

THE POSITION OF THE UKRAINIAN COUNCIL OF CHURCHES AND RELIGIOUS ORGANIZATIONS AFTER THE OUTBREAK OF THE WAR IN UKRAINE IN 2022*

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Abstract. The Ukrainian Council of Churches is the advisory body of Ukrainian government on religious matters. In the wake of the 2022 war with Russia, the Council's primary concern was to ensure humane treatment of prisoners of war and civilians. The Council also issued opinions on the necessity of providing support to Ukrainians from international institutions and organizations. Previously, the Council has also issued opinions on matters related to freedom of conscience and religion during the pandemic and related to events in Maidan, Crimea and Donbas.

Keywords: Ukraine; Ukrainian Council of Churches and Religious Organizations; freedom of conscience and religion; religious organizations; Ukraine-Russia war.

INTRODUCTION

The Ukrainian Council of Churches and Religious Organizations (the "Council") is a particular civil-society institution established in Ukraine in 1996. It has no equivalent in the Polish legal order, for instance, as the powers granted to the Council are only advisory and can be described as typical responsibilities foreseen for the president's social advisors. Under the Council's Statute, members of the Council, as representatives of their respective religious associations, work for free to advise the president on all matters concerning the protection of the right to freedom of conscience and religion.¹

* The article was prepared as a part of the project "Legal Analysis of Russia's Actions in Ukraine Since 2014 in Terms of Crimes of Aggression, War Crimes and Genocide, as well as Legal Solutions of Ukraine's Neighbouring Countries Regarding the Status of Ukrainian Citizens" (the agreement number MEIN/2023/DPI/2965).

¹ Articles 34 and 35 of the Constitution of Ukraine (Bulletin of the Verkhovna Rada of 1996, No. 30) and the Law on Freedom of Conscience and on Religious Organizations (Bulletin of the Verkhovna Rada of 1991, No. 25).

At the outset of these considerations, a few points of order should be clarified. The original-language framing of the name “All-Ukrainian Council” (in another translation: “Pan-Ukrainian Council”) may rightly suggest that it is an institution with a jurisdiction encompassing the entire state and all religious organizations active in the now territorially disintegrated Ukrainian state (without Crimea or Donbas). Moreover, the Council is a collegial and multi-religious body composed of representatives of the main religious associations (a total of more than a dozen). Their advice and opinions, however, are not binding on the president, and meetings that the president attends are most often of a courtesy nature and ceremonial function. Nevertheless, the Council’s recent activities (in view of the Maidan, Crimea, Donbas, pandemic) communicates clearly to everyone the importance of the opinion of a politically independent advisory body in shaping the right social attitudes among Ukrainians, especially after the outbreak of the war with Russia. Therefore, the structure of the analysis below is framed so as to, first, summarize the Council’s activity before and, then, after the outbreak of the war. The date of 24 February 2022 is not only cited as a symbolic reference to historical events, but also as the cut-off date for assessing the achievements of the Council before and after.

That the issues signalled in the title of this paper are much topical today seems obvious and self-explanatory. The subject matter of this paper was further determined by the practical aspect related to the security of Ukraine and other European countries. Noteworthy, moreover, the factual and legal status as at 15 October 2023 is considered here, and the materials used below (except where expressly cited otherwise) come mostly from online sources accessed on the Council’s official website, available in Ukrainian and English at: www.vrciro.org.ua/en/council/info

1. PROTECTION OF THE RIGHT TO FREEDOM OF CONSCIENCE AND RELIGION AND THE STATUTORY ACTIVITIES OF THE COUNCIL

The genesis of the Council is directly related to the Ukrainian state gaining independence from the Soviet Union (upon the actual and legal dissolution of the USSR) and the need to provide conditions for the Ukrainian citizens’ exercising their rights to freedom of conscience and religion. The new, now Ukrainian and no longer Soviet, government was fully aware of the deliberate negligence on the part of its “predecessors” and therefore took action to “restitute” the presence of religious elements in public life [Hofman 2015, 247]. Already the first president elected after 1991 officially declared the need for cooperation between state authorities and representatives of various (and clearly doctrinally diverse) religious denominations present in the Ukrainian

social space. President Leonid Kravchuk (his presidency spanning 1991-1994) early into his term of office strongly supported Metropolitan Philaret in his efforts for the establishment of the Ukrainian Orthodox Church of the Kyiv Patriarchate and the actual transfer of the decision-making centre for native Orthodoxy from Moscow to Kyiv. This was a much more difficult task than it might seem at first glance, as it was necessary to take into account not only the religious stratification of Ukrainians, but also the historical background and the dominant role of the Orthodox Church, continuing its intimate relations with Russia that had formed back in the period of the Empire, which had encompassed also the territory of the present-day Ukraine. The new government also had to consider the period after 1917 (up until 1991), especially the fact that not only the minds and consciences of the citizens of the Soviet state had been “plundered”, but also that property of all religious associations, without exception, had been literally stolen, while nationalization, or change of the purpose of church buildings had reduced them, at best, to state architectural monuments. Aware of those events, state officials, starting with the president himself, realized perfectly well that the stabilization of the “young” state also required regulatory framing of religious matters, both at the level of communities (churches) and individuals (believers). Hence the idea of adopting the objectives of Ukraine’s religious policy, the first element of which was to be the creation of a body advisory to the president (and further, implicitly, also to governors in the regions) in all areas of social life that had any, even loose or temporary, connection with the broadly understood religious freedom [Kozyrska 2012, 502].

Noteworthy, the presence of clergy among government advisors was not unique to the Ukrainian polity but a common practice applied in various geographies and in various times. Moreover, such advisory service was sought by both church authorities and representatives of government, especially the new authorities that needed legitimacy to be lent to them by those who had already enjoyed wide respect before. Therefore, in 1996, the Council was established as a *de jure* team of religious experts tasked with consulting the most important events and decisions in religious matters in the country with the President of the Republic.

It is also necessary to “excuse” the passivity of government in this respect in the years 1991-1996, as between the achievement of Ukrainian independence and the establishment of the Council both factual and legislative events occurred that justify this stoppage. Those events covered the constitutional work that culminated in the adoption of the Ukrainian Constitution in 1996 and the earlier Law on Freedom of Conscience and on Religious Organizations. Both legal acts, although of different statutory rank and passed in a sequence that was completely useless for systemic solutions, at least partly touched on the point of competition of mainly Orthodox churches for the

“palm of victory” in Ukrainian society and government’s recognition of their priority. The doctrinal disputes of the three main Orthodox churches at that time (Ukrainian Orthodox Church of the Moscow Patriarchate, Ukrainian Orthodox Church of the Kyiv Patriarchate and Ukrainian Autocephalous Orthodox Church) related to property claims against the state and, as a consequence, mutual claims over legal title to church property, the demands for which lay at the core of the actual patrimony controversy [Babinow 2001, 54]. What added to those were difficulties that emerged in the registration of religious organizations (the need for double state registration, as a religious organization and separately as a legal person), official discrimination against “new” religious organizations, as well as in the protection of religious freedom in the individual aspect (the right to religious practices in the military, schools, prisons, the right to refuse military service due to religious beliefs or the presence of religious symbols in public spaces).

The most serious problems in the protection of the right to freedom of conscience and religion occurring in the law and practice of the Ukrainian state (also today), generally speaking, come from the missing framing of principles of the state’s religious policy towards religious communities, despite formal attempts made by the state authorities and religious organizations that represent these communities in the Council. The list of specific deliverables for the state, to be dealt with without delay, include elimination of spurious double barriers in the registration of religious organizations, introduction of lower fee rates for energy utilities for religious organizations, tax exemptions and reliefs, prohibition of official discrimination, and preferential treatment in “religious” matters and equal treatment of all religious entities, as well as full restitution of church property [Nikołajew 2016, 470-80].

Given the extensive range of religious matters to be handled, it is difficult to argue against the need to establish (then and now) such a body as the Council was originally designed to be. Under the Statute, the Council is a body independent of the president, political parties, economic or church lobbies, and operates on the basis of the principle of equality and equity of its members, without any interference in the internal church norms of individual religious organizations. This status was intended to guarantee the Council’s position within the state and allow it to put forward its own positions on religious matters, as determined by the opinion of the authorities of member religious communities. The statutory responsibilities specified in a separate document (the 1996 Rules) included taking action to promote inter-denominational accord, stimulating activity in the spiritual revival of Ukraine, strengthening universal values, disseminating rules of freedom of conscience and religion, ensuring reliable information about religious life in Ukraine, organizing conferences and round tables, and the Council’s international networking. The catalogue of responsibilities assigned to the Council

clearly indicates that the effects of its operation could (and would) have had a real contribution to improving the quality of life of Ukrainian society, not only in the religious domain, but also in the patriotic, awareness and ethical dimensions. It is difficult to state clearly whether this was a well-thought-out intention of those drafting the text of the Council's Rules, or perhaps it resulted from the need to consolidate the previously secularized Ukrainian society based on proven religious values. Nevertheless, one cannot deny the fundamentally correct ideas expressed in the form of objectives and deliverables for a body representing the religiously pluralistic society of Ukraine.

At the meeting of the Council on 11 December 2007, the Rules were amended, mainly with a new wording given to Clause 3 to read that "the Council operates on the basis of equality and equity of all members, respecting internal guidelines and traditions of all present religious organizations in Ukraine, operating within the law of Ukraine." In turn, the Council's meeting on 24 January 2013 concluded with a decision that, in addition to the Council's Rules, the Rules of the Council Secretariat and the Rules of the Council's Commission for Social Service should also be considered binding, while the basic forms of work of the Council, the Council Secretariat and the Commission were meetings convened on the as-needed basis. As a rule, meetings were to be organized outside holiday periods (i.e., without Fridays, Saturdays and Sundays as holidays for followers of various religions) and the chairmanship was to be entrusted to members of the Council on a rotating basis. The Council members work for free, and their personal data originally used to be published on the Council's website. However, this type of data publication has not been practiced for several years now and personal changes in membership in the Council seem to be a natural course of things, taking place every six months (from 1 January 2024, pastor Stanisław Nosow of the Seventh-Day Adventist Church has been acting as the chairman of the Council for a six-month term).

Initially, the Council consisted of 19 members, who were mainly heads of those religious organizations that were recognized as legal entities under the law in Ukraine. Hence, in addition to the three main Ukrainian Orthodox churches, members of the Council included, among others, representatives of the Roman Catholic Church, the Greek Catholic Church, the Armenian Apostolic Church, the Adventist Church, the Baptist Church, the Pentecostal Church, the Lutheran Church, and the Muslim community and Jewish organizations. Representatives of Christian churches of various denominations, mostly Protestant ones, enjoy a vast numerical advantage. The original composition of the Council included representatives of the following churches and religious organizations: All-Ukrainian Union of the Churches of Evangelical Christians-Baptists, All-Ukrainian Union of Christians of the Evangelical Faith-Pentecostals, Spiritual Administration of

Crimean Muslims, Spiritual Administration of Ukrainian Muslims, Trans-Carpathian Reformed Church, German Evangelical Lutheran Church of Ukraine, Union of Jewish Religious Organizations of Ukraine, Roman Catholic Church, Union of Free Churches of Christians of Evangelical Faith of Ukraine, Ukrainian Autocephalous Orthodox Church, Ukrainian Orthodox Church of the Moscow Patriarchate, Ukrainian Orthodox Church of the Kyiv Patriarchate, Ukrainian Bible Society, Ukrainian Greek Catholic Church, Ukrainian Armenian Apostolic Church, Ukrainian Lutheran Church, Ukrainian Union Conference of the Seventh-Day Adventist Church and Ukrainian Christian Evangelical Church. However, in each case, membership in the Council requires that the condition is met for recognition of a religious organization by the state under the law, although this does not always entail the presence of clergy in the Council, as the Council's Statute provides for the category of a representative of a religious organization and not the requirement to nominate a clergyman only [Kovalenko 2002, 80-82].

2. ACTIVITIES OF THE COUNCIL BEFORE 24 FEBRUARY 2022

In 2021, the Council celebrated its 25th anniversary and on that occasion, it published a commemorative collection of documents illustrating its activity over the last twenty-five years. In particular, a read of the table of contents of the document gives an insight into the overall scope of the Council's activities. Thus, in addition to general information on the tasks of the Council, it contains details of agreements concluded by the Council with representatives of state authorities at various levels, appeals regarding the conditions for the development of cooperation and relations with the state, appeals for justice, electoral appeals and socio-political appeals, appeals regarding the "Revolution of Dignity", appeals related to Russia's aggression against Ukraine. What follows are appeals for the protection of the family and children, appeals on gender ideology, general references to health care principles and appeals on legislative initiatives, documents on social welfare, references to historical events and appeals made by the Council at the international level.

The table (corresponding to the chronological order of the text of the document) shows the essentially comprehensive and multi-faceted activity of the Council; however, the considerations below will highlight only some of the most useful forms of the Council's activities that have a direct or indirect link to broadly understood security of the state.

First and foremost, a reference needs to be made to the events at the Kyiv Maidan and the missing official support to it from the Council, even if the clergy of religious associations that are members of the Council were seen active not only in the capital city but also, for example, in Lviv. The buildings owned by religious communities were at that time places of asylum,

medical aid, and food distribution points for Protestants. However, no decision was made to issue a joint statement, appeal or other form of response from the Council to the violence and abuse of power by the police against street demonstrators.

The situation was different with the annexation of Crimea, as the Council did issue an official position condemning Russia after the majority of Ukrainians practicing Islam in this geographical area had been forcibly absorbed into Russian communities and repressions began against Crimean spiritual leaders (not only Muslim ones). The Russian invasion of the Crimean Peninsula also resulted in the need to carry out serious logistical efforts related to the internal displacement of people to the then safer regions of Ukraine; for example, Lviv was considered to be such a place, with its railway and road infrastructure enabling the evacuation of people at risk to Poland and further to Western Europe. Although the Council did not coordinate those efforts from the headquarters in Kyiv (the seat of the Council), its respective representatives, especially from Lviv Catholic churches (both rites), were actively involved in humanitarian aid campaigns (in particular those operated by the diocesan units of “Caritas”) [Nikołajew 2023, 308].

The Council adopted a united front of action also after the arrest of the former Prime Minister of the Ukrainian government. Then, without exception, all its members filed a motion to the President of Ukraine for the release of Yulia Tymoshenko from custody, and then for pardoning her. However, the Council’s appeals did not bring the expected result, as Yulia Tymoshenko, accused and later convicted of fraud, was released from prison as a result of the events at the Euromaidan, and not as a result of the efforts of the Council members.

At the same time, the Council openly condemned the hybrid warfare in Donbas, the creation of the so-called people’s republics in Donetsk and Luhansk and, above all, military operations that brought suffering of civilians in these regions and destruction of the infrastructure owned by religious organizations. The protests of the Council’s representatives (excluding the Ukrainian Orthodox Church of the Moscow Patriarchate) were an understandable response on the part of the institution, especially since part of the Orthodox (Moscow) clergy openly supported the usurper and pro-Russian authorities of the Donetsk People’s Republic or the Luhansk People’s Republic. After Russia annexed Crimea (indeed, since March 2014), representatives of the Ukrainian Orthodox Church of the Moscow Patriarchate, despite their previous presence at the Council meetings, began to boycott these meetings and, although they did not formally leave the Council, they were no longer signatories of the documents issued later on by the Council.

On the other hand, the response to the introduction of martial law in some Ukrainian oblasts at the end of 2018 was complete silence. The

Council remained silent over the provisions of the decree regarding restrictions, including on religious freedoms, temporarily introduced in ten regions immediately bordering the Russian Federation. The restrictions also covered other civil rights and freedoms, yet the Council failed to issue the expected statement, even on the Council's official website, although by that time the majority of Ukrainian society had become aware of the reality of the war threat from the imperial neighbour [Nikołajew 2019, 301].

At the same time, since the spring of 2020, the Covid-19 epidemic became a serious social problem, developing into what was later referred to as a pandemic and causing obstacles to the exercise of religious freedom also in Ukraine. The Ukrainian authorities, following the solutions of other countries, introduced first strict, then slightly less restrictive bans to minimize health risks by limiting the movement of people. The entry into force of the provisions regarding quarantine (from 11 March 2020) triggered a quick response from the Council, as on 13 March representatives of the Council held a working meeting with the Deputy Minister of Health. However, they failed to push through the demand for relaxed health regimes for those using religious practices and services, and after the meeting at the ministry, an appeal was published on the Council's website to the faithful of all religions to strictly comply with the introduced health recommendations, also in relation to rights to freedom of conscience and religion. In April 2020, two meetings of Council members and the central police authorities were held. First, the online form was recommended (or rather ordered) for participation of the faithful in services and then, just before Orthodox Easter, the faithful were encouraged to celebrate the Resurrection of the Lord only among their closest relatives (household members). At the same time, the Council reacted (but unsuccessfully) to the increasingly strict pandemic restrictions, including rigid limits on the faithful participating in traditional religious services, limitations related to self-isolation of elderly clergy, clergy's access to hospitals and care facilities, and restrictions on the free movement of people, e.g. to Orthodox churches. Before the start of the new school year 2020/2021, representatives of the Council held another meeting with the Prime Minister of the Ukrainian government and proposed their solutions for the organization of school classes in conditions of epidemic isolation.

Noteworthy, however, the Council's relations with the authorities during the pandemic period were also marked by a crisis after information had been posted on the website of the Ministry of Health which clearly stated that the spread of the epidemic in the western part of Ukraine was speeded up by, among others, failure by some clergy and believers to comply with the health regime recommended by the authorities. The Council immediately denied these allegations in the form of an electronic communiqué and, as

a result, the ministry removed the information that harmed the good name of religious communities, which after all uncritically followed all government guidelines on sanitary isolation [Nikołajew 2022, 261-65].

Another matter (which definitely deserves a separate and extensive analysis elsewhere) is the Council's position on the process of Ukraine's integration with the Council of Europe. In the period between 2013 and 2021, the activity of the Council as a collegial body in integration matters seems insufficient, while its individual representatives, as heads of specific religious communities, clearly communicated their endorsements. Those included representatives of the religious communities of Baptists, Christians of the Evangelical Faith, Crimean Muslims, Orthodox Christians (of the Kyiv Patriarchate) and, above all, Ukrainian Greek Catholics. For example, Archbishop Shevchuk's statement that "Ukrainian churches represent a European nation that tries and knows how to work with representatives of various nations, denominations and religions, and the future of Ukraine is to be forged in the circle of free European nations" can be safely treated as a motto for the pro-EU attitude of the Council, the Major Archbishop of Kyiv and Galicia and the head of the Catholic Church of the Byzantine-Ukrainian Rite, firmly rooted in the social realities not only of Ukraine but also in Europe and both Americas, being its active and recognized member [Szaban 2013, 3].

The endorsement of the aspirations among the majority of Ukrainian society for membership in the EU structures is also visible indirectly through the prism of the activity of Council members in international contacts (albeit non-collegial), even if such networking is most often pursued via their religious equivalents in Europe and the United States, especially in the period after 2013 but also earlier. The Russian aggression in Crimea, the hybrid war in Donbas, and earlier the pro-European attitude of Maidan participants brought Ukraine much closer to the EU structures. The clearly anti-Russian attitude of the Council members in the realities after the outbreak of the war with the Russian Federation, and the activities of its members in the EU forums (European Parliament, Council of Europe) give a testimony to the express endorsement of the integration of Ukraine with the EU on the part of Ukrainian religious leaders. Moreover, the issues of Ukraine's security to be pursued within the framework of the common European security architecture seem to be close to not only representatives of state authorities, although one should be aware that the events related to Maidan, Crimea or Donbas and then the war with Russia may potentially "freeze" the process of Ukraine's European integration, despite the efforts of the entire society and individual milieus, including churches and other religious associations [Nikołajew 2018a, 198-99].

3. ACTIVITIES OF THE COUNCIL AFTER 24 FEBRUARY 2022

Even before the outbreak of the war with Russia, the Council repeatedly issued statements and appeals calling for peace throughout the country. The Council was aware of the escalation of tensions and social unrest after the Russian annexation of Crimea, the separatist operations in Donbas or the hybrid war, including information warfare conducted on a large scale, and of the consequences of those operations [Getmańczuk 2018, 123-24]. Therefore, as early as on 22 November 2017, the Council issued a document (signed by its then chairman, Mufti Ahmed Amin) titled, not coincidentally, the "Strategy for participation of Ukrainian religious organizations in the peace-building process;" the document, which is also an appeal for security addressed to all citizens of Ukraine, began with the words: "Ukrainian society craves for peace in different meanings of this word. Peace is important for each community. Peace is a gift of God. Religious societies have significant potential for peace-building, since all religions proclaim propensity for peace and love for one's neighbours." The text of the document points out the main practical problems related to this were indicated, i.e. the release of hostages (captives) held by separatists in the Donetsk and Luhansk People's Republics and the spread of illegal weapons on the territory of the Ukrainian state.

A few months before 24 February 2022, members of the Council met at the Orthodox Theological Academy with the European Commission Vice-President for Promoting our European Way of Life, Margaritis Schinas, and the subject of their talks was not only the issue of support expressed by members of the Council for Ukraine's aspirations to join the Council of Europe, but also help for the citizens of occupied Donbas. On the other hand, in view of the growing and real fear among Ukrainians of a potential military aggression by Russia, as justified by the deployment of Russian troops near the Ukrainian border as part of joint and prolonged drills of the Russian and Belarusian militaries, the Council called for all-Ukrainian prayer for the unity of the state, regardless of religion, language and nationality. The Belarusian motif is an important element of the war in Ukraine. The Council members touched on it in an appeal of 9 March 2022 addressed to the religious leaders of Belarus "for the sake of good-neighbourly relations of future generations of Belarusians and Ukrainians," stating that "if the army of the Republic of Belarus joins the war with Ukraine, an avalanche of suffering will envelop thousands of Belarusian families who will not see their husbands, parents and brothers alive or in good health. The blood shed and the innocent lives of peaceful citizens of Ukraine lost will be eternal condemnation for all those who now justify Russia's military aggression against Ukraine and support the accession of the Republic of Belarus to it." On 16 February 2022, as part of the celebrations of Ukrainian

Unity Day, the Council members gathered at St. Sophia Cathedral in Kyiv prayed together with the representatives of the authorities, aware of the danger of war breaking out. Two weeks later, after the outbreak of the war, the Council issued an urgent appeal to the leaders of the Russian state to preserve the Ukrainian national, cultural and religious heritage, i.e. St. Sophia Cathedral, which is part of the Pechersk Lavra complex in Kyiv. Religious leaders of Ukraine issued this statement due to the real fear of artillery shelling of these religious buildings, which have symbolic meaning for Ukrainians. After all, the Lavra is not only an architectural complex included in the UNESCO World Heritage List, built at the same time as, for example, the cathedral in Constantinople, but above all the place with the sarcophagus of Yaroslav the Wise, the monument of Bohdan Khmelnytsky, and the place where the Unification Council was held on 15 December 2018 and Ukrainian Orthodox Church was established. Formally, however, the Pechersk Lavra is still a property of the Ukrainian Orthodox Church of the Moscow Patriarchate. Representatives of the pro-Moscow Orthodox Church were absent at that meeting, just like at the meeting of the Council members on 22 March 2022, during which prayers were held for the president and defenders of Ukraine, in fear of shelling of St. Sophia Cathedral.

After regular military operations started, the Council took ongoing action calling for the creation of the humanitarian corridors for war victims. First (3 March 2022), an appeal for designation of evacuation routes for women and children from the areas of Kharkiv, Vyhoda, Mariupol, Kherson, Kyiv and Chernihiv was sent to the Office of the United Nations High Commissioner for Refugees, the International Red Cross, the European Parliament and the Organization for Security and Cooperation in Europe, pointing out that the situation in these locations was nothing less than a humanitarian catastrophe. In the initial phase of the war, on 13 March, then on 1 and 16 April 2022, the Council reiterated its appeals for the creation of humanitarian corridors, especially for the residents of Mariupol, and at the same time called for closing the sky over Ukraine, for external military assistance to the Ukrainian military, including fighter jets and air defence systems. Still in April 2022, the Council members first supported the appeal of the Secretary-General of the United Nations for limitation of hostilities and opening of humanitarian corridors during the Orthodox Easter period, and then issued an appeal for the evacuation of civilians and wounded defenders of the “Azovstal” iron and steel works in Mariupol. At the same time, the Council prepared and sent out an appeal to the President of the Russian Federation and the President of Ukraine for the exchange of prisoners of war, citing it as an act of Christian charity. The Council members also called for prayer and fasting for peace for Ukraine, and on 28 July 2022, in St. Sophia Cathedral, prayers were held under the motto “God bless Ukraine.”

On 20 February 2023, the Council called on followers of all religions to fast and pray in the form of a 24-hour vigil for peace in Ukraine.

The Council's activity in the international forums, including the clergy's concern (not only prayer) for the end of hostilities, is an important part of its efforts. Appeals (including the one of 3 March as mentioned above) addressed to EU bodies and the United Nations, in addition to the demand for the creation of aid corridors and military support, also pleaded for the disclosure of the levels of war losses and destruction of church infrastructure. In the appeal of 8 March 2022, i.e. issued several days after the outbreak of the war, the Council took stock of the destruction of specific religious buildings and listed examples of attacks on the cathedral of the Ukrainian Orthodox Church in Kharkiv, the church in Izium owned by the "New Life" community (Kharkiv oblast), an Orthodox church in Zavorychi (Kyiv oblast), an Orthodox church in Vyazivka (Zhytomyr Oblast). Those buildings were damaged not only from the use of traditional warfare agents, but also as a result of the Russians using banned cluster and thermobaric weapons, which was clearly raised in the appeal of 8 March. Moreover, in an earlier appeal (4 March 2022), the Council firmly expressed its position that "we are convinced that only active efforts by the UN, NATO, EU and OSCE aimed at the final cessation of military aggression by the Russian Federation can prevent extermination of the population of Ukraine and all of Europe. Urgent action must be taken to establish a no-fly zone over Ukraine and provide the Ukrainian armed forces with modern air defence equipment."

The Council's appeals to the international community and heads of state were somehow part of the practice of the institution, essentially based on the conviction that only external support would make it possible to end the war in the territory of Ukraine. Hence the appeal for international support in the effective evacuation of the people from "Azovstal" to the areas controlled by Ukrainians (7 May 2022), and a joint appeal, together with the Ombudsman, to the international community for help in organizing returns home of the victims of Russian aggression, prisoners of war, civilian hostages and all those who were forcibly deported to Russia or were held captive in the temporarily occupied territories (22 September 2022). The Council also took initiatives to condemn war crimes, abductions, tortures and the killing of religious volunteers, and communicated that position, for instance, during a meeting with the Secretary General of the World Council of Churches organized in Kyiv on 3 August 2022. The Council's appeals of September 2023 condemned Russian terror using shelling of civilian infrastructure, including residential buildings, with cruise and ballistic missiles and combat drones. The appeals pleaded for provision of specific weapons to the Ukrainian army, including specialized air defence equipment such as the Patriot, Hawk, Avenger systems, NASAMS, IRIS-T, Storner, and

radar-equipped F16 aircraft with air-intercept capabilities. Another point that was raised was a serious danger of energy-terror strategy by Russia impending in the autumn and winter (2023/2024), which would clearly add to the hardships of war-weary Ukrainian society.

At the same time, in view of the ongoing hostilities, the Council got involved in the consultative process over legislation concerning service in the Ukrainian armed forces. Representatives of the Council joined the team responsible for drafting a bill on alternative service performed during martial law. Also, the Council's Commission for Social Service gave a positive opinion on the bill on pastoral care in healthcare establishments and concluded that spiritual care was "a special type of intervention supporting the patient as well as an essential element of palliative care also provided by military chaplains." This was all the more important because the opinion referred directly to the ongoing military operations and the experience acquired by military chaplains at the front lines, first in Donbas and then throughout Ukraine [Nikołajew 2018b, 202].

Noteworthy, the international campaigns of the Council cover a wide range of activities undertaken after 24 February 2022, also for interreligious contacts. In January 2023, a delegation of the Council visited the Vatican to meet with the Pope and, in a communiqué issued after the audience with Francis and talks with the Vatican Secretary of State, Cardinal Pietro Parolin and Cardinal Kurt Koch, Prefect of the Holy See Dicastery for Promoting Christian Unity, thanked Francis for his support, including material aid, for Ukraine. The conversation with the Pope was dominated by the matters of humanitarian aid, forced deportation of Ukrainians to Russia and the release of prisoners of war from Russian captivity. Members of the Council also held meetings with representatives of other churches, mainly discussing material support for the fighting Ukrainians. The Council had meetings with representatives of the Evangelical-Lutheran Church of Denmark (3 June 2023) and with the head of the Anglican Communion (1 December 2022). At the same time, the Council established direct contact with the American humanitarian organization MedGlobal, whose assistance had a measurable material effect. At the Council meeting on 20 September 2023, the scope of assistance from this organization in 2022 was summarized, and the statement that followed cited real aid amounts of approximately USD 11 million in equipment and medicines, as well as assistance in training over a thousand members of medical teams operating in 250 centres throughout Ukraine.

Equally important was the Council's activity in demanding respect for human rights, also in times of war, as Council called for "the preservation of magnanimity regardless of the circumstances." In its appeal of 12 March 2022, the Council passed a very strong message to Ukrainians, stating that "the enemy who attacked us everywhere shows his diabolical obsession through

inhuman cruelty and profanity. Let us not be like him!” A similar statement was issued after the crime of genocide was revealed in Bucha in the Kyiv oblast. In the same vein, an appeal was made on 20 October 2022 (sent to the World Council of Churches), in which Russia’s actions were named explicitly “attacks by terrorists” using torture and inhumane treatment of prisoners of war. The Council also called on the Russian Federation to comply with the principles of the Hague Conventions III and IV and to allow representatives of the International Red Cross to visit prisoner-of-war camps. Moreover, on 15 December 2022, members of the Council met with Oleg Kotenko, the Ukrainian government’s Commissioner for Missing Persons under Special Circumstances, to seek opportunities for sourcing new means and ways of finding persons missing during hostilities. Members of the Council also supported the efforts taken by the President of Ukraine aimed at bringing the Russian authorities before an international criminal tribunal for war crimes and endorsed the initiatives of the presidential office to demand compensation from Russia for war losses (Council statement of 15 May 2023). President Vladimir Putin completely disregarded the “threats” from the Ukrainian side and, above all, the arrest warrant issued by the International Criminal Court, and on 13 October 2023, he went on his first foreign trip after the Court’s decision to Kyrgyzstan. The next confirmed trip of the President of the Russian Federation was a visit to China. Putin could feel safe in Kyrgyzstan because the country had not ratified the Rome Statute [Świdorski 2023, 12].

In addition, in the period after 24 February 2022, the Council also expressed its position on other issues unrelated to Russian aggression or on matters only indirectly related to the war. For example, it sharply opposed the assumptions of bill no. 9103 providing for equal rights of same-sex civil partnerships with the institution of marriage, it condemned bill no. 8306 on the legalization of dangerous reproductive experiments outside the uterus, and expressed a negative opinion on bill no. 9623 on the legalization of the pornography industry in Ukraine. In its statement, the Council refuted the claim of the authors of the explanatory notes to the draft “pornography” law, which supposedly showed that the adoption of these new legal measures would contribute significant financial resources for the state budget, to be then available to fund the Ukrainian war effort. As another form of activity, the Council was active in pursuing its tasks for defining the role of the media in Ukrainian society. Thus, on 5 April 2023, the Council and the National Council on Television and Radio Broadcasting signed an agreement on refuting and condemning the myth of the “holy war”, i.e. the sanctification of Russian aggression against Ukraine, and on 23 May 2023, the chairman of the Council and the head of the Broadcasting Council signed a memorandum on counteracting the spread of hate speech and on promoting the idea of freedom of conscience in the mass media. In the period after 24 February

2022, in principle, there were no cases of religious persecution in Ukraine, despite the ongoing war, although there were incidents indicating a lack of respect for religious beliefs. An example is the case of May 2022, when on the wall of a residential building at Antonova St. 13 in the Solomianskyi District of Kyiv, a mural was painted depicting the figure of the Virgin Mary holding the FGM-148 Javelin missile system in her arms instead of the Infant Jesus. The Council responded with a letter of protest to the President of the Republic and the Mayor of Kyiv, and the mural was quickly removed. In July 2023, the Council also issued a message on the 80th anniversary of the Volhyn massacre, asking the Polish nation for forgiveness while referring to words of John Paul II and the current war situation in Ukraine. The message to Poles ended with a strong statement that “We cannot change the tragic pages of history, but we also have no right to forget or justify them.”

CONCLUSION

The Ukrainian Council of Churches and Religious Organizations has been active in the public life of Ukrainian society for over a quarter of a century. Established as an advisory and opinion-giving body competent on matters related to the state’s religious policy, it was designed to advise the President of the Republic on everything that had anything to do with the protection of freedom of conscience and religion in the country. Already at the beginning of the Council’s activity, it was accused of being only a dummy collegial body, as subsequent heads of Ukraine were rather “moderate” in using the “good advice” of this interdenominational body, composed, after all, of the key representatives of the main religious associations recognized under the law in Ukraine in the reality developed after 1991. The President of Ukraine himself rarely participated in the meetings of the Council and was most often represented by delegated officials at a lower, ministerial level, who were not directly reporting to the President. This in no way strengthened the position of the Council, nor was it a proof that the presidential power supported the Council’s activities for the protection of religious freedom of Ukrainian citizens. However, this unbalanced critical assessment is not entirely justified, as in “extraordinary” situations the Council took action, mainly giving its opinions, which had or could have had a decisive impact on the protection of individual and community rights, not only in the field of religious freedom, but also other rights guaranteed to Ukrainians under the Constitution and international conventions (e.g. under the European Convention on Human Rights).²

² European Convention of 4 November 1950 for the Protection of Human Rights and Fundamental Freedoms, Journal of Laws of 1993, No. 61, item 284, with Additional Protocols.

The Council's special activity was related to its response to extraordinary situations in Ukraine caused primarily by Russian aggression in 2022. Hence, the Council's appeals issued after 24 February 2022 (almost all) directly concerned eliminating or mitigating the effects of the ongoing war. Those documents did not focus solely on the protection of freedom of conscience and religion, but had a much wider scope, as it generally covered the matters of respect for civil rights and freedoms that were violated as a result of military operations. Therefore, the documents issued by the Council after the outbreak of the war called for specific humanitarian aid (creation of aid corridors) but also for tangible military support for the Ukrainian army, for the protection of the rights of prisoners of war and the evacuation of civilians from areas affected by hostilities. The Council's activity in this area was also based on its interreligious and international contacts as well as internal appeals addressed to national authorities and members of religious communities in Ukraine. Although it is difficult to evaluate the outcomes of these activities (the time for this will come after the end of the war), the Council's efforts after the outbreak of the war in 2022 are much more prominent than before February 2022.

Noteworthy, even before the Russian aggression, the Council issued appeals for maintaining peace in Ukraine, and it was not about peace between religions. The events in Crimea, Donbas and the introduction of martial law in 2018 were appropriately "commented" by the Council, and the pandemic quarantine was a period of considerable media involvement of this body in public affairs, which had apparently been lacking before. While the passive attitude of the members of the Council and, in general, the religious leaders of Ukraine towards the restriction of religious freedoms during the pandemic can be viewed with moderate criticism, the public involvement of the Council after the outbreak of the war in Russia should be considered sufficient to make a positive assessment of its intentions and achievements. It should be emphasized that, apart from its opinion-giving powers, the Council is unable to actually influence political decisions, especially those made in conditions of threat to the existence of the state. However, the statutory competences of the Council assumed a clear and uniform expression after 24 February 2022 to communicate the opinion of the religious community with impact on the attitudes of ordinary citizens. The prestige (even only formal) of bishops and representatives of churches and other religious associations can be helpful not only in building religious unity in a multi-religious country but also serve the idea of consolidating the Ukrainian nation in the fight for its biological survival [Kozyrska 2014, 42-54].

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