

Presentation by Expert on Legal Issues of Public Organization**"Antifascist Human Rights League" SVETLANA NOVITSKA****At the Plenary Session****OSCE Human Dimension Implementation Meeting****25 SEPTEMBER 2019 (3 3m - 6 pm)****(SUBJECT: HATE CRIMES)**

The "Antifascist Human Rights League" monitors facts of violations of rights and freedoms in Ukraine, in particular, the incidents in matters referring to tolerance and non-discrimination.

Despite the fact, that state Ukraine is a secular state according to Constitution, and Constitution guarantees freedom of religion, the previous administration of P. Poroshenko interfered – on the state level – into activities of Christian religious communities, and such interference led to a serious religious schism in Ukraine.

Creation of a new "Orthodox Church of Ukraine" (PCU) as a legal entity and a religious community that unites Christians of the Orthodox rite was a failure. Instead a new church started violent seizures of church buildings, using so-called activists in camouflage uniforms who seized church property in violation of law and that is a crime motivated by religious hatred.

Thus, transition of temples of one non-canonical religious community Kiev Patriarchate under the guidance of Filaret to another non-canonical church – PCU – was accompanied with violence, fights, hatred and damage to property.

Persecution of the canonical Ukrainian Orthodox Church (UOC) started - in a flagrant violation of constitutional rights of more than 20 million church members.

The UOC temples are constantly seized by the right-wing radicals who beat clergy and religious chiefs of local communities, as well as parishioners. This happens despite the fact that none of Orthodox Churches of the world recognized the newly created PCU as a canonical Church.

So, on February 21, 2019, in the village Kurozvany, Rivne region, the PCU "activists" violently seized the temple belonging to the canonical Ukrainian Orthodox Church.

On February 22, 2019, representatives of the UOC-KP along with the PCU supporters stormed St. Nicholas Ukrainian Orthodox Church located in the village of Zhidychn (Volyn region). Police officers who were there not only failed to

prevent seizure of the temple, but on contrary – they did not let parishioners into their temple.

On March 1, 2019, in the village of Trebuhovtsy, Buchach district of Ternopil region, the PCU supporters attacked the UOC community and forcefully grabbed the temple.

On March 4, 2019, the PCU supporters together with the neo-Nazis staged a fight with the UOC members near the Holy Transfiguration Church located in the village of Gnezdichnoe (Ternopil region). Officers of the riot police arrived, but instead of enforcing public order they joined the neo-Nazis and started beating the UOC priest and parishioners.

On March 10, 2019, the right-wing radicals headed by the Radical Party MP Oleg Kovalsky tried to seize by force the temple of Nativity of the Blessed Virgin located in the village of Baranovka (Sumy region).

During the attack sister Dimitriya – the mother of ATO warrior who died in the Donbass - honored with the Order of Mother of an ATO fighter, took part in prayer standing in defense of the canonical UOC temple. However, the MP Oleg Kovalsky hit mother of a fallen ATO hero in her shoulder and chest, and then - in the face. After that he knocked her to the ground, kicking her.

On June 2, 2019, the PCU supporters attempted to seize church, located in the village of Grabovoye (Shatsky district, Volyn region). As a result of the attack, the diocese Archpriest Dmitry Kovalchuk was beaten: attackers torn his cross down, landed a series of severe blows to the head and broke his fingers.

On August 11, 2019, in the village of Bobly (Turiysk district, Volyn region), the PCU supporters cut down locks at doors of the UOC temple of Holy Protection and seized the building. When the UOC parishioners started gathering in the temple, the invaders began wringing their arms and beating them in the temple.

Besides that, clergy and numerous parishioners of seized temples of the UOC met President Vladimir Zelensky at the airport of Rivne on September 10, 2019, to tell him about new hostile takeover attacks initiated by the new PCU church in Rivne region.

These facts witness incitement of religious hatred in the country with participation of state authorities – such situation results in crimes motivated by religious hatred.

The OHCHR "Report on human rights situation in Ukraine, February 16 - May 15, 2019" noted that processes of transition of parishes and religious communities of the Ukrainian Orthodox Church in the newly formed PCU often result in conflicts, and in some cases conflicts are accompanied violent actions of

the PCU supporters. "OHCHR is concerned with the participation of non-religious subjects, in particular, local authorities and far-right groups in a process of transition as well as with police inaction during the above-mentioned incidents".

Taking this into account, I ask to oblige the state of Ukraine to stop interference in matters of religion and belief, to return all seized temples of the canonical Ukrainian Orthodox Church and to include these obligations in a general resolution that will be adopted on the outcomes of this Meeting.

All participants who wish to get a copy of monitor report on violations of human rights and freedoms in Ukraine and of access to justice can apply after completion of the Plenary Meeting.