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Two Crimean Tatar mosques torched in Crimea on the eve of major Muslim holiday

Eurasia Daily Monitor Volume: 10 Issue: 189 (23.10.2013) - On the eve of the major Muslim holiday Eid al-Adha (Feast of the Sacrifice), two mosques were set on fire in different areas of Ukraine's autonomous region of Crimea. On October 13, the central Crimean Tatar mosque in the town of Saki was burned down by unknown assailants. According to Emirasan Umerov, the imam of the Saki mosque, all six Korans and all the prayer rugs were destroyed, and several rooms, the terrace and the barns were burned down. This mosque was built in 1999. Yet, the construction of its first 32-meter minaret had only been completed in August 2013. The estimated damage to the mosque is around 500,000 hryvnia (\$61,000).

The second arson took place just two days later, on October 15, in the village of Rovnoe (Krasnogvardeyskoe district). The fire started around 6 a.m., only an hour before the morning Eid prayers. Since nobody was there to extinguish it, the fire spread and destroyed all of the mosque's religious books, prayer rugs, as well as the building's internal façade. No fire trucks arrived to the area, and Crimean Tatar residents of the village doused the fire on their own. According to the deputy chairman of the Spiritual Administration of Crimean Muslims (DUMK, in Russian), Ayder Ismailov, both incidents were concluded as arson by the State Service of Ukraine for Emergency Situations, following a careful investigation.

After these incidents, Mufti Aci Emirali Ablaev addressed Crimean Muslims with a call to maintain calm, to show diligence, and not to allow these provocations to pave the way for inter-religious conflict in multi-ethnic Crimea.

In a press conference on October 16, Crimean parliamentary deputy Refat Chubarov labeled these arsons as terrorist acts and stated that "terrorism is not only defined by killings and hostage taking, but also by anonymous attacks that singlehandedly target one ethno-religious group." He requested that the authorities and the law enforcement agencies properly investigate these events and argued that reluctance to disclose the

details of the investigation could only escalate the conflict in Crimea, bringing it to a dangerous stalemate.

Although it is difficult to pinpoint the perpetrators in these two arsons, the chairperson of the Mejlis (de facto Crimean Tatar parliament), Mustafa Dzhemilev argued that the most likely suspects were pro-Russian chauvinist forces who are, in his opinion, working with Russia to destabilize the situation in Crimea. Similarly, the head of external relations of the Mejlis, Ali Khamzin, called these attacks “provocative scenarios with a distinct Russian trace” to further escalate the inter-ethnic, inter-religious conflict in Crimea. This strategy, he believes, is Moscow’s attempt to prevent the signing of the Association Agreement between Ukraine and European Union at the upcoming summit in Vilnius on November 28–29. Indeed, over the past several months, Russia has been employing a wide variety of means—including by fabricating trade disputes—to pressure Ukraine into joining its Customs Union with Kazakhstan and Belarus at the expense of closer integration with the EU (see EDM, August 15; September 3, 6; October 8, 10, 11, 16).

On October 17, Gennadiy Moskal, the former chairman of the Security Services of Ukraine (SBU) and a former permanent representative of then-president Viktor Yushchenko, indicated that if a similar incident took place in Western Ukraine and if Orthodox Churches were set on fire, the local authorities, the Ministry of Internal Affairs and the Prosecutor’s Office would have reacted immediately. Since neither the local Crimean authorities nor the Ukrainian interior ministry gave any official statements or held any special sessions in the parliament on this matter, Moskal argued that their silence could only indicate that the Crimean authorities may have known about the mosque attacks in advance. Describing Crimea as the most vulnerable region in Ukraine, Moskal added that these arsons were a clear provocation to destabilize the situation in Crimea on the eve of a major Muslim holiday.

In fact, attacks on Muslim religious sites and mosques have been increasing in frequency within the last two years. On Christmas Eve 2010, an arsonist destroyed an unfinished mosque that was being constructed near the village of Mirnoe (ironically, the name of the village means “peaceful”). In September 2011, in the village of Izobilnoe (Korbekul) outside of Alusta, the grave of a Muslim saint, Baba Aziz Devletli, was destroyed. On December 1, 2012, the future site for the Cathedral Mosque, Buyuk Cuma Camii, on Yaltinskaya Street in Simferopol, was attacked by unknown assailants who threw Molotov cocktails at the premises. Since the mosque had not been built yet, only the trailer where the security guard was sleeping burned down. An hour after this attack, approximately 100 other unknown assailants attacked the Crimean Tatar settlement in Molodojnoe (a suburb of Simferopol) and tore down houses built by Crimean Tatars who had been squatting there for a decade. Although the attack in Molodojnoe was filmed and went viral on the Internet, to this date none of the perpetrators have been found.

According to the Ukrainian Criminal Code under Part 2 of Article 194 (intentional destruction or damage to property committed by arson), if the assailants are caught, they face a prison sentence of three to ten years. However, as indicated by Mejlis head Dzhemilev, after the two recent arsons in Saki and Rovnoe, Crimean Tatars are not so hopeful that the perpetrators will ever be found or punished—no perpetrator who has vandalized a mosque or a Muslim cemetery has ever been caught in Crimea (qtm.org, October 16).

Arsonists attack Mosque in Crimea

Radio Free Europe (18.10.2013) - Islamic leaders in Ukraine's Crimea say unknown attackers set a mosque on fire on October 15, the second such attack in as many days.

Imam Arsen Yaglyiev told RFE/RL that the latest attack took place early in the morning in the village of Ronvnoe, as local Muslims were preparing to start celebrating the major Islamic holiday of Eid al-Adha.

On October 14, arsonists attacked a mosque in the Crimean town of Saki.

The mufti of Crimea, Amirali-Haji Ablaev, has urged local Muslims to stay calm and united.

These incidents are the latest in a spate of attacks against mosques in Crimea, including arson incidents, since 2010.

No one has yet been held responsible for the previous attacks.

The Muslim community in Crimea is comprised mainly of some 250,000 Crimean Tatars who returned to the region in the 1980s from Central Asia, where they had been forcibly deported by Soviet dictator Josef Stalin in 1944.

Social hostility in Armenia, France, Moldova and Ukraine

HRWF recommends to the OSCE Participating States
- to combat any form of social hostility and any act of violence against any religious or belief community, not just Christians, Muslims or Jews;
- to organize human rights seminars with a wide range of religious institutions in order to promote inter-religious tolerance and peaceful co-existence.

HRWF (24.09.2013) - An increasing number of non-state actors – religious, non religious and anti-religious – perpetrate acts of vandalism against places of worship and buildings, including arson, belonging not only to so-called historical religions but also against so-called new religious movements. Members of these religious minorities have also been victims of verbal insults and physical aggressions committed by people who were influenced by the hate speech and defamatory statements made by institutions or high-ranking personalities of some mainstream religions, anti-sect organizations as well as some state and private media outlets. This is the case in many Participating States of the OSCE. Some examples:

Armenia

On 9 September, the Armenian Apostolic Church Archimandrite Komitas Hovnanyan claimed at a press conference that there are more than 215 cults functioning in Armenia which are political organizations. He claimed that the "cults" receive annual funding of half a billion dollars and have the aim to destroy the State of Armenia. He addressed the government proposing them to develop a plan that will protect national interests, without which it will be impossible to unite the nation for the fight against destructive cults. This hate speech received a large mass media coverage and did not remain without consequences.

Two days later, on 11 September, a young man intruded the Evangelical Church of Yerevan with a knife in his hand with the intention to kill the pastor, Rev./Dr Levon Bardakjian.

On 13 September 13 at around 08:45, a Syrian-Armenian, Judy Mussah who is the secretary of Levon Bardakjian the Pastor of Evangelical Church of Yerevan, was attacked

at Ulnetsi Street in Qanaqer-Zeytun district by three unknown aggressors asking twice if she was the pastor's employee.

They forced her to sit with them in their car by pulling her hair and arms. Fortunately, she could hit one of those men with her handbag and managed to run away.

France

Since the beginning of the year, acts and threats against Muslims have increased in France by 35% compared to the same period in 2012.

In February, the mosque in Ozoir-la-Ferrière was vandalised with racist slogans and swastikas. French Interior Minister Manuel Valls said that his government would never tolerate speech or actions directed against Muslims in France. However, the Minister kept silent after a firebomb attack was directed against a Jehovah's Witness meeting hall on the evening of 31st July in the city of Ajaccio in Southern Corsica. Residents heard three separate explosions and summoned fire fighters, who quickly extinguished the blaze.

France is the country of the European Union where Jehovah's Witnesses are most targeted by verbal insults, physical aggressions and acts of vandalism, including arsons, against their places of worship.

Moldova

In 2011, UN Special Rapporteur of FORB made a fact-finding mission in Moldova and noted in the conclusions of his report: "Important sectors of society see Orthodox Christianity, in particular the Moldovan Orthodox Church, as constituting the backbone of national identity. Extremist groups go as far as to explicitly demand, often in an aggressive manner, that followers of other denominations – such as Protestants, Jews and especially Muslims – be marginalized. Although these extremist groups seem to account only for a small minority, they apparently are not met with much criticism from within the Church, thus leading to the perception that they somehow speak on behalf of the country's Orthodox believers in general."

35. (...) The Special Rapporteur "received credible reports about manifestations of intolerance against members of minorities and even some incidents of intimidation or vandalism, especially in rural areas. Such incidents have also been reported in the Transnistrian region of the Republic of Moldova.

37. Reportedly, even the burial of deceased members of religious minorities in rural areas is occasionally met with the resistance of certain Orthodox groups who want the local cemetery (owned by the municipality) to remain free of graves of other denominations, such as Baptists, Methodists or Pentecostals. As a result of such aggressive opposition, in some cases, funerals had to be postponed and the bereaved faced difficulties in burying their loved ones in a dignified way, which is obviously an appalling situation. In addition, according to information received from different interlocutors, incidents of vandalism against Protestant houses of worship have occasionally occurred, such as the breaking of windows or the tearing down of walls during construction. The Special Rapporteur could not find any examples of the Orthodox Church clearly condemning such acts of violence or hostility sometimes perpetrated in the name of Orthodox Christianity.

38. The best documented case of public manifestation of religious intolerance against a religious minority was the removal and the demolition of the Jewish Chanukah Menorah displayed in a public place in Chisinau, in December 2009.¹⁰ A mob of around 100 people led by an Orthodox priest removed the Menorah and subsequently dumped it upside-down on a nearby monument to Stefan cel Mare, a medieval Moldovan prince and

saint in the Moldovan Orthodox tradition. While political authorities and the media expressed outrage at this public manifestation of religious intolerance, no condemnation, let alone apology, was publicly made by the Moldovan Orthodox Church to the Jewish community. This was a missed opportunity to emphasize that central public places belong to everyone on a non-discriminatory basis. The priest was eventually sentenced to paying a small fine.

Ukraine

Between 2010 and 2013, places of worship of Jehovah's Witnesses were increasingly victims of vandalism and arson.

In 2010 there were 5 reported incidents of vandalism and arson, 15 in 2011, 50 in 2012 and already 23 in the first five months of 2013. All these cases are detailed in their submission which was uploaded on the UN website:

http://www2.ohchr.org/English/bodies/hrc/docs/NGOs/EAJCWitnesses_Ukraine_HRC108.pdf

Numerous pictures of the damages illustrate their report.

23 cases of desecration of places of worship of Jehovah's Witnesses in 5 months in 2013

The European Association of Christian Jehovah's Witnesses have introduced a 46-page submission to the 108th Session of the UN Human Rights Committee about violations of their religious freedom in Ukraine

HRWF (15.07.2013) - As a result of the inaction of law enforcement officials, vandalism and arson of Kingdom Halls increased between 2010 and 2013. In 2010 there were 5 reported incidents of vandalism and arson, 15 in 2011, 50 in 2012 and already 23 in the first five months of 2013. All these cases are detailed in their submission which was uploaded on the UN website:

http://www2.ohchr.org/English/bodies/hrc/docs/NGOs/EAJCWitnesses_Ukraine_HRC108.pdf

Numerous pictures of the damages illustrate their report.

Details of the cases in 2013:

Case 1

Place: Pavlohrad, Dnipropetrovsk Region

Facts: 28 January 2013: Unidentified person/s damaged the fence and tore off the Kingdom Hall information board at 3-35 Komarova St.

Police reaction: No proceedings were instituted.

Case 2

Place: Horlivka, Donetsk Region

Facts: 5 February 2013: Unidentified person/s set on fire the Kingdom Hall located at 4 Hertseny St.

Police reaction: Proceedings were instigated. No one has been charged or punished. (No. 12013051030000751)

Case 3

Place: Makiivka, Donetsk Region

Facts: 11 February 2013: Unidentified person/s damaged the facade of the Kingdom Hall located at 17 Pecherska St.

Police reaction: No proceedings were instituted.

Case 4

Place: Vuhlehirsk, Donetsk Region

Facts: 12 February 2013: Vandals damaged the Kingdom Hall at 1 Krasnoshapky St. shooting at it with a pneumatic gun.

Police reaction: No proceedings were instituted.

Case 5

Place: Voznesensk, Mykolaiv Region

Facts: 27/28 February 2013: During the night unidentified person/s damaged the electric meter, scratched 666 in large numbers on the entrance door and placed tree branches in the form of a swastika on the ground.

Police reaction: No proceedings were instituted.

Case 6

Place: Lebedyn, Sumy Region

Facts: 6 March 2013: Unidentified person/s broke two windows of the Kingdom Hall at 3a Antonova St.

Police reaction: No proceedings were instituted.

Case 7

Place: Novoarkhanhelsk, Kirovohrad Region

Facts: 24/25 February 2013: During the night unidentified person/s damaged the facade of the Kingdom Hall at 10 Festyvalnyi St.

Police reaction: No proceedings were instituted.

Case 8

Place: Ternopil

Facts: 25 March 2013: An unidentified person, caught on surveillance video, wrote "Away with the sect!" on the Kingdom Hall at 6a Sakharova St.

Police reaction: No proceedings were instituted.

Case 9

Place: Tatarbunary, Odesa Region

Facts: 5 April 2013: Unidentified person/s damaged the Kingdom Hall located at 23 Dvadtsiat Tretioho Serpnia St. with shots from a pneumatic gun.

Police reaction: No proceedings were instituted.

Case 10

Place: Yenakievo, Donetsk Region

Facts: 6/7 April 2013: During the night unidentified person/s threw stone damaging the facade of the Kingdom Hall located at 27 Potiomkin St.

Police reaction: No proceedings were instituted.

Case 11

Place: Cherkasy

Facts: 7/8 April 2013 During the night five people, captured on surveillance video wrote obscene graffiti on the Kingdom Hall at 283 Ilina St.

Police reaction: No proceedings were instituted.

Case 12

Place: Avdiivka, Donetsk Region

Facts: 20/21 April 2013: During the night unidentified person/s stole seven video surveillance cameras from the Kingdom Hall located at 29 Maiakovskoho St.

Police reaction: A request was made, but the authorities did not provide any information as to whether proceedings were instituted or not.

Case 13

Place: Kremenchuk, Poltava Region

Facts: 22/23 April 2013: During the night unidentified person/s wrote offensive graffiti on the walls of the Kingdom Hall at 93 Prykhodka St.

Police reaction: No proceedings were instituted.

Case 14

Place: Volnovakha, Donetsk Region

Facts: Between 21 to 25 April 2013 unidentified person/s repeatedly desecrated the facade of the Kingdom at 68 Kalinina St. with obscene graffiti.

Police reaction: No proceedings were instituted.

Case 15

Place: Stanitsa Luhanska, Luhansk Region

Facts: 10 April 2013: Unidentified person/s tore off the Kingdom Hall information board at 37a Haharina St.

Police reaction: No proceedings were instituted.

Case 16

Place: Avdiivka, Donetsk Region

Facts: 28/29 April 2013: During the night unidentified person/s broke a window of the Kingdom Hall at 29 Maiakovskoho St.

Police reaction: No proceedings were instituted.

Case 17

Place: Donetsk

Facts: 31 April/1 May 2013: During the night unidentified person/s damaged the facade of the Kingdom Hall at 28 Putylovskoho St.

Police reaction: No proceedings were instituted.

Case 18

Place: Lviv

Facts: 30 April 2013: Unidentified person/s broke windows of the Kingdom Hall at 24 Olesnytskoho St.

Police reaction: No proceedings were instituted.

Case 19

Place: Sumy

Facts: 7 May 2013: Unidentified person/s damaged the roof of the Kingdom Hall at 6a Korotchenko St.

Police reaction: No proceedings were instituted.

Case 20

Place: Lozova, Kharkiv region

Facts: 2/3 May 2013: During the night unidentified person/s using a pneumatic gun, shot at and damaged the Kingdom Hall located at 14b Sevastopolskyi Ave.

Police reaction: No proceedings were instituted.

Case 21

Place: Haivoron, Kirovohrad Region

Facts: 9 May 2013: Unidentified person/s wrote obscene and offensive graffiti on the Kingdom Hall located at 8 Chapaieva St.

Police reaction: No proceedings were instituted.

Case 22

Place: Zaporizhia

Facts: 21 May 2013: An unidentified person/s broke a window of the Kingdom Hall located at 41/43 Osnovna St.

Police reaction: No proceedings were instituted.

Case 23

Place: Zaporizhia

25/26 May 2013: During the night unidentified person/s again broke a window of the Kingdom Hall located at 41/43 Osnovna St.

Police reaction: No proceedings were instituted

About the arson of the house of worship in Horlivka, located in the town center, in the night of February 5, 2013: As a result of the prompt response of the firemen, the fire was quickly contained and extinguished. The inspection of the crime scene was entirely superficial, a criminologist was not involved and objects of the crime scene were not collected. For example, in the western part of the religious building shoe prints were found on the fence, flower-bed and concrete path but not collected as evidence. Criminal proceedings were closed on February 11, 2013. Copies of this decision were never provided to the victims. Motions from the victims continue to be ignored. On February 13, 2013, the Town Police investigation Chief recognized that the police officer's actions were inadequate and directed a second inspection of the site, which was not done until March 22, 2013.

Anti-sect organizations in Ukraine

In Ukraine, there are many anti-sect organizations. They are mainly linked to the Orthodox Church and spread hostility towards non-mainstream religions.

Four anti-sect associations in Ukraine work with FECRIS (European Federation of Research and Information Centers on Sectarianism), an umbrella organization with 25 member associations, 27 European and 4 non-European correspondents that was created in Paris in 1994:

F.P.P.S. - Family and Personality Protection Society

Dnepropetrovsk City Center for the help to Victims of Destructive Cults

"Dialogue"

Ukrainian National Center Of Religious Safety And Help To Victims Of Destructive Cults "Dialogue"

U.N.I.A. - Ukrainian Network "InterAction"

Over 90% of the funding of FECRIS comes from various public powers in France, the cradle of *laïcité* (separation of state and church). However, its action through its affiliates in Russia, Ukraine, Germany, Austria and other countries contributes to the strengthening of the local mainstream religions in their fight against competitors. It is also noteworthy that the Orthodox Churches, the Catholic Church and the Lutheran Church - just to name a few - in the aforementioned counties campaign against the views of the French government on several major ethical issues at home.

Conflicts among Ukrainian bishops

NG-Religion (15.05.2013) - The Russian Orthodox Church is preparing for the celebration of the 1025th anniversary of the Baptism of Rus. As Patriarch of Moscow and all-Rus Kirill stated at the beginning of May, the celebration begins on 24 July in Moscow with a worship service in the church of Christ the Savior. Then the celebrations migrate to Kiev and Minsk. Back at a previous synod of the Ukrainian Orthodox Church of the Moscow patriarchate (UPTsMP), which was held on 15 March of this year, Metropolitan of Kiev Vladimir spoke about information about the celebration of the historic date "on an all-church and state level." At the last synod, held 25-26 April of this year, it was decided to send official invitations to the celebration to Patriarch Kirill and to heads of local Orthodox churches. The primate of RPTs recently expressed the hope that "heads of churches will also attend" the celebrations. "The Ukrainian leadership took the initiative to invite heads of Orthodox churches and heads of states where a majority of the people belong to the Orthodox church," Patriarch Kirill said.

Meanwhile the UPTsMP is hoping to receive a gift for this historic church holiday from Ukrainian President Viktor Yanukovich. As Metropolitan Vladimir stated, "recently on the basis of a decision of the Holy Synod we sent a letter to the president requesting that for the jubilee of the 1025th anniversary of the Baptism of Kievan Rus he give the church a present and turn attention to pressing questions: presenting the church as a religious association the status of legal entity." The primate of UPTsMP raised this question back in 2011. According to article 13 of the Ukrainian law "On freedom of conscience and religious organizations," "a religious organizations is recognized as a legal entity from the moment of the registration of its charter (regulations)" and, consequently, "it acquires the rights and bears the responsibilities in accordance with existing legislation and its charter (regulations)." In addition, the primate of UPTsMP asked Yanukovich to prevent the privatization of former church property which is now owned by the state, to recognize religious education at the governmental level, and to provide the church the right to create educational institutions.

It seems that at the time when Metropolitan Vladimir finally returned to the administration of the church after last year's illness, there began appearing in Ukrainian news media compromising articles about some highly placed leaders of UPTsMP who are permanent members of the synod. Thus, in one Ukrainian newspaper early in May there

appeared an investigation exposing Metropolitan of Vyshgorod and Chernobyl Pavel, who during the time of the illness of the primate of UPTsMP actually ran the church. In particular, the metropolitan was accused of embezzlement of funds from the lavra, financial machinations, and a lifestyle not fitting for a monk.

News media criticism did not spare even the chancellor of UPTsMP Metropolitan of Borispol Antony, a permanent member of the Holy Synod, and, in the opinion of experts, the likely successor of Metropolitan Vladimir. He and Metropolitan of Simferopol and Crimea Lazar, who also is a permanent member of the synod, performed an Easter worship service in Kherson which was attended by President Yanukovich. As was reported, after the liturgy Metropolitan Antony returned to the Ukrainian capital on an expensive flight. According to a Ukrainian reporter, who posted this information on a social network, Antony "flew in a Cessna 525 airplane belonging to the Ukrainian aviation company 'Aero-charter.' This company specializes in organizing VIP flights. By modest estimation, such a flight for the bishop costs about 10 thousand dollars." "I wonder which sponsor paid so generously for a special flight for the Master? Perhaps it was money from the church treasury?" the reporter asked.

It is worthy of note that several days after the beginning of Easter, Metropolitan Vladimir stated in one interview that he does not bless, and he warns against, clergymen's participation in politics. "The church is not close to politics. Politicized church people and even clergy may be close to politics. But we do not support this. Each one should deal with his own affairs," the primate of UPTsMP said.

Meanwhile the synod, by whose conclusions the letter was sent to Viktor Yanukovich, in addition to other things on 25-26 April of this year made a decision with regard to Archbishop of Pereyaslav-Khmelnytsky and Vishnevsk Alexander, a vicar of the Kiev metropolia and secretary of Metropolitan of Kiev Vladimir. The minutes of the synod's session contain scant information: "Considering the special circumstances of the session of the Holy Synod of 21.02.2012, to expunge the information from journal No. 23 of the session of the Holy Synod of 21.02.2012."

We recall that during the synod held in February 2012, Archbishop Alexander was dismissed from his office as chairman of the Department of External Church Relations of UPTsMP, dismissed from the office of head editor of the official website of UPTsMP, and removed from the permanent membership of the synod. The reasons for this were "the destructive actions and unworthy conduct, intrigue, and lifestyle" of the archbishop. In particular, as noted in the journal, Alexander Drabinko "using the office of secretary of the primate of UPTs . . . openly criticized in broadcasts of secular news media decisions of the supreme church authority, artificially setting the synod against the primate." Shortly before the last synod, the head of the Kiev Caves lavra, Metropolitan Pavel, a former temporary chancellor of the Kiev diocese in the period of Metropolitan Vladimir's illness, withdrew his accusations against Archbishop Alexander. At the time the secretary of the primate of UPTsMP, who was the rector of the church of All Saints in the complex of the cathedral of the Holy Resurrection, was dismissed from his post as a result of an audit of the financial and economic activity of the Kiev metropolia and diocese of Kiev. The audit was led by Metropolitan Pavel, which gave occasion to speak about the attempt of opponents of the primate of UPTsMP to reduce the influence of his closest associate. As was reported, in a letter to Archbishop Alexander, Metropolitan Pavel writes: "I testify that you did not take a single kopeck there. If someone speaks untruth about you, that is their personal sin."

However, the rehabilitation of the secretary of the Kiev metropolitan cannot be called complete. According to results of the synod's session, only the information regarding the accusations against Archbishop Alexander was removed, but the decisions made are still in effect. In other words, the bishop who is close to the primate of the church was not restored to his former offices. (tr. by PDS, posted 16 May 2013)

The appeal of Patriarch Filaret to the head of state on two recently adopted laws of Ukraine

To the President of Ukraine Yanukovich V. F.
Dear Viktor Fedorovich!

On behalf of the Holy Synod of the Ukrainian Orthodox Church I appeal to you about two recently enacted laws of Ukraine, which directly affect the freedom of conscience and religion, concern believers, experts and the general public.

1. Law № 5492-VI "On the Unified State Demographic Register and the documents which verify the citizenship of Ukraine, testify a person's identity or his/her special status"

This law introduces a dangerous practice of creating a state database – the Unified State Demographic Register of (USDR), which will accumulate a vast amount of information about a person, far exceeding the volume of data which was till now included in the internal passport of a citizen of Ukraine. The planned amount of information also exceeds the requirements of the intergovernmental structures concerning international passports which simplify border crossings and improve safety.

The implementation of such an information database causes great concern, given the pronounced threat of access to an extremely wide range of personal data by the intruders, political or economic rivals, or special services of foreign states (through unauthorized access, bribing of the officials or otherwise).

We know from the media that criminals get unauthorized access to even the most secure databases – for example, the State Department and several other U.S. government agencies. Clearly, it is hardly possible to establish now in Ukraine a higher level of data protection than the U.S. government has.

A generally accepted way to protect data is their separate collection, storage and use, when data relating to various spheres of human life are accumulated in separate databases that are not connected to each other. This mechanism resembles bulkheads in a ship: if one or more compartments are flooded, others remain safe and keep the ship afloat.

The creation of a Unified State Demographic Register actually resembles a ship without bulkheads.

This is just one of the numerous dangers to which the new law exposes the citizens of Ukraine. And nobody is protected from these dangers.

You used the right to "veto" the bill number 10492 "On the Unified State Demographic Register...", but the introduced changes do not solve some fundamental problems. In particular, in the final version of the law believers have the right to refuse to receive documents with an implanted chip or to have information concerning them recorded on such a chip. But they will be unable to avoid the inclusion of diverse data concerning them in the USDR. And the major risk is associated with the creation of such a register!

In our opinion, the creation of a single database on various aspects of a citizen's life violates the fundamental human rights (including the right to privacy and protection against unlawful interference with it) and is a potential threat of people's exposure to

criminal influence (including in the field of religion) through illegal use of the data from the Register.

The volume and variety of data that will be entered to the USDR have no precedent in the international law, while their complete protection from the possibility of outside interference or illegal use is questionable.

The UOC KP has no fundamental objections against the use of modern technologies of a person's identification using biometric data in cases of necessity (for example, when travelling abroad). However, in our opinion, there is no essential need to use such new technologies in the internal passports of the citizens of Ukraine or other internal documents. Intergovernmental structures, such as the European Union and the International Civil Aviation Organization (ICAO), also don't demand this from Ukraine.

To the opinion of the Church, which is also shared by a wide range of experts and the public, the list of data contained in the internal and foreign passports and related databases, according to the common worldwide standards and practices, should be strictly limited and does not significantly exceed the list of data which is contained in the valid passports of the citizens of Ukraine, which are required to obtain a visa or permission for visa-free entry to the leading countries.

We also consider that the laws that directly affect the fundamental rights of the citizens of Ukraine – for example, concerning fundamental changes in the passport system – should be developed and proposed by the President of Ukraine and the Cabinet of Ministers of Ukraine in accordance with the existing procedures of approval, which provides extensive discussion and helps to avoid legal errors.

Dear Viktor Fedorovich!

With an purpose of providing full observation of human rights and avoiding threats to national security, I appeal to you with a request to give instructions to develop a fundamentally new bill or make significant changes to the aforementioned Law №5492-VI, which would abolish the Unified State Demographic Register, provide the citizens' right to refuse to enter redundant information in the public databases, create mechanisms for reliable protection of the biometric and other passport data against unauthorized access and use, completely eliminate the above threats.

II. Law number №5461-VI "On Amendments to Certain Legislative Acts of Ukraine (concerning the activities of the Ministry of Justice, Ministry of Culture and other central executive bodies whose activities are directed and coordinated by the relevant Ministers, and the State Space Agency)".

Since the emergence of the bill number 10221, which proposed amendments to the Law "On the Freedom of Conscience and Religious Organizations", all members of the All-Ukrainian Council of Churches and Religious Organizations (AUCCRO) expressed their unanimous opinion on the unacceptability of such changes. The members of the legislative process assured the Council that the position of churches and religious organizations will be fully taken into account in the second reading, but the opposite happened: none of the proposals was considered.

We understand the motives which prompted you, as the President, to sign the bill despite the objections. It is important though, that while signing it, you gave instructions to the Cabinet of Ministers of Ukraine to promptly submit to the Verkhovna Rada of Ukraine amendments to the Act, agreed with the churches and religious organizations.

On December 13, 2012 a meeting of the Working Group was held at the Ministry of Culture of Ukraine to deal with these changes. The participants expressed their

unanimous vision: the proposed changes must return the law "On the Freedom of Conscience and Religious Organizations" to its previous state, and the changes made to it by law № 5461-VI should be abolished.

As we know, the Ministry of Justice of Ukraine has prepared a large bill on the further implementation of the administrative reform, which, inter alia, took into account the principal wishes of the AUCCRO. Therefore, having considered this bill in the part concerning the rights of churches and religious organizations, we believe that in agreement with other members of the AUCCRO, the proposed changes deserve support.

However, considering the special nature of church-state relations, the existing inter-denominational conflicts and the danger of their escalation, the Holy Synod drew the attention of the state representatives to the fact that the practice of amending legislation on the freedom of conscience not only without prior discussion and approval of churches and religious organizations, but despite their consolidated position, is improper and potentially dangerous.

The example of adopting the Law № 5461-VI "On amendments to some legislative acts of Ukraine..." demonstrates a real lack of development of state-church dialogue, inadequacy of mechanisms for such a dialogue and for the implementation of its results.

Dear Viktor Fedorovich!

I appeal to you as President with a request to do everything necessary to ensure that in the near future the above changes to the legislation of Ukraine concerning the activities of religious organizations, agreed with AUCCRO, will be made and approved.

We hope that in the future the mechanism for consideration of the position of churches and religious organizations by the state, when considering issues that affect them directly, will become more effective.

I call God's blessing upon you!

Yours – Filaret, the Patriarch of Kiev and All Russ-Ukraine

Source: Voice of Orthodoxy № 2 (338) 2013

The appeal of his holiness Patriarch Filaret to the heads of local Orthodox Churches

To His Holiness Bartholomew the I, the archbishop of Constantinople –New Rome and the Ecumenical Patriarch

To their Holiness and Beatitude, the Primates of the Local Orthodox Churches

Your Holiness, beloved in the Lord Ecumenical Patriarch Bartholomew! Your Holiness and Your Beatitude!

The Holy Synod of the Ukrainian Orthodox Church of the Kiev Patriarchate, which represents about fifteen million Ukrainian Orthodox believers united in more than 4500 communities and led by 40 bishops, at its meeting has carefully considered the reports on issues of concern to the fullness of the Orthodox Church in connection with the

preparation and conduct of the Holy and Great Council of the Orthodox Church, and instructed me to appeal to you in this letter on its behalf.

We are talking about the following issues: continuing preparation to the Council, the methods of decision-making, consideration of issues at the Council, in particular concerning the autocephaly, autonomy and diptychs.

1. We firmly believe that the solution of the question of autocephaly, its manner of proclamation and recognition is impossible without taking into account the position of the churches, which are now applying for recognition of their autocephaly (the Ukrainian Orthodox Church, the Ohrid Arch-episcopate [the Macedonian Orthodox Church], the Montenegro Orthodox Church and the Orthodox Church in America), contradicts the catholicity tradition of the Orthodox Church, and even the Holy Scripture, which calls for listening to all the parties before passing the judgment. Therefore, any decision regarding autocephaly rendered in one way or another without these churches will not solve the problem and will remain fruitless.

2. Backed by the nearly two thousand years history of holding Councils at various levels by the Church, we testify that the Councils always consider the most pressing issues, which worry the church completeness. At the present stage of the Orthodox Church life, the questions of autocephaly and ecumenism obviously belong to this category. Without considering these issues and making decisions on them the holding of a Pan-Orthodox Council is unjustified.

3. The catholicity tradition, including the history of ecumenical councils, shows that the decisions at them were always made by the majority of those present – otherwise the condemnation of heresies would not have been possible, because heretics always opposed the Orthodox regulations

However, the majority assembled at a council was not always on the side of truth, as evidenced by false councils or some council resolutions which were rejected by the church. For instance, this concerns the Robber Council of Ephesus of 449, the “ecumenical council” of iconoclasts, the council which condemned St. John Chrysostom, the Ferrara-Florence Council and the union with the Latin Church proclaimed by it, and the like.

Therefore, firstly, the council decision should be based not on human considerations of the majority or minority, historical authority of the cathedras and their heads, but rather on the Divine Revelation, Tradition of the Church and the Scripture; they should be evidence of the truth – even if some participants or actually the majority are against such truth.

For synodic decisions get their ultimate strength only from their perception (reception) by the fullness of the Church as the true embodiment of the will of the Holy Spirit and the catholic mind.

Conclusion

The preparation for the Holy and Great Council should continue, but it should involve the representatives of churches, the very being of which will be considered at the council (the Ukrainian Orthodox Church, the Ohrid Arch-episcopate [the Macedonian Orthodox Church], the Montenegro Orthodox Church and the Orthodox Church in America).

If the Pan-Orthodox Council does not consider the issue of autocephaly and the attitude toward the ecumenical work, its holding will be unjustified. The synodic decisions should be based not on human considerations of the majority or minority, or on the historical authority of the cathedras and their heads, but on the Divine Revelation, Tradition of the

Church and the Scripture, and be evidence of the truth – even if some participants or actually the majority are against such truth.

I hope that the ideas of the Holy Synod of our local church expressed in this letter will be useful in addressing the issues raised.

With love in Christ – Filaret, the Patriarch of Kyiv and All Russ-Ukraine

We must fight for our beliefs

About the law 'On the Unified State Demographic Register'

Mir № 1 (386) 2013* - Vladimir Kaplienko: "The law 'On the Unified State Demographic Register' forms a system of shadowing of the citizens of Ukraine and is an ultra-high danger to the state and its defence".

- I'll remind that the law provides henceforth:

- a) Replacement of permanent passports with terminable ones, which will be updated every 10 years (at the expense of the Ukrainians themselves);
- b) Provision of every infant with a passport from birth;
- c) Creation of a population register as an electronic database, to which it is planned to collect all the data on the citizens of Ukraine, including their biometric indices (digitized photographic image, the citizen's signature, fingerprints, handprints, his/her retina image, additional information, etc.).

The Law creates conditions for total and comprehensive control over the personal data and actions of the citizens of Ukraine. In my view, the law "On the Unified State Demographic Register" directly contradicts the Constitution, in particular Articles 32 and 35, the requirements of the Convention on the protection of individuals with regard to automatic processing of personal data, the EU Directive (No 9546) regarding statement of the purpose of personal data collection, and international norms and standards in the protection of private life; it also reduces the level of collective security in Ukraine and humiliates or demeans believers.

I am confident that the Law of Ukraine "On the Unified State Demographic Register", which was adopted under the pretext of the requirements of ICAO (International Civil Aviation Organization) and the inclusion of Ukraine in the action plan for visa-free travel to the EU, actually solves other matters. Firstly, there are business interests of some officials in the field of manufacturing documents and security elements. Secondly, the law becomes a tool for total biometrization of the population. And thirdly, it will start the forming of a system for electronic control of the citizens of Ukraine.

The author of the bill explains the topicality of its adoption with requirements of the International Civil Aviation Organization (ICAO), is it true?

Despite the fact that Vasily Gritsak on behalf of the Party of Regions hides behind the requirements of the ICAO, justifying the adoption of the Law number 10492, at the same time the ICAO seems not even to be aware of this. The fact is that this organization does not insist (at least for now) on interference in the internal documents, on expiration date documents, or on the creation of a system of total control over the citizens of the States Parties. It especially does not insist on the monopolization of passports issuance by one organization. Moreover, in the list of standard ICAO biometric data there is only a digitized image of a person. Whereas fingerprints, retinal image, and other such personal information about a person is optional, that is, cannot be an obligatory norm.

In accordance with ICAO standards only those documents which are necessary for travelling abroad (i.e. foreign, diplomatic, service passports and identity documents of a member of a ship crew) must be replaced. While according to the adopted Law No 10492 henceforth all documents which identify a person or his/her status must have electronic media.

Who will benefit from the adoption of this law in the first place?

It is clear that in a situation where the state, unfortunately, has lost its monopoly rights in such fields as printing securities and security elements, with the help of the Law № 10492 an exclusive private company is doing everything in its power to secure a (legally guaranteed) windfall. Open forcing through of laws № 8507 and № 10492 by the representatives of the concern EDAPS is a struggle for receiving a life-long order for the production of all, without exception, documents: for the living and the dead, the believers (regardless of religion) and atheists, elderly people and newborn children. And to increase their income they bring in the "expiration factor", that is, the need to replace all the types of biometric documents every 10 years, naturally, at the expense of general public. This occurs despite the widespread protests of Christians, who (after the introduction of individual tax numbers) believe this innovation to be the second step to total sealing of people, opening the way for the Antichrist's coming.

We would like to draw attention to another fact: the implementation of this law into practice will require additional cost for its realisation in the amount of 60 billion hryvnia (documents with data carriers plus devices for their reading at airports, border crossings, traffic police enforcement offices, and relevant regulatory agencies). For example, in Singapore, the airport is equipped by 800 devices for reading passports. At the cost of 3 - 3500 dollars per unit, their general cost makes 2.4 - 2.8 million USD. So why Vasiliy Grytsak tells about spending only 200 million hryvnia on the project is quite unclear.

This law provides the technical ability to read personal data remotely; forms quite a viable system of total control over people's movements and shadowing people; is an ultra-high risk for the state and its defences; and despite of all does not solve the problem of fake passports.

Unfortunately, we did not find your name in the list of MPs of the VII convocation. What are you going to do next?

You know, for me, this question would have been quite painful two weeks ago. But as they say, time heals. Yes, indeed, I could not get the necessary level of support from voters in the 63rd electoral district with the centre in Berdichev.

I intend to stay in politics. Now I do public work as the head of the supervisory board of the All-Ukrainian Charitable Foundation "Institute for Social Projects", and as a board member of the International Fund "Social Projects Institute". I cannot stop just because of the desire for changes in Ukraine. For I believe in its future.

Interview by Boris Shvets

*Mir is a publication of the Ukrainian Orthodox Church, Moscow Patriarchate

On the Unified State Demographic Register

Mir No 47 (382) 2012 -The Ukrainian President Viktor Yanukovich has signed Law № 5492-VI (Bill number 10492 suggested by Gritsak), "On the Unified State Demographic

Register and documents that confirm the Ukrainian citizenship, a person's identity or his/her special status", the UNN reports.

In addition to other amendments, the new version of the Law contains a virtual alternative for the believers who refuse to receive a card with a chip. Note, however, that the inclusion of this provision does not solve the main problem of the law – the collection of comprehensive data on every person from the moment of his or her birth.

In particular, Metropolitan Vladimir said in his address: "This law violates people's right to privacy, which is guaranteed by Article 32 of the Constitution of Ukraine". He therefore urged the President to veto the bill number 10492 not because the believers would have no right to reject biometric passports, but because of the "threat of the basic human rights limitation", – says "The Institute of Religious Freedom" site.

Even before the law was signed by the President, the Chairman of the State Service for Regulatory Policy and Entrepreneurship Michael Brodsky advised Yanukovich to veto the document, because the law is completely counter to the direction of the government's activities and the President's politics. "We believe that the law was a huge step back on the way of the de-regulation processes and the development of transparent administrative services", – said Brodsky in his letter to the President, the press service of the ministry informs.

The faction "Reforms for the Future" has also repeatedly urged Yanukovich to veto the Law "On the Unified State Demographic Register", passed by the parliament on November, 20, "Phrase" informed. The members of parliament argue that the law "has a lobbying nature, contains a corruption component, and has a direct impact on the expenditure side of the state budget of Ukraine".

"The creation of the Unified State Demographic Register provided by this law has no rational sense in terms of the interests of the state and its citizens. It is clear that the real purpose of the law is the introduction of internal documents with contactless electronic media. It is a way of pumping money from the state budget and from the citizens' pockets", – stated the members of the faction "Reforms for the Future" in their letter to the President.

However, what happened has happened. After the law was signed by the President, a meeting of the Heads of Christian Churches of Ukraine was held. It was attended by the Chairman of the Education Committee of the Holy Synod of the Ukrainian Orthodox Church the bishop of Irpen Clement. The participants of the meeting expressed rather sharp criticism of the government. This is a common problem – the state does not hear the society. Today we are faced with the ignoring of the Church's position.

Minor amendments made by the President and re-enactment of the Law on the Unified State Demographic Register did not solve the main problem of this initiative – the violation of the citizens' rights to privacy. In this case, the provision of the believers' right to refrain from receiving the biometric passport does not allow them to avoid the inclusion of information about them in the Unified Register. The introduction of such a comprehensive registry of data on every citizen in conjunction with the initiative to introduce a presumption of consent to organ transplantation after death poses a real threat to the safety of citizens, including their right to life. This was discussed at the meeting.
