

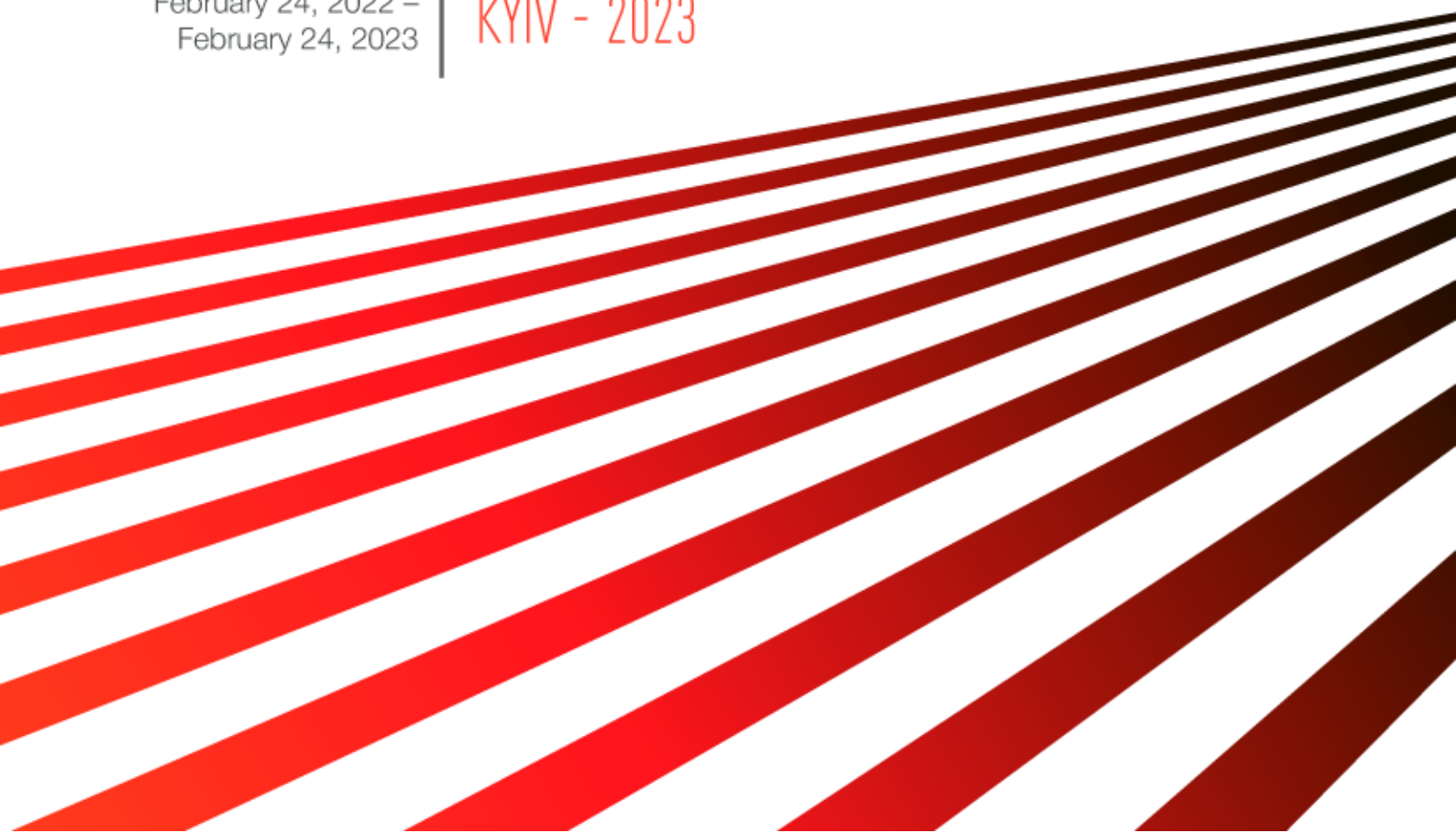


RELIGION ON FIRE

Report on the results of monitoring of damage and destruction of religious buildings as a result of the full-scale Russian military invasion of Ukraine

February 24, 2022 –
February 24, 2023

KYIV - 2023



The project Religion on Fire: Documenting Russia's War Crimes Against Religious Communities of Ukraine was initiated in March 2022 by NGO Workshop for the Academic Study of Religions, and supported by state institutions and public organizations. The project is aimed at recording and documenting damage to religious buildings as a result of the actions of the Russian army in Ukraine, as well as war crimes against religious leaders of various denominations. The collected data can be used in academic studies of war effect on the religious life of Ukraine, in the preparation of reports by Ukrainian and international public or human rights organizations. All gathered materials will be handed over to state authorities and law enforcement agencies to restore justice and bring the aggressor state to responsibility.

This report is produced within the project EU Emergency Support 4 Civil Society, implemented by ISAR Ednannia with the financial support of the European Union. Its contents are the sole responsibility of NGO Workshop for the Academic Study of Religions and do not necessarily reflect the views of the European Union.

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Introduction

Over the decades, a unique religious landscape was formed in Ukraine, which was radically different from the Russian one. A key feature of this landscape is the diversity and dense network of religious organizations. According to the Department of Religions and Nationalities of the Ministry of Culture of Ukraine, at the beginning of 2014, 35,646 religious organizations were officially registered in Ukraine, while 29,831 organizations operated in the Russian Federation, which is approximately 30 times larger in territory. Even after the occupation of part of Ukrainian territory, the number of religious organizations in the Russian Federation did not match the Ukrainian one. Thus, according to the State Service of Ukraine for Ethnopolitics and Freedom of Conscience, as of January 1, 2021, there were 37,049 religious organizations in Ukraine, of which 35,453 are religious communities, and the rest are religious administrations, monasteries and other types of organizations¹. At that time, 31,598 religious organizations were registered in Russia, including organizations registered in Crimea. It is worth noting that in Ukraine, religious organizations can operate even without registration. However, if we compare only the number of registered communities (35,372 communities in Ukraine), then our state has several thousand more than the Russian Federation, where almost four times more people live.



**Number of religious organizations
in Ukraine**



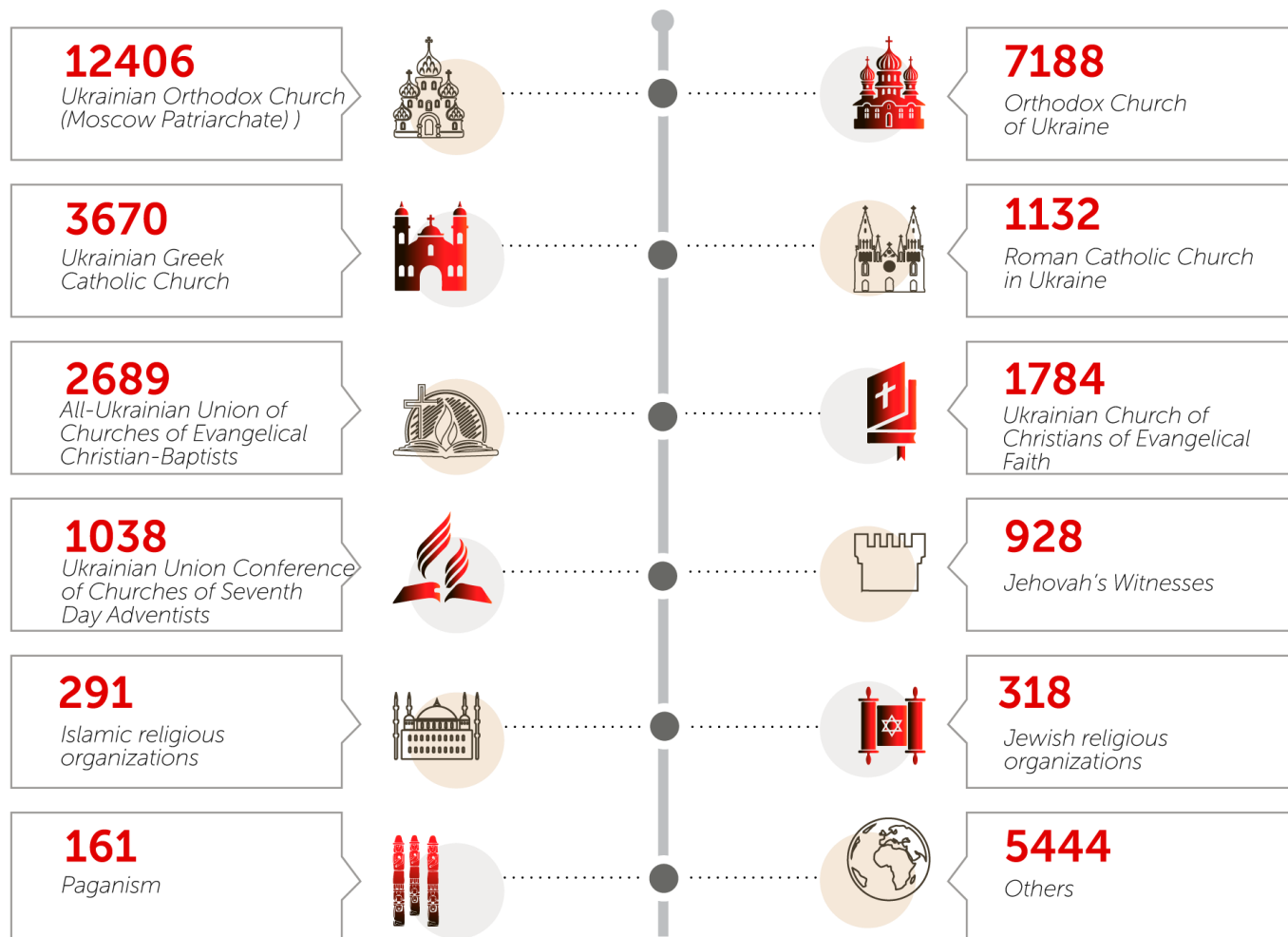
**Number of religious organizations
in the Russian Federation**

To understand the specifics of the religious situation in Ukraine, it is important that none of the churches ever became a monopoly, that is, an analogue of the Russian Orthodox Church (ROC), which accumulated more than half of all Russian religious organizations and received a privileged status in relations with state authorities. Thus, as of the beginning of 2021, 12,406 religious organizations belonged to the Ukrainian Orthodox Church, historically united with the Russian Orthodox Church (UOC (MP)), and only in three regions their number was less than 100 (Ivano-Frankivsk - 33, Lviv - 70, Ternopil - 96), while in other regions this church had from 293 (Mykolaiv) to 1,017 (Vinnytsia) organizations. In turn, the Orthodox Church of Ukraine (OCU) united 7,188 religious organizations and also had less than 100 parishes in only three regions (Luhansk – 39,

¹ Статистичні матеріали. Державна служба України з етнополітики та свободи совісті. URL: <https://dess.gov.ua/statistics-rel/> (Accessed: 22.02.2023). Unfortunately, detailed data for the beginning of 2022 was not published, since at the time of collecting the relevant information, hostilities were already taking place and part of the territory was occupied in a number of regions.

Kharkiv – 80, Sumy – 97). Therefore the two largest Orthodox churches of Ukraine have an extensive network almost throughout the country.

Religious organizations in Ukraine



Another denomination with a large number of communities is Greek Catholicism, represented in Ukraine by two hierarchical structures - the Ukrainian Greek Catholic Church (UGCC), to which 3,670 religious organizations belonged at the beginning of 2021, and Mukachevo Diocese of the Greek Catholic Church (MDGCC), which had 474 religious organizations. Unlike Orthodox churches, Greek Catholic churches have the majority of communities in the four western regions of Ukraine (Ivano-Frankivsk, Lviv, Ternopil and Zakarpattia), they are also represented in other regions in a minority. In addition, there is an extensive network of the Roman Catholic Church in Ukraine (RCCiU), which includes 1,132 religious organizations, and in six regions their number exceeds 100.

Traditionally, various Protestant denominations are also widely represented in Ukraine. In particular, at the beginning of 2021, the All-Ukrainian Union of Churches of Evangelical Christian-Baptists (A-UUC ECB) united 2,689 religious organizations, and the total number of Baptist organizations was 3,055, which made Ukraine the largest Baptist country in Europe by this indicator. 1,784 religious organizations belonged to the Ukrainian Church of Christians of Evangelical Faith, and 1,038 to the Ukrainian Union Conference of Churches of Seventh Day Adventists. There were

also 928 religious organizations of Jehovah's Witnesses operating in Ukraine and many religious unions that had a smaller number of organizations, in particular, 291 religious organizations belonged to Islam, 318 to Judaism, and 161 to paganism.

On the other hand, in the Russian Federation, despite the constitutional guarantee of freedom of conscience, one can observe the formation of a rigid hierarchical model of state-church relations, restrictions of religious freedom, and even the banning of the activities of some religious organizations due to accusations of extremism. In Ukraine, the principles of freedom of conscience and pluralism in religious life² are preserved even during martial law. Moreover, during the war, pluralism became one of the pillars of stability of communities, demonstrating numerous examples of mutual support between representatives of different religious organizations. But the pluralistic religious landscape of Ukraine suffered significantly (some religious organizations were forced to relocate or had lost many members, which is especially dangerous for minorities). Numerous missile attacks on religious buildings, their shelling and capture by the military of the aggressor country have made it impossible for people (especially in regions with active military operations) to safely and freely practice their religion. Restriction of religious freedom in Ukraine (in particular, in the occupied territories) by the Russian Federation is not only a violation of international humanitarian law, but an attack on the Ukrainian way of life, some sort of war of one type of civilization against the social system of another³.

On February 24, 2022, the Russian Federation launched a full-scale invasion of Ukraine, during which the Armed Forces of the Russian Federation constantly shelled both military and strategic objects, as well as residential buildings, objects of social, energy infrastructure, and cultural heritage. In particular, as of February 24, 2023, 1,106 objects of medical infrastructure were damaged and 174 more were completely destroyed⁴, 3,128 educational institutions were damaged or destroyed⁵ and about 1,500 objects of cultural heritage⁶. War crimes committed in the war of the Russian Federation against Ukraine are recorded by various investigative bodies. However, the scale of hostilities and crimes is big enough and investigative actions and court processes create an extraordinary burden on the judicial system and law enforcement agencies of Ukraine. Therefore, state institutions and public organizations are also engaged in the recording and documentation of war crimes.

The project Religion on Fire is an example of cooperation between civil society organizations and state bodies for the effective documentation of war crimes against freedom of conscience that take place during the Russian-Ukrainian war. The project started in the first days of March 2022. The team of the NGO Workshop for the Academic Study of Religions collects and processes information from open sources about damaged religious buildings and injured religious leaders, as well as conducts its own field visits to the liberated territories. The collected information is transferred to law enforcement agencies and the State Service of Ukraine for Ethnopolitics and Freedom of

² Такої моделі плюралізму, як в Україні, немає ніде в Європі — релігієзнавець Хосе Казанова. Українське радіо: вебсайт. URL: <http://nrcu.gov.ua/news.html?newsID=90690> (Accessed: 22.02.2023).

³ Халіков Р. Повстання проти секулярного світу. Київ: Видавництво Руслана Халікова, 2022. С. 156-169.

⁴ За рік війни росіяни пошкодили або зруйнували понад 1 200 об'єктів медзакладів. Міністерство охорони здоров'я України. URL: <https://moz.gov.ua/article/news/za-rik-vijni-rosijani-poshkodili-abo-zrujnuvali-ponad-1-200-ob%e2%80%99ektiv-medzakladiv> (Accessed: 22.02.2023).

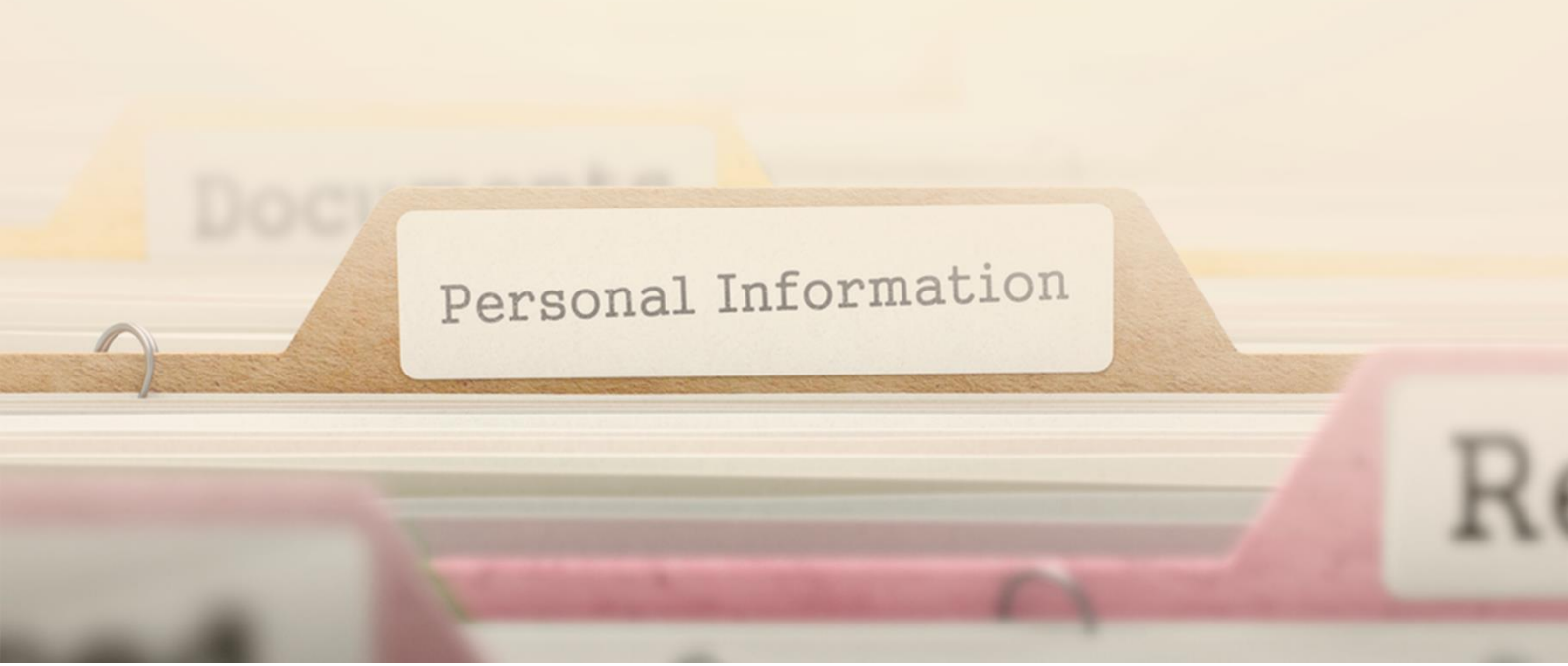
⁵ На річницю війни школам рекомендують провести заняття дистанційно: превентивні заходи. Рубрика: вебсайт. URL: <https://rubryka.com/2023/02/21/na-richnytsyu-vijny-shkolam-rekomenduyut-provesty-zanyattya-dystantsijno-preventyvni-zahody/> (Accessed: 21.02.2023).

⁶ Через війну в Україні пошкоджені чи зруйновані близько 1,5 тисячі об'єктів культурної спадщини. Укрінформ: вебсайт. URL: <https://www.ukrinform.ua/rubric-culture/3667256-cerez-vijnu-v-ukraini-poskodzeni-ci-zrujnovani-blizko-15-tisaci-obektiv-kulturnoi-spadsini.html> (Accessed: 22.02.2023).

Conscience (SSEFC). For its part, the SSEFC has created a map of destroyed and damaged religious buildings in Ukraine⁷. The project team also cooperates with the Fund for the Support of Fundamental Research, the Congress of National Communities of Ukraine and other organizations. Since October 2022, the project Religion on Fire has been implemented within the EU Emergency Support 4 Civil Society project, implemented by ISAR Ednannia with the financial support of the European Union. As of February 24, 2023, the project's database contained information on at least 415 religious buildings damaged or completely destroyed during the Russian-Ukrainian war.

⁷ 11 місяців повномасштабної атаки Росії: в Україні зруйновано 307 релігійних об'єктів. Державна служба України з етнополітики та свободи совісті. URL: <https://dess.gov.ua/ussia-ruined-at-least-307-religious-sites/> (Accessed: 22.02.2023).

METHODOLOGY OF DATA COLLECTION

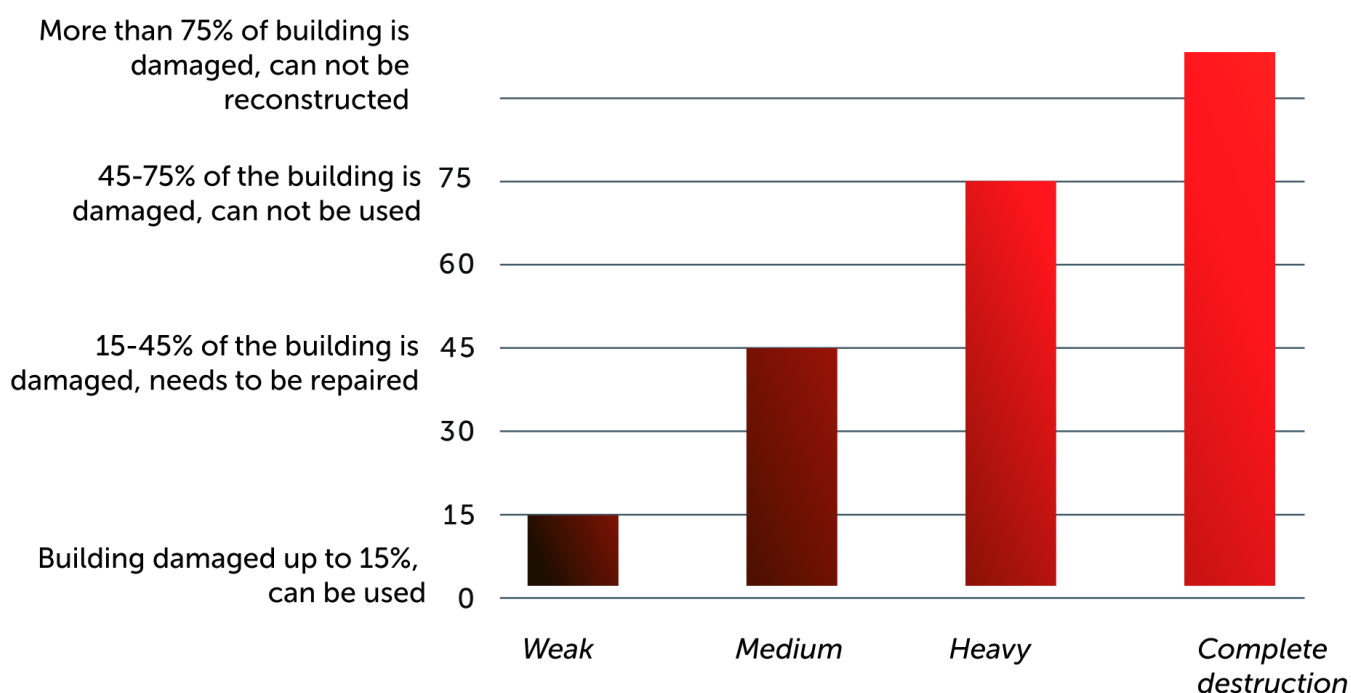


Personal Information

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The project Religion on Fire has created and constantly updates a database where cases of damage and destruction of religious buildings during hostilities, as well as harm to religious leaders, are systematized by chronology and degree of damage⁸. The database describes in detail, as far as possible, the time, place, course of events, the nature of the damage, the characteristics of war crimes and other violations of international humanitarian law. Information about the damage and destruction of religious buildings is available on the official website of *Religion on Fire* project (<https://en.religiononfire.mar.in.ua/>) and on social media⁹. Information about the damage caused to religious leaders during the Russian-Ukrainian war is currently not published, in particular due to its sensitive nature.

Degree of Damage of Religious Buildings



⁸ The methodology for this research was elaborated in consultations with the representatives of the State Service of Ukraine on Ethnopolitics and Freedom of Conscience, Fund for the Support of Fundamental Research, the Congress of National Communities of Ukraine, the Institute of Religious Freedom, the Office of the UN Commissioner for Religion and Beliefs, as well as other institutions and organizations of civil society.

⁹ Див.: <https://www.facebook.com/officialmarinua>
https://twitter.com/Religion_Fire
<https://www.youtube.com/@user-nw1iu4ly7n>

The following **methods of information collection** are implemented:

- Systematic **monitoring of open sources**: official websites and pages in social media of religious organizations, as well as military and government reports on damage during hostilities. During the year, the project team has been monitoring about 150 open sources.
- **Field trips** to towns and villages affected by shelling and occupation, visits to all religious buildings of various denominations in the town or village, verification of information from open sources. This allows for the recording of war crimes against communities that are unable to publicly report the destruction. During the visits, the team of the Religion on Fire project talks with the members of religious communities, which makes it possible to establish the course of events and sometimes reveal previously unknown details.
- **Internal monitoring data** from representatives of religious organizations, press services, which also collect information about damaged buildings within their community or administration. In addition, the project team cooperates with the State Service of Ukraine for Ethnopolitics and Freedom of Conscience, regional state and military administrations, exchanging information about damaged religious buildings.

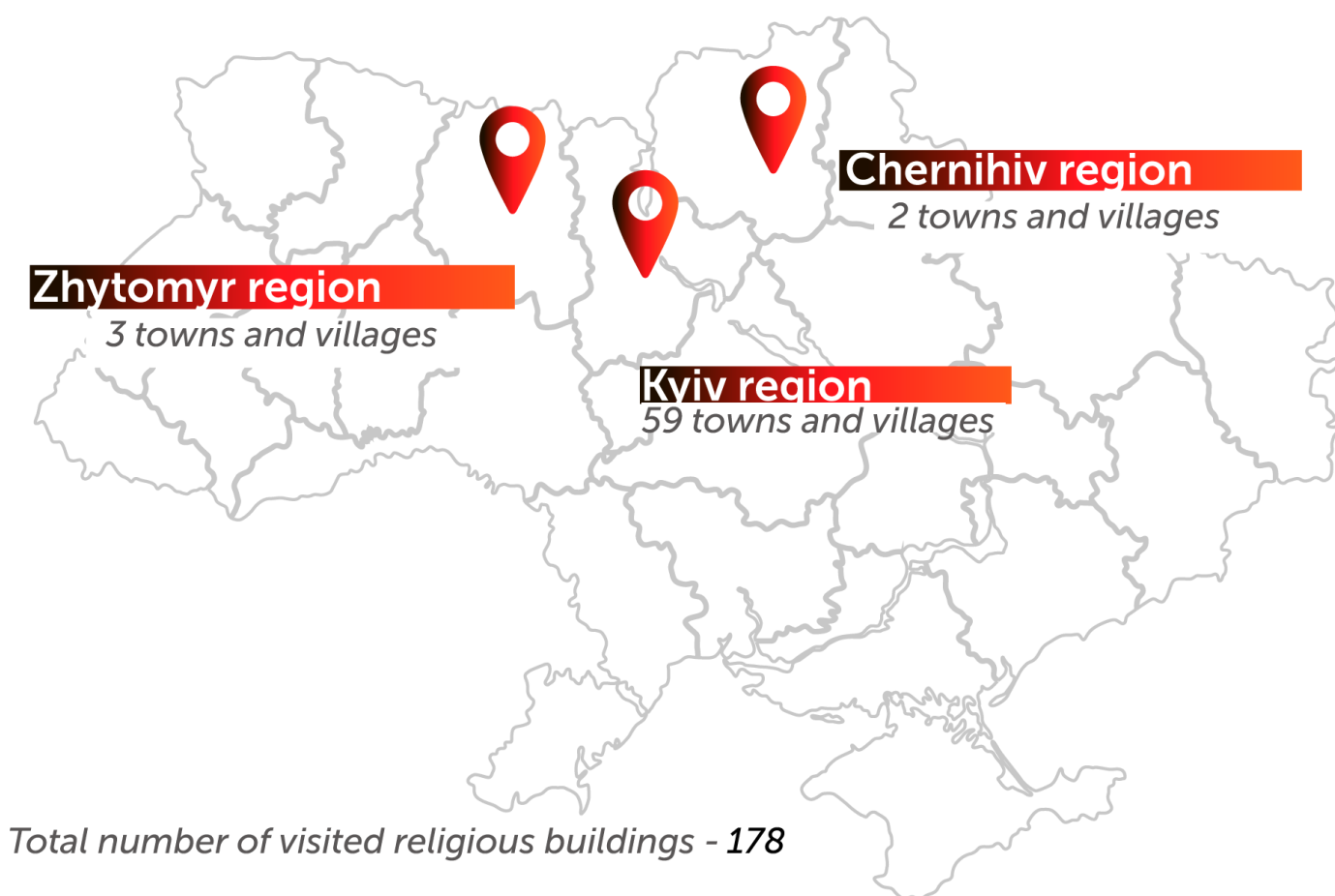
The project team has been monitoring the situation in various regions of Ukraine since February 24, 2022 - the beginning of active hostilities, adding information about new facts to the database, which also includes photos, videos, copies of eyewitness accounts from social networks, copies of messages from official resources of religious organizations. Materials from this database are published on *Religion on Fire* website (<https://en.religiononfire.mar.in.ua/>).

Field Trips

In order to verify and clarify the information available in open sources, since May 2022, the field team has been conducting monitoring visits to the de-occupied towns and villages or those subjected to rocket attacks by the armed forces of the Russian Federation (even if there is no information about damage to religious buildings in these settlements, but there is probability of destruction, or facts of committing war crimes against religious communities and leaders).

During May-December 2022, the field team visited 64 towns and villages in three regions, and inspected a total of 178 religious buildings. Information about the destruction of some objects in these towns and villages was already known, while the damage to others was established during the field trips in communication with local residents. In at least one case, it turned out that the church which damage was reported in the media was not shelled, but instead another church in the locality was damaged. Thus, the field trips became an additional source of verification of information from open sources.

Field Trips



During the field trip, the team tries to visit the maximum number of religious organizations and structures in the town or village. Members of the field team also conduct interviews with witnesses of the events and representatives of religious organizations. Priority in such interviews is given to questions about the circumstances of damage to a religious building or the circumstances of committing a war crime on its territory, as well as generally about the experience of a religious community and/or individual believers during their stay in the occupation/in the war zone.

Being directly at the location, the field team assesses its general condition, takes a photo of the building, which certifies its condition and the fact of visiting, documents the facts of damage. Particular attention is paid to finding out the geography of the damage, which allows to determine the source of damaging shelling, and thus to qualify the criminal. A visit to location and communication with eyewitnesses is an additional way to verify information about the destruction or the commission of war crimes, along with monitoring open sources.

The results of the field visit are combined with the data obtained from open sources, together compiling a report on the condition of facilities. The report provides a brief historical background on the building, denominational affiliation at the time of damage or destruction and at the time of the field trip, the condition of the building and a detailed description of the damage, and the results of witness interviews. In addition to information about specific objects, the report also provides general information - the date and trip route, the number of visited locations, the participants of the field group, etc.

MONITORING RESULTS



From February 24, 2022 till February 24, 2023, as a result of the full-scale invasion of the Russian Federation into Ukraine, at least 415 religious buildings were damaged. Among them are churches and prayer houses, chapels and roadside crosses, kingdom halls, synagogues, mosques, khachkars and memorials, religious educational institutions. Among the damaged religious buildings, more than 100 have either been completely destroyed or have suffered severe damage and can no longer be used for religious services. At least 101 religious buildings have suffered medium level of damage, that is, the worships there can be restored only after repair work. As a result of military operations, at least 13 religious buildings with the status of monuments of regional importance and 5 monuments of national importance were damaged. These numbers are not final, since many religious buildings are located in the occupied territories or in the front-line zone, therefore the final calculations will be possible only after the complete de-occupation and demining of the territory of Ukraine.



Church of the Nativity of the Theotokos, Viazivka village, Zhytomyr region. Photo: Religion on Fire.



RELIGION ON FIRE

objects destroyed and damaged in **Ukraine** due to Russian war since **24.02.2022** till **24.02.2023** at least



Ukrainian Orthodox
(Moscow Patriarchate)

205



Islamic

6



Orthodox Church of
Ukraine

31



Jewish

15



Greek and Roman Catholic

9



Religious education
institutions

6



Protestant

138



Other religions objects

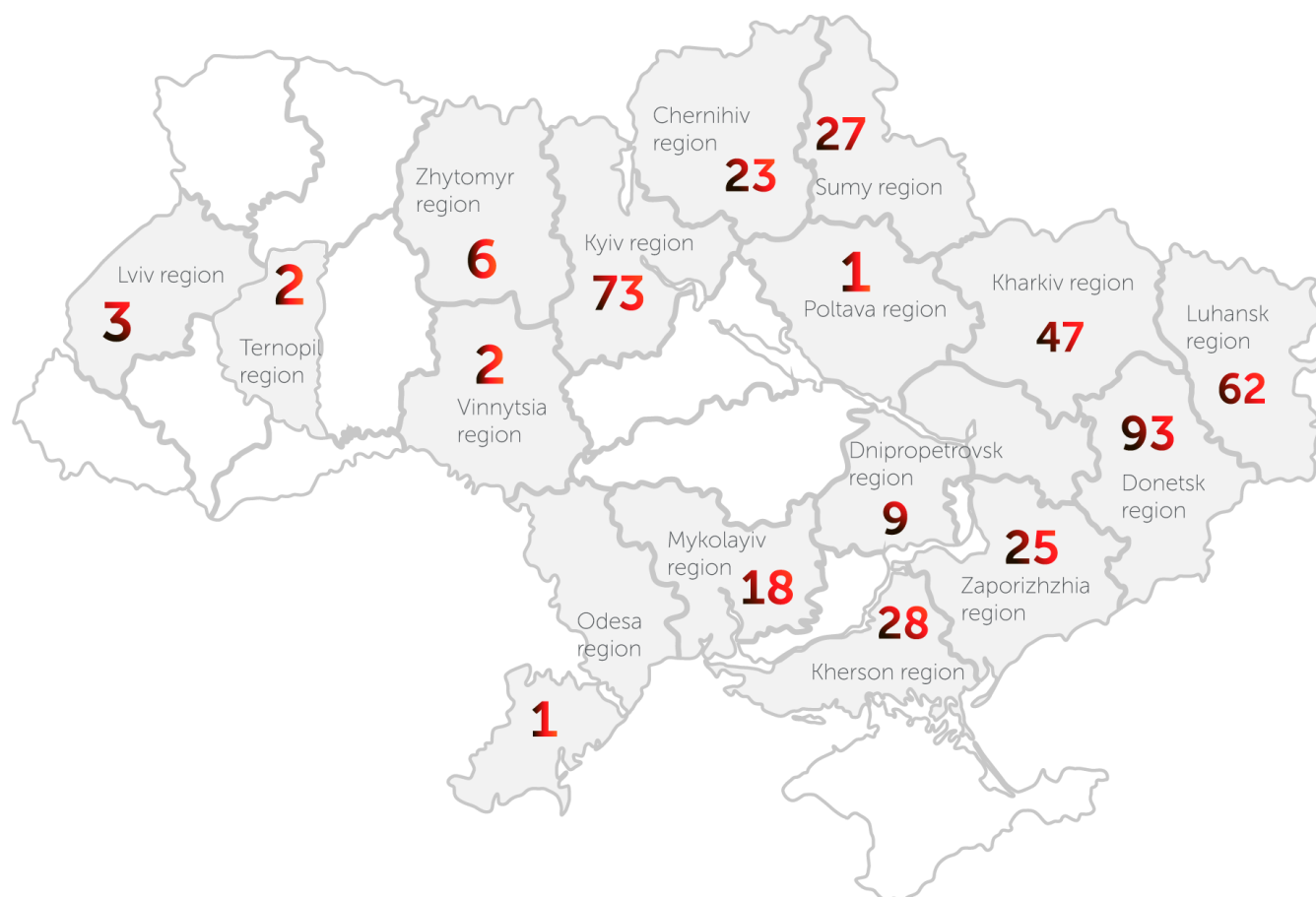
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Made by Workshop for the Academic Study of Religions

The highest number of damaged or destroyed religious buildings are in the regions where active hostilities have taken place or are still taking place. More than 150 religious buildings were damaged or destroyed only in the territory of two regions - Donetsk (93) and Luhansk (62), where fierce battles and constant shelling of cities are happening along the front line. At least 73 religious buildings were damaged in Kyiv region, as well as at least 47 in Kharkiv region. Twenty to thirty religious buildings were damaged in Kherson (28), Sumy (27), Zaporizhzhia (25) and Chernihiv (23) regions. In other regions of Ukraine, damage to religious buildings as a result of Russian missile attacks and airstrikes has been documented. So, at least 18 objects were damaged in Mykolaiv region, 9 in Dnipropetrovsk, 6 in Zhytomyr, 3 in Lviv, 2 each in Ternopil and Vinnytsia, 1 each in Odesa and Poltava regions.

Damaged or Destroyed Religious Buildings in Ukraine



Approximately half of the damaged religious buildings at the time of the attack belonged to the Ukrainian Orthodox Church (UOC (MP)). Numerous destruction of churches, deaths and injuries, abduction of UOC (MP) priests did not find words of sympathy from the leadership of the Russian Orthodox Church (ROC). However, as soon as March 26, 2022, Patriarch Kirill officially expressed condolences¹⁰ to the death during the shelling of Oleg Artemov, the first ROC military priest. During the year since the beginning of the full-scale Russian invasion of Ukraine, at least five priests of the Russian Orthodox Church have died, and one of them, Mikhail Vasiliev was posthumously awarded the title of Hero of Russia by the President of the Russian Federation V. Putin. All these cases are glorified at the highest level in the Russian Orthodox Church. At the same time, as a result of hostilities, three times more ministers of the Ukrainian Orthodox Church have died, but their deaths have not become a reason for condemning aggressive war or public expression of sympathy. On the contrary, the religious leaders of the Russian Federation publicly supported the war from the very beginning of active hostilities, accusing Ukraine of various sins, "possession by demons." During the Christmas sermon in 2023, the Patriarch of the ROC Kirill proclaimed that "no trace will be left of the schismatics, because they are carrying out an evil, devilish will, destroying Orthodoxy on Kyiv land. I think that it is not so long to wait... Just as the

¹⁰ Патриаршее соболезнование в связи с гибелью протоиерея Олега Артемова. Русская Православная Церковь: офіційний сайт. URL: <http://www.patriarchia.ru/db/text/5912180.html> (Accessed: 23.02.2023).

political calamity of the Soviet leaders who raised their hand against the church was crushed, so the current government will not reign and rule over Ukraine." ¹¹

Ukrainian Protestant churches have the second place in terms of the number of damaged religious buildings. During the year of the Russian-Ukrainian war, at least 125 Protestant buildings were damaged, including houses of prayer, kingdoms halls, and seminaries of various Evangelical denominations. About 30 structures at the time of the shelling belonged to the Orthodox Church of Ukraine, 15 belong to Judaism, 10 to Catholicism, and 6 to Islam. Among the destroyed buildings there are also priests' houses, cemeteries, rehabilitation centers founded by churches and other buildings that were not included in the general statistics of Religion in Fire project, but are related to religion.

During the year since the beginning of the full-scale Russian invasion, at least 7 religious educational institutions were damaged, in particular: Sumy Theological Seminary named after His Beatitude Metropolitan Volodymyr (Sumy), Chernihiv Theological School of Regent Psalmists (Chernihiv), Ukrainian Evangelical Theological Seminary (Kyiv), Irpin Bible Seminary (Irpin), Higher Theological Seminary of the Sacred Heart of Jesus (Vorzel), Taurian Christian Institute (Kherson), yeshiva in the former Shoemakers Synagogue (Kharkiv). Several religious educational institutions were forced to relocate or cease operations as a result of the occupation of the town or village where they were located.

At least 7 religious educational institutions were damaged:



Sumy Theological Seminary named after His Beatitude Metropolitan Volodymyr (Sumy)



Ukrainian Evangelical Theological Seminary (Kyiv)



Higher Theological Seminary of the Sacred Heart of Jesus (Vorzel)



Yeshiva in the former Shoemakers Synagogue (Kharkiv)



Chernihiv Theological School of Regent Psalmists (Chernihiv)



Irpin Bible Seminary (Irpin)

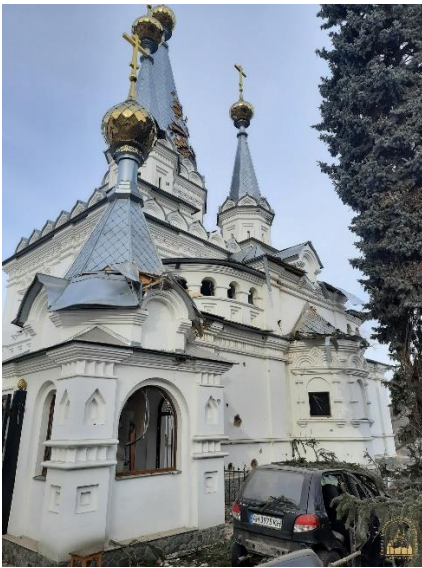


Taurian Christian Institute (Kherson)

With the beginning of shelling of Ukrainian cities, many religious buildings were opened to the population as bomb shelters, humanitarian aid distribution centers, and shelters for displaced

¹¹ Патриарх Кирилл рассчитывает на скорое прекращение расколов на Украине. Информационное агентство ТАСС: вебсайт. URL: <https://tass.ru/obschestvo/16754303> (Accessed: 23.02.2023).

persons. However, despite their protected status, places of worship were as vulnerable to shelling as other civilian locations. In particular, on the evening of March 12, 2022, the first airstrike was carried out on the Holy Dormition Sviatohirsk Lavra (Sviatohirsk, Donetsk region), where at that time, in addition to monks, about 500 civilians, who forced to leave or lost their homes, had found shelter. Later, Lavra repeatedly came under fire, resulting in killing and wounding civilians and monks.



*Holy Dormition Sviatohirsk Lavra (Cave Monastery), Sviatohirsk, Donetsk region.
Photo: Official Monastery Website.*



Irpin Bible Seminary, Irpin, Kyiv region. Photo: Religion on Fire

On March 19, 2022, the Irpin Bible Seminary came under Russian fire, but the building remained intact, and about 100 civilians hid in the basement at night. The next day, after a preliminary aerial reconnaissance using a drone, a second targeted mortar shelling of the seminary took place. As a result, the kitchen was destroyed, the windows were broken, the walls were damaged, the roof was burned, the outbuildings in the yard were destroyed, and the electric generator that provided light to the residents of the surrounding houses during the battles for the city was also damaged¹².

One of the most tragic cases happened in the Islamic cultural center Bismillah in the city of Sievierodonetsk. The center was destroyed by shelling on June 19, 2022. About 20 civilians who tried to use the religious building as a shelter died in it that day¹³.

The consequences of military actions affect in different ways religious communities, perhaps the hardest to overcome them is for religious minorities. The latter often lack the resources to restore the building after shelling, and sometimes damage to a religious building can lead to the cessation of community activities altogether or for a long time. For example, due to constant shelling, the local Karaite community of Kharkiv was forced to stop holding religious services in the only kenasa

¹² Project team received this information from the church members during the field trip to Irpin Bible Seminary and was able to see the electric generator damaged by debris.

¹³ Кадирівці зруйнували мечеть у Сєверодонецьку та спробували звинуватити ЗСУ - імам. Укрінформ: вебсайт. URL: <https://www.ukrinform.ua/rubric-regions/3520498-kadirivci-zrujnuvali-mecet-u-severodonecku-ta-sprobuvali-zvinuvatiti-zsu-imam.html> (дата звернення: 20.02.2023).

operating outside Crimea¹⁴. Thus, the entire indigenous people of Ukraine were left without a functioning religious buildings, and most members of the community left the city due to the danger to their lives. The Church of Jesus Christ of Latter-day Saints recalled its foreign missionaries from Ukraine, although it continues to actively operate at the level of local communities¹⁵. Jehovah's Witnesses, followers of Said Nursi and a number of other religious organizations were banned in the territories occupied by the Russian army, because they are subject to Russian "anti-extremism" laws. In particular, Russian propagandists have repeatedly reported on the closing and repurposing of the Kingdom Halls of Jehovah's Witnesses¹⁶. Religious minorities need external support, even informational support, to raise awareness about their problems. We must realize that the disappearance of religious minorities from the map of Ukraine as a result of the Russian invasion is a threat to pluralism and freedom of conscience, which characterizes the Ukrainian social system.

¹⁴ Вразливі групи на тлі повномасштабної війни: специфіка ситуації та рекомендації з врахування потреб. Центр Громадянських Свобод; вебсайт. URL: <https://ccl.org.ua/positions/vrazlyvi-grupy-na-tli-povnomasshtabnoyi-vijnyspecyfika-sytuaciyi-ta-rekomendaciyi-z-vrahuvannya-potreb/> (Accessed: 20.02.2023).

¹⁵ The Church of Jesus Christ Is Temporarily Moving Missionaries Out of Ukraine. URL: <https://newsroom.churchofjesuschrist.org/article/missionaries-ukraine> (Accessed: 20.02.2023).

¹⁶ Штаб-квартиру "Свидетелей Иеговы" обнаружили в Запорожской области - Россия 24. URL: <https://rutube.ru/video/98a65434d0b311b84265d30f00f77ca2/> (Accessed: 20.02.2023).

WAR CRIMES



Since the beginning of the full-scale invasion of the Russian Federation on the territory of Ukraine, there have been discussions in the mass media, public space, and legislative field about holding the aggressor country accountable for committed war crimes.

In international humanitarian law, there is a stable concept of "war crime". Thus, in Article 85 of Protocol Additional I to the Geneva Conventions of 12 August 1949, serious violations of the Conventions are considered war crimes¹⁷. According to Rule 156 of Customary International Humanitarian Law, serious violations of international humanitarian law are classified as war crimes¹⁸.

Religious buildings (buildings used for religious purposes or belonging to religious organizations) refer to civilian objects against which there is a prohibition of attack in accordance with Article 52(1) of the Protocol Additional: "Civilian objects shall not be the object of attack or of reprisals"¹⁹. Also according to Rule 7 of Customary International Humanitarian Law: "The parties to the conflict must at all times distinguish between civilian objects and military objectives. Attacks may only be directed against military objectives. Attacks must not be directed against civilian objects"²⁰. This norm embodies the principle of distinction essential for international humanitarian law and establishes the protection of civilian individuals and objects.²¹

The Criminal Code of Ukraine (CCU) has an article that is used to qualify war crimes against religious communities, although they are not directly mentioned there. Article 438 of CCU on violation of the laws and customs of war refers to international treaties, the consent of which must be observed by the Verkhovna Rada of Ukraine. In particular, it refers to the Hague Conventions on the Laws and Customs of War. Ukrainian legislators are still considering draft law No. 7290²² on amendments to the Criminal Code of Ukraine and the Criminal Procedure Code of Ukraine introduced by the Government on April 15, 2022. This draft law also has an update regarding Art. 438 of the CCU: it suggests adding Art. 438-2, where an attack on "a building intended for the purposes of religion, education, art, science or charity, a historical monument, a hospital or a place

¹⁷ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts. Adopted on 8 June 1977. Wikisource: website. URL:

https://en.wikisource.org/wiki/Geneva_Convention/Protocol_I#Article_85_-_Repression_of_breaches_of_this_Protocol (Accessed: 20.02.2023).

¹⁸ Rule 156. International Humanitarian Law Databases: website. URL: <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule156> (Accessed: 20.02.2023).

¹⁹ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts. Adopted on 8 June 1977. Wikisource: website. URL:

https://en.wikisource.org/wiki/Geneva_Convention/Protocol_I#Article_85_-_Repression_of_breaches_of_this_Protocol (Accessed: 20.02.2023).

²⁰ Rule 7. International Humanitarian Law Databases: website. URL: <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule7> (Accessed: 20.02.2023).

²¹ Короткий Т., Савченко Я., Халіков Р. Чому важливо документувати воєнні злочини проти релігійних споруд і як робити це правильно. Юридична газета online: всеукраїнське професійне юридичне видання. URL: <https://yur-gazeta.com/publications/practice/mizhnarodne-pravo-investiciyi/chomu-vazhlivo-dokumentuvati-voenni-zlochiny-proti-religijnih-sporud-i-yak-robiti-ce-pravilno.html> (Accessed: 20.02.2023).

²² Проект Закону про внесення змін до Кримінального кодексу України та Кримінального процесуального кодексу України. Верховна Рада України: офіційний вебсайт. URL: <https://itd.rada.gov.ua/billInfo/Bills/Card/39449>. (Accessed: 20.02.2023).

of accommodation for the sick and wounded, if such objects are not a military target, will be recognized as a war crime " (438-2, P. 2., p. 4). If this or a similar law is adopted, Ukrainian investigative bodies will be able to conduct criminal cases for attacks on churches independently, without appealing to international authorities, on the basis of national legislation. Therefore, it will allow the application of the sanctions available in the context of national law towards the suspected war crimes.

Indications of war crimes:



Damage or destruction of a religious building



Use of a religious building for military purposes



Looting during the occupation, persecution of believers, etc.

A significant number of attacks on religious buildings contain indications of war crimes. These crimes can be classified under different articles depending on the nature of the damage caused to the building/community:

Damage or destruction of a religious building

There are no separate norms for the protection of religious objects in the criminal law of Ukraine. However, the damage of religious buildings falls under the norm of Article 438 of CCU. Thus, according to it, the looting of national values in the occupied territory, the use of means of warfare prohibited by international law, other violations of the laws and customs of war provided by international treaties, the consent to the binding of which was given by the Verkhovna Rada of Ukraine, as well as the issuing of an order on committing such acts is punishable by imprisonment for a term of eight to twelve years, and the same acts, if they are combined with intentional murder, are punishable by imprisonment for a term of ten to fifteen years or life imprisonment²³. This type of damage is the most common among the cases documented by the Religion on Fire team. Since it is often impossible to reconstruct the situation in which a building was damaged, or there is no evidence of its military use or looting before/after destruction or damage, the lion's share of objects fall into this category.

²³ Кримінальний кодекс України. Відомості Верховної Ради України, 2001, № 25-26, с. 131.

Use of a religious building for military purposes

It should be noted right away that there are legislative exceptions due to military necessity (Article 4 (2) of the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict).²⁴ In the case of military use of cultural property under special protection and its surrounding area, the opposing party is released from the obligation to respect its immunity (Article 11 (1) of the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict).²⁵ That is why precedents can occur when, in case of use of religious buildings for military purposes, they cease to be protected in a special way and can serve as an object of attack.

Religion on Fire team has documented the following cases of use of religious buildings by Russian servicemen for military purposes: placement of the headquarters of a unit of the Russian armed forces in the Church in Honor of the Pochaiv Icon of the Mother of God (UPC (MP), Bucha, Kyiv region)²⁶; placement of a combat position in the Church of the Intercession of the Mother of God (UPC (MP), Mariupol, Donetsk region)²⁷; placement of a sniper and an adjuster at the bell tower of the Church of the Ascension (at the time of the attack UOC MP, now OCU, Bobryk village, Brovary district, Kyiv region)²⁸; placement of the headquarters and ammunition warehouse of the Russian armed forces in the Ascension Church (UPC MP) (Lukashivka village, Chernihiv region)²⁹; placement of the headquarters and hospital in the Holy Trinity Church (UPC MP) (Mala Komyshevakh village, Kharkiv region).³⁰

²⁴ Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict. UNESCO: official website. URL: <https://www.unesco.org/en/legal-affairs/second-protocol-hague-convention-1954-protection-cultural-property-event-armed-conflict> (Accessed: 20.02.2023).

²⁵ Ibid.

²⁶ Information gathered by the project field group during the field trip to Bucha on July 2, 2022.

²⁷ В Мариуполе оккупанти захопили храм Московського патріархату і ведуть із нього огонь. Діалог.UA: вебсайт. URL: https://www.dialog.ua/war/248625_1648132678 (Accessed: 20.02.2023).

²⁸ Information gathered by the project field group during the field trip to Brovary district, Kyiv region, on September 24, 2022.

²⁹ У церкві на Чернігівщині, де був штаб рашистів, знайшли тіла закатованих людей. Духовний фронт України: вебсайт. URL: <https://df.news/2022/04/09/u-tserkvi-na-chernihivshchyni-de-buv-shtab-rashystiv-znajshly-tila-zakatovanykh-liudej/> (Accessed: 20.02.2023).

³⁰ Оприлюднено світлина сплюндрованого окупанми Свято-Троїцького храму в Малій Комишувасі. Релігійно-інформаційна служба України: вебсайт. URL: https://risu.ua/oprilyudneno-svitlini-splyundrovanogo-okupanami-svyato-troyickogo-hramu-v-malij-komishuvasi_n132270 (Accessed: 20.02.2023).



Ascension Church, Lukashivka village, Chernihiv region. Photo: Religion on Fire.

Cases of using prohibited methods and means of warfare require special attention. For example, Russian troops targeted the St. Transfiguration Cathedral in Chernihiv with cluster bombs, and the Church in honor of St. Apostles Peter and Paul in Makariv, Kyiv region, the Russians targeted n with the Grad multiple rocket launcher system. All of the above can be qualified as indiscriminate shelling, which is a serious violation of international humanitarian law and a war crime³¹.

Looting during the occupation, persecution of believers, etc.

The experts of Religion on Fire project recorded numerous cases of interference by the occupiers in the activities of religious organizations. So, for example, the Melitopol media resource "Ria-Melitopol" reports on the so-called "nationalization" of the Church of Evangelical Christians Grace in Melitopol, Zaporizhzhia region, on September 11, 2022. During the service, the Russian military broke into the church. In addition, the publication writes: "The Russian military took the passport information of the parishioners and accused them of "connection with the USA". After that,

³¹ Короткий Т., Савченко Я., Халіков Р. Чому важливо документувати воєнні злочини проти релігійних споруд і як робити це правильно. Юридична газета online: всеукраїнське професійне юридичне видання. URL: <https://yur-gazeta.com/publications/practice/mizhnarodne-pravo-investitsiyi/chomu-vazhlivo-dokumentuvati-voenni-zlochiny-proti-religiy-nih-sporud-i-yak-robiti-ce-pravilno.html> (Accessed: 20.02.2023).

the occupiers announced that they would "nationalize" the church."³² At the beginning of 2023, this community ceased its activities.

The OCU church in the village of Rusky Tyshky, Kharkiv region, was looted and then intentionally burned by the occupiers, according to the Kharkiv Eparchy of the OCU³³. It is also known about numerous episodes of closing and robbing of kingdom halls of Jehovah's Witnesses in Luhansk (Kreminna, Lysychansk), Kherson (Lazurne, Velyka Oleksandrivka, Kalanchak, Komyshany, Berislav, Kherson), Zaporizhzhia (Voznesenka, Melitopol), Kyiv (Hostomel), Kharkiv (Kupiansk, Liptsi, Merefa), Donetsk (Mykilske, Mariupol) regions³⁴.

It is worth noting that criminal cases have already been initiated for the destruction or damage of some religious buildings. In particular, according to the Department for the Implementation of Humanitarian Policy of the Kherson Regional State Administration, criminal cases have been initiated in Velyka Oleksandrivska community of the Berislav district, Kherson region, regarding the damage to 13 religious buildings³⁵. Also, according to the National Police Office in Chernihiv Region, on May 10, 2022, the Chernihiv District Police Office of the Main Office of National Police in Chernihiv Region received an appeal from the head of the village council regarding the damage during shelling by Russian troops to the premises of the church in the village of Borivka of the Chernihiv district. On November 15, 2022, the Chernihiv District Police Office of the Main Office of National Police in the Chernihiv region received a citizen's appeal regarding damage during the shelling by Russian troops of a non-residential premises in the city of Chernihiv, which belongs to the religious organization "Chernihiv Local Religious Community of Jehovah's Witnesses". Both appeals have signs of a criminal offense provided in Part 2 of Article 438 of the Criminal Code³⁶. Similar cases are also recognized in Dnipropetrovsk, Zaporizhzhia, Kharkiv, Kyiv and Luhansk regions.

³² Телеграм-канал РІА-Мелітополь. URL: <https://t.me/riamelitopol/68368> (Accessed: 20.02.2023).

³³ Російські окупанти знищили храм ПЦУ на Харківщині. Харківська єпархія ПЦУ: офіційний вебсайт. URL: <https://cerkva.kharkov.ua/novini/he/3125.html> (Accessed: 20.02.2023).

³⁴ Information provided by an official representative of Jehovah's Witnesses.

³⁵ Додаток до Листа Департаменту реалізації гуманітарної політики Херсонської ОДА №139-Вс від 01.03.2023.

³⁶ Лист Слідчого управління Головного управління Національної поліції у Чернігівській області №07/Н-Ззі від 15.02.2023.

CHALLENGES ENCOUNTERED BY THE PROJECT TEAM



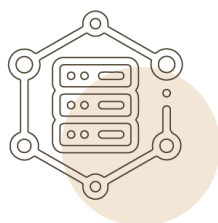
Collection of primary information and monitoring, field trips of the research group, as well as during documentation, the project team encountered a number of difficulties and challenges of both practical and theoretical nature.

It is worth looking at these problems in more detail, because, firstly, some of them are of a systemic nature and arise during the work of other documenters. It is important to fix and analyze the causes of these problems, because they can be solved by involving in communication with the representatives of state authorities, religious organizations and the public sector. Secondly, if solving a particular problem is impossible in the conditions of military operations, then fixing these problematic moments can lead to qualitative changes in policies or norms that will be possible under other circumstances in the future. Thirdly, the description of these difficulties and challenges allows for a comprehensive understanding of the process of documenting specific war crimes against religious communities, which has its own peculiarities.

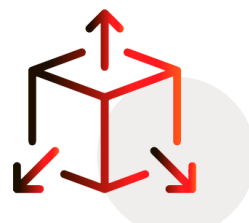
Challenges Encountered by the Project Team:



Collection of data from occupied territories and with active hostilities taking place



Incomplete or unverified information



Identification of the location of the religious building and determination of its coordinates

Challenges can be organized in the following groups:

Collection of data from occupied territories and with active hostilities taking place

Information about damaged or destroyed religious objects from the occupied territories and those where active hostilities are taking place is very limited. This is one of the most important problems, because we understand that we cannot record and document these war crimes, which makes it impossible to present the complete statistics of damaged and destroyed buildings.

However, even after the de-occupation and liberation of the territories, information is made public gradually and incompletely. Therefore, recording of facts and documentation of damage and destruction takes place with certain delays in time. We predict that new information about war crimes will continue to appear for a long time even after the victory of Ukraine.

Incomplete or unverified information

During monitoring from open sources, we observe uneven reporting on the damage and destruction of buildings during the Russian-Ukrainian war on the official resources of various religious organizations of Ukraine: some write a lot and in detail about the damage (providing photo evidence and thorough descriptions), while others generally avoid the topic of war and its consequences for religious communities. Sometimes information from individuals about the damage and destruction of religious buildings emerges in social media, and therefore recording and documenting such cases requires separate additional clarification to verify the published data.

It should be noted that weak damage to religious buildings is often not taken into account and is not recorded in any way. Such damage is fixed by the religious community on its own. And this makes it impossible to record and document the damage to the building as a result of the actions of the Russian army.

Identification of the location of the religious building and determination of its coordinates

One of the stages of documentation is the identification of the location of the religious building. The project team had difficulties with identifying the building location, and it was also problematic to determine their GPS coordinates.

For example, during the search for information about the location of the completely destroyed the Chapel in honor of Seraphim of Sarov and St. Nicholas Chapel in Sievierodonetsk. Since the chapels do not belong to specific religious communities, their address is not registered, and it is impossible to understand from the photographs of the ruins of the chapels exactly where they are located on the map of Luhansk region. The situation was complicated by the fact that there are identical chapels on all seven roads leading to the city, so without data on the location of specific chapels, it was impossible to specify their coordinates. Only after contacting a parishioner of one of the churches of the diocese, we were able to find out the location of each of the destroyed shrines and enter the relevant information into the database.³⁷

The problem of identifying the location and geographical coordinates of religious buildings has revealed a number of challenges of both legal and practical dimensions: firstly, sometimes the

³⁷ For more examples see: Басаури Зюзіна А.М., Лещинський А., Нікіфоров К., Підгорна Л., Севастьянів У., Фенно І., Халіков Р. "Релігія в огні": проєкт документування воєнних злочинів Росії в Україні. Релігієзнавчі нариси. 2022. №12. С. 24-41

official legal address where a religious organization is registered differs from the place of its religious activities, so it is simply impossible to find the actual address in open sources. This applies to religious buildings on the territory of medical institutions, educational institutions or buildings in small villages, etc. Secondly, there is a certain difference in the placement of religious buildings on various electronic maps, such as Google, or Yandex. Sometimes we are forced to turn to a resource of Russian origin, because on this service you can find a specific building if there is no such object on Google Maps. Thirdly, it is not clear whether information is collected and recorded at all by the relevant state bodies regarding the presence, functioning and actual address of "small" buildings of religious purpose (for example, chapels, roadside crosses, etc.).

CONCLUSIONS AND RECOMMENDATIONS

In March 2022, members of the NGO Workshop for the Academic Study of Religions began working on the Religion on Fire project to record crimes against religious communities of Ukraine after the full-scale invasion of the Russian Federation. With the understanding that this war will not end quickly, and the number of crimes against religious freedom will only increase, the project team established cooperation with government services, human rights organizations, public sector and international community of religious study scholars to reach a qualitatively new level of work on the project.

During the year, experts of the project have been monitoring open sources, carrying out field trips to de-occupied territories, exchanging information with state institutions and military administrations, as well as with the representatives of religious organizations. In this way, it was possible to collect information about more than 415 religious buildings, damaged or destroyed during the war, for the database of the project. At the same time, information about the current results of the project was regularly published on the Facebook page of Workshop for the Academic Study of Religions and Religion on Fire Twitter. Informing the Ukrainian and international community about the project in general and war crimes against religious communities of Ukraine in particular has been also carried out due to the preparation of materials, interviews for mass media, speeches of our experts at conferences, round tables, symposiums and briefings.

Thanks to the EU Emergency Support 4 Civil Society project, implemented by ISAR Ednannia with the financial support of the European Union, the website Religion on Fire was created. It contains information about damaged and destroyed religious buildings during the Russian-Ukrainian war. Project work will continue until the last war crime against the religious communities of Ukraine, committed by the aggressor state, is documented, and the criminals are brought to justice.

Recommendations for State Agencies and International Human Rights Organizations

1. Energize the documentation of war crimes. During the year of the full-scale invasion of Ukraine by Russian troops, the latter have committed and, unfortunately, continue to commit war crimes of varying severity. Each such crime must be recorded, the criminal must be brought to justice, and the victim must exercise their right to protection and justice. Gross violations of the rights of religious communities are no exception, so the experts of Religion on Fire project have been actively working on documenting war crimes against religious freedom for over a year.

2. Advance Ukrainian legislation. The existing new types of crimes caused by military actions on the territory of Ukraine require the improvement of national legislation, the elaboration of new, more effective mechanisms for bringing the guilty to justice. This especially applies to crimes against religious freedom, because the Ukrainian legislation does not regulate clearly such types of crimes.

3. Assist religious minorities. Despite the fact that Ukrainian legislation guarantees religious pluralism and the equality of religious communities on our territory, religious minorities remain the most vulnerable during the Russian-Ukrainian war. It is important to record all war crimes and damages caused by the troops of the aggressor country to religious minorities, if possible to help restore their activities in the de-occupied territories. In the long term, the state, public, human rights, and international humanitarian organizations should promote quality advocacy and financial support of religious minorities, as well as take into account their interests in compensation for material and moral damages by the aggressor country.

4. Introduce sanctions against Russian religious leaders. Virtually all religious leaders in the Russian Federation support the war in Ukraine, call for the continuation of hostilities, and sometimes directly encourage the annihilation of Ukrainians and everything Ukrainian, including churches, monasteries, mosques, etc. Such leaders should be subject to sanctions and criminal proceedings to prevent them from promoting the positions of the Russian political leadership abroad.

5. Underpin the attention of the world community to war crimes in Ukraine. During the year of hostilities, information about Ukraine and the war crimes of the Russian military in those territories has been constantly in the news charts of the leading world media. The political, cultural and public leaders continue to voice this information. At the same time, war-weary narratives are spreading,

economic stability is shaking, and sanctions against the aggressor country have the opposite effect. Territorially, the war is taking place in Ukraine, but its consequences are felt all over the world. That is why it provokes, so far, isolated calls for negotiations or the division of the territories of Ukraine in order to stop the war and "satisfy" both sides. But after a year of war, which is still ongoing, hundreds of thousands of victims, destruction and damage caused to Ukraine in general, we have no right to give even a piece of our land. Therefore, it is important to inform the world community about the crimes of the Russian army in order to restore justice.



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Religion on Fire



https://en.religiononfire.mar.in.ua/wiki/Main_Page



https://twitter.com/Religion_Fire



https://www.youtube.com/watch?v=ceTQ_SDCmus&list=PLD4ff6oXooZd2mp5jhyLSTkzbdQ1ury3Z

