Ukraine

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

July-December, 2010 International Religious Freedom Report

Report

September 13, 2011

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced these protections.

The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. Local officials at times took sides in disputes between religious organizations, and property restitution problems remained; however, the government continued to facilitate the return of some communal properties.

There were reports of societal abuses and discrimination based on religious affiliation, belief, or practice. These included cases of anti-Semitism and anti-Muslim discrimination as well as discrimination against different Christian denominations in different parts of the country and vandalism of religious property. Various religious organizations continued their work to draw the government's attention to their issues, resolve differences between various denominations, and discuss relevant legislation.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. U.S. embassy representatives raised these concerns with government officials and promoted ethnic and religious tolerance through public outreach events.

Section I. Religious Demography

The country has an area of 233,000 square miles and a population of 45.4 million. The government estimates that there are 33,000 religious organizations representing 55 denominations in the country.

According to official government sources, Orthodox Christian organizations make up 52 percent of the country's religious groups. The Ukrainian Orthodox Church Moscow Patriarchate (abbreviated as UOC-MP) is the largest group, with

significant presence in all regions of the country except for the Ivano-Frankivsk, Lviv, and Ternopil oblasts (regions). The UOC-MP is officially registered as the Ukrainian Orthodox Church. The second largest Orthodox group is the Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP), with most followers located in western and some central oblasts. The UOC-MP does not recognize the UOC-KP. The Ukrainian Autocephalous Orthodox Church (UAOC) is the smallest of the three Orthodox churches, with approximately 70 percent of its adherents in the western part of the country.

Adherents of the Ukrainian Greek Catholic Church (UGCC) constitute the country's largest non-Orthodox religious group and the largest one in the western part of the country. There are approximately four million UGCC members with 93 percent located in the western regions. While members of the three Orthodox churches constitute a majority of believers in the western part of the country overall, the Greek Catholic communities constitute a majority in three of the eight western oblasts: Lviv, Ivano-Frankivsk, and Ternopil.

Some Muslim leaders estimate there are two million Muslims in the country, although estimates by the government and independent think tanks put the number at 500,000. According to government figures, the majority are Crimean Tatars, numbering an estimated 300,000 and constituting the third-largest ethnic group in Crimea. The Crimean Tatars have their own governing council (Crimean Tatar Mejlis) and language (Crimean Tatar).

The Roman Catholic Church (RCC), with approximately one million adherents, is traditionally associated with citizens of Polish ancestry, who live mainly in the central and western regions.

According to the State Committee on Nationalities and Religions, 27 percent of the country's religious communities are Protestant. The Evangelical Baptist Union of Ukraine (the Baptist Union) is the largest Protestant group, claiming more than 300,000 members and more than 2,700 churches.

Other Protestant communities include Pentecostals, Seventh-day Adventists, Lutherans, Anglicans, Calvinists, Methodists, and Presbyterians. Other religious groups include Jews, Jehovah's Witnesses, members of The Church of Jesus Christ of Latter-day Saints (Mormons), Buddhists, Falun Gong, and adherents of Krishna Consciousness.

An estimated 103,600 Jews live in the country, consisting of approximately 0.2 percent of the population, according to the most recent government census data from 2001 and international Jewish groups; however, local Jewish leaders estimate the number of persons with an ethnic Jewish heritage to be as high as 370,000.

According to the International Social Survey Program opinion poll, carried out in December 2009 by the Kyiv International Institute of Sociology, Social Indicators Center, and Kyiv-Mohyla Academy, almost 90 percent of respondents identified themselves with religious denominations, while about 10 percent declared themselves to be either atheists or agnostics.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the Country Reports on Human Rights Practices for the status of the government's acceptance of international legal standards **http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm**.

The constitution and other laws and policies protect religious freedom and, in practice, the government generally enforced those protections.

There is no formal state religion; however, in certain regions of the country, smaller religious groups complained of unequal treatment by local authorities. In some areas of the center and south, Roman Catholics, UGCC members, and Muslims made such complaints. Conversely, in some western regions, the UOC-MP complained that local authorities at times were reluctant to address its concerns.

On July 1, the Rada (parliament) adopted the Law on the Fundamentals of Domestic and Foreign Policy. According to this new legislation, domestic religious policy is based on the restoration of full-fledged dialogue between representatives of various social, ethnic, cultural, and religious groups to foster the creation of a tolerant society and provide for the freedom of conscience and worship.

The (
Affai
the U
Exter
cons
polici

The law requires a religious group to register either as a local or a national organization and to have at least 10 adult members to obtain the status of a "juridical entity." Registration is necessary to conduct many business activities, including publishing, banking, and property transactions. By law the registration process should take one month – or three months if the government requests an expert opinion on the group's legitimacy. Registration denials may be appealed in court. The law contains contradictory provisions complicating the registration of religious organizations.

The law provides no possibility for granting "legal entity" status to national religious associations.

The law requires religious groups to apply for the local government's approval to hold religious services; ceremonies; and processions outside of religious and burial sites, private residences, private and state-owned companies, and institutions. The application must be submitted no later than 10 days before the event, except for the "cases that tolerate no delay."

According to the law, registered religious organizations maintain a privileged status as the only organizations permitted to seek restitution of communal property confiscated by the Soviet regime. Communities must apply to regional authorities for property restitution. While the law states that consideration of a restitution claim should be completed within a month, it frequently took much longer.

On December 9, the president announced administrative reforms that would close the State Committee on Nationalities and Religions (SCNR) and move most of its functions into the Ministry of Culture. Registration responsibilities were transferred to the newly created State Registration Service. On December 24, Yuriy Bohutsky, the chairman of the recently abolished SCNR, was appointed deputy minister of culture.

The All-Ukraine Council of Churches and Religious Organizations met on December 14 and, according to media accounts, unanimously expressed concern that the abolition of the SCNR and the division of its responsibilities between several government agencies would be "detrimental" to state-church dialogue. UGCC Cardinal Huzar noted that the SCNR's abolition would complicate church-state dialogue because the government made the decision without consulting religious groups. The assembled religious leaders called on President Yanukovych to reinstate a single government agency for religious affairs. UOC-KP Bishop Yevstratiy said that the president's administrative reforms had opened the way to further hasty revisions of existing laws, and council member Rabbi Bleich suggested that members of the council raise their concerns with senior members of the presidential staff. The religious leaders also voiced concern over the abolition of the National Expert Commission for the Protection of Public Morals and called on the president to request that parliament amend the tax code to ensure that private donations to religious organizations would not be taxed.

Restitution of communal property confiscated by the Soviet regime generally remained a problem. The slow pace of restitution was partly a reflection of the country's budgetary situation, which limited funds available to relocate occupants of seized religious property. In addition restitution claims for the Christian, Jewish, and Muslim communities were complicated by intracommunal competition for particular properties. Prior to its abolition, the SCNR declared that the majority of buildings and objects have already been returned to religious organizations and that restitution of many remaining confiscated properties was complicated by the fact that they were occupied by state institutions, were historic landmarks, or had been transferred to private ownership. The SCNR cited a lack of government funding to help relocate the organizations occupying these buildings. The SCNR also noted that restitution claims frequently fell under the jurisdiction of local governments.

All major religious organizations called on the government to establish a transparent legal process to address restitution claims. The Cabinet of Ministers' interagency Commission to Realize the Rights of Religious Organizations, formed in 2008, continued its work to promote the government's dialogue with religious groups and address complex restitution issues. Pursuant to the November 26, 2009, recommendation of the commission, the SCNR has drafted a schedule to return more than 240 houses of worship to religious organizations.

The All-Ukraine Council of Churches and Religious Organizations continued to call on parliament to impose a moratorium on the privatization and sale of previously confiscated religious buildings in state and communal ownership, but parliament did not adopt such legislation. The government also noted that the slow rate of construction of new houses of worship could not match a steady 2 to 3 percent annual increase in the membership of religious communities.

The law restricts the activities of foreign-based religious organizations and narrowly defines the permissible activities of members of the clergy, preachers, teachers, and other noncitizen representatives of foreign-based religious organizations. However, there were no reports that the government used the law to limit the activity of such religious organizations. Religious worker visas required invitations from registered religious organizations in the country and government approval. According to the law, foreign religious workers may preach, administer religious ordinances, or practice other religious activities "only in those religious organizations that invited them to the country and with official approval of the governmental body that registered the statutes and the articles of the pertinent religious organization."

While the law restricts the teaching of religion as part of the public school curriculum, a 2005 presidential decree sought to introduce "ethics of faith" training courses into the curriculum. The All-Ukraine Council of Churches and Religious Organizations continued to lobby the government to allow religious organizations to own and operate private educational institutions where, in addition to a secular curriculum, students would learn about religion.

The government observes the following religious holidays as national holidays: Christmas, Easter Monday, and Holy Trinity Day, all according to the Julian calendar shared by the Orthodox and Greek Catholic churches.

The law allowed alternative nonmilitary service for conscientious objectors and banned the creation of religious organizations in military institutions and military units. There is no chaplaincy corps in the armed forces; however, the Ministry of Defense and major religious groups formed the Council for Pastoral Support for service members.

Restrictions on Religious Freedom

The government generally respected religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. However, as noted by the Board of Directors of the Ukrainian Association of Religious Freedom on October 25, 2010, the government's perceived special treatment of "one religious group" was causing relations between religious groups to worsen.

Members of the All-Ukraine Council of Churches and Religious Organizations noted that the president had yet to meet the council through the end of November. There were instances of local governments favoring one religious group over another or discriminating against a particular religious group. According to the media reports on December 16, the chairman of the recently abolished SCNR, Yuriy Bohutsky, denied charges that President Yanukovych favored the UOC-MP. Bohutsky stated that the president never gave the SCNR orders to give preferential treatment to any religious group. Bohutsky explained that Yanukovych would meet with the All-Ukraine Council of Churches and Religious Organizations; he had not yet done so because he did not want to "interfere and tell them what they should do."

On December 13, the Holy Synod of the UOC-KP published an open letter to the president calling on him to adhere to his declared commitment to equal treatment of all religious groups. The synod expressed regret over attempts by local

government representatives in the Donetsk, Luhansk, Kyiv, and Vinnytsya oblasts to urge UOC-KP clerics to join the UOC-MP. UOC-KP also complained that the UOC-MP was pressuring Kyiv city authorities to exclude UOC-KP clergy from performing memorial services at cemeteries in Kyiv. The UOC-MP rejected the allegations.

UOC-KP representatives complained that traffic police disrupted the arrival of the church's followers to Kyiv for the July 28 celebration of the Day of the Baptism of Kyivan Rus. In September the Interior Ministry stated that its internal inquiry, conducted as a result of demands by Rada member Volodymyr Marushchenko, found no evidence of police efforts to prevent the travel. Marushchenko insisted that the investigation could not be described as objective and complete.

The Spiritual Directorate of Muslims of Ukraine reported some difficulties with registering new religious communities in Crimea due to what it considered the political bias of some local authorities.

Mejlis members and Crimea-based human rights groups continued to criticize the Crimean government for permitting schools to use textbooks that contained inflammatory and historically inaccurate material about Crimean Tatar Muslims, despite government promises to address their concerns.

Crimean Tatars claimed discrimination by mainly ethnic Russian officials in Crimea who deprived them of employment in local administrations (ethnic Russians form a majority of the population in Crimea, which has autonomous status within the country). They also alleged propaganda campaigns, particularly by pro-Russian groups, promoted hostility against them among other inhabitants of Crimea. In the case of incidents involving Crimean Tatars, in which ethnicity and religion are often inextricably linked, it was difficult to categorize many incidents specifically as ethnic or religious intolerance.

Several religious groups complained of problems acquiring or using designated land for religious purposes. The Spiritual Directorate of Muslims of Ukraine noted that Christian burials had been permitted to occur on land designated for a Muslim cemetery in Kyiv and the Muslim community did not have adequate burial space in Kyiv and Sumy.

According to UGCC representatives, local authorities in Kyiv reportedly remain unwilling to allocate land for UGCC churches. The UGCC has reported similar difficulties in several other cities and, according to UOC-MP representatives, the local governments in Lviv and Ivano-Frankivsk oblasts refused to allocate land for UOC-MP churches.

During the year some members of the Jewish community reiterated complaints that the Krakivskiy market in Lviv was located on the grounds of an ancient Jewish cemetery disturbing the sanctity of the site. They also raised concerns that the city would privatize the land, making protection of the cemetery more difficult. The city indicated that it did not envision privatization, but it could not relocate the market because some of the buildings were private property. On September 6, the city announced an architectural competition intended to identify and implement the best designs for the conservation and use of Lviv's Jewish heritage sites, including the undeveloped part of the cemetery. The city committed 100,000 Ukrainian hryvnia ($12,500) from the city budget to help fund the competition and was seeking additional international donations to help defray some of the costs.

Several religious groups have also complained of problems and delays in reclaiming previously seized property through the restitution process. Jewish community leaders complained of continued property restitution difficulties with the Uzhgorod, Odesa, Ternopil, and Kyiv municipal governments. Similarly, Muslim community leaders complained about unresolved restitution claims involving historic mosques in Mykolayiv, Dnipropetrovsk, Masandra, and Alushta.

There were no reports of abuses, including religious prisoners or detainees, in the country.

Improvements and Positive Developments in Respect for Religious Freedom

The Civil Council for Cooperation between the Ministry of Science and Education and Churches and Religious Organizations discussed ways to enhance the ministry's dialogue with religious organizations, adopt legislative amendments, and grant full state recognition to theology as an academic discipline.

The SCNR, together with the Ministry of Foreign Affairs, Ministry of Internal Affairs, State Border Guard Committee, State Customs Service, State Committee for Tourism, and other agencies, cooperated to support Jewish pilgrimages to the burial site in Uman of Rabbi Nakhman, founder of the Bratslav Hasidic movement. According to Jewish leaders, approximately 23,000 pilgrims traveled to Uman in September 2010. Growing numbers of Jewish pilgrims have been visiting burial sites of prominent spiritual leaders in Medzhybizh, Berdychiv, and Hadyach.

According to the government, the Ukrainian Security Service acted to prevent at least six hate crimes in 2009 and 2010, including preventing illegal activities by skinhead groups in Cherkassy and Dnepropetrovsk and preventing an attack on the Hesed Haim cultural center in Sumy.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were reports of societal abuse and discrimination based on religious affiliation, belief, or practice. These included cases of anti-Semitism and anti-Muslim discrimination as well as discrimination against different Christian denominations in different parts of the country and vandalism of religious property.

In November unidentified attackers vandalized two statues of the Mother of God near a Greek-Catholic monastery in Ivano -Frankivsk.

On December 25, the Spiritual Directorate of Muslims in Crimea labeled a fire at a mosque under construction in Myrne village in Crimea as suspected arson. The group stated that the incident was "a deliberate attempt to destabilize interfaith peace in Crimea." At the end of the reporting period, the local fire department had opened an investigation.

There were several reports of incidents of anti-Semitic vandalism, such as the August 12 desecration of a Jewish cemetery in Pavlohrad, paint thrown on a Jewish community building in Sumy on October 12, the November 17 and November 19 desecrations of Holocaust monuments in Kirovograd and in Sevastopol, and paint thrown on the walls of a synagogue on December 9 by vandals in Sumy.

On November 3, the National Expert Commission on Public Morals began reviewing a complaint from the Spiritual Directorate of Muslims of Ukraine concerning articles published on the Obozrevatel Web site in November 2009 and published by Maxim magazine in "Islam, Open Up" in June 2009. The commission expressed concern over articles containing "intolerant" comments about Muslims and requested that experts at the National Academy of Sciences provide a detailed assessment of the articles.

On November 10, the National Television and Radio Broadcasting Council issued a warning to the Kherson Television and Radio Company about violations of the law prohibiting the broadcast of racist and anti-Semitic speech in response to remarks made on local radio show Vik by city councilman Serhiy Kyrychenko of the Republican Christian Party. In 2009 Kyrychenko made frequent appearances on the show and accused Jews of robbing the Ukrainian people and plotting to enslave Ukrainians and exterminate Slavs. The Kherson Oblast Prosecutor's Office told the media that a criminal case was opened against Kyrychenko on charges of inciting interethnic hatred. Police detained Kyrychenko as part of the investigation on November 22, 2010. Kyrychenko immediately appealed the charges.

in August 2009 the prosecutor's office in Zakarpattia charged the then mayor of Uzhhorod, Serhiy Ratushnyak, with inciting ethnic hatred, hooliganism, and abuse of office after he allegedly used anti-Semitic rhetoric and attacked a campaign worker for a rival presidential candidate. Ratushnyak, who was running as a marginal candidate in the 2010

presidential elections, was known for making racist and intolerant comments. Jewish leaders protested his registration as a candidate and welcomed politicians who criticized Ratushnyak's statements. On September 10, Zakarpattia Oblast Prosecutor's Office announced the official finding by legal and linguistic experts that Ratushnyak's comments reflected his "subjective" opinion about Jews and could not be described as hate speech. Based upon the expert conclusion, the Oblast Prosecutor's Office closed the investigation.

According to the Association of Jewish Organizations and Communities of Ukraine's (VAAD) preliminary assessment, no incidents of anti-Semitic violence were reported in 2010. VAAD identified nine incidents of anti-Semitic vandalism in 2010, as opposed to 19 in 2009. VAAD recorded 46 anti-Semitic articles in major print media outlets in 2009, compared with 54 in 2008 and 542 in 2007. VAAD attributed the sharp decrease in anti-Semitic publications starting in 2008 to the curtailment of activity by the Academy of Personnel Management (MAUP) as a result of political, administrative, and social pressure from nongovernmental organizations (NGOs) and the government. In previous years, MAUP accounted for nearly 90 percent of all published anti-Semitic material.

According to media reports, in November 2009 Vyacheslav Gudin, a self-described "writer and philosopher," told a group of 300 persons that 15 Ukrainian children, who had been adopted in Israel, had been taken by Israeli medical centers and used for "spare parts." He further asserted that 25,000 Ukrainian children had been brought to Israel over the previous two years in order to harvest their organs. His allegations, which mirror past anti-Semitic "blood libel" claims, were circulated on the Internet by radical right-wing groups. Following the comments, members of the Odesa Jewish community called on the prosecutor's office to investigate the group, which had published the materials in its newspaper, ZaZUBRina, and on its Web site. Prosecutors opened a case but did not bring charges against anyone involved. In addition the government reportedly opened an investigation into the validity of his remarks; however, at the end of the reporting period, no details of the investigation were available.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

The U.S. ambassador, embassy officers, and officials in Washington maintained an ongoing dialogue with government and religious leaders and stayed in close contact with clerics, lay religious leaders, and NGOs that promoted religious freedom. The embassy tracked developments in religious freedom and cultural heritage preservation, including the status of Jewish cemeteries in Lviv, Chortkiv, and Kremenets and monitored cases involving discrimination against Tatars in Crimea. U.S. government officials raised concerns over religious freedom and anti-Semitism with the Ministry of Interior, Ministry of Justice, Ministry of Foreign Affairs, and local officials. The ambassador and other embassy officers met with members of the Crimean Tatar community and local Jewish leaders to hear their concerns.

Throughout the reporting period, the ambassador raised the broader topics of communal property restitution and cultural heritage preservation in meetings and correspondence with government officials at the highest levels. The embassy continued its contacts with local authorities in Lviv to inquire regarding complaints of hotel construction on the site of the city's former main synagogue (which was destroyed during the Holocaust), possible destruction of remaining historic buildings, and the status of the historic Jewish cemetery located on the grounds of the Krakivskiy market in Lviv.

The ambassador met with leaders of major religious communities, and embassy officers met with religious leaders in Kyiv, Lviv, Ivano-Frankivsk, Khmelnytskiy, and Crimea to better understand these communities' concerns.

On August 4, an embassy officer attended a candle-lighting ceremony at the Jewish cemetery in Lviv. Local and regional government officials also attended. The officer stressed the U.S. government's support for religious freedom and minority rights in the country.

Embassy officers continued to maintain close contact not only with clerics but also with lay leaders in religious communities and representatives of faith-based social service organizations, such as Caritas, the American-Jewish Joint Distribution Committee, and the National Conference on Soviet Jewry. The embassy continued to intervene as necessary to defend foreign religious workers' rights to due process under the law.

Back to Top