



## CONCEPT NOTE

### UN SECURITY COUNCIL ARRIA FORMULA MEETING

#### “Situation with freedom of religion and belief in Ukraine: persecution of the Ukrainian Orthodox Church”

**Date:** 12 May 2023

**Time:** 10 a.m. - 1 p.m.

**Venue:** CR 11

**Participation:** All UN Member States, Permanent Observers, UN entities, civil society organizations and press are invited

The meeting will be held in all UN official languages and will be open to all UN Member States, Permanent Observers, UN entities, civil society organizations and press. Given predictable censorship demands from UK and other Western delegations we do not intend to seek a webcast on UN WebTV.

#### **Objective:**

The Arria Formula meeting is aimed at providing information and platform for discussion of the situation of freedom of religion and belief in Ukraine in light of the escalation of repressive policy of Kiev against the Ukrainian Orthodox Church (the UOC) aimed at discriminating the communities and parishioners, depriving the UOC of its historical and legal name, property and even introducing a full-fledged legal ban on the UOC.

#### **Background:**

The Ukrainian Orthodox Church has been the only canonical Orthodox Church in the country with millions of faithful believers in all the regions of Ukraine.

After the coup d'état in Kiev in February 2014, the Ukrainian authorities headed for the destruction of the canonical UOC. The artificially created in 2018 and loyal to the

authorities Orthodox Church of Ukraine (the OCU) started a campaign to present itself as a “true Ukrainian Church”. This political project was designed to split the Orthodox Church in Ukraine.

A large-scale campaign is underway to seize churches of the UOC and forcibly and illegally eliminate their communities. Such measures are widely accompanied by mass humiliation, abuse, and beatings of members of the congregations and clergy. Numerous cases of kidnappings of priests of the canonical church were registered. Unjustified criminal prosecutions are being conducted against the hierarchy and clergy of the UOC. The parishes of the UOC became target of numerous looters and rioters whose actions are condoned by the authorities. The ruling regime incites the radical nationalists to extremist actions. Political and administrative pressure on the UOC is supported by a defamatory campaign in Ukrainian and at times in international media, where high-ranking Kiev politicians and officials take active part.

UOC repeatedly declared since 2022 that it is subordinate neither to Russia, nor to the Moscow Patriarchate.

The authorities do not hide intentions to have the UOC legally banned. The relevant draft legislation was submitted to the Verkhovna Rada (Parliament) of Ukraine in 2022 and 2023. On November 23, 2022, the European Solidarity Party introduced a draft law (8221) “On Ensuring the Strengthening of National Security in the Sphere of Freedom of Conscience and the Activities of Religious Organizations” to secure for the newly created OCU the exclusive right to be called Orthodox and monopoly to practice the Orthodox religion in the country. This bill provides for the ban on the UOC and the discontinuance of any property relations with it. The relevant Committee of the Parliament has approved this bill. On December 5, 2022, a draft law (8262) “On Improving the Legal Regulation of the Activities of Religious Organizations” was introduced. This document envisages a simplified procedure of transfer of the UOC's communities, dioceses and monasteries to the OCU with the change of jurisdiction. In other words this bill is aimed at legalization of raider seizures of canonical parishes. It was also approved by the relevant Committee of the Parliament. On 19 January, 2023, in accordance with the Decision of Mr. Zelenski and the Council of National Security of Ukraine a draft law (8371) “On Changes in Legislation of Ukraine on the Activities of Religious Organizations” was introduced that is aimed at dissolution (e.i. ban) of the UOC.

In addition, Mr. Zelensky signed a decree imposing restrictive measures (“sanctions”) on bishops of the canonical UOC with a list of hierarchs of the UOC subject to these “sanctions”. These measures imply, among other things, deprivation of the rights to manage property on the territory of Ukraine. By a subsequent decree, Mr. Zelensky has

stripped several bishops of the UOC of their Ukrainian citizenship, putting them at risk of being forcibly expelled from the country.

In March, 2023, Kiev authorities decided to evict the monks of the Kiev-Pechersk Lavra, thus seeking to deprive the canonical UOC of one of its main shrines. Members of the UOC parish gathered in Lavra to protect monks and prevent the eviction. The Kiev police answered by beatings, detentions and charges of violation of public order. On 1 April, 2023, the SBU put the archimandrite Pavel, vicar of the Kiev-Pechersk Lavra under house arrest, where he remains until now.

It is suggested to hold discussions on the policy and actions of Kiev against the UOC in light of obligations under the UN Charter, the Universal Declaration of Human Rights, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, relevant OSCE commitments and other international instruments guaranteeing the inalienable human right to freedom of religion.

### **Program:**

#### Opening remarks:

- **H.E. Mr. Vassily Nebenzia**, Permanent Representative of the Russian Federation to the United Nations

#### Briefers (VTC):

- **Ms. Mira Terada**, Director of NGO “Foundation to Battle Injustice”;
- **Archpriest Andrey Pavlenko**, the Ukrainian Orthodox Church;
- **Bishop Gedeon**, the Ukrainian Orthodox Church.

#### Discussion:

- Statements by the UN Security Council members and other UN Member States as time permits, Q&A. Interventions are suggested to be limited to 3 minutes.

### **Logistics:**

To register and to request further information please contact the Permanent Mission of the Russian Federation to the United Nations, at [hrteam.rusun@gmail.com](mailto:hrteam.rusun@gmail.com).