







CONSCIENTIOUS OBJECTION TO MILITARY SERVICE IN UKRAINE 2022-23

	 Conscription:	Yes	Reintroduced in 2014 (earlier suspended in 2012).
 Conscientious objection:		1991	First recognised in the Law of Ukraine "On Alternative (Non-Military) Service" № 1975-XII of 12 December 1991.
Service 	Military: * <i>Martial law</i>	18	12 months for holders of master's degree. Indefinite/prolonged under martial law until demobilization.
	Civilian: * <i>Martial law</i>	27	18 months for holders of master's degree. Suspended under martial law, with irregular exceptions.
Minimum 	Conscription:	18	Compulsory in the age of 18-26 (18-60 under martial law).
	Voluntary enlistment:	17	Under 18 for military schools: 17 for cadets
More 	https://ebco-beoc.org/ukraine		

Based on EBCO annual report 2022-23. Last update 9 June 2023 by Ukrainian Pacifist Movement.

Conscientious objection to military service in Ukraine, insufficiently protected by Ukrainian law before 2022, was effectively denied on disputed legal grounds (with small number of exceptions) by wartime policies after introduction of martial law because of full-scale Russian invasion on 24 February 2022. Conscientious objectors risk to be forcibly conscripted, detained, persecuted for their refusal to take arms, suffer from social stigma, lack of legal recognition and access to alternative service, inability to leave the country.

International critique of wartime and previous human rights violations related to compulsory military service, apparently, were ignored by the government of Ukraine – as in previous years, before full-scale invasion, recommendations of international human rights institutions and organizations regarding protection of the right to conscientious objection were apparently ignored by the government and law enforcement agencies of Ukraine, relevant legislation was not changed in accordance with international human rights standards and perpetrators of arbitrary detentions of conscripts were not held accountable. In result, harsh stopping and arrests of conscripts at the streets, their abduction and

arbitrary detention became usual and even partially legalized practice¹, despite some scandalous cases are formally investigated²³ (there is no information regarding trials on perpetrators).

After introduction of martial law, regular term-limited conscription planned for 2022 by presidential decree in December 2021 was cancelled by a presidential decree in April 2022. Instead, term of service of conscripts was prolonged until the end of martial law, which continues with no signs of ending when this report was written, and military mobilization measures were taken (with new draftees conscripted for indefinite term) to increase size of army four times, so its current size exceeds one million of soldiers.

Conscription in Ukraine during martial law and military mobilization engages all males in the age from 18 to 60 with mandatory military registration of males from the age of 16 and female professionals in medicine or pharmacy. Military registration includes medical examination of fitness for service, and in absence of reasons for deferral, especially when personnel is needed because of losses on frontline, anybody could be conscripted immediately when declared fit to serve. In a number of cases military medics scandalously failed to find unfit crippled and seriously ill people. For these reasons many people fear to undergo military registration even when served with an order (summons) and failure to appear could entail a significant fine. To coerce people for military registration, regulations regarding presenting proofs of it in many spheres of civilian life are introduced. For example, military ID is usually asked for mandatory registration of place of residence, to access education, employment, marriage, social security benefits and other state services.

Ukrainian Parliament Commissioner for Human Rights reluctantly admits "failure to observe citizens' rights during the mobilization," including "mistakes made during the mobilisation (inadequate medical examination of those liable for military service by military medical commissions, conscription of the persons who have a deferment pursuant to the effective legislation)," in 2022 annual report.⁴

All males in age from 18 to 60 are considered subjects to military service unless exempted, they can't change place of residence without permission of the local military commissar and prohibited from leaving Ukraine, with some exceptions; as was noted by UN human rights monitors, this policy is questionable both in its legality and reasonableness of breaching human rights⁵⁶.

¹ Robeyko Olga, "The lawyer commented on the video, when Ukrainians are taken by force to military commissariats," UNIAN, 18.03.23 (in Ukrainian), <https://www.unian.ua/society/viyskovozobov-yazanih-ukrajinciv-pakuyut-v-avto-y-tyagnut-do-viyskkomatu-advokat-poyasniv-chi-zakonno-ce-12183474.html>

² Hard detention of a man during the delivery of conscription orders in Odesa: an official investigation is scheduled (video), TSN 23.01.23 (in Ukrainian), <https://tsn.ua/ukrayina/zhorstke-zatrimannya-viyskovozobov-yazanogo-v-odesi-priznachenno-sluzhbovu-perevirku-video-2249212.html>

³ Tetyana Lozovenko, Valentina Romanenko. "A man from Odesa was harshly detained by the Military Commissariat in the middle of the street. The South Operative Commandment says: the guilty will be punished". Ukrainska Pravda, 14 February 2023 (in Ukrainian), <https://www.pravda.com.ua/news/2023/02/14/7389339/>

⁴ Report on the Observance and Protection of Human and Civil Rights and Freedoms in Ukraine in 2022 by Parliament Commissioner for Human Rights, <https://ombudsman.gov.ua/report-2022/en/>

⁵ <https://www.ohchr.org/en/documents/country-reports/situation-human-rights-ukraine-context-armed-attack-russian-federation>

⁶ Amy Maguire, "Why banning men from leaving Ukraine violates their human rights," <https://theconversation.com/why-banning-men-from-leaving-ukraine-violates-their-human-rights-178411> ; "Sasha and Nikita are two young pacifists who don't want to fight and are now stranded in Lviv as internally displaced persons. They are not allowed to leave the country - all Ukrainian males between the ages of 18 and 60 are forbidden from doing so," (in German), <https://www.instagram.com/p/CaxMFGOKfW7/c/17920321619132077/>

Legal recognition of conscientious objection in Ukraine is regulated by the restrictive 1991 law of Ukraine on alternative non-military service⁷, usually applied by the military recruitment centers and by local administrations, responsible for organization of the alternative service, in varying interpretations. Going beyond these restrictive regulations, it is theoretically possible to invoke broader norms of Art. 35 (4) of the 1996 Constitution of Ukraine, Art. 18 of ICCPR and Art. 9 of ECHR which formally are part of Ukrainian legislation, but in the most cases such appeal to broader norms is ignored or rejected with reference to restrictive regulations of the said law, even by courts, with very few exceptions. Ukrainian government is not willing to comply with international human rights law in this regard and imposed restrictions on the right of freedom of expression for public critique of Armed Forces of Ukraine and advocacy of conscientious objection to military service in Ukraine⁸. After the international scandal around imprisonment of Vitaliy Alexeenko for conscientious objection, some officials claim that government could consider again legal recognition of conscientious objection, though it was rejected before⁹.

Practice of denial to recognize conscientious objection in military recruitment offices is explained by a letter of the Ministry of Defence of Ukraine of 21 August 2022 which says: "Due to martial law, since 24.02.2022 the temporary military service in Ukraine is no longer implemented. Therefore, the implementation of alternative service is not applicable."¹⁰ However, even Ukrainian national human rights institution recognizes illegitimacy of such practices. According to the letter of the Commissioner for Human Rights of the Verkhovna Rada of Ukraine Dmytro Lubinets to the Executive Secretary of the Civic Organization "Ukrainian Pacifist Movement" Yurii Sheliashenko No. 241.8/Ш/160.7/23/23/55 dated 03.03.2023: "legal norms according to which the right of the State to oblige its citizens to undergo military service is not absolute and is limited to the right of every person to refuse to perform military service, in particular for reasons of religion, are established in international treaties, the consent to the binding legal force of which was given by the Verkhovna Rada of Ukraine, in particular in the article 9 of the Convention on the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as the Convention), as well as Article 18 of the International Covenant on Civil and Political Rights. At the same time, the right to refuse military service based on religious beliefs is absolute. Therefore, the state cannot impose restrictions on the freedom to practice one's religion through compulsory military service. Although the procedure for resolving the issue of referral to alternative (non-military) service is regulated by the provisions of the Law of Ukraine "On Alternative (non-military) Service", which does not contain legal norms regarding the

⁷ Main problems of the said 1991 law are that the right to conscientious objection to military service is not recognized for (1) those who hold non-religious beliefs incompatible with military service, (2) those who do not belong to religious organizations of particular 10 confessions specified in governmental decree, and (3) those who developed conscientious objection while conducting military service. Also, it envisages disproportionate length of alternative service, 1.5 times longer than military service, in absence of plausible explanations of such disproportion. Procedure of application for alternative service too lacks of fairness.

⁸ <https://www.ohchr.org/sites/default/files/documents/issues/2022-07-12/ukrainian-pacifist-movement-HRC50.pdf>

⁹ Viktor Yelensky, head of the State Service for Ethnic Policy and Freedom of Conscience, told Forum 18 on 3 May 2023 that he has been pushing for all conscientious objectors to be allowed to do alternative civilian service. "All my efforts have been rejected. It is really not easy to reach this goal when we have such heavy losses in battle." On 2 June, Yelensky told Forum 18 that the government is considering amendments to the 1992 Alternative Service (Non-Military) Law possibly to allow individuals to apply to replace military service during mobilisation "with a special period of alternative (non-military) service". He said his State Service for Ethnic Policy and Freedom of Conscience as well as the Human Rights Ombudsperson have already sent their comments to parliament and the Cabinet of Ministers. No details of the proposed amendments have been made public. https://www.forum18.org/archive.php?article_id=2836

¹⁰ Ukraine suspended right to conscientious objection to military service. Connection e.V. (05.09.2022). <https://en.connection-ev.org/article-3614>

conscription of citizens of Ukraine for military service during mobilization for a special period - the Constitution of Ukraine and international treaties have higher legal force (superiority over other domestic legislative acts), and therefore the right of a person to alternative service (i.e., exemption from military service upon conscription) is absolute and cannot be limited due to the absence (lack of regulation by the laws of Ukraine) of the procedure for replacing military service with alternative service during martial law"¹¹

Since privileged confessions, traditionally allowed to alternative service, established special relations with military authorities, they are not willing to advocate right to refuse to kill publicly and almost never describe themselves as pacifist churches. In reward for such loyalty, public support of army and war effort, humanitarian aid to army and population, and sometimes because of corruption arrangements, such small and insular communities, or at least members of their leading families, could be spared from some burdens of mobilization, and their male clergy even could be allowed to travel abroad. There are signs of pressure on religious communities by the military, for example, when recruitment center successfully challenges in the court inaction of police in rare case when police refuses to open criminal investigation after a crime report accusing in draft evasion a CO who belongs to one of privileged churches.

Number of reported COs on alternative service by regions of Ukraine in 2022, comparing to 2021

Region / # of COs, year	2022	2021
Chernihiv Oblast	6	17
Chernivtsi Oblast	33	150
Dnipropetrovsk Oblast	29	54
Donetsk Oblast	27	52
Ivano-Frankivsk Oblast	78	141
Kharkiv Oblast	68	93
Khmelnyskyi Oblast	43	112
Kirovohrad Oblast	28	37
Kyiv (city)	32	46
Kyiv Oblast	24	43
Luhansk Oblast	1	11
Lviv Oblast	74	130
Odessa Oblast	37	41
Sumy Oblast	26	35
Ternopil Oblast	25	33
Vinnytsia Oblast	12	36
Zakarpattia Oblast	39	61
Zaporizhzhia Oblast	21	52
Zhytomyr Oblast	14	30

While the army insists, that during martial law alternative service is not allowed, local administrations (turned into local military administrations with introduction of martial law) more or less embrace this position but may deviate from it. Using their discretion, local military administrations in some cases: allowed some COs to continue their alternative service under martial law (at least in 18 oblasts of 24 and Kyiv city); prolonged term of alternative service until the end of martial law saving COs from obligation to undergo military registration and risk to be conscripted after the end of their alternative service

¹¹ Letter of Ukrainian Parliament Commissioner for Human Rights Dmytro Lubinets, 3 March 2023, <https://t.me/sheliazhenko/137>

(Brovary Raion of Kyiv Oblast); granted or held pending applications for alternative service under martial law (Dnipropetrovsk, Chernihiv and Sumy Oblasts, Kyiv city). There are, however, lot of cases when local administrations rejected applications of conscientious objectors or terminated alternative service under martial law. For example, in 2022 local military administrations of Ivano-Frankivsk region rejected 117 (i.e. 100% of) applications for alternative service, 104 of which were lodged under martial law. In Kyiv oblast, some COs were allowed to continue alternative service but for others it was terminated.

Annual survey of Ukrainian Pacifist Movement revealed 53% decrease at the end of 2022 in number of conscientious objectors at alternative service among regions where local military administrations provided relevant numbers (among those who refused, one answer was "information became a weapon and its dissemination now could damage safety of people"). Lacking updated information from Volyn, Mykolaiv, Poltava, Rivne, Kherson and Cherkasy Oblasts, we can confirm that 617 COs conducted alternative service in Ukraine in 2022, comparing to 1659 in 2021.

Oppressive treatment of objectors, pressure on human rights defenders and advocates who dares to criticize and oppose abuses of army including those related to conscription, lack of respect to human rights and peace culture in society which allows to exist shameful stigma around refusal to serve in army are factors that erode difference between conscientious objection and draft evasion. Without proper peace studies, legitimization of conscientious objection and development of legal popular peace movements, transparently financed, ethically consistent and, at least, tolerated (if not joined) by elite, this immoral erosion is inevitable.

In such circumstances, usual ways to avoid compulsory military service, apart of picking from tight circle of legal exemptions and deferrals (among which, perhaps only the enrolment to higher education institutions is accessible by choice; number of male students on paid courses increased almost twice¹²; appointment of new minister of education and science with militarist public image raised concerns that exemptions for students could be abolished¹³, but even before that Ukrainian Parliament Human Rights Commissioner reported that "students obtaining pre-higher and higher education who study full-time are conscripted during mobilisation for the special period, without their consent"¹⁴), are evasion of military registration, any visits to recruitment offices or any encounters with officers serving summons (some people prefer to sit home for that purpose).

Also, there is a shadow market extorting bribes from evaders, selling corruption services such as fraudulent exemptions and cross border smuggling.

Number of people fined for attempts to cross the border illegally increased from 2159 in 2021 to 5707 in 2022; according to the State Border Guard of Ukraine, during a year of martial law, as on March 2023, number of people stopped when attempting to leave Ukraine bypassing checkpoints was 11 000 and 4 000 of "evaders" additionally were stopped at border checkpoints when trying to leave Ukraine with forged documents or in other illegal manner. Usually, people purchase anonymous instructions how to cross the border, in that way traffickers protect themselves, but there were 120 sentenced for trafficking in 2022 comparing to 60 in 2021. Choice in favor of black market is understandable, because the war is breaking lives; one student prohibited from leaving Ukraine threatened to commit

¹² How Ukrainian universities make money from the war. Tens of thousands of fictitious students avoid mobilization. The existing system of higher education helps them in this (in Ukrainian). <https://ngl.media/2023/04/24/yak-ukrayinski-universytety-zaroblyayut-na-vijni/>

¹³ Militarist and Plagiarist Oksen Lisovyi Should not Be Ukraine's Minister of Education and Science: Report of the Ukrainian Pacifist Movement, <https://ssrn.com/abstract=4408126>

¹⁴ Report on the Observance and Protection of Human and Civil Rights and Freedoms in Ukraine in 2022 by Parliament Commissioner for Human Rights, <https://ombudsman.gov.ua/report-2022/en/>

suicide, other students organized regular protests at Shehyni checkpoint and were beaten by the border guards.¹⁵¹⁶

In 2022 for several thousands of dollars it was possible to buy on the black market a permission to go abroad as driver of humanitarian aid truck, even if you don't have driver's license. Practices of unjust enrichment of military commissars, entitled to permit people to go abroad at their discretion, and other officers and officials by corruption related to conscription is well-known, and law enforcement agencies regularly report about arrests, but nobody dares to change rules of the cruel "game" making it fairer for those who refuse to kill.

Number of persons, sentenced by courts for crimes related to evasion of military service in Ukraine

Art. of Criminal Code of Ukraine / Year	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
335 (evasion of conscription)	112	152	182	313	215	136	86	38	7	22	19
336 (evasion of conscription during mobilization, special time, by reservists)	186	2	1	11	13	45	220	935	139	0	0
337 (evasion of military registration or military gatherings)	12	34	73	156	110	21	3	2	0	0	0
407 (unauthorized abandonment of military unit)	1036	1407	1506	2189	2267	2128	1937	1545	153	22	29
408 (desertion)	154	220	152	239	224	381	307	171	29	2	1
409 (evasion of military service by self-harm or alike)	19	8	8	3	3	6	25	92	23	11	11

Conscientious objectors, even when their statements about beliefs incompatible with military service are documented by investigation or the court, are usually treated as regular draft evaders subject to Art. 336 of the Criminal Code of Ukraine: evasion of conscription during mobilization, in special time, by reservists is punishable with three to five years of imprisonment. Procedural law allows the court to suspend the sentence, replace incarceration with probation or shorten it.

Vitaly Alekseenko, a Protestant Christian conscientious objector and internally displaced person, was sentenced to one year of imprisonment for his refusal to kill and jailed after the court of cassation upheld the sentence¹⁷. EBCO's President Alexia Tsouni visited the prisoner of conscience in the state institution "Kolomyiska Correctional Colony (No. 41)" and delivered to him postcards with messages of solidarity from a series of individuals and organisations in different countries (Belgium, France, Germany, Greece, Italy, Netherlands, Türkiye and Ukraine), as well as photos of protest actions against his imprisonment at the Ukrainian embassies worldwide.¹⁸ At the public hearing of European Parliament, EBCO's Vice President Sam Biesemans urged for his immediate and unconditional release, Dietmar Köster MEP expressed support to the call¹⁹. On 25th May 2023, Supreme Court quashed

¹⁵ A student from Kharkiv was going to commit suicide because of the ban on traveling abroad. Kharkiv Today, September 5, 2022, <https://2day.kh.ua/ua/kharkow/kharkivskyy-student-zbyravsvya-skoyity-samohubstvo-cherez-zaboronu-na-vyyizd-za-kordon>

¹⁶ Ukrainian student was brutally beaten up, <https://www.youtube.com/shorts/3hgMThRaMbA>

¹⁷ Felix Corley. UKRAINE: Conscientious objector now jailed. Forum 18 (27 February 2023), https://www.forum18.org/archive.php?article_id=2813

¹⁸ <https://ebco-beoc.org/node/560>

¹⁹ <https://ebco-beoc.org/node/555>

Alekseenko's verdict, released him and ordered retrial; concerns remain that he was not acquitted²⁰, and the decision of Supreme Court²¹ is ambivalent recognizing difference between evasion and conscientious objection, ordering that the court of first instance should apply international human rights treaties, but also citing laws on military duty and alternative service in a way that quashed guilty verdict despite of contested constitutionality of the law on alternative nonmilitary service, a key question of law which Supreme Court failed to address. The Ivano-Frankivsk City Court scheduled first hearings in Alexeenko's retrial on 22nd June.

Andrii Vyshnevetsky, a Christian pacifist, is held at frontline unit of the Armed Forces of Ukraine despite he declared conscientious objection and asked for discharge. Commandment of Ground Forces denied him a right of discharge on the grounds of conscience, referring to current regulations of military service by the law and presidential decrees. He submitted a lawsuit asking the Supreme Court to order President Zelensky to establish the procedure of discharge from military service on the grounds of conscience.²² On 22nd May 2023, the Supreme Court allowed the Ukrainian Pacifist Movement to join the case as a third party who does not make independent claims regarding the subject of the dispute, on the side of the plaintiff. The next court session in the Vyshnevetsky's case is scheduled on 26 June 2023.²³

Ruslan Kotsaba, a journalist and Christian pacifist accused in treason and obstruction of army's activities because of a YouTube blog posted in 2015 calling to boycott military mobilization for armed conflict in eastern Ukraine, is still under a trial at the time of preparation of this report. He was held in pretrial detention over 500 days²⁴, proclaimed prisoner of conscience by Amnesty International and political prisoner by U.S. Department of State, acquitted and released in 2016, then under a pressure of armed mob higher court quashed his verdict and ordered retrial during which violent mobs twice attacked him and his lawyer with impunity, even after they injured his eye with a brilliant green dye. In 2022, Kotsaba managed to leave Ukraine and participates in his hearings online from Ukrainian embassy in United States, but he fears that the court under growing political pressure could initiate his extradition to Ukraine. His lawyer Svitlana Novytska explains a rush to sentence him suggesting that he, like other perceived "pro-Russian" figures, could be mistakenly considered as valuable stock for POW exchange with Russia, despite it is unlikely to be true since he publicly criticized Putin for aggressive war. EBCO called to drop all charges against Ruslan Kotsaba²⁵²⁶.

Mykhailo Yavorsky, a Christian conscientious objector who stated that he cannot pick up a weapon, wear a military uniform and kill people given his faith and relationship with God, was sentenced to one-year imprisonment on 6 April 2023 by the Ivano-Frankivsk city court. Hearings in his appeal are scheduled on 12 June; EBCO calls for his acquittal²⁷²⁸.

²⁰ Supreme Court of Ukraine releases a prisoner of conscience: conscientious objector Vitaly Alekseenko, <https://ebco-beoc.org/node/572>

²¹ Decision of Supreme Court (Ukraine) of 25 May 2023 in Alexeienko's case, <https://reyestr.court.gov.ua/Review/111160092>

²² Felix Corley, "UKRAINE: Army rejects conscientious objector alternative service transfer," Forum 18, 9 May 2023, https://www.forum18.org/archive.php?article_id=2830

²³ EBCO on mission in Kyiv and on delivery of petition to EU in Brussels in support of Russian, Ukrainian and Belarusian conscientious objectors, <https://ebco-beoc.org/node/571>

²⁴ <https://www.ifor.org/news/2022/4/15/ifor-submission-for-the-un-ohchr-quadrennial-report-on-conscientious-objection-to-military-service>

²⁵ <https://ebco-beoc.org/node/536>

²⁶ <https://www.ifor.org/news/2022/7/19/ifor-joins-international-press-release-on-the-case-of-pacifist-journalist-ruslan-kotsaba>

²⁷ <https://ebco-beoc.org/node/561>

²⁸ Felix Corley, "UKRAINE: Second conscientious objector jail sentence," Forum 18, 5 May 2023, https://www.forum18.org/archive.php?article_id=2829

Hennadii Tomniuk, a Christian conscientious objector denouncing all wars and violence in his publications, a member of Evangelical Christian-Baptist church teachings of which are incompatible with military service, received suspended three-year prison sentence²⁹. Appellate court refused both prosecutor's complaint asking to change suspended sentence (probation) with imprisonment and Tomniuk's complaint asking to acquit him.

A number of other objectors were also punished by courts with probation for their refusal to kill: Andrii Kucher, an entrepreneur who refused to kill because of his pacifist views, was sentenced for suspended 4-year prison term; Dmytro Kucherov, a Protestant conscientious objector, member of the Source of Life Church, Andrii Martiniuk, a Christian conscientious objector, Oleksandr Korobko and Maryan Kapats who refused to kill were sentenced for suspended 3-year prison terms.

During interactive dialogues regarding UN High Commissioner's for Human Rights reports on situation in Ukraine IFOR expressed concerns regarding violations of human right to conscientious objection to military service in Ukraine where general mobilization to the army is enforced without any exceptions for conscientious objectors and call-up orders are handed out in public places including churches. IFOR reported about the current suspension of the right to conscientious objection in Ukraine, the consequent detention sentences, the travel ban for all men aged 18-60 and repression of student protests against the prohibition to study abroad. Also, IFOR expressed concerns regarding forced mobilization of conscripts in Ukrainian occupied territories by the Russian Federation, which include imprisonment for those who refuse to enlist³⁰³¹³².

In concluding observations on the 8th periodic report of Ukraine³³ Human Rights Committee stressed that alternatives to military service should be available to all conscientious objectors without discrimination as to the nature of their beliefs justifying the objection (be they religious beliefs or non-religious beliefs grounded in conscience), and should be neither punitive nor discriminatory in nature or duration by comparison with military service. However, Ukraine took no measures to change legislation according to these recommendations. Answering to letters of Ukrainian Pacifist Movements to Verkhovna Rada (parliament) of Ukraine in September 2022 regarding progress in implementation of these recommendations, parliamentary committee on human rights redirected the letter to the Ministry of Justice which, in turn, responded the question is in jurisdiction of Ministry of Defense, and parliamentary committee on national security, defense and intelligence responded that proposals to change legislation to meet international human rights standards will be disseminated among MPs. However, in February 2023 parliamentary committee on human rights informed that questions of alternative nonmilitary service are in purview of the committee on national security, defense and intelligence, which wrote that alternative service could be allowed only instead of term-limited (peacetime) conscription, citing outdated statutory law without any references to human rights.

Also, in concluding observations on the 8th periodic report of Ukraine the Human Rights Committee expressed concern about reports that conscripts, including conscientious

²⁹ IFOR stands up at the UN for conscientious objectors in Ukraine and refers the cases of Vitalii Alexeenko, Hennadii Tomniuk and Andrii Vyshnevetsky March 31, 2023

<https://www.ifor.org/news/2023/3/31/ifor-stands-up-at-the-un-for-conscientious-objectors-in-ukraine-and-refers-the-cases-of-vitalii-alexeenko-hennadii-tomniuk-and-andrii-vyshnevetsky>

³⁰ <https://www.ifor.org/news/2022/7/5/ifor-addresses-the-un-human-rights-council-on-the-right-to-conscientious-objection-and-the-war-in-ukraine>

³¹ <https://www.ifor.org/news/2022/10/7/ifor-speaks-at-the-un-on-conscientious-objection-violations-and-peacebuilding-efforts-in-ukraine>

³² <https://www.ifor.org/news/2022/4/2/war-should-be-abolished-ifor-speaks-up-at-the-un-on-the-right-to-conscientious-objection-in-wartime>

³³ Concluding observations of the UN Human Rights Committee regarding the Eighth Periodic Report of Ukraine dated 9 February 2022, URL: <https://digitallibrary.un.org/record/3957960?ln=en>

objectors, are hunted down and delivered to military assembly points against their will and about conscripts being subjected to arbitrary detention; it is also expressed concern about the lack of information on investigations into such cases and on the prosecution of those responsible. Ukraine failed to meet the recommendation that the State party should ensure that cases of abduction and arbitrary detention of conscripts are promptly, thoroughly and independently investigated, that perpetrators are prosecuted and punished and that victims are provided with effective remedies, including adequate compensation. In response to a request about such investigations and measures taken, Office of General Prosecutor of Ukraine which supervises all criminal investigations in Ukraine in a letter of 10 February 2023 wrote that it has no public information regarding this question.

EBCO calls Ukraine to immediately reverse the suspension of the human right to conscientious objection, release conscientious objector Vitaly Alekseenko (imprisoned in the Kolomyiska Correctional Colony No. 41) and honourably discharge Christian pacifist Andrii Vyshnevetsky (held at frontline unit of the Armed Forces of Ukraine), as well as acquit all conscientious objectors, including Christian pacifists Mykhailo Yavorsky and Hennadii Tomniuk. Ukraine should safeguard the right to conscientious objection to military service, including in wartime, fully complying with the European and international standards, amongst others the standards set by the European Court of Human Rights. Also, EBCO calls Ukraine to lift the prohibition to all men in age from 18 to 60 from leaving the country and other conscription enforcement practices incompatible with human rights obligations of Ukraine, including arbitrary detentions of conscripts and imposition of military registration as prerequisite of legality of any civil relations such as education, employment, marriage, social security, registration of the place of residence, etc.

We also urge international civil society and media to observe hearings in landmark cases of Ukrainian conscientious objectors: Yavorsky's case on 12nd June, Alekseenko's case on 22th June, and Vyshnevetsky's case on 26th June.