

5 January 2024

The President

**The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500**

Via email: president@whitehouse.gov/comments@whitehouse.gov

Dear Mr. President

RE: The Ukrainian Orthodox Church and Freedom of Religion in Ukraine

I write to draw urgent attention to the attack on religious freedom currently taking place in Ukraine. My client, the Ukrainian Orthodox Church, is facing threats to its very existence by the Ukrainian authorities. Not only will this destroy a centuries old institution, but it will also deprive many Ukrainians of a church they call home. I include with this letter an extensive White Paper my firm has prepared, which examines the arbitrary and authoritarian measures being meted out against the Church.

The Ukrainian Orthodox Church has a complex history of subjugation to the Russian Orthodox Church. However, after Russia's invasion of Ukraine, the Church declared its independence and has played a vital role in supporting the country's efforts in the war. This includes using its considerable presence in Europe to support Ukrainian refugees. Regardless of these efforts, the authorities in Ukraine have falsely accused the Church of collaborating with the Russian regime. Of particular concern are the arrests of clerics on spurious charges. These have been carried out in an arbitrary way that calls in to question Ukraine's commitment to the rule of law. There are even highly concerning signs of evidence-planting in some of these cases.

The Ukrainian Government has also introduced legislation that will ban the Church and its activities. The draft law passed its first reading in October 2023 and its second reading is imminent. The legislation is deficient in several regards, and it breaches international legal commitments that Ukraine has made. As a party to the European Convention on Human Rights, Ukraine has agreed to uphold the standards of human rights in a modern democracy. The legislation fails to meet criteria for limiting the freedom of religion as provided by the Convention and case law of the European Court of Human Rights.

There is no conceivable way the prohibition of the Ukrainian Orthodox Church is a necessary or proportionate act. Instead, it is an overly punitive attack that will cause serious harm to Orthodox Ukrainians. As a candidate to join the EU, with all the obligations this entails, there

is now a very serious question mark over Ukraine's commitment to human rights and the rule of law. This will have dire ramifications for Ukraine's entry into the European Union and its place in the Western world.

I call on you to raise this issue with the office of the President of Ukraine as a matter of utmost urgency. Ukraine must stop its attacks on the Ukrainian Orthodox Church and suspend its efforts to ban this historic institution.

With deep appreciation of your urgent consideration of this matter, respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Amsterdam', is centered on a light yellow rectangular background.

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Enclosure: White Paper prepared by Amsterdam & Partners LLP