

Persecution on Religious Grounds in the Temporarily Occupied Crimean Peninsula

(on the Example of the Orthodox Church of Ukraine)



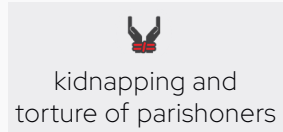
TRANSITION
Transition Promotion Program

Following the annexation of Crimea in 2014, the Russian Federation, in violation of international humanitarian law, extended its own legislation to the Peninsula, causing systematic and grave violations of the rights of persons living on its territory. Since the occupation, the Russian Federation has exerted pressure on and carried out politically motivated persecution of parishioners of the Orthodox Church of Ukraine (OCU), formerly the Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP), who were not loyal and openly opposed the Russian occupation. The OCU is one of the symbols of non-violent resistance to the Russian authorities.

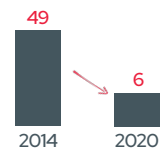


The persecution affected the activities of the Church. As of 2014, the Crimean diocese of the OCU consisted of 45 parishes, which 14 clergymen administered. In 2022, their number dropped to 7. At the same time, the number of clergy decreased to 4

The occupation authorities are persecuting representatives of the OCU, committing the following unlawful acts:



How has the number of communities of the OCU changed on the territory of Crimea?



Examples include the following episodes initiated by the Russian authorities since the beginning of the occupation of the Crimean Peninsula:

abduction and torture of two OCU parishioners, Andriy Shchekun and Anatoliy Kovalskiy

arson of the country house of the head of the Crimean diocese of the UOC-KP, Metropolitan Klyment

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detention of the head of the Crimean diocese of the UOC-KP Metropolitan Klyment at the bus station for «foul language» when he was trying to leave Crimea for Rostov-on-Don to attend a court hearing in the case of a Ukrainian political prisoner

liquidation of the Church of the Apostles Peter and Paul and St. Nicholas, Archbishop of Myra in July 2014

unlawful seizure of the Church of Intercession of the Blessed Virgin Mary in Perevalne village in July 2014

unlawful seizure of the Cathedral of the Holy and Equal-to-the-Apostles Princes Volodymyr and Olha in May 2023

prosecution of Archimandrite Damian and his bringing to administrative liability for carrying out missionary activities, even though the liturgy was performed for people who had already been Orthodox believers and was not aimed at attracting new members to the Church, i.e. could not be considered missionary activity under the Russian legislation

The persecution of OCU representatives is a violation of international human rights law. The Russian Federation is in violation of the following:

FREEDOM OF THOUGHTS

Article 9 of the European Convention on Human Rights and Article 18 of the International Covenant on Civil and Political Rights, which provide for the right of everyone to freedom of thought, conscience and religion

FREEDOM OF OPINIONS

Article 10 of the European Convention on Human Rights and **Article 19** of the International Covenant on Civil and Political Rights, which establish the right to express one's opinions

The persecution of OCU representatives is a violation of obligations assigned to Russia as an Occupying Power, namely the following norms of international humanitarian law:

ARTICLE 27

of the Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949 - ensuring the right of protected persons to respect for their religious convictions and prohibiting discrimination on religious grounds

ARTICLE 58

of the Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949 - allowing ministers of religion to give spiritual assistance to the members of their religious communities

ARTICLE 15, ARTICLE 53

of the Protocol (I) Additional to the Geneva Conventions, 1977 - protection of and respect for civilian personnel and protection of places of worship

The actions of the officials of the Russian Federation and the occupation authorities may be qualified as the following crimes under the Rome Statute of the International Criminal Court:



Crime against humanity:

Article 7(1)(h) - discriminatory persecution, for which liability is provided



War crimes:

Article 8(2)(a)(ii) - torture or inhuman treatment

Article 8(2)(a)(iii) - wilfully causing great suffering, or serious injury to body or health