the self-proclaimed Donetsk People's Republic Alexander Zakharchenko at a press conference in Donetsk made a statement that occupation authorities recognize only Orthodox Church of Moscow Patriarchate, Catholicism, Islam and Judaism. All the rest believers, including the Ukrainian Orthodox Church of

²⁸ Department for External Church Relations of The Russian Orthodox Church, 'His Holiness Patriarch Kirill urged the Primates of the Local Churches to have their say in defense of the Orthodox Christians of Eastern Ukraine', September 14, 2014, available at: <https://mospat.ru/ru/2014/08/14/news106782/>

²⁹ Donetsk people's republic, law 'On freedom of religion and religious associations', June 24, 2016, available at: <https://dnrsovet.su/zakonodatel'naya-deyatelnost/prinyatie/zakony/zakon-donetskoj-narodnoj-respubliki-o-svobodno-veroispozvedaniya-i-religioznyh-obedineniyah/>

³⁰ Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, page 15, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AOBq7Q3RiwHWMTCOG20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

³¹ Luhansk people's republic, law 'On freedom of conscience and religious associations', February 2, 2018, available at: <https://nslnr.su/zakonodatelstvo/normativno-pravovaya-baza/5741/>

³² ODIHR, 'Report of the Human Rights Assessment Mission on Crimea', July 6–18, 2015, available at: https://www.irf.in.ua/eng/index.php?option=com_content&view=article&id=438:1&catid=46:ocse&Itemid=73

Kyiv Patriarchate, Greek Catholic Church and evangelical Christians, were classified as sectarians³³.

Following the Russian model occupation authorities began to accuse them in extremism, espionage in favor of Ukraine or United States, sabotage etc. Accusations were groundless and came amid illegal arrests and the confiscation of church property. On December 1, 2016, representatives of the so-called Ministry of State Security of the Luhansk People's Republic declared the beginning of an active struggle with non-traditional religious organizations, blaming them sectarians who allegedly threaten security of the Luhansk People's Republic. There was no specific list of denominations that are deemed to be a threat, but at the press conference occupation authorities mentioned in particular the Christians of the Evangelical Faith and the Baptist Church³⁴.

Participation of radical orthodox pro-Russian armed groups

Although the Russian Orthodox Church, like the Kremlin, has officially denied any role in stirring up or exacerbating the turmoil in Ukraine, evidence of close ties between the Moscow Patriarchate and the pro-Russian cause has accumulated since the pro-Russian combatants took over Ukrainian territories in the east in the spring of 2014.

Among the unlawful armed groups on the territories of the self-proclaimed Donetsk People's Republic and Luhansk People's Republic, two main Cossack battalions are using the canonical orthodoxy in their rhetoric. They fight under religious-themed banners, proclaim themselves to be defenders of Christianity and of the Russian World, terrorize religious communities, confiscate church property, and imprison and murder clergy. Open sources and witness testimony indicate that these armed groups also have local support from the clergy of Ukrainian Orthodox Church of the Moscow Patriarchate and Russian Orthodox Church.

In general, the Cossack battalions act as an ethno-cultural organization. The Russian Orthodox Church has a special Synod Committee for the Cooperation with Cossack battalions³⁵ and there is also a Council for Cossacks Affairs under the patronage of the President of the Russian Federation³⁶. The Cossack organization claims to defend orthodoxy and Russian World values, and its rhetoric has strong undertones of xenophobia and violence. As an example, Battle Gnomes, a paramilitary camp where young Cossacks are taught to use guns, was established in Crimea in 2010 under the patronage of the Synod Committee of Russian Orthodox Church.

The Cossacks also form a network of paramilitary groups along the southwestern border of Russia and Eastern Ukraine. For several decades, Cossack groups have been involved in armed conflicts in the areas of Transnistria, Abkhazia and Serbia. Researchers on radical issues in the Russian Federation, ranks them as right-wing extremists made up of veterans of the "Slavic" wars of the first half of the 1990's, as well as participants of the coup attempt in Moscow in October 1993 and their followers³⁷.

The direct involvement of the Cossack groups in the military conflict in eastern Ukraine has been widely known since the very beginning of the conflict in April 2014. One of the most well-known media figures is Alexander Mozhajev, a.k.a. Cossack Babaj. He came to Donbas from the Russian region of Kuban, which is situated close to the Ukrainian border and defines himself as a "famous defender of the Russian speaking population of Donbas and Crimea"³⁸.

Almighty Don Host



Almighty Don Host (or Vsevelikoe Voisko Donskoe) is an illegal military formation in eastern Ukraine, made up of Cossack affiliates from the Rostov-on-Don region of the Russian Federation. In his "address and order" to the Cossack community, the battalion leader Nikolai Kozitsyn defined the armed conflict as "an occupation of Ukraine by the Poles, Romanians and Hungarians who exploit it for resources and aim to exterminate the local Slavic population"³⁹.

The legion's website encourages other Cossacks to join the ranks of the legion, "to stand up for our blood brothers" and declares one of its major goals as being to uphold Christian morals, and pledges complete support to the Russian Orthodox Church (although mutual respect for other religions is also stated)⁴⁰.

³³ Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, page 6, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AObQ7Q3RiwHWMTCOG20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

³⁴ Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, page 7, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AObQ7Q3RiwHWMTCOG20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

³⁵ Synod committee on the interaction with the cossaks, official web-site, <http://www.skvk.org/>

³⁶ RF Presidential Council for Cossack Affairs, <http://www.skvk.org/o-sovete>

³⁷ Nikolai Mitrokhin, 'Non-Islamic Extremism in Today's Russia', October 12, 2006, available at: https://eng.globalaffairs.ru/number/n_7324

³⁸ Youtube channel 'Kazak Babaj Public', <https://www.youtube.com/user/KazakBabaj/videos>

³⁹ Address and order of ataman Kozitsyn, available at: <http://vvd2003.narod.ru/>

⁴⁰ Statute of Almighty Don Host, available at: <http://vvd2003.narod.ru/ustavv.htm>

The Russian Orthodox Army



The Russian Orthodox Army (or Russkaya pravoslavnaya armiya), one of the most active unlawful paramilitary groups, also propagates Orthodox motives. Their motto is “Warriors of the faith, brothers of the Great Russia, we will unite the whole Southeast”, and their flag depicts a Christian cross⁴¹. The unlawful paramilitary group was formed on February 2014 and proclaimed former Russian military officer Igor Girkin (Strelkov) was its leader. Countless cases of grave crimes (kidnappings, torture, ill-treatment and murder) were alleged to have occurred in their headquarters in the city of Sloviansk, which pro-Russian military groups occupied from April to June 2014.

Participation of the Moscow Patriarchate Clergy in the Conflict

According to the testimony of the local people of Sviatohirsk, Donetsk region, the city’s monastery, Lavra of the Ukrainian Orthodox Church of the Moscow Patriarchate, provided its premises as living quarters for unlawful armed groups at the onset of the fighting. It was these groups that went on to storm and take over the administrative buildings in Sloviansk and Horlivka. According to the testimonies, it was here that Vyacheslav Ponomariov, later the self-proclaimed mayor of Sloviansk, and Igor Bezler, a.k.a. “Bes” (Demon), a former colonel of the Russian Armed Forces and prominent paramilitary leader, were deployed at the onset of the fighting⁴². The priests of the Lavra have denied the accusations.

Villa Maria, the Ukrainian Orthodox Church of the Moscow Patriarchate cultural center in Sloviansk, is also accused of sheltering unlawful groups of combatants. According to witness Valery Stup-

ko, an employee of the museum next to the cultural center, on April 12, 2014, heavily armed masked men emerged from the center and made their way through back alleys to Sloviansk’s main police station. As the sequence of events would later show, these men seized the police station within minutes and thereby initiated a series of assaults on government buildings across the east of Ukraine⁴³.

Many priests in the Donetsk and Luhansk regions provide moral and spiritual support for the unlawful armed groups that have committed human rights abuses and violated the law in their persecution of Ukrainian authorities and citizens who express pro-Ukrainian opinions. Much photo and video material has been circulated on the internet portraying priests sanctifying flags, check-points, and fire-arms, and blessing the actions of the fighters against the “sinners”, “schismatics” and “American agents”⁴⁴.

Father Oleg of Ukrainian Orthodox Church of the Moscow Patriarchate came to Sloviansk from Horlivka after the pro-Russian armed groups captured the city. He served at the Cathedral of the Holy Spirit on Revolution Square after its previous chaplain fled from the occupied city. He also served as a chaplain for the battalion of Igor Strelkov (a.k.a. Girkin) – a Russian former intelligence officer who commanded the illegally formed forces in Sloviansk. Father Oleg has sanctified the battle flags and blessed the pro-Russian fighters before battle. After the liberation of Sloviansk by the Ukrainian authorities, some of the local people complained about the actions of the priests, but Father Oleg has since denied the accusations of supporting the illegal combatants, claiming that he has only prayed for peace⁴⁵.

Father Vitalii Veselyi, the protoiereus at the Church of the Resurrection of Ukrainian Orthodox Church of the Moscow Patriarchate and the head of the Centre for Slavic Culture “Presentation”, has also played a significant role in the anti-Ukrainian movement in the Donetsk region and the occupation of Sloviansk. For years, Father Vitalii has promoted the idea that Ukraine does not exist as a legitimate state. He has faced accusations that he, too, welcomed the rebels onto property owned by his church in order to help them prepare their initial assault in Sloviansk. He denies the allegations, stating he only found out about the imminent arrival of the armed fighters at the Centre from someone who called it in to the church. He insists that he had asked them to leave the Villa Maria building, but they refused and he claims that he was powerless against the armed fighters⁴⁶.

⁴¹ Russian Orthodox Army VK-page, available at: <https://vk.com/rus.p.army>

⁴² Unian Information agency, ‘Militants in Slavyansk are sheltered in the local Orthodox center’, April, 2014, available at: <https://www.unian.net/politics/908218-boevikov-v-slavyanske-priyutiti-v-mestnom-pravoslavnom-tsentre-shtepa.html>

⁴³ Center for Civil Liberties and International Partnership for Human Rights, ‘When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine’, April 2015, page 10, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁴⁴ Center for Civil Liberties and International Partnership for Human Rights, ‘When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine’, April 2015, page 10, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁴⁵ Censor.NET, ‘Residents of Sloviansk accuse the priests of the UOC-MP’, July, 2014, available at: https://censor.net.ua/video_news/294730/tam_nelyudi_eti_nochevali_eli_i_pili_a_prihojan_nastavlyali_na_put_dnr_jiteli_slavyanska_obvinyayut

⁴⁶ Center for Civil Liberties and International Partnership for Human Rights, ‘When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine’, April 2015, page 11, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf



Igor Girkin, Russian former officer, and illegally formed forces in a church in Sloviansk

Source: youtube.com/b-Bim507j3c

According to Father Volodymyr Koskin, a priest from Mariupol who was taken hostage during the Sloviansk occupation, one of the Donbas Ukrainian Orthodox Church of the Moscow Patriarchate priests oversaw a punitive unit in the basement of his church where a torture chamber was set-up. After this fact caused public outrage, the Ukrainian Orthodox Church of the Moscow Patriarchate stated that the priest had been banned from the church long ago. However, there are photos, which prove he served in this temple up until at least one week prior to the statement⁴⁷.

Another hostage held captive at the rebel controlled Secret Service premises in Donetsk (cited anonymously for safety reasons) testified: "The Orthodox priests came from Novosibirsk and got drunk with Butcher [a fighter of the unlawful military group]. They came to preach their faith since we are not canonical Orthodox, not the "right" ones. These priests put on Cossack hats, and took up sabers, saying all are Cossacks. They told us that Orthodox people from Novosibirsk parish had come to save the Russian people, to struggle for the faith. They were really drunk, they started to swing their crosses, yelling for us to get down on our knees and repent. He hit Lekha [Oleksii] with the cross several times, hit his head until blood came and he broke his cross."⁴⁸

The concept of the Russian World brotherhood, defense of Canonical Orthodoxy and strong anti-Western sentiment undermine the official neutrality of the high authorities of the Russian Orthodox Church and Ukrainian Orthodox Church of Moscow Patriarchate. Over the past year, these rhetorical elements have combined to create a dangerous mix of radicalism, violence in the name of God, and general impunity in the face of the law, effectively masking Russia's true political motives behind the military conflict⁴⁹.

CASES OF PERSECUTION BASED ON RELIGION AND CRIMES AGAINST RELIGIOUS INSTITUTIONS

Donetsk Council of Churches

In March 2014, representatives of local churches united to form the Donetsk Council of Churches, comprised of some 60 churches of different denominations. As a local pastor from a Greek-Catholic Church recalls, the local clergy from the Moscow Patriarchate were also invited to join the organization, but declined the invitation saying that they didn't have "permission from above". The Council set up a daily Prayer Marathon in one of the main squares of the city—Constitution Square—with daily worship held for an hour in the evenings. At first, about 30 to 40 believers came to pray, but soon the worship attracted around one hundred people and the prayer hours began to be held during the day as well.

A tent was set up to accommodate the worshipers and pastors from different churches were present to support those who came to pray. The prayers included pleas for peace, for an end to the violence in the region and for the protection of the unity of Ukraine. Therefore, the gatherings, although religious in their nature, were pro-Ukrainian in sentiment.

On several occasions local pro-Russian combatants vandalized the tent, threw national symbolic items into the nearby river, and threatened clergymen with violence. These attacks were accompanied by religiously motivated verbal slurs and statements that "uniates", "schismatics" and "satanists" did not belong on Orthodox land.

On May 23, about 15 gunmen from a local pro-Russian paramilitary group destroyed the prayer tent, took all the equipment and threatened to shoot anyone who came to pray there. Serhiy Kosiak, a local pastor from the Assembly of God Church and one of the organizers of the Prayer Marathon, sought discussions with the commander of the

⁴⁷ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 11, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁴⁸ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 11, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁴⁹ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 11, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf



In March 2014 representatives of 60 churches of different denominations in Donetsk united to set up a daily Prayer Marathon



Serhiy Kosiak, a Donetsk local pastor from the Assembly of God Church was detained and beaten, allegedly for his pro-Ukrainian stance



pro-Russian fighters immediately after the assault. He was detained and brutally beaten, allegedly for his pro-Ukrainian stance. Marathon was allowed to take place, on the condition that there was no mention of Ukraine as a nation⁵⁰.

According to several pastors, the politics and general atmosphere in Donetsk changed considerably after Igor Girkin (a.k.a. Igor Strelkov), a Russian former intelligence officer who commanded the illegally formed forces in Sloviansk, fled to Donetsk in July 2014 and became "Defense Minister". Several observers note that religion as a singular motive for assaults had previously been rather vague, whereas after the new regime was established in Donetsk, it became quite clear that anyone who was anything other than a follower of the Orthodox of Moscow Patriarchate was considered an enemy. Many pastors agree that before the arrival of Igor Girkin they could find some sort of compromise with the local fighters because they knew so many personally.

In the beginning of July, many more non-Slavs and Russian Cossacks started arriving in the city; the latter were especially suspicious of the prayer meetings, as they observe a particularly fanatical kind of Orthodoxy. Finally, in August 2014, the tent was forcibly dismantled by pro-Russian fighters and public worship was forbidden under the "unsanctioned meetings law". Some 14 organizers of the Prayer Marathon have been captured at various points in time, and many were beaten and tortured in detention.

Aleksander Khomchenko, a pastor who was one of the organizers of the crossdenominational Prayer Marathon in Donetsk, was kidnapped on August 8, 2014, after leading a prayer on the city's Constitution Square, and taken to the neighboring city of Makiivka. The fighters who detained him accused him of organizing unsanctioned meetings, helping the Ukrainian army and proselytizing a sect religion. Aleksander Khomchenko was told by his captors that, "There shall only be one religion on this land". He spent four days in captivity and sustained ex-

cessive injuries from brutal beatings and torture by suffocation: "They hung me up on a rack and put a gas mask on my face. They would cover the opening at the tube's end and block the airflow so I could not breathe. When I would almost lose consciousness, they would uncover the opening and cover it with a cloth soaked in ethanol. I would take a deep breath because I was nearly unconscious and feel a burning inside my chest. So I would start coughing and gasping for fresh air. That's when they would start beating me with batons on my chest and back. This continued over and over again." The pastor was also subjected to mock execution by firing squad, a torture method very popular among the pro-Russian fighters, according to numerous victims' testimonies.

As of March 2015, prayers in are held in secret, in the homes of the very few pastors and congregation members that have remained in occupied Donetsk.

Ukrainian Greek Catholic Church and Roman Catholic Church

Ukrainian Greek Catholic Church is usually accused to be a sect on the occupied territories of Donetsk and Luhansk regions

On January 29, 2016, the occupation authorities organized a protest campaign against what they call sects near the church of Ukrainian Greek Catholic Church in Donetsk. The authorities involved even schoolchildren. The participants of the protest campaign were given banners with slogans "No to sects in the Donetsk People's Republic", "Greek Catholic Church is the leader of anti-republican activity", "DNR is a territory free from sects". The church was blamed for funding from CIA, for assistance to Armed Forces of Ukraine and brainwashing of young people. The accusations were addressed not to Ukrainian Greek Catholic Church alone however⁵¹.

Father Tykhon (Serhiy) Kulbaka, another organizer of the Prayer Marathon in Donetsk, was abducted by the pro-Russian combatants at gunpoint in a supermarket car park on Artema Street on July 4,

⁵⁰ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 11, available at: https://iphonline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁵¹ Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, page 11, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AOBq7Q3RiwHWMTCOG20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>



2014. The priest could not say where he was taken, as he lost consciousness due to ether given to him as he was kidnapped. He was then blindfolded for the remainder of his ten days in captivity. The priest was denied the medicine necessary to treat his diabetes, which resulted in serious health complications. He was also denied sufficient water and grave dehydration drove him to drink from the toilet. His ration of food for the day consisted only of bread, which the gunmen knew was deadly for a diabetic⁵².

As in the cases of several other priests, the fighters staged a mock execution by firing squad, which Father Tykhon recalls they treated as entertainment. He was taken outside three times, put up against the wall and told to say his last prayer. The gunmen shot into the air and the wall next to his ear, which caused a state of shock and subsequently led to a heart condition: "He [the pro-Russian fighter] pushed me and I hit the wall. He hit my head against the wall and ordered me to pray. I began to recite the Lord's Prayer. Then came the sounds of the recharging of the gun and a series of automatic shots. My ear felt burnt from the hot air of the shots, and I understood that they are shooting right next to my head. I felt pieces of plaster from the wall falling on my head. It was really loud, almost deafening. I fainted. When I regained consciousness, I was lying on the wet ground outside. Everybody was laughing, I heard many voices, not just the two from outside my cell. They thought it was funny. Then they poured water on me, kicked me and ordered me to get up".

Father Tykhon was also subject to demagogic "conversations", during which a man, well-versed in religion and bible studies, lectured him on the righteousness of the separatist cause, the truth of Orthodoxy and the heretical nature of all other religions: "If somebody came out to pray for the Soviet Union in the center of Berlin during the second world war, what do you think would happen to these people? And you pray for Ukraine in the very center of Novo-

rossia! You are our enemy and what should be done with the enemy? The enemy must be killed: all the uniates, schismatics and heretics".

Victor Vonsovych, a Catholic priest of the Sacred Heart of Jesus Christ parish in Horlivka was arrested and held captive for ten days by pro-Russian combatants. Upon release, he was threatened with execution should he ever return to Horlivka⁵³.

Polish Catholic priest Pavel Vitek, who took part in the "Prayer Marathon" event in Donetsk, was also abducted by the combatants. He spent a day in the infamous basement prison of the Security Service building controlled by armed Donetsk People's Republic fighters. In his address to the Aid to the Church in Need in September 2014, the Roman Catholic nuncio to Ukraine Archbishop Thomas Edward Gullickson stated: "At present, I have no news of Catholic priests or religious women either Greek or Latin serving in those parts of the war zone of Luhansk and Donetsk which are still under terrorist or Russian control; even the Exarch priest of Donetsk, Bishop Stefan Meniok, had to flee the fighting"⁵⁴.

On the 9th of March, 2014, priest 156REL8 of Ukrainian Greek Catholic Church in Pokrovsk, Donetsk region, took part in public praying dedicated to anniversary of Ukrainian poet Taras Shevchenko at Shybankova square. Several hundreds of pro-Russian activists approached and shouted aggressively towards the priest and other participants "Kill and tear them. Shevchenko was an orthodox. So take this catholic away from here". Several aggressors in generic military uniform with faces concealed under black balaclavas wanted to grab the priest but he was saved by bystanders. After the incident the priest took church documents and most valuable belongings and removed them to Dnipropetrovsk region. Since he lived in the city long before the beginning of the war and his home address was quite known among residents, he had reasons to consider his life to be endangered.

Stepan Meniok, exarch priest of Ukrainian Greek Catholic Church was illegally imprisoned in 2014 in Donetsk city, according to testimony of 156REL8. He was accused to be a USA spy, because militants saw a US visa in his passport. Before this his house was looted and his car was seized. At the same time two other priests Mykhailo Zavorchuk and Ivan Talailo who were colleagues of Stepan Meniok and whom he asked for help when the house was looted, were also illegally detained. The priest Ivan Talailo was tortured with electricity and the priest Mykhailo Zavorchuk was forced to look at the torture. The witness 156REL8 states that since the beginning of the war parishes of Ukrainian Greek Catholic Church in Makiivka, suburb of Donetsk region, was closed. Same with parishes in Zuhres, Krasnyi Luch, Dokuchaivsk.

⁵² Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, page 14, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AOBq7Q3RiwHWMTCOG20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

⁵³ Institute of Religious Freedom, 'Chronicle of terror: Religious persecution by pro-Russian militants in east Ukraine', Kyiv, Ukraine, August, 2014, available at: https://www.irf.in.ua/eng/index.php?option=com_content&view=article&id=421:1&catid=34:ua&Itemid=61

⁵⁴ Zenit, 'Nuncio to Ukraine Gives Overview of Church's Most Pressing Needs', September 25, 2014, available at: <https://zenit.org/articles/nuncio-to-ukraine-gives-overview-of-church-s-most-pressing-needs/>

Witness 157REL8, who is a priest of Ukrainian Greek Catholic Church in Kramatorsk, and a chaplain, stated that on territory of the so-called Donetsk People's Republic, the Ukrainian Greek Catholic Church can not be re-registered according to the so-called local law. Thus parishioners are gathering together with Rome Catholics, as the last managed to re-register. The witness also asserted, that there is a parish in the city of Khrustalnyi (former Krasnyi Luch), which is under the so-called Luhansk People's Republic. According to his statement, the parish often experiences some kind of drunk "Luhansk People's Republic patriots" protests, but still can gather. The only condition is to avoid any politics-related speeches during the gathering.

Ukrainian Orthodox Church of Kyiv Patriarchate

On May 15, 2014, the Ukrainian Orthodox Church of Kyiv Patriarchate made official statement "about numerous facts of threats to life and health of clergymen and those who are faithful to the Ukrainian Orthodox Church of the Kyiv Patriarchate, about intentional obstacles to the Church's activities in Eastern Ukraine made by the terrorist and separatist forces controlled and encouraged by Russia"⁵⁵. The Church states that the armed people intruded temples of the Ukrainian Orthodox Church of the Kyiv Patriarchate and requested the clergymen to immediately become subordinate to the Moscow Patriarchate. The fighters declared "death sentences" to the priests of the Kyiv Patriarchate. This proves a real threat to the life of the clergymen and those who are faithful to the Ukrainian Orthodox Church of the Kyiv Patriarchate on the occupied territories of the Donetsk and Luhansk regions⁵⁶.

According to Serhiy Gorobtsov, the Archbishop overseeing Kyiv Patriarchate parishes in the Donetsk and Mariupol regions, 30 of the 40 parishes on the currently occupied territory have stopped operating⁵⁷. Most clergy and their families had to be evacuated from the region due to their names appearing on the "execution lists" of the Donetsk People's Republic. Some of those who remain behind in the war zone organize clandestine gatherings for worship. There are also two separate reports of the destruction of church property.

In May 2014, a month after Sloviansk fell to the pro-Russian forces, a group of Russian Cossacks seized the property of the Ukrainian Orthodox church of the Kyiv Patriarchate on Karl Marx Street. The local head of the church, Archimandrite Savva, held a daily mass in Ukrainian and prayed for peace in his country. The combatants from

the Orthodox Army called him a fake. The priest left the city after his name allegedly appeared on the "execution lists" and returned after the Ukrainian armed forces regained control over the city⁵⁸.

Alexander Shkumat, a priest from the Novoazovskiy district, has faced numerous threats for performing a funeral service for a family allegedly slain by pro-Russian fighters. The local church of the Kyiv Patriarchate was attacked by gunfire, its windows were shattered, and the icons, literature and other ecclesiastical objects were burned in the churchyard. Father Alexander's house was also ransacked and many personal belongings burnt⁵⁹.

Two priests, Aleksander Shumin and Valeriy Lotorev, were abducted at gunpoint by combatants from the illegal paramilitary groups of Donetsk People's Republic, taken beyond the city boundaries and brutally beaten for administering emergency medical aid to wounded Ukrainian soldiers. Two other priests, Pavel Minkov and Yuriy Ivanov, were kidnapped, held in captivity and subjected to forced labor at the camps of pro-Russian forces. Valentin Serovetskiy, the chaplain of the Aydar volunteer battalion fighting alongside the Ukrainian regular armed forces, was detained at one of the so-called Luhansk People's Republic checkpoints in July 2014 and held captive for nearly two months in Luhansk. During his captivity he was beaten, forced to dig trenches and mass graves and hold ad hoc funeral services for the dead. He sustained broken ribs and has contracted Hepatitis C⁶⁰.

On June 10, 2018, representatives of the so-called State Property Fund of the DNR closed the Ukrainian Orthodox Church of the Kyiv Patriarchate's temple of the Holy Spirit in Donetsk without any explanation⁶¹.

Protestant and Evangelical Churches

The occupation authorities in Donetsk and Luhansk regions perceive the evangelical Christians as western spies, agents of the CIA or the Security Service of Ukraine.

The Ukrainian Christian Evangelical Church's senior bishop Leonid Padun said that evangelical churches on the occupied territories of Donetsk and Luhansk regions are functioning de-facto underground: "Because of high risks for the lives of parishioners, local communities are forced to gather secretly without public announcements of places for their meetings. Any street activities, public prayers, preaching the Gospel or distributing Christian literature are even more dangerous to have. All these religious activities became dangerous for evan-

⁵⁵ Ukrainian Orthodox Church of Kyiv Patriarchate, 'Official statement', May 15, 2014, available at: <http://www.cerkva.info/uk/news/patriarkh/4852-synod-documenty.html>

⁵⁶ Institute for Religious Freedom, 'Donbas and Crimea: new challenges for religious freedom in 2014', February 3, 2015, available at: https://www.irf.in.ua/eng/index.php?option=com_content&view=article&id=424:1&catid=36:com&Itemid=55

⁵⁷ As of February 2015, at the time of interview with Serhiy Gorobtsov

⁵⁸ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 15, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁵⁹ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 15, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁶⁰ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 16, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁶¹ Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, page 11, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AOBq7Q3RiwHWMTCOG20p0SMX9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

gelical protestant in this region. Moreover, the church buildings were not only seized from the parishioners, but were completely looted.”⁶²

Murder of Four Evangelists, Sloviansk



Source: Google Maps

Church in Sloviansk whose four members were taken and killed by militants of the Russian Orthodox Army in June 2014

On June 8, 2014, after the festive Trinity Sunday service at the Transfiguration Church in Sloviansk, pro-Russian gunmen detained four members of the church: the pastor's adult sons Reuben Pavenko and Albert Pavenko and two of the church's deacons, Viktor Bradarsky and Vladimir Velichko. The men were taken to the former offices of the Security Service of Ukraine in Sloviansk, brutally beaten and killed. Their bodies were found in a mass grave near a local hospital for children after the pro-Russian fighters had left the city and the Ukrainian armed forces took over.⁶³

The Kind News Church, Sloviansk

The Kind News Church in Sloviansk came under attack by pro-Russian fighters numerous times. At the end of April 2014, gunmen stormed and searched the building, seeking proof that the church was supporting Right Sector – a Ukrainian volunteer battalion labeled as fascist by the Russian media. The clergy and the congregation were made to lay face down on the ground while gunmen searched the premises. The fighters soon discovered that the rooftop of the church allowed excellent visibility of the city and was an effective shooting position.

On several occasions in late April and early May of 2014, gunmen from pro-Russian troops led by Igor Girkin broke into the church at night and took positions on the roof, as evident from broken locks and windows leading to the rooftop. They finally took over completely and an Orthodox priest, who later appeared in videos shot by the so-called Donetsk People's Republic forces, came to the church and declared that from that point on, the church shall be Orthodox. At first, about 10 to 15 fighters were stationed at the church. These

were later joined by some 40 members of the Cossack Army and local thugs. Altogether around 100 combatants stayed at the church. On June 8, they brought gun mortar vehicle 2S9 Nona onto church territory and shelled Ukrainian forces' positions, all the while accompanied by the prayers and chanting of the Orthodox priest. On June 8, they brought gun mortar vehicle 2S9 Nona onto church territory and shelled Ukrainian forces' positions, all the while accompanied by the prayers and chanting of the Orthodox priest⁶⁴.

When the pro-Russian fighters retreated from Sloviansk, the Ukrainian army recovered three truckloads of weapons from the church. Among the detained clergy and congregation members of the Church of Kind News were the heads of the Evangelical association Church of God, Bishop Oleksiy Demidovych and Gennadiy Lysenko. The latter was held captive and interrogated about the church governance structure while his hands and head taped with heavy-duty scotch tape. He was stabbed with a bayonet knife, beaten, and threatened with being shot in the head.

Khrustalnyi Evangelist Baptist Church

On August 12, 2014, 158REL8, a priest of the Evangelist Baptist Church, was captured by the pro-Russian militants in Khrustalnyi (former Krasnyi Luch) separatists' blockpost and then moved to the local police office. There he was put to the small prison cell with blood traces on the wall. Militants beat him, threatened heavily with a knife, and later moved to the other cell where another prisoner was kept. On the next day militants came again, took the prisoner away and,



Cigarette burn on a hand of tortured priest of the Evangelist Baptist Church

as 158REL8 assumed, shot him. Right after that they returned to the jail cell and started beating and threatening 158REL8 again. They burnt him with cigarettes, stroke with machine guns, tried to pull his teeth out. All the following days 158REL8 was under constant pressure and threat of being shot. The militants did not give him food on a regular basis, every day held mock executions in the cell. 158REL8 did not hide his religious views and this became subject of additional threats and mistreat from the militants' side. On the fourth day of imprisonment militants took 158REL8 out of the cell, put a bag on his head, bound his arms and delivered to Rovenky where they held the mock execution on the back yard of the separatists' local headquarter. He was released the same day due to the separatist's top military interference.

⁶² Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, page 9, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3A0Bq7Q3RiwHWMTC0G20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

⁶³ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 16, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁶⁴ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 17, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

Hostage taking near separatists' check-point Krasnyi Mist

On July 3, 2014, 159REL8, a priest of the protestant church, was captured by the pro-Russian militants in Krasnyi Mist separatists' check-point in suburbs of Sloviansk city. Militants found a bible in English language in his car and assumed he was an American spy. He was delivered to the Sloviansk and put to the premises, which previously belonged to the Security Services of Ukraine, but then moved to the local police office. The militants have used both those premises for the illegal imprisonment of people. They took away all the 159REL8's personals and put him to the small room where 12 persons have already been locked. As he asserts the militants used a psychological pressure, interrogated with threatening. He was constantly accused of a "wrong" belief he follows. On the third day of imprisonment Ukrainian military forces released Sloviansk so all the prisoners were set free.

Word of Life Church, Torez, Shakhtarsk, Donetsk

On June 19, the Torez premises of the Evangelical Church, Word of Life, were captured by gunmen bearing Cossack battalion insignia. The militants allegedly threatened the believers and the clergy with a firing squad and insisted that Evangelism is a sect religion⁶⁵.

The same church in Shakhtarsk was overrun by militants just two days later. Pastor Nikolai Kalinichenko was detained and warned that if he were to continue his religious activities he would be shot. Witness testimony suggests that the churches in Shakhtarsk and Torez were used as pro-Russian deployment positions with barricades and weapons on church territory⁶⁶.

On August 13, the Donetsk premises of the Word of Life Church were also taken over. VICE News correspondent Simon Ostrovsky traveled to Donetsk to attend secret Protestant church services and spoke with fighters of the Donetsk People's Republic. One of the rebels interviewed outside the Word of Life Church in Donetsk declared that Baptism is a sect and that he personally has taken up arms to create an Orthodox state⁶⁷.

The Seventh Day Adventist Church, Debaltseve, Horlivka

The Seventh Day Adventist Church in Debaltseve was destroyed as a result of artillery fire during intense fighting between the Do-

netsk People's Republic forces and the Ukrainian National Guard as they battled for control over the city at the end of July 2014. According to the official website of the Seventh Day Adventist Church in Ukraine, pro-Russian fighters stationed themselves at an administrative building 50 meters away from the church and positioned MRLS (Grad) and other artillery weapons nearby⁶⁸. The church was almost destroyed in the crossfire. The church's priest, Serhiy Kobzar, and his wife Tatiana who lived in the same building, hid from the shelling in the basement without electricity, food and with very little drinking water for two days.

On September 27, Donetsk People's Republic combatants forced their way into the Seventh Day Adventist church during mass in Horlivka. They ordered a halt to the ceremony and told the congregation to leave. When some of the believers had the courage to question the combatants' authority, they were told to mind their own business and that "this is Orthodox land and there is no place for sects". The pastor, Serhiy Litovchenko, was taken to an unknown location⁶⁹. He was held captive by the Donetsk People's Republic forces for 20 days.

Pentecostal Church, Donetsk

In August 2014, during a service at the Pentecostal church in Donetsk, pro-Russian gunmen ordered a halt to the service and forbade the congregation to come back to the church in the future. Around 60 people subsequently fled the region and found shelter in Mariupol, the front-line town under the control of the Ukrainian authorities.

Ivan Pryadka, a Pentecostal pastor, provided the following account of events: "I was in Donetsk in August 2014 to conduct a service, there was a building which we rented in the center of the city. A jeep pulled up and 30 guys with assault rifles showed up. They introduced themselves and started interrogating us at the entrance to the building. They asked about our teachings and they said that we were wrong. I said that we only teach good things. At the end they said 'If you gather here again we will shoot you'. The gangs from the Donetsk People's Republic have selected these buildings to house their soldiers in them". The pastor added that most prayer meetings in Donetsk are held in secret, because people have been threatened and many have been beaten⁷⁰.

⁶⁵ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page , available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁶⁶ Institute of Religious Freedom, 'Chronicle of terror: Religious persecution by pro-Russian militants in east Ukraine', Kyiv, Ukraine, August, 2014, available at: https://www.irf.in.ua/eng/index.php?option=com_content&view=article&id=421:1&catid=34:ua&Itemid=61

⁶⁷ VICE News report, 'Secret Protestant Churches in Donetsk: Ukraine's Religious War', March 2015, available at: <https://www.youtube.com/watch?v=mhEe2PSaEW0>

⁶⁸ Religion in Ukraine, 'In Donetsk region, for the first time during the armed conflict, the Adventist prayer house was destroyed', July 31, 2014, available at: https://www.religion.in.ua/news/ukrainian_news/26494-na-donetchine-vpervye-za-vremya-vooruzhennogo-konflikta-razrushen-molitvennyj-dom-adventistov.html

⁶⁹ The official website of Seventh Adventists Church in Ukraine, 'Armed men in Horlivka kidnapped an Adventist pastor from a prayer house during the Eucharist', September, 2014, available at: <http://logosinfo.org/2014/09/29/vooruzhennye-lyudi-v-gorlovke-poxitili-adventistskogo-pastora-iz-molitvennogo-doma-vo-vremya-svyatogo-prichastiya/>

⁷⁰ VICE News, report 'Secret Protestant Churches in Donetsk: Ukraine's Religious War', March, 2015, available at: <https://www.youtube.com/watch?v=mhEe2PSaEW0>

Bethany Baptist Church, Donetsk

According to various open sources and testimony, the vast majority of Baptist churches have been appropriated by the pro-Russian battalions across the occupied territories of Luhansk and Donetsk. These buildings are often used as camps, as in the case of Bethany Baptist Church. As of March 2015, pro-Russian militants have been using the building as an infirmary for their sick combatants, as a place for exercise and rest and as a kitchen.

In his report for VICE News, an American reporter was allowed inside the church building and was able to document the presence of illegal combatants occupying the church premises. In the auditorium, where the large congregation once prayed, the fighters had hung a punching bag and demonstrated their physical fitness in front of the camera⁷¹.

Petrovsky Church of Christ, Donetsk

In October 2014, armed gunmen of the so-called Donetsk People's Republic took over the premises of the Church of Christ in the Petrovsky district of occupied Donetsk. According to Leonid Kryzhanovsky, an elder of the church, about a dozen fighters from the pro-Russian Oplot battalion camped in the congregation hall. The commanding fighter of the battalion accused the leaders of the church and the congregation of collaborating with the Americans and stated that, "We only support the Orthodox Church and your Protestant churches shouldn't be here". Before moving out two weeks later, they painted a black skull and crossbones and the name of their battalion "Oplot" in large letters on the exterior wall.

Another group of pro-Russian fighters occupied the church premises in November 2014, and as of March 2015 the building is still being used as a military camp⁷². Since the occupation of the church building, about 100 members of the congregation have been meeting to pray in secret locations scattered across the city of Donetsk. When asked if he's afraid that the illegal militias will stop the church congregation from worshiping in private homes, Krezhanovsky replied, "We're not afraid because the first Christians were also persecuted. And they weren't afraid to preach Jesus Christ."⁷³

Other cases of confiscation of Protestant churches, detention and torture of clergy

On 17 June 2014 at approximately 3:00 am, about 30 combatants from the illegally formed pro-Russian battalion, "Vostok", stormed the Evening Light Christian Rehabilitation Center in Donetsk and kidnapped 27 people⁷⁴. The hostages were accused of collaborating with Ukrainian volunteer battalions, but were later released⁷⁵.

On 26 June 2014 militants searched the premises of the Evangelical Church of Victors in Druzhivka, confiscated the office computer, documents and money and held pastor Pavlo Lisko and his wife captive for a week. They were accused of collaborating with the Americans and assisting those who want to leave the conflict zone⁷⁶.

On September 27, 2015, in the city of Dovzhansk (former Sverdlovsk before 2016) Luhansk region, the Luhansk People's Republic's militants arrested Taras Sen, pastor of the local Pentecostal community. The occupation authorities accused him of cooperating with representatives of the OSCE Special Monitoring Mission. Four days later, the pastor Taras Sen was released because the incident was given publicity at the OSCE conference in Warsaw⁷⁷.

Representatives of the Ukrainian Pentecostal Church reported that, in August 2018, after the courthouse camp for children, three of their clergymen – two women and one man – were arrested by representative of the Luhansk People's Republic's occupation authorities. All three were accused in sabotage and diversion. The children supervisors were interrogated, threatened, brutally beaten, and then released⁷⁸.

On July 26, 2018, in Luhansk, the so-called Ministry of State Security of the Luhansk People's Republic's banned the Evangelical Baptist Union of Ukraine (a.k.a. All-Ukrainian Union of Churches of Evangelical Christian Baptists). The religious organization was called "extremist", and its activities were described as "destructive". According to the Evangelical Baptist Union of Ukraine's administration the activity of Baptist churches on the occupied territories of the Luhansk region was considerably complicated after the occupation authorities made registration and re-registration mandatory for all churches and religious organizations⁷⁹.

On July 6, 2018, the New Life protestant Baptist church in Makiivka, Donetsk region, was seized by the forces of so-called Donetsk People's

⁷¹ VICE News, report 'Secret Protestant Churches in Donetsk: Ukraine's Religious War', March, 2015, available at: <https://www.youtube.com/watch?v=mhEe2PSaEW0>

⁷² Sabra Ayres for Al Jazeera America, 'In rebel-held Donetsk, religious intolerance grows', March 17, 2015, available at <http://america.aljazeera.com/multimedia/2015/3/in-rebel-held-donetsk-religious-intolerance-grows.html>

⁷³ VICE News, report 'Secret Protestant Churches in Donetsk: Ukraine's Religious War', Mar 19, 2015, available at: <https://www.youtube.com/watch?v=mhEe2PSaEW0>

⁷⁴ News of christian world, 'Militants of the Vostok battalion attacked the Donetsk rehabilitation center and kidnapped 27 people', June 18, 2014, available at: <http://prochurch.info/index.php/news/more/29609>

⁷⁵ News of christian world, 'The people kidnapped in the Donetsk rehabilitation center were released', June 19, 2014, available at: <http://prochurch.info/index.php/news/more/29617>

⁷⁶ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 20, available at: https://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁷⁷ Institute for Religious Freedom, 'Pro-Russian militants released Pentecostal pastor Taras Sen from captivity in Luhansk region', October 5, 2015, available at: https://www.irf.in.ua/eng/index.php?option=com_content&view=article&id=440:1&catid=34:ua&Itemid=61

⁷⁸ Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, page 10, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3A0Bq7Q3RiwHWMTCOG20p05MXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

⁷⁹ Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, page 10, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3A0Bq7Q3RiwHWMTCOG20p05MXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

Republic, as they sealed off the church's building⁸⁰. Pastor Oleksandr Matviichuk wrote this on his facebook-page and in various open sources⁸¹. Witness 160REL8 stated, that Matviichuk, with whom he was in touch, had told him, that a Civil Registry office was established there.

Witness 161REL8 stated, that another protestant church in Makiivka, namely Light of Resurrection⁸², had hosted people from New Life church. 161REL8 is a former member of the Light of Resurrection church, and his mother is still a parishioner, he reads church community's communication in Viber group, thus he knows that. According to his statement, the Light of Resurrection church was searched twice and closed by armed forces of the so-called Donetsk People's Republic.

The witness 161REL8 explained that there are rumors, that despite pressure the Church still keeps functioning because Pavlo Karamashev, the pastor of Light of Resurrection, has a brother in the so-called Donetsk People's Republic police, who helps.

Witness 162REL8, who is the pastor of the Winners protestant church⁸³ in Druzhkivka (Donetsk region) and founder of a rehabilitation facility affiliated to the mentioned church, stated that the church's and rehabilitation facility's buildings were searched twice in 2014, during the occupation of Druzhkivka by pro-Russian forces. First search was conducted on mid-June by 5 youngsters, who were in civvies, armed and drunk. They went up and down the church building, asked a few questions and then left. 5 days after someone had thrown a burning item on a church territory, and the minibus had burnt down. The next search happened at the beginning of July, and it was conducted by approximately 12 armed people in light-green uniform. They arrived in a Soviet military car UAZ and in Niva. They seized the witness's car, money and technical items from the church building, and took him and his wife as hostages. The building of the rehabilitation facility was confiscated. The church building was still allowed for people to live in (few members of the rehabilitation facility, and refugees from Luhansk). But the church gatherings were prohibited.

162REL8 and his wife were imprisoned in a basement of the National Security Agency of Ukraine building, which was taken by separatists. While the imprisonment, he didn't feel any specific pressure regarding his beliefs.

Jehovah's Witnesses

On July 2015, Jehovah's Witnesses reported that since August 2014, 26 members of their community on the occupied territories in

Eastern Ukraine were kidnapped by the occupation authorities and subjected to violence. In 2016, Jehovah's Witnesses reported kidnapping and torture of another 15 of their members, including elderly persons. After they were released, pro-Russian militants prohibited them to keep on with their religious activities threatening with arrests and fines⁸⁴.

In August 2017, the so-called prosecutor's offices of Novoazovsk and Debaltsevo in Donetsk region sent letters to the local Jehovah's Witnesses communities with a warning that the religious magazines The Watchtower and Awake should not be distributed without occupation authorities' permission. Later same warning was received by community in Makiivka.

Previously the occupation authorities called a number of religious materials of Jehovah's Witnesses to be extremist and prohibited to distribute them.

On August 4, 2017, the so-called anti-terrorist special forces of the the Luhansk People's Republic together with armed militants intervene the liturgy of Jehovah's Witnesses in the Alchevsk in Luhansk region and the city of Luhansk. They explained their intervention with a bomb threat in the buildings. After the members of the community left the buildings, so called security officers checked their documents. The search of the building ended with the discovery of leaflets with calls about the authorities of the Luhansk People's Republic. It may be assumed that the so called security officers brought the materials to the Kingdom Halls themselves.

In a few weeks, on August 28, 2017, the so-called Deputy Minister of State Security of Luhansk People's Republic Oleksandr Basov accused Jehovah's Witnesses of supporting Ukrainian special services, neo-Nazi organizations and providing terrorist activities. He referred to propaganda materials that were found out during raids in Alchevsk and Luhansk. This became the reason for prohibition of the activities of Jehovah's Witnesses on the occupied territory of the Luhansk region.

"The escalating religious discrimination and pressure on Jehovah's Witnesses in some territories of the Luhansk and Donetsk regions is more than harassment—it is religious persecution and a threat to religious freedom. Jehovah's Witnesses are increasingly cautious and are seeking legal remedies so that they may continue their peaceful religious activity" says the official statement of this religious organization⁸⁵.

The prohibition by occupation authorities may be influenced by previous complete prohibition of Jehovah's Witnesses' activity in Russia⁸⁶.

⁸⁰ Christian Megaportal 'Invictory', 'The authorities of the unrecognized DPR seized the premises of the Protestant church in Makiivka', June 09, 2018, available at: <https://www.invictory.org/news/persecutions/10397-vlasti-nepriznanoj-dnr-zahvatili-pomeshhenie-protestantskoj-tserkvi-v-makeevke>

⁸¹ Alexander Moseychuk's facebook-page, July 6, 2018, available at: <https://www.facebook.com/alexander.moseychuk/posts/2285671771450763>

⁸² «Свет Воскресения»

⁸³ «Победители»

⁸⁴ Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, page 12, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AOBq7Q3RiwHWMTCog20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

⁸⁵ Jehovah's Witnesses, 'Religious Freedom Under Threat in Eastern Regions of Ukraine', December 13, 2017, available at: <https://www.jw.org/en/news/legal/by-region/ukraine/religious-freedom-under-threat-eastern-regions/>

⁸⁶ Institute for Religious Freedom, 'Repression in Russia: the ban of Jehovah's Witnesses and their property confiscation', April 21, 2017, available at: https://www.irf.in.ua/index.php?option=com_content&view=article&id=1795%3A1&catid=35%3Aworld&Itemid=62&lang=ru

In 2014 and early 2015 armed representatives of occupation authorities seized 17 Kingdom Halls that belonged to the Jehovah's Witnesses. 5 of the seized buildings were later returned to believers. As of September 2018, 7 Kingdom Halls are still out of the Jehovah's Witnesses' possession in Donetsk region, namely one in Donetsk, Boikivske (former Telmanove), Yenakijeve, Khrestivka (former Kirovske) three in Horlivka; and 5 Kingdom Halls in the Luhansk region, namely in Luhansk, Alchevsk, Brianka, Perevalsk and Khrustalniy (former Krasnyi Luch)⁸⁷.

On April 20, 2017, Jehovah's Witnesses became the first religion to be banned outright in occupied Crimea as well as in across Russia, based on the accusation that the church is an "extremist organization."⁸⁸

Muslim communities

Islam is the fourth-largest religion in Ukraine. The major Islamic communities are found in Kyiv, Crimea and Donbas region.

Crimean Tatar Muslims after the annexation

Ukraine's large ethnic group of the Crimean Tatars constitute the majority of Muslim population in the country. In the run-up to the annexation, Crimean Tatars accounted for approximately 12 per cent of the Peninsula's population⁸⁹. The vast majority of Crimean Tatars are Muslim and their ethnic and cultural identity as a group is closely associated with the Islamic faith and traditions. Their distinction from the Slavic majority is also apparent in their unique language, script, distinctive cultural practices and historic roots. The forced deportation of the Crimean Tatar population on Stalin's orders in 1944 contributes to the Crimean Tatar communities' mistrust of and opposition to Russian authority over the Peninsula.

As a community, Crimean Tatars have presented the strongest and most organized opposition to the occupying authorities through peaceful protest, trade blockades and other forms of non-violent resistance⁹⁰. This has resulted in the systematic targeting of politically active and vocal Crimean Tatars by the Russian authorities⁹¹. Crimean Tatar political and civic organizations have been banned (e.g.: the Mejlis) or subjected to constant pressure and harassment (e.g. Crimean Solidarity). The authorities have qualified all forms of opposition to the annexation as 'extremism' or 'terrorism', deploying its law enforcement and the judiciary to gag Crimean Tatar dissent⁹².

Based on figures compiled by victims' lawyers and civil society organisations since the annexation, at least 13 Crimean Tatars have been murdered by occupying authorities or groups and persons associated with them, and a further 12 Crimean Tatars remain 'disappeared'. An estimated 96 Crimean Tatars are subject to politically motivated criminal prosecutions, hundreds have been placed in administrative detention and a further 210 have been arbitrarily detained outside the context of criminal or administrative proceedings. There are currently no accurate estimates for the number of Crimean Tatars who have been subjected to torture, inhuman or degrading treatment⁹³.

Political figures, activists as well as ordinary members of the Crimean Tatar community have been subjected to widespread harassment by law enforcement, security services and militia groups, with frequent reports of physical and psychological abuse⁹⁴.

The Mejlis, a representative body of Crimean Tatars, has been banned by the occupying authorities as an 'extremist' organisation⁹⁵, its leaders banished from the Peninsula, arrested and/or threatened with prosecution⁹⁶. Crimean Tatars have all but lost their fundamental freedoms of associa-

⁸⁷ Center for Civil Liberties and International Partnership for Human Rights, 'When god becomes the weapon: Persecution based on religious beliefs in the armed conflict in Eastern Ukraine', April 2015, page 16, available at: https://iphonline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf

⁸⁸ The U.S. Commission on international religious freedom, '2019 Annual Report', April 2019, page 83, available at: <https://www.uscifr.gov/sites/default/files/2019USCIRFAnnualReport.pdf>

⁸⁹ Институт демографии Национального исследовательского университета «Высшая школа экономики», Demoscope.ru. "Распределение населения по родному языку и уездам 50 губерний Европейской России", 2016, available at: http://demoscope.ru/weekly/ssp/rus_lan_97_uezd.php?reg=1420.

⁹⁰ The Sydney Morning Herald, 'In Crimea, Tatars step up resistance to Russian rule', 17 February 2016, available at: <http://www.smh.com.au/world/in-crimea-tatars-step-up-resistance-to-russian-rule-20160215-gmuva3.html>.

⁹¹ OHCHR, 'Report on the human rights situation in Ukraine 16 February to 15 May 2016', p.44, available at: http://www.ohchr.org/Documents/Countries/UA/Ukraine_14th_HRMMU_Report.pdf; European Parliament, 'European Parliament resolution on Crimean Tatars (2016/2692)', 11 May 2016, available at: https://www.europarl.europa.eu/doceo/document/RC-8-2016-0582_EN.html; The Telegraph, 'Special Report: Crimea Tatars endure second tragedy under Russian rule', 7 July 2016, available at: <http://www.telegraph.co.uk/news/2016/07/07/special-report-crimea-tatarsendure-second-tragedy-under-russian/>; European Council on Foreign Relations, 'Europe's duty to help protect Crimean Tatars', 11 Apr. 2019, available at: https://www.ecfr.eu/article/commentary_europes_duty_to_protect_crimean_tatars.

⁹² Sergey Aksyonov on Twitter: "I support the proposal of the Russian Federation Investigation Committee head Alexander Bastrykin considered extremism a fact of denial of the referendum in the Crimea", 18 April 2016, available at: https://mobile.twitter.com/aksenov_sv/status/722068972032638976?lang=ru; See Statement by former Chief Prosecutor Natalya Poklonskaya: "All actions aimed at non-recognition of the Crimea as a part of Russia, will be prosecuted. In addition, people who incite ethnic hatred in the Republic of Crimea, will be denied entry to the Crimea": Unian, "Репрессии против крымских татар под видом заботы о «гражданах»", 24 September 2014, available at: <http://www.unian.net/society/988740-repressii-protiv-krymskih-tatar-pod-vidomzaboty-o-grajdanah.html>.

⁹³ Crimea SOS, 'Human rights in Crimea: Rollback three centuries', available at: <http://crimeamap.krymsos.com/eng/map.html?fbclid=IwAR11unj5f5fu1WPRLViEVkZV6E94Et1UpNK8ppJ3awioiNoQW7-bPPLfB74>.

⁹⁴ OHCHR, 'Report on the human rights situation in Ukraine 16 February to 15 May 2016', p.45, available at: http://www.ohchr.org/Documents/Countries/UA/Ukraine_14th_HRMMU_Report.pdf; "OHCHR is increasingly worried about the growing number of large scale 'police' actions conducted with the apparent intention to harass and intimidate Crimean Tatars and other Muslim believers" – e.g.: Raid on Pionerske village on 1 April 2016 leading to detention of 35 Tatars; Raid of Molodizhne village mosque on 6 May 2016 with detention of 100 Muslim men; Raid of market in Simferopol on 7 May 2016, leading to arrest of 25 Muslim men.

⁹⁵ The Guardian, 'Crimean court bans 'extremist' Tatar government body', 26 April 2016, available at: <https://www.theguardian.com/world/2016/apr/26/court-bans-extremist-crimean-tatar-governing-body-mejlis-russia> (last accessed: 3.08.2016); Atlantic Council, 'What the Banning of Crimean Tatars' Mejlis Means', 2 May 2016, available at: <http://www.atlanticcouncil.org/blogs/new-atlanticist/what-the-banning-of-crimean-tatars-mejlis-means> (last accessed: 3.08.2016); According to the OHCHR: "In addition to prohibiting any public activity and the use of bank accounts, the decision means that the estimated 2,500 members of the national and local Mejlis bodies can now incur criminal liability and could face up to eight years in prison for belonging to an organization recognized as 'extremist'": OHCHR, 'Report on the human rights situation in Ukraine 16 February to 15 May 2016', p.45, available at: http://www.ohchr.org/Documents/Countries/UA/Ukraine_14th_HRMMU_Report.pdf.



Former building of Mejlis in Crimea that was confiscated by the Russian authorities



Premises of Islamic centre and al-Amal mosque in Donetsk were raided on June 28, 2018

tion, assembly and expression, with bans on public gatherings to commemorate culturally significant dates⁹⁷, closure of independent Crimean Tatar media outlets⁹⁸, as well as other societies and organizations⁹⁹.

Mosques have come under attack, either through vandalism or raids by security forces under the guise of fighting Muslim extremism. The vast majority of madrassas have been shut down, with the last remaining madrassa now put under the occupying authorities' control¹⁰⁰. Individual members as well as arguably the group as a whole has come under unsubstantiated accusations of religious extremism¹⁰¹, and subjected to religiously motivated hate-crimes¹⁰².

Attacks have also been documented on property owned by Crimean Tatars and property of historic, religious and cultural significance to the Crimean Tatar community. According to an OSCE report, native-language education and language studies in Crimean Tatar have been 'drastically reduced' since the occupation¹⁰³.

Muslims on continental part of Ukraine

Muslims in Donbas region also fall victim to religious persecution. On June 28, 2018, representatives of the so-called Ministry of State Security of the The Donetsk People's Republic raided the al-Amal

mosque on the 2 Berestovskys street in Donetsk, seized prayer books and other religious literature, sealed the premises. They took the imams and mosque parishioners for interrogation. OSCE Special Monitoring Mission in Ukraine confirmed the information about shut-down of the only mosque in Donetsk¹⁰⁴.

Earlier, in May 2016, the Donetsk People's Republic's fighters recognized religious literature of Religious Administration of Muslims of Donbas to be extremists. They prohibited its distribution, and arrested several Muslims of this community. All Muslim community's activities were banned. "By 2014, Donetsk had a branch of Religious Administration of Muslims of Ukraine "Umma", had a community, a branch of the Islamic University. However, neither communities nor universities are operating there now," said sheikh Rustam Gafuri, the deputy mufti of Religious Administration of Muslims of Ukraine¹⁰⁵.

Sheikh Said Ismagilov, the mufti of Religious Administration of Muslims of Ukraine, said that after the occupation their communities actually functioned autonomously. He reported that under the pressure of the so-called Ministry of State Security of the The Donetsk People's Republic, their largest Muslim community in Donetsk, that made a lot of spiritual and charitable activities among Muslims, was

⁹⁶ The New York Times, "Russia Is Trying to Wipe Out Crimea's Tatars", 19 May 2016, available at: http://www.nytimes.com/2016/05/20/opinion/russia-is-trying-to-wipe-out-crimeas-tatars.html?_r=1.

⁹⁷ OSCE, Report of the Human Rights Assessment Mission on Crimea (6-18 July 2015), 17 September 2015, para. 132; Unian, "Crimean Tatars banned from honoring 1944 deportation victims", 17 May 2016, available at: <http://www.unian.info/politics/1347910-crimean-tatars-banned-from-honoring-1944-deportation-victims.html>; See also: Witness C27OK02.

⁹⁸ The Guardian, "Crimea's independent Tatar TV news channel silenced by 'red tape'", 1 April 2015, available at: <https://www.theguardian.com/world/2015/apr/01/crimeaindependent-tatar-tv-news-channel-silenced-by-red-tape>

⁹⁹ International Court of Justice, 'The Court finds that Russia must refrain from imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis, and ensure the availability of education in the Ukrainian language', Press Release, 19 April 2017, available at: <https://www.icj-cij.org/files/case-related/166/19412.pdf>

¹⁰⁰ The Telegraph, 'Special Report: Crimea Tatars endure second tragedy under Russian rule', 7 July 2016, available at: <http://www.telegraph.co.uk/news/2016/07/07/special-report-crimea-tatars-endure-second-tragedy-under-russian/>.

¹⁰¹ Aksyonov Decree "On Approval of the Comprehensive Plan to counter terrorist ideology in the Republic of Crimea in 2015 -2018", 30 Jan. 2015, available at: http://rk.gov.ru/rus/file/pub/pub_238807.pdf

¹⁰² Crimea SOS, 'Human rights in Crimea: Rollback three centuries', available at: <http://crimeamap.krymsos.com/eng/stories.html>

¹⁰³ OSCE, Report of the Human Rights Assessment Mission on Crimea (6-18 July 2015), 17 September 2015, para. 188; See also: Decree 651 on the development of education and science on the Crimean Peninsula – making no mention of education in Crimean Tatar within its plan, 30 December 2014, available at: <http://po.cfuv.ru/pdfs/rk/Ob%20utverzhenii%20Gosudarstvennoj%20programmy%20razvitiya%20obrazovaniya%20i%20nauki%20v%20>

¹⁰⁴ OSCE, 'Latest from the OSCE Special Monitoring Mission to Ukraine (SMM), based on information received as of 19:30, 2 July 2018', July 3, 2018, available at: <https://www.osce.org/special-monitoring-mission-to-ukraine/386561>

¹⁰⁵ Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AOBq7Q3RiwhWMTCOG20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

closed down. Moreover, the occupation authorities have assumed supervision over the imam of this community and inhibited him from leaving the region. Now the only one out of four Muslim communities or of the Donetsk region operates in the occupied city of Snizhne.

On June 4, 2019, the Akhat' Dzhami mosque in Donetsk was attacked with 82mm mortar bombs¹⁰⁶. The same day, the OSCE Special Monitoring Mission to Ukraine (SMM) had reported that the explosion occurred while nearly 70 people were in mosque, and one person got hurt (minor injury). The OSCE has reported, that the attack was conducted from a northerly direction¹⁰⁷. As for the video fixation, the dome of the mosque was damaged from the south-west side, right behind the right minaret, which is on the south-west¹⁰⁸. The OSCE SMM has reported on the bomb blast fragmentation 15 meters north from the mosque and a fresh, shallow crater 10 metres south¹⁰⁹, which is also documented with a video of the attack's damage¹¹⁰. Thus, it follows, that the attack was conducted from the position to the southeast of the Pisky village. On suitable distance, a fire point of armed forces is located¹¹¹. This point is at least 1 km to the southeast of the Pisky village, and 3,8 km closer to the Akhat' Dzhami than UAF positions. This point is located nearby the Sofiyivska Str., building 3, 22, 23, where a destroyed in 2017 Volvo-Center was located. This region is controlled by the so-called Donetsk People's Republic People's Militia, an armed unit of the so-called Donetsk People's Republic.

International Society for Krishna Consciousness

On August 8, 2014, 163REL8, a member from International Society for Krishna Consciousness in Luhansk was taken outdoor from the premises of the Society that was situated in the former kindergarten #110 on The 50th Anniversary of October street. 10 to 12 people in unidentified military uniform blamed him for participation in Euro-maidan and beat with gun clubs, kicked with feet and fists. The militants who were involved in violence were dislocated in the police department in the same building with separate entrance.

After the physical execution the militants threw the witness with his forefingers bound behind his back into the cellar that was used

for storing food. In an hour or two a man from above fired several times into the cellar but missed the witness. Then the witness was taken outside and kept being sporadically beaten and blamed to be a maidan-twisted fascist until in the evening he was relocated to former building of Security Service of Ukraine in Luhansk.

There he was beaten by member of paramilitary battalion Leshii with wood clubs, tortured with electricity, also his toe nails were pulled off. As long as the witness prayed to Krishna the militants strengthened the current power. Throughout detention time the militants also used him for forced work. He was released on September 19 or 20, 2014, after he signed a paper that he want to be baptized and to stay in Luhansk.

A witness 164REL8 from Sievierodonetsk who is also a member of International Society for Krishna Consciousness referred to people in Luhansk whom he keeps communicating with and told that he is aware that a place that they previously used as a temple is now occupied by "other people" after the temple was destroyed.

Other religious minorities

The Church of Jesus Christ of Latter-day Saints or Mormon Church has disappeared from the occupied territory, as a result of hostility towards this denomination caused by its American origin, as well as a result of its all buildings seizure¹¹².

A member of Buddhist community on the occupied territories told the their community had to go underground¹¹³.

CONCLUSION

This report provides information portrays the main trends of the suppression of the freedom of religion on the occupied territories of Crimea and Donbas. The aforementioned human rights violations may amount to the crime against humanity of persecution under the ICC Statute.

For all of the above reasons, the Authors respectfully urge the ICC Prosecutor to seek authorization to open a full investigation into the Situation on Ukraine, with a view to bringing those responsible for war crimes and crimes against humanity to justice.

¹⁰⁶ Donetsk People's Republic representative office at the Joint Centre for Ceasefire Control and Coordination, 'Oktyabrsky microdistrict under fire the Armed Forces of Ukraine: the mosque damaged', 4 June, 2019, available at: <https://dnr-sckk.ru/mikrorajon-oktyabrskij-pod-ognem-vfu-postradala-mechet/>

¹⁰⁷ Latest from the OSCE Special Monitoring Mission to Ukraine (SMM), based on information received as of 19:30, 4 June, 2019, available at: <https://www.osce.org/special-monitoring-mission-to-ukraine/422084>

¹⁰⁸ Донецк, мечеть им. Ахата Брагина, 4 June, 2019, – 10:01-10:56, available at: <https://www.youtube.com/watch?v=IAyOZNRmZME>

¹⁰⁹ Latest from the OSCE Special Monitoring Mission to Ukraine (SMM), based on information received as of 19:30, 4 June, 2019, available at: <https://www.osce.org/special-monitoring-mission-to-ukraine/422084>

¹¹⁰ Донецк, мечеть им. Ахата Брагина, 4 June, 2019, – 11:48-12:53, available at: <https://www.youtube.com/watch?v=IAyOZNRmZME>

¹¹¹ Joint Forces Operation, available at: [https://www.facebook.com/pressjfo.news/posts/601852836974003?_xts__\[0\]=68.ARDfHRbTmcmy8PWctgED3TKmJ5vnnm5JnCybmJJYbIOHejbT8yDD51wGCQoLWN5ScN8Rao60z3r4qtnlKGMdSIK6OF22Er4_Lb6qIGMo7EfBTvLE5Xel5WpB6qkMUzhPvPQWS5fmlpSQcwa62wgi7gZUb8cU7w-00yXRvNXwRdgit4TmAcC9OLQOx40M-UlbTH_g5Fn3qupv1pxp3wWATW4H0ltznkSoXgh59W8_knAcDFco9nxuM-kY4BvfJuUsMHDif1GQJO2O2K0IG17GOKGq_kgyopYn3z4REczd5zK9Ow50aYTNyzoFCK6nfB-KIC8g6Vkb4HFJITUfwc&_tn__=R](https://www.facebook.com/pressjfo.news/posts/601852836974003?_xts__[0]=68.ARDfHRbTmcmy8PWctgED3TKmJ5vnnm5JnCybmJJYbIOHejbT8yDD51wGCQoLWN5ScN8Rao60z3r4qtnlKGMdSIK6OF22Er4_Lb6qIGMo7EfBTvLE5Xel5WpB6qkMUzhPvPQWS5fmlpSQcwa62wgi7gZUb8cU7w-00yXRvNXwRdgit4TmAcC9OLQOx40M-UlbTH_g5Fn3qupv1pxp3wWATW4H0ltznkSoXgh59W8_knAcDFco9nxuM-kY4BvfJuUsMHDif1GQJO2O2K0IG17GOKGq_kgyopYn3z4REczd5zK9Ow50aYTNyzoFCK6nfB-KIC8g6Vkb4HFJITUfwc&_tn__=R)

¹¹² International Court of Justice, 'The Court finds that Russia must refrain from imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis, and ensure the availability of education in the Ukrainian language', Press Release, 19 April 2017, available at: <https://www.icj-cij.org/files/case-related/166/19412.pdf>

¹⁰⁰ The Telegraph, 'Special Report: Crimea Tatars endure second tragedy under Russian rule', 7 July 2016, available at: <http://www.telegraph.co.uk/news/2016/07/07/special-report-crimea-tatars-endure-second-tragedy-under-russian/>.

¹¹² Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AObq7Q3RiW4HWMTCog20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>

¹¹³ Institute for Religious Freedom, 'Freedom of religion at gunpoint: Russian terror on the occupied territories of Eastern Ukraine', Kyiv, 2018, available at: <https://irf.in.ua/files/publications/2018.10.24-IRF-Report-UKR.pdf?fbclid=IwAR3AObq7Q3RiW4HWMTCog20p0SMXx9eALRP5GS9hID8o6kLDVst9L8Enmt-E>