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Ukraine

International Religious Freedom Report 2003

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The 1996 Constitution and the 1991 law on Freedom of Conscience provide for freedom of religion, and the Government generally respects these rights in practice; however, there were some problems at the local level, often as a result of local officials taking sides in conflicts between religious organizations. Religious groups of all beliefs flourished; however, some local officials at times impeded attempts by minority and nontraditional religions to register and to buy or lease property.

There was no change in the status of respect for religious freedom during the period covered by this report. Registration and property restitution problems remained; however, the Government continued to facilitate the return of some properties.

The generally amicable relationship among religious believers in society contributed to religious freedom; however, there were some exceptions, particularly among leaders of rival branches of the same faith. There were isolated instances of anti-Semitism and anti-Islamic sentiments. The All-Ukrainian Council of Churches and Religious Organizations (All-Ukrainian Council) provided a forum to resolve disputes and discuss relevant legislation.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total area of 233,088 square miles, and its population is 48.4 million. Estimates of those who consider themselves believers vary widely. A nationwide survey conducted in 2001 by the research center SOCIS found that over 40 percent of the inhabitants considered themselves to be atheists; however, a poll of 1,200 Ukrainians conducted in late 2002 by the nongovernmental organization Regional Initiatives found that only 4 percent considered themselves atheist, whereas 65 percent said they were believers. Religious practice is strongest in the western part of the country. In 1991 there were 13,019 registered religious communities. As of January, there were 27,446.

More than 90 percent of religiously active citizens are Christian, with the majority being Orthodox. Approximately 10 percent of the overall population are members of the Ukrainian Greek Catholic Church, sometimes known as the Uniate, Byzantine, or Eastern Rite Church. Roman Catholics claim 1 million adherents, or approximately 2 percent of the total population. There are small but significant populations of Jews and Muslims, as well as growing communities of Baptists, Seventh-day Adventists, Evangelical Christians, adherents of the Church of Jesus Christ of Latter-day Saints (Mormons), and Jehovah's Witnesses.

Most citizens identify themselves as Orthodox Christians of one of three Churches. The Ukrainian Orthodox Church (UOC), Moscow Patriarchate, is the largest single religious community and is the largest of the country's Orthodox Churches. The Church has 10,040 registered communities, most of them located in the central, southern, and eastern parts of the country. The Metropolitan Volodymyr (Sabodan) of Kiev heads the Church within the country.

The Ukrainian Orthodox Church (UOC), Kiev Patriarchate, was formed after independence and has been headed since 1995 by Patriarch Filaret (Denisenko), who once had been the Russian Orthodox Metropolitan of Kiev and all Ukraine. The UOC-Kiev Patriarchate has 3,196 registered parishes, approximately 60 percent of which are in the western part of the country.

The Ukrainian Autocephalous Orthodox Church (UAOC) is the smallest of the three major Orthodox Churches in the country; it was founded in 1919 in Kiev. Outlawed by Stalin in 1933, the Church survived in Soviet times mainly among the Ukrainian Diaspora. It was legalized in 1989 and has 1,110 registered communities, most of them in the western part of the country. In the interest of the possible future unification of the country's Orthodox Churches, it did not name a Patriarch to succeed the late Patriarch Dmitriy. The UAOC is headed by Metropolitan Mefodiy of Ternopil and Podil.

The adherents of the Ukrainian Greek Catholic Church constitute the second largest group of believers after the Christian Orthodox Churches. The Council of Brest formed the Church in 1596 to unify Orthodox and Roman Catholic believers. This Church celebrates a Byzantine (Orthodox) liturgy but is in full communion with the Pope. The Soviet regime forced the Ukrainian Greek Catholic Church to reunite with the Orthodox Church after the Second World War; however, it survived in hiding inside the country and among the Diaspora. Legalized in 1989, the Ukrainian Greek Catholic Church had 3,334 registered communities as of January 1. Its members constituted a majority of the believers in the west, and approximately 10 percent of the population as a whole, or approximately 4.5 to 5 million persons. The head of the Church is Lyubomyr Cardinal Huzar, Major Archbishop of Lviv.

The Roman Catholic Church is associated traditionally with historical pockets of citizens of Polish ancestry who live mainly in the central and western regions. The Roman Catholic Church, headed by Marian Cardinal Jaworski, Archbishop of Lviv, has 847 registered communities serving approximately 2 percent of the population.

The Jewish community has a long history on the territory of the country. Many Jewish inhabitants perished in the Holocaust, and still others were victims of Soviet repression. Estimates vary about the size of the present-day Jewish population. According to the State Committee of Statistics, the Jewish population during the 2001 census was estimated at 103,600, although some foreign observers estimate it at 300,000. Observers believe that 35 to 40 percent of the Jewish population are active communally; there are 262 registered Jewish communities.

The Jewish population faces demographic difficulties. Emigration to Israel and the West has decreased the size of the Jewish population by 20,000 to 30,000 annually in recent years. In addition, the average age of Jews in the country is 60; scholars and local Jewish leaders estimate that approximately 12 deaths occur for every birth in the community. Despite these demographic indicators, Jewish life continues to flourish, with additional communities registered every year due to an increased proportion of Jews practicing their faith (helped by an increase in the number of Rabbis entering the country from Israel and elsewhere since independence) and an increased willingness of individuals to identify themselves openly as Jewish. Most observant Jews are Orthodox. The Chief Rabbi of all Orthodox Jews is Yaakov dov Bleich, a Karliner Stoller Hasidic rabbi. Although smaller, the Progressive (Reform) Jewish movement continues to grow, with 47 communities at the end of the period covered by this report. The Chief Rabbi of the Progressive community is Rabbi Alexander Dukhovny. In 2001 a Conservative Jewish congregation was started in Uzhhorod. Rabbi Shmuel Kamenezki of the Chabad Lubavitch movement has a congregation in Dnipropetrovsk.

Islam has also been practiced on the territory of the country for centuries. Sheik Tamim Akhmed Mohammed Mutach, head of the Spiritual Directorate of the Muslims of Ukraine and representative on the All-Ukrainian Council, estimated that there were as many as 2 million members of the Muslim community, although other estimates are substantially lower. There are 462 registered Muslim communities. Sheik Tamim notes that approximately 50,000 Muslims—mostly foreign—live in Kiev. Many of the country's Muslims are Crimean Tatars. The Crimean Tatars were deported forcibly from Crimea in 1944 but began returning in 1989. Approximately 267,000, or 12 percent, of Crimea's population are Crimean Tatars. The leader of the Muslims of Crimea is Mufti Emirali Ablayev.

Protestant Churches have grown in the years since independence. Evangelical Baptists are

perhaps the largest group, claiming over 140,000 members in approximately 2,270 communities. Other growing communities include Seventh-day Adventists, Pentecostals, Mormons, Jehovah's Witnesses, and Evangelical Christians. There are also new communities of Lutherans, Calvinists, Anglicans, Presbyterians, Methodists, and others.

The growth in the numbers of communities representing nontraditional religious movements is evidence of the religious freedom in the country. As of July 1, according to the State Committee for Religious Affairs (SCRA), 39 Krishna Consciousness communities, 42 Buddhist communities, and 13 Baha'i communities were registered.

Foreign religious workers are active in many faiths and denominations. They play a particularly active role in Protestant and Mormon communities where missionary activity has been central to community growth. The Jewish community also depends on foreign religious workers; many Rabbis are not citizens. In 2002, 12,203 foreign religious workers were admitted to the country. In the first 6 months of 2003, 5,622 individuals entered with religious visas.

Section II. Status of Religious Freedom

Legal/Policy Framework

The 1996 Constitution and the 1991 law on Freedom of Conscience provide for freedom of religion and the Government generally respects these rights in practice; however, some minority and nontraditional religions have experienced difficulties in registration and in buying and leasing property.

The law requires virtually all religious organizations to register with the State. The SCRA is responsible for liaison with religious organizations and for the execution of state policy on religion. The SCRA's headquarters are in Kiev; it maintains representatives in all regional centers, as well as in the autonomous cities of Kiev and Sevastopol. Each religious organization with more than 10 adult members must register its articles and statutes either as a local or national organization in order to obtain the status of a "juridical entity," necessary to conduct many economic activities including publishing, banking, and property transactions. Registration is also necessary to be considered for restitution of religious property. National organizations must register with the SCRA, and then each local affiliate must register with the local office of the SCRA in the region where they are located. By law the registration process should take 1 month, or 3 months if the SCRA requests an expert opinion on the legitimacy of a group applying for registration. According to the SCRA, the average registration period is 3 months. Registration may take 6 months for cases in which the SCRA requires additional expert evaluation. Denial of registration may be appealed in court. In addition to registering religious organizations, local offices of the SCRA supervise compliance with the provisions of the law.

The SCRA often consults with the All-Ukrainian Council, whose membership represents the faiths of over 90 percent of the religiously active population. The All-Ukrainian Council meets once every 2 or 3 months and has a rotating chairmanship. Representative members also use the Council as a means of discussing potential problems between religious faiths. The Council also has provided a forum through which religious organizations can consult with the Government on relevant draft legislation. Members of the Council discussed further improvement of legislation on church-state relations. A separate meeting focused on the implementation of a March 2002 presidential decree on religious matters. The Progressive Jewish Community reported that its application for registration in Kharkiv took 1 year before being approved.

There has been no action in Parliament on draft amendments to the Law on Religion submitted by the Government in June 2002 and resubmitted in May. Members of the religious community had expressed dissatisfaction with some aspects of the legislation.

There is no state religion. The UOC-Moscow Patriarchate and the Ukrainian Greek Catholic Church tend to predominate in the east and west of the country, respectively, and some religious leaders allege that local government officials in the east and west favor the predominant confessions. Each of the major religions and many of the smaller ones maintain a presence in all parts of the country. The central Government has spoken out in favor of unity of the country's Orthodox Churches; it has tried to treat all Orthodox Churches equally.

Officially, religion must be kept out of the public school curriculum; however, the Government

has attempted to introduce training in "basic Christian ethics" into schools. While Jewish leaders supported the teaching of ethics and civics in school, they insisted on a non-sectarian approach to this training. A working group was formed in the All-Ukrainian Council to discuss the issue; however, a resolution has yet to be reached. Orthodox symbols and ceremonies are routinely used in the armed forces as well. Schools run by religious communities may, and do, include religious education as an extracurricular activity.

The country officially celebrates numerous religious holidays, including Christmas Day, Easter Monday, and Holy Trinity Day, all celebrated according to the Julian Calendar shared by Orthodox and Greek Catholics.

Under existing law, religious organizations maintain a privileged status as the only organizations permitted to seek restitution of property confiscated by the Soviet regime. During the period covered by this report, only buildings and objects immediately necessary for religious worship were subject to restitution. Communities must apply to regional authorities. While the consideration of a claim should be completed within a month, it frequently takes much longer. According to the SCRA, during 2002 the Government transferred ownership of 187 buildings that originally were constructed as places of worship to religious communities, for a total of 8,776 since independence in 1991. In addition, during 2002 religious communities received ownership of 358 premises (i.e. buildings or sections of buildings) converted into places of worship and another 524 religious buildings that were not designated for worship, such as former religious schools, hospitals, and clerical residences, totaling 2,388 and 1,313, respectively, since independence. Intra-communal competition for particular properties complicated the restitution issue, both for some Christian and some Jewish communities. The slow pace of restitution was also a reflection of the country's difficult economic situation, which severely limited funds available for the relocation of the occupants of seized religious property. Some groups asserted that there was progress in the restitution of property, while others reported a lack of progress.

On September 27, at the instruction of President Kuchma, the Cabinet approved an action plan designed to return religious buildings to the religious organizations that formerly owned them. Under the Cabinet's instruction, a working group is operating in Kiev to settle issues pertaining to the use of premises and territory of the Upper and Lower Lavra of the Kiev-Pechersk National Historical and Architectural Preserve and the male monastery of the Dormition of the Mother of God. The Government also is seeking mechanisms to return the following former church premises and property: St. Iona's, St. Flor and Lavr's, and St. Panteleymon's monasteries in Kiev, Pochayiv Lavra monastery in the Ternopil Oblast, Odesa Theological Seminary, and others. The Government owns St. Michael's, St. Andrew's, and Pecherska Lavra Upper Monastery in Kiev. The State has said it will retain ownership of all three until the Ukrainian Orthodox Churches unite. Until then, the UOC-Kiev Patriarchate may hold services at St. Michael's on Sundays and holidays, while St. Andrew's and the Pecherska Lavra are made available to the UAOC and the UOC-Moscow Patriarchate.

The SCRA also participated in drafting the Law on Amendments to the Land Code, which would provide for the permanent use of land by religious organizations; the law was not enacted by the end of the period covered by this report. The SCRA also participated in the drafting of the law on pension coverage for clergy, sextons, and individuals who held elective posts in religious organizations prior to the adoption of the Law on the Freedom of Conscience and Religious Organizations.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion. The Government continued to facilitate the building of houses of worship by allocation of land plots for new construction and through restitution of religious buildings to their rightful owners; however, members of numerous communities described difficulties in dealing with the municipal administrations in Kiev and other large cities to obtain land and building permits—problems not limited to religious groups. The Government continued to return properties expropriated during the Soviet era to religious groups; however, not all groups regarded the pace of restitution as satisfactory, and all major religious communities continued to have outstanding restitution claims.

The law restricts the activities of "nonnative," foreign-based, religious organizations ("native

religions" are defined as Orthodox, Greek Catholic, and Jewish), and narrowly defines the permissible activities of members of the clergy, preachers, teachers, and other non-citizen representatives of foreign-based religious organizations; however, in practice there were no reports that the Government used the law to limit the activity of nonnative religious organizations. Religious worker visas require invitations from registered Ukrainian religious organizations and the approval of the SCRA. They may preach, administer religious ordinances, or practice other canonical activities "only in those religious organizations which invited them to Ukraine and with official approval of the governmental body that registered the statutes and the articles of the pertinent religious organization." In past years, fewer than one half of one percent of applications for religious visas were refused, according to the SCRA, usually because applicants improperly filled out forms. There were no reports of denials of religious visas during the period covered by this report.

Representatives of the Progressive Jewish Communities claimed that local authorities and Chabad Lubavitch officials made statements against their community in the local press while the group was organizing communities in Dnipropetrovsk. The Progressive Jewish Community claims not only that the Dnipropetrovsk Chabad Community opposes the registration of any Jewish community but itself in the region, but also that under pressure from Chabad Lubavitch it was denied registration in Dnipropetrovsk. The Progressive Jewish Community dropped its registration bid in 2002. Dnipropetrovsk was home to the father of the Lubavitcher Rebbe, Menachem Schneerson; however, Chabad Lubavitch officials claim that they actually assisted the Progressive Jewish Community's attempts to establish two communities in Dnipropetrovsk oblast and subsequently have supported these communities financially. The Progressive Jewish Community also reported that the Community's application for registration in Kharkiv took 1 year before being approved.

Representatives of the Muslim community noted that they have been unable to register a community in Kharkiv for the past 11 years. Muslims often are subject to document checks by local police, particularly in Kharkiv and Poltava. They have raised this issue with the Presidential Administration and the SCRA. Islamic community leaders expressed frustration with the Ministry of Education, which has yet to register a single Islamic school. These leaders suggested they are continuing to work with the SCRA to register their primary and secondary schools. As of June 30, there were Islamic universities in Kiev and Donetsk. As religious institutions, they have been registered since their inception by the SCRA. The Muslim community in Mykolayiv sought unsuccessfully to obtain permission to use an old mosque.

Although evangelical groups have expressed concerns in the past about possible government discrimination against individual believers of nonnative religions, evangelical leaders indicated that their members had reported no such discrimination during the period covered by this report.

In December 2002, the Suvorov District Court ordered a Pentecostal Church in Kherson closed for holding open-air services the previous June and July without permission from the local authorities. Members complied with the closure order and joined another Pentecostal Church; however, such incidents appeared to be isolated, as permission for open-air services was usually granted.

Government officials worked with members of the Jehovah's Witnesses to facilitate the preparations for the Church's major international convention scheduled to be held in Kiev in August.

A range of organizational measures was implemented to support the pilgrimage to the Foot of the First-Called Apostle Andrew. The Foot was brought from Greece and after several days in the country was returned to Greece in late June.

Jointly with the Ministry of Foreign Affairs, Ministry of Internal Affairs, State Border Guard Committee, State Customs Service, State Committee for Tourism, and other agencies the SCRA held several working meetings, including site visits, to support the pilgrimage of Jews to the burial site of Nakhman Tsadyk in Uman, Cherkasy Oblast. The pilgrimage was due to take place in late September.

Representatives of the Ukrainian Autocephalous Orthodox Church cited difficulties in providing religious services to soldiers and objected to the need to obtain approval for prison ministry activities from prison chaplains of the Moscow Patriarchate. There was no alteration in these

procedures during the period covered by this report.

There continue to be charges that religious land is being used inappropriately. Local officials in the western district of Volodymyr-Volynskyy continued to allow construction of an apartment building on the site of an old Jewish cemetery despite a December 17 court ruling that construction be halted and a letter from the Ministry of Culture and Arts asking for a halt in construction until the court case is resolved. Local authorities have refused to implement the relevant court decisions. Despite requests from the Roman Catholic Church, the government has not transferred its ownership of St. Nicholas's Cathedral in Kiev to the Church. The Church uses the Cathedral on weekends and major religious holidays.

At times, local governments in regions that are traditionally dominated by one or another religious group discriminate against their rivals in restituting property and granting registration. Representatives of the UOC-Kiev Patriarchate, the UAOC, and the Ukrainian Greek Catholic Church alleged government preference for the UOC-Moscow Patriarchate in the east. Roman Catholic representatives allege governmental discrimination in favor of the three Orthodox churches. Moscow Patriarchate representatives claim that their worshipers in Lviv and other Western Ukrainian cities experience intense pressure. Kiev Patriarchate representatives cited local authorities' failure to return cathedrals in Kharkiv and Zhytomyr and complained that some local governments in regions traditionally dominated by the Moscow Patriarchate, including Odesa, Poltava, and some western oblasts, deliberately dragged their feet over registration of congregations that had left the UOC-Moscow Patriarchate for the UOC-Kiev Patriarchate. Although the Kiev Patriarchate has tried to make use of the appeal process on denials of restitution, none of the appeals has been successful. The Kiev Patriarchate expressed concern that local officials in Poltava handed control of a church from the Kiev to the Moscow Patriarchate. Roman Catholic representatives expressed frustration at unrealized restitution claims in Simferopol, Sevastopol, Bila Tserkva, Uman, Zhytomyr, and Kiev. Priests of the Russian Orthodox Church Abroad complained of pressure from local authorities and the Moscow Patriarchate to surrender a church building to the Moscow Patriarchate.

Outstanding claims for restitution remain among all the major religious communities. Many properties for which restitution is sought are occupied, often by state institutions, or are historical landmarks.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversions, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

On September 27, 2002, in compliance with a presidential decree, the Cabinet approved a series of measures aimed at eliminating the consequences of the Soviet regime's religious policies. In accordance with the plan, the State Property Fund submitted to the central Interagency Commission a list of buildings, sites, and property that are not used for their designated purpose and to which religious communities have claims. As of June 30, the SCRA, in conjunction with state and local bodies, assisted in the restoration and construction of 2,500 places of worship.

Among those sacred buildings the Government returned during the period covered by this report was the Choral Synagogue in Kharkiv, which was transferred to the Union of the Hasidim of Chabad Lubavitch Jewish religious communities of the Kharkiv Region.

As of June 30, the Government had agreed to the transfer of the following buildings: The Cathedral of the Protection of the Mother of God in Chuhuyiv; a former Dominican cathedral to a religious community of the Ukrainian Greek Catholic Church in Lviv; and buildings of "Svyati Hory" (Holy Mountains) sanatorium to the Monastery of the Dormition of the Mother of God in Slovyanohorsk, Donetsk Oblast. The building of a former synagogue was transferred to the Jewish religious community in Slovyansk. Three buildings of the former St. Hryhoriy's Byzyukiv monastery were transferred into ownership of the Moscow Patriarchate in Chervonyy Mayak

village, Kherson Oblast. The Kiev Patriarchate was pleased to have resolved a dispute with local officials over religious premises in Crimea; the church obtained a 50-year lease on the land. Although Ukrainian Greek Catholic representatives had reported that the Moscow Patriarchate repeatedly blocked their attempts to gain a plot of land for the purposes of building a church in Kharkiv, officials granted them a plot during the reporting period. Roman Catholic representatives noted positively that local authorities reversed previous decisions and granted the Roman Catholic Church a plot of land to build a church in Chernihiv. In Kherson, the building of the Avangard cinema was transferred for the use of St. Panteleimon's parish.

High level Government officials attended the ceremonies of a variety of faiths.

Section III. Societal Attitudes

Relations among the adherents of various religious groups remained for the most part amicable; however, there were strains, particularly among the leadership of contending religious organizations.

The debate regarding possible unification of some or all of the three Orthodox Churches and/or granting them canonical status as an autonomous Ukrainian Orthodox Church has lost momentum. Leaders of the UOC-Kiev Patriarchate and the UAOC began negotiations on unification in the hope that, when unified, they would be recognized as the country's Orthodox Church by Orthodoxy's "First Among Equals," Patriarch Bartholomew of Constantinople. While an agreement was reached to allow priests of these two churches to celebrate liturgies together, unification negotiations remained stalled at the end of the period covered by this report. These tensions have geographical and political ramifications. Support for an independent local Orthodox Church (based on the Kiev Patriarchate and Autocephalous Churches) is strongest in the west and among center-right political parties. Eastern Ukrainians and leftist parties tend to support continued union with the Russian Orthodox Church. Patriarch Bartholomew has supported efforts aimed at Orthodox unity, meeting with or sending delegations to each of the three main Orthodox Churches to discuss the issue. He has not expressed an opinion as to who should lead a united Ukrainian Orthodox Church.

Tensions remain between some adherents of the Ukrainian Greek Catholic Church and the UOC-Moscow Patriarchate over control of property in the western part of the country, a legacy of the forcible reunification of these two churches under the Soviet regime. The UOC-Moscow Patriarchate also accused the Ukrainian Greek Catholic Church of attempting to expand in regions where traditionally the Moscow Patriarchate is strong.

Disputes between the Kiev and Moscow Patriarchates also continued.

One ongoing dispute began in May 2002 when a priest, churchwarden, and several other parishioners of St. Nicholas' Church in Poltava left the UOC Kiev Patriarchate and joined the UOC Moscow Patriarchate. The parishioners loyal to the Kiev Patriarchate filed a lawsuit against what they described as an illegal seizure of the church building by the Moscow Patriarchate. The Zhovnevyi District Court in Poltava ruled that the church belongs to the Moscow Patriarchate in accordance with the decision of the priest and parish members. In response to the appeal by the Kiev Patriarchate supporters, the Poltava Oblast Appeals Court overruled the District Court and ordered a reexamination of the case. In the meantime, the Kiev Patriarchate appointed a new priest to the church. The local authorities allowed the faithful of both Churches to use the building on a rotational basis. In May the Moscow Patriarchate priest and his supporters assaulted the faithful of the Kiev Patriarchate during the latter's rotation time, then blockaded the church entrance. The Moscow Patriarchate continued to insist that the church as a whole decided to leave the Kiev Patriarchate on its own to join the Moscow Patriarchate but, according to the Kiev Patriarchate, only approximately a dozen of its members joined the Moscow Patriarchate.

In May, according to the UOC-Moscow Patriarchate, supporters of the UOC-Kiev Patriarchate disrupted a religious service held by parishioners of the Moscow Patriarchate at St. Kosma and Damian's Church in Hlybochok village, Trostyanets District in Vinnytsya oblast. The Kiev Patriarchate's supporters reportedly blocked the exit, broke a church window, and demanded that the Moscow Patriarchate parish vacate the building. Local police stopped the confrontation.

Crimean Tatar representatives claim significant societal discrimination against their people, but

not necessarily for religious reasons. In Kharkiv, Muslim students primarily of Arab and African origins, of various institutions of higher education, reported instances of discriminatory documentation inspection and slander perpetrated by the local police force and other citizens.

A Pentecostal religious organization alleged the UOC-Moscow Patriarchate ordered the reprinting of criticism of Pentecostals, originally published in Russia, in a Crimean newspaper. The same organization alleged that the UOC-Moscow Patriarchate sought to intervene with government officials in an attempt to derail the construction of religious buildings.

Despite the efforts of Jewish and Ukrainian Greek Catholic leaders to find a just and peaceful solution to the conflicts in Kiev and Sambir, Lviv Oblast, as a result of the presence of crosses on Jewish cemeteries, these disputes were unresolved at the end of the period covered by this report. In Kiev one cross remained on the territory of an old Jewish cemetery near the site of a Nazi massacre at Babyn Yar. Jewish leaders assert that the cross was erected without a building permit and asked that it be removed. In Sambir the Ukrainian Jewish community began construction of a memorial park at the site of an old Jewish cemetery and Holocaust massacre site with the assistance of a foreign benefactor. Ukrainian nationalists, with the apparent assistance of local officials, erected crosses on the site to mark the Christian victims of Nazi terror there. While memorial organizers supported the recognition of all groups who suffered on the Sambir site, they opposed the use of Christian religious symbols on the territory of the Jewish cemetery. At the same time, local Ukrainian nationalists remain opposed to the use of Jewish symbols or Hebrew in the memorial.

Acts of anti-Semitism continue to be infrequent. There were no reports of anyone having been apprehended following the June 2002 vandalism of a Holocaust memorial in Zhytomyr. One Jewish community leader stated that this and earlier attacks were not indicative of an overall anti-Semitic societal attitude; he did not see a rise in anti-Semitic acts from prior years. Seven individuals were convicted in connection with the April 2002 attack on the Synagogue in Kiev. The instigator received a 4-year sentence. Six others, aged 15-17, received sentences ranging from 18 months to 2 years.

Anti-Semitic articles appear frequently in small publications and irregular newsletters, although such articles rarely appear in the national press. The journal "Personnel," whose executive board includes several parliamentary deputies, published anti-Semitic articles. The Jewish community received support from public officials in criticizing articles in the journal. Nonetheless, the publication won a libel suit against a local newspaper that had made claims that it published anti-Semitic articles.

Section IV. U.S. Government Action

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights, on a regular basis, pressing U.S. Government concerns actively when the situation is warranted. A majority of foreign religious workers are American, and the Embassy has intervened as necessary to defend their rights to due process under the law. The U.S. Embassy received no reports of religious-worker visa problems during the period covered by this report. The U.S. Embassy raised with relevant officials the difficulties that an American Greek Catholic priest has experienced in obtaining proper recognition of his academic qualifications, which is necessary for the priest to continue working. The SCRA and the Ministry of Foreign Affairs provided assistance and clarification to the Embassy as it assisted U.S. citizens in ascertaining and asserting their rights.

The U.S. Ambassador, as well as other Embassy officers, demonstrated the U.S. Government's concern for religious freedom by maintaining an ongoing dialog with government and religious leaders on this topic, as well as by their presence at significant events in the country's religious life. U.S. Embassy officers attended significant Holocaust memorials, including the Babyn Yar commemoration in Kiev and the opening of a Holocaust memorial in Vinnytsia, as well as photographic exhibits by local Jewish artists. Embassy officers also met with Muslim leaders in Kiev, Odessa, Dnipropetrovsk, and Crimea in an effort to understand the concerns of those communities. The Ambassador hosted an interfaith meeting in Lviv and an Iftar dinner in Kiev, which facilitated dialogue among the various religious leaders.

The U.S. Embassy assigned personnel to report on religious issues, the restitution of church property, interfaith dialog and disputes, anti-Semitism, and human rights. In the course of this

reporting, Embassy officers maintained close contact not only with clerics, but also with lay leaders in religious communities and representatives of faith-based social service organizations, such as Caritas and the American Jewish Joint Distribution Committee, both of which are active in the country. In addition, the Embassy facilitated similar meetings with such groups for U.S. Members of Congress and other visiting U.S. officials.

The Embassy closely monitored the Sambir and Volodymyr-Volynskyy cemetery cases, raising them with the State Committee on Religious Affairs. Embassy officers visited the cemetery in Volodymyr-Volynskyy and met with local officials to discuss the case. The Embassy also raised the Volodymyr-Volynskyy cemetery case with the Volyn State Administration, the Ministry of Foreign Affairs, the Ministry of Justice, the Prime Minister's office, and the Presidential Administration. In addition, the U.S. Embassy has raised these cemetery cases, as well as the restitution situation in general, with government officials. The Public Affairs Section sponsored a grant for the production of a documentary film on the life of the eminent Ukrainian Jewish lawyer Arnold Margolin.

Representatives of the U.S. Department of State and representatives of the U.S. Commission for the Preservation of America's Cultural Heritage Abroad met with various government officials and religious leaders during the year.

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