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## UKRAINE: Recruitment offices, military detain, pressure and torture conscientious objectors

By Felix Corley, Forum 18 (<https://www.forum18.org>)

*On 11 June, Recruitment Office officials tortured Adventist conscientious objector Pavlo Halagan to pressure him to accept mobilisation. "They tied me to the bed with chains and began to physically torture, punch and beat me," he complained. On 1 July, at a military camp, "one commander grabbed me by the neck", Baptist conscientious objector Kiril Berestovoi complained. "He hit me on the head, beat me around the heart." The torture lasted half an hour. Officials use a range of means to persuade men to accept being conscripted into the armed forces, including verbal persuasion, threats of imprisonment or unspecified consequences, arbitrary detention (sometimes for several months), and torture including deprivation of food, of imprisonment or unspecified consequences, and beatings.*

Officials in Recruitment Offices and military units are subjecting men – including conscientious objectors - to a range of pressures to try to force them to accept being conscripted into the armed forces. The means used by officials include verbal persuasion, threats of imprisonment or unspecified consequences, arbitrary detention (sometimes for several months), and torture including deprivation of food, of imprisonment or unspecified consequences, and beatings.

Article 35 of Ukraine's Constitution guarantees the right to conscientious objection to military service. However, in peacetime this is limited to members of only 10 specific religious communities. At a time of war, officials do not recognise it at all (see below).

Men summoned to Recruitment Offices face strong pressure to sign military papers, even if they ask to perform alternative civilian service in line with Article 35 of the Constitution. "You have to be very strong to resist this pressure," a Protestant leader from the west of the country told Forum 18. "Those who want to do alternative civilian service are not given it" (see below).

Council of Churches Baptists Matfei Sapozhnikov, who is from Kamenets-Podilsky, has been forcibly held in a military unit since 1 May, and Kiril Berestovoi, from Khmelnytsky, since 1 July. One military base in Khmelnytsky Region holds five conscientious objectors, two of them since May (see below).

One Pentecostal conscientious objector being held in a military unit in Rivne Region – who was tortured by beating when he was first taken – described conditions in the military unit as "modern slavery". "They tried to break me: they exerted and are exerting psychological pressure, they locked me in a cold pit for three days, as well as a solitary confinement cell," he complained. "I don't know how long they can hold me here and on the basis of which laws" (see below).

Article 29 of the Constitution says no one can be detained for more than 72 hours without a court order. "A detained person is immediately released if, within 72 hours from the moment of detention, they are not served with a reasoned court decision on detention," it declares. Application of this Article has not been suspended under martial law (see below).

On 11 June, officials of Uzhhorod District Recruitment Office tortured Pavlo Halagan a Seventh-day Adventist conscientious objector. "I received psychological and moral pressure from the employees of the Uzhhorod branch of the Recruitment Office, which led me to a nervous breakdown," he wrote in a complaint to the District Police. "After this they tied me to the bed with chains and began to physically torture, punch and beat me. .. The inflicted blows were aimed at the body and head, beating with hands, fists and feet" (see below).

The official who answered the phone at Uzhhorod Recruitment Office listened to Forum 18's questions about the torture of Halagan and, without saying anything, put the phone down. Subsequent calls went unanswered (see below).

On 1 July, at 11 pm in a poorly-lit tent in a military camp in Transcarpathia, "one commander grabbed me by the neck and dragged me out of the tent, where it was completely dark", Baptist conscientious objector Kiril Berestovoi complained. "He hit me on the head, beat me around the heart. I asked him to stop, but he continued." The torture lasted about half an hour. "Despite this I stuck to my position and refused everything" (see below).

Colonel Serhy Kuzmenko, head of the Military Police in Kyiv, said that in response to about six appeals from fellow Baptists it had conducted three investigations into Berestovoi's case. He said investigators had spoken to commanders at the unit and fellow soldiers (who he described as "disinterested people") who said there had been "no moral or physical action" against Berestovoi. "The allegations have therefore not been proven" (see below).

On 5 July, two officials of Kamianets-Podilsky District Recruitment Office tortured Seventh-day Adventist conscientious objector Oleksy Kamiennoi. "They beat me with their hands and feet on the back, body, and head," Kamiennoi wrote in a statement. When Kamiennoi passed out during the beating, the officials poured cold water on him before carrying on the beating. "The beating was accompanied by bullying and abuse of me, the people who beat me insisted that I renounce my belief in God, they constantly said that belief in God is delusional" (see below).

The telephone at Kamianets-Podilsky District Recruitment Office went unanswered each time Forum 18 called (see below).

The State Bureau of Investigation in Kyiv did not respond to Forum 18's questions as to how many officials it has investigated and prosecuted for such torture at Recruitment Offices and in military units (see below).

The Office of the Parliamentary Human Rights Commissioner (Ombudsperson) Dmytro Lubinets in Kyiv did not respond to Forum 18's question as to what it is doing to prevent such torture at Recruitment Offices and in military units (see below).

### Severe human rights violations in Russian-occupied Ukraine

Serious violations of freedom of religion and belief and other human rights take place within all the Ukrainian territory Russia has illegally occupied (<https://www.forum18.org/archive.php?country=17>).

Unknown men from the Russian occupation forces seized 59-year-old Fr Stepan Podolchak of the Orthodox Church of Ukraine (OCU) on 13 February in the Ukrainian village of Kalanchak in the Russian-occupied part of Kherson Region. They took him away barefoot with a bag over his head, insisting he needed to come for questioning. His bruised body – possibly with a bullet-wound to the head - was found on the street on 15 February. Forum 18 asked Kalanchak's Russian police what action they will take following his killing. "For a long time this [community] hasn't existed here and won't," the duty officer replied ([https://www.forum18.org/archive.php?article\\_id=2893](https://www.forum18.org/archive.php?article_id=2893)). "Forget about it".

Within the Russian-occupied Ukrainian territory of Crimea ([https://www.forum18.org/archive.php?article\\_id=2774](https://www.forum18.org/archive.php?article_id=2774)) these include: forced imposition of Russian laws and restrictions on exercising human rights, including freedom of religion or belief; jailing Muslim and Jehovah's Witness Crimean prisoners of conscience; forcible closure of places of worship; and fining people for leading meetings for worship without Russian state permission.

Within the Russian-occupied Ukrainian region of Luhansk these have up to the renewed 2022 invasion of Ukraine ([https://www.forum18.org/archive.php?article\\_id=2721](https://www.forum18.org/archive.php?article_id=2721)) included: rendering illegal all Protestant and non-Moscow Patriarchate Orthodox communities; a climate of fear about discussing human rights violations; repeated denials of permission to a Roman Catholic priest to live in the region; and increasing numbers of banned allegedly "extremist" books, including an edition of the Gospel of John published in 1820.

### Legally-binding international human rights obligations on conscientious objection

Deputy General Prosecutor Mutesta's claims are inaccurate for both Article 18 (<https://www.refworld.org/docid/453883fb22.html>) ("Freedom of Thought, Conscience or Religion") of the International Covenant on Civil and Political Rights (ICCPR), and Article 9 ([https://www.echr.coe.int/documents/guide\\_art\\_9\\_eng.pdf](https://www.echr.coe.int/documents/guide_art_9_eng.pdf)) ("Freedom of thought, conscience and religion") of the European Convention on Human Rights.

The United Nations (UN) Human Rights Committee in its 9 February 2022 Concluding Observations on Ukraine (CCPR/C/UKR/CO/8 (<https://undocs.org/CCPR/C/UKR/CO/8%20CCPR/C/UKR/CO/8>)) 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)".

The UN Office of the High Commissioner for Human Rights (OHCHR) has noted that conscientious objection to military service comes under ICCPR Article 18 ("Freedom of thought, conscience and religion") and has recognised (<https://www.ohchr.org/en/conscientious-objection>) "the right of everyone to have conscientious objection to military service as a legitimate exercise of the right to freedom of thought, conscience and religion."

The OHCHR has also noted in its Conscientious Objection to Military Service (<https://www.ohchr.org/en/publications/special-issue-publications/conscientious-objection-military-service>) guide that Article 18 is "a non-derogable right .. even during times of a public emergency threatening the life of the nation."

In 2022 the UN Working Group on Arbitrary Detention stated (WGAD-HRC50 (<https://www.ohchr.org/sites/default/files/2022-05/WGAD-HRC50.pdf>)) that "the right to conscientious objection to military service is part of the absolutely protected right to hold a belief under article 18 (1) of the Covenant, which cannot be restricted by States." The Working Group also stated that "States should refrain from imprisoning individuals solely on the basis of their conscientious objection to military service, and should release those that have been so imprisoned."

### Torture, corruption in Recruitment Offices

Since the beginning of Russia's full-scale war on Ukraine, Recruitment Offices have been a focus of concern. The government has frequently replaced the heads of local offices.

By late 2023, the State Bureau of Investigation (which investigates crimes by senior officials) was dealing with 260 cases of alleged crimes (including bribery and torture) at regional Recruitment Offices and military medical commissions, it announced on 10 October 2023 (<https://dbr.gov.ua/news/dbr-rozslidue-260-kriminalnih-provazhen-za-faktami-porushen-u-vijskkomatah-ta-vijskovo-likarskih-komisiyah>).

Officials began investigations in 2024 after the deaths in Recruitment Offices (<https://kyivindependent.com/man-dies-at-military-enlistment-office-in-dnipropetrovsk-oblast/>) of several men who had been called up for mobilisation.

The United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>) defines torture as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity".

Under the Convention, Ukraine is obliged both to arrest any person suspected on good grounds of having committed torture "or take other legal measures to ensure his [sic] presence", and also to try them under criminal law which makes "these offences punishable by appropriate penalties which take into account their grave nature".

### No conscientious objection, criminal cases

Article 35 of Ukraine's Constitution guarantees the right to conscientious objection to military service. However, in peacetime this is limited to members of only 10 specific religious communities. At a time of war, officials do not recognise it at all ([https://www.forum18.org/archive.php?article\\_id=2830](https://www.forum18.org/archive.php?article_id=2830)).

Those who refuse mobilisation on grounds of conscience face prosecution under Criminal Code Article 336 ("Refusing call-up for military service during mobilisation or in a special period, and for military service during call-up of reservists in a special period"). The punishment is a jail term of three to five years.

Since Ukraine declared martial law following Russia's full-scale invasion in February 2022, prosecutors have sent more than 50 criminal cases against conscientious objectors ([https://www.forum18.org/archive.php?article\\_id=2906](https://www.forum18.org/archive.php?article_id=2906)) to court for refusing mobilisation on grounds of conscience. More than 35 of these criminal cases have been against Jehovah's Witnesses, they told Forum 18 ([https://www.forum18.org/archive.php?article\\_id=2939](https://www.forum18.org/archive.php?article_id=2939)). Of these, 5 ended in convictions, 3 in acquittals (which prosecutors are appealing) and trials of 28 men continue. One case was closed in December 2023 for medical reasons.

Summer 2024 has seen a surge of new cases under Criminal Code Article 336 ([https://www.forum18.org/archive.php?article\\_id=2939](https://www.forum18.org/archive.php?article_id=2939)). Police instituted proceedings against at least 3 Jehovah's Witnesses in each of June and July, rising to 11 in August and 2 so far in September. Jehovah's Witnesses told Forum 18 they have "no idea" why there has been a sudden surge in criminal prosecutions.

### Conscientious objectors face pressure and torture

Officials in Recruitment Offices and military bases are subjecting men – including conscientious objectors - to a range of pressures to try to force them to accept being conscripted into the armed forces. The means used by officials include verbal persuasion, threats of imprisonment or unspecified consequences, arbitrary detention (sometimes for several months), and torture including deprivation of food, of imprisonment or unspecified consequences, and beatings.

When taken to or summoned to Recruitment Offices, men who object to serving in the military ask for alternative civilian service, citing Article 35 of the Constitution ([https://www.forum18.org/archive.php?article\\_id=2906](https://www.forum18.org/archive.php?article_id=2906)). Article 35 includes the provision: "If

the performance of military duty contradicts the religious beliefs of a citizen, the performance of this duty shall be replaced by alternative (non-military) service."

Both the United Nations Human Rights Committee and three UN Special Rapporteurs have raised concerns about the lack of an alternative civilian service ([https://www.forum18.org/archive.php?article\\_id=2906](https://www.forum18.org/archive.php?article_id=2906)). In its 22 January 2024 response to the UN special rapporteurs, the Ukrainian government stated: "The possibility for citizens to perform alternative (non-military) service for the period of martial law is also in the focus of the Government".

Some conscientious objectors are prepared to serve in the military in non-combat roles, without weapons, without swearing the military oath and sometimes without wearing a military uniform.

Recruitment Office officials often pressure men to sign documents to be drafted into the military. If they refuse, they are often transferred against their will to military units, often training centres. Officials there often subject conscientious objectors to arbitrary detention, pressure, threats and torture.

"You have to be very strong to resist this pressure"

Men summoned to Recruitment Offices face strong pressure to sign military papers, even if they ask to perform alternative civilian service in line with Article 35 of the Constitution. "You have to be very strong to resist this pressure," a Protestant leader from the west of the country told Forum 18. "Those who want to do alternative civilian service are not given it."

The Protestant leader – who asked not to be identified – knows of about half a dozen local Protestant men who, on being called for mobilisation, sought to do alternative civilian service. "They were taken to the military preparation centre and held – sometimes for two or three months – in prison-like conditions. There they faced strong pressure to swear the military oath and take up weapons. I heard that some were beaten. Some who held out were eventually let go."

The Protestant leader said some of those not willing to bear arms and swear the military oath would be ready to perform non-combat roles in the military, for example working in the kitchen. "I've not heard that anyone I know was allowed to serve in the military in any role without swearing the military oath."

#### Arbitrary detention

Article 29 of the Constitution includes the provision that "No one may be arrested or detained except by reasoned court decision and only on the grounds and in the manner prescribed by law". In cases where detention is necessary to prevent a crime, a court must confirm such detention within 72 hours. "A detained person is immediately released if, within 72 hours from the moment of detention, they are not served with a reasoned court decision on detention."

President Volodymyr Zelensky's Martial Law Decree of 24 February 2022 – the day of Russia's full-scale invasion – suspended the application of several Articles of the Constitution. However, it left Article 29 in force.

In 2022 the UN Working Group on Arbitrary Detention stated (WGAD-HRC50 (<https://www.ohchr.org/sites/default/files/2022-05/WGAD-HRC50.pdf>)) that conscientious objectors to military service should not be imprisoned.

On 23 and 24 September, the United Nations Committee on Enforced Disappearances considered Ukraine's record under the Convention for the Protection of all Persons against Enforced Disappearance. The Committee's Concluding Observations (CED/C/UKR/CO/1 ([https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2FUkr%2FCO%2F1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CED%2FC%2FUkr%2FCO%2F1&Lang=en))), issued on 4 October, expressed concern about "Allegations of arbitrary detention of conscripts, including conscientious objectors, in military commissariats [Recruitment Offices], sometimes incommunicado, with a view to ensure their conscription".

The Committee called on the Ukrainian government to "Ensure that cases of arbitrary detention of conscripts .. are promptly, thoroughly and independently investigated; that alleged perpetrators are prosecuted and punished if found responsible, and that victims are provided with effective remedies."

#### Weeks, months of arbitrary detention

Conscientious objectors can be held for weeks or months as officials pressure them to accept mobilisation into the military. Recruitment Offices have their own attached holding centres for holding those mobilised, with beds for 20 or more men. Recruitment Offices also transfer conscientious objectors to military units (often training units). Some of these units refuse to accept conscientious objectors and Recruitment Offices have to take them elsewhere.

Conscientious objectors, while being held at military bases for months, often have to live in tents, even in cold weather. Most cannot

leave the base. Occasionally commanders allow conscientious objectors to leave the base to attend church nearby for several hours on a Sunday. Others have been able to receive pastoral visits from clergy.

Many of those forcibly detained refuse to accept any salary, as they do not want to have anything to do with the military and fear this would be used to prove they are soldiers. Some accept the money as they and their families often have no other income. Some have been able to have family visits (wives often have to travel for hundreds of kilometres to the base, which can be expensive and time-consuming).

Two of the five conscientious objectors held in one military base in Khmelnytsky Region have been held since early May. The other three have been held for about three months. All had had their applications for alternative civilian service rejected, one of them told Forum 18 from the military base. At least two were threatened with being shot if they refused to sign up for service.

Council of Churches Baptist Matfei Sapozhnikov, who is from Kamenets-Podilsky, has been held since 1 May, church members told Forum 18 on 17 October. Fellow Council of Churches Baptist Kiril Berestovoi (see below) has been held in a military unit since 1 July. Pentecostal Oleksiy Kamiennyi (see below), also from Kamenets-Podilsky, was held for 24 days. He knows another local Pentecostal who was held for five weeks at the Recruitment Office in August and September.

One Pentecostal conscientious objector being held in a military unit in Rivne Region – who was tortured by beating when he was first taken – described conditions in the military unit as "modern slavery". "They tried to break me: they exerted and are exerting psychological pressure, they locked me in a cold pit for three days, as well as a solitary confinement cell," he complained. "I don't know how long they can hold me here and on the basis of which laws."

Soldiers in one military unit forcibly put a military uniform on a conscientious objector who had previously refused to wear one on grounds of conscience, a Protestant pastor who knows him told Forum 18. "Five times they forcibly put a uniform on him even though each time he would take it off."

The pastor knows several conscientious objectors who were beaten in military units. "This year it has been much worse than before." Military personnel in one case threatened to kill the conscientious objector if he talks about the torture while being held in the military.

No answers

Colonel Serhy Kuzmenko, head of the Military Police in Kyiv, refused to say how many military personnel – whether from Recruitment Offices or military units – have been investigated or are being investigated for arbitrarily detaining, pressuring, threatening and torturing men who refused calls to mobilisation, including on conscientious grounds. "That is a secret," he told Forum 18 on 16 October.

Forum 18 told Colonel Kuzmenko that it has seen testimonies and spoken to conscientious objectors who have been tortured and arbitrarily detained. He responded: "If you know of such violations done to armed forces personnel, you can give us information. We would have to conduct an investigation and anyone guilty will be punished."

Forum 18 told Colonel Kuzmenko that these conscientious objectors were not members of the armed forces and were tortured or otherwise abused for refusing mobilisation and insisting on being given alternative civilian service. He responded: "If such a person abused or beaten as you say during mobilisation wasn't a soldier, then it would be the jurisdiction of the civilian police."

Colonel Kuzmenko insisted that it had investigated allegations that Kiril Berestovoi had been tortured but found that the allegations "had not been proven" (see below).

Forum 18 asked the State Bureau of Investigation in Kyiv in writing on the afternoon of 15 October:

- How many such cases of torture of conscientious objectors at Recruitment Offices or in military units it has investigated or is investigating since Russia's full-scale invasion of Ukraine in February 2022;
- How many officials have been arrested as a result of such torture;
- How many of such officials have been tried in court;
- and how many of those tried in court have been convicted and punished.

Forum 18 had received no response by the middle of the working day in Kyiv of 18 October.

Forum 18 asked the Office of the Parliamentary Human Rights Commissioner (Ombudsperson) Dmytro Lubinets in Kyiv in writing on 3 October about what action it is taking over the torture of conscientious objectors at Recruitment Offices and in military units.

Forum 18 re-sent the question on 16 October to Yury Kovbasa (head of the department on Security and the Military) and Kateryna Prokhorenko (head of the International Department).

Prokhorenko told Forum 18 on 17 October that the torture of conscientious objectors is not within her responsibilities. She said the Office usually responds to written questions within 30 days. Forum 18 had received no written response by the middle of the working day in Kyiv of 18 October.

#### Torture in Recruitment Office

On 10 January, officials of the Recruitment Office in the city of Uzhhorod in Transcarpathia detained Pavlo Sergiyovich Halagan (born 31 May 1974), a Seventh-day Adventist. Officials refused to accept his written request for alternative civilian service.

After officials repeatedly summoned Halagan over the following months, officers of Perechin Recruitment Office detained him on 5 June. They held him "illegally" for six hours, Halagan noted. At 1 am, officials took him to a military unit in Rivne Region. He again told military officials of his conscientious objection to serving in the military and bearing weapons, and again requested alternative civilian service in line with Article 35 of the Constitution.

Officials then returned Halagan to Uzhhorod to the Transcarpathian Regional Recruitment Office. Officials there refused his requests to contact a lawyer. They then took him in the night of 8 June to a military unit in Cherkasy. He was among 11 conscientious objectors – 9 Jehovah's Witnesses and one Baptist – at the unit. All wrote statements asking for alternative civilian service. Their cases were returned to the Transcarpathian Regional Recruitment Office. Officials freed the 11 men in the early hours of 9 June.

"We were left alone in the middle of the night after 1 am during the curfew in a different city, without personal registration documents, without money, without warning," Halagan complained, "and without explaining to us why statements signed by us about returning to the Recruitment Office were necessary."

Once back in Uzhhorod, Halagan filed a complaint to Uzhhorod District police about officials of the Transcarpathian Regional Recruitment Office.

On 11 June, officials of the Uzhhorod Recruitment Office sent Halagan to see its head, Ihor Tyschuk. However, once there he says he was held arbitrarily and officials subjected him and other detainees to torture and other crimes.

"I heard the frantic, inhuman screams and threats of the employees of the Uzhhorod branch of the Recruitment Office, who forced a man of Hungarian origin to sign documents, his moans from the merciless, brutal beating, torture and mutilation by the employees of the Uzhhorod branch of the Recruitment Office."

In his 25 June complaint to Oleh Yanchinsky, head of Uzhhorod District Police (seen by Forum 18), Halagan adds that throughout that day, "I received psychological and moral pressure from the employees of the Uzhhorod branch of the Recruitment Office, which led me to a nervous breakdown. After this they tied me to the bed with chains and began to physically torture, punch and beat me. I was beaten by an employee named Oleksandr. The inflicted blows were aimed at the body and head, beating with hands, fists and feet."

Officials pressured Halagan to sign a summons. "In a state of shock and emotion after the severe physical abuse, brutal torture, mutilation, dizziness, in a state of extreme physical exhaustion, inability to assess reality in order to make the right decision, inability to see clearly what is written in a dark room due to the disease of my eyes (glaucoma)", he signed. Officials then allowed him to go home.

Halagan told the police that the officials' actions violated numerous Criminal Code Articles, including Article 127 (torture), Article 126 (beating), Article 40 (criminal coercion), Article 364 (abuse of official position), and Articles punishing illegal detention. He asked for the officials involved to be investigated.

"I wrote to the police, the military police and the prosecutor's office," Halagan told Forum 18 on 15 October. "All of them handed over my complaints to someone else. Then they said they had been handed to the Military Police, but they don't respond." (Forum 18 has seen copies of the responses.)

The official who answered the phone at Uzhhorod Recruitment Office on 16 October listened to Forum 18's questions about the torture of Halagan and, without saying anything, put the phone down. Subsequent calls went unanswered.

#### Torture in military

Council of Churches Baptist Kiril Aleksandrovich Berestovoi (born 8 May 1988 and baptised in 2007) had to flee Pokrovsk in Donetsk Region with his family and moved to the city of Khmelnytsky. He has been held in a military unit against his will for more

than 15 weeks since officials detained him in July. "Kiril is asking to be able to carry out his civic duty in a NON-MILITARY way," his wife Oksana Berestovaya told Forum 18 on 15 October.

On 1 July, Berestovoi went to the Recruitment Office in Khmelnytsky to update his information. He also presented documents confirming his membership of the Council of Churches Baptists. "He refused military service as, in accordance with his religious convictions, he cannot take up arms and perform military service," Council of Churches Baptists noted on 6 September.

Berestovoi "has no intention of refusing to carry out his civil duty to the state", Baptists note. He asked the Recruitment Office to assign him to alternative civilian service in line with the Constitution's Article 35.

However, Khmelnytsky Recruitment Office ignored Berestovoi's request and the documents he presented and sent him that night to a military unit in Transcarpathia.

At the unit he again presented his documents confirming church membership and stated that he cannot serve in the military on grounds of conscience. Military officials laughed at him. "They told me I would serve there," he noted in a video message to German pastor Andreas Patz in mid-September, "and said I need to put my signature on various documents to be paid, for the uniform and various other signatures. I refused to sign anything."

At 11 pm in the poorly-lit tent in the military camp, "one commander grabbed me by the neck and dragged me out of the tent, where it was completely dark". Berestovoi added: "He hit me on the head, beat me around the heart. I asked him to stop, but he continued." The torture lasted about half an hour. "Despite this I stuck to my position and refused everything."

Berestovoi was then transferred to the unit in the morning. "All that time I was not fed." He again presented his documents and asserted his request to perform alternative service, but the documents were not sent on to the general staff, he said, as the military lawyer would not discuss his request.

Berestovoi declared a hunger strike and informed the military unit, the Prosecutor's Office and the Military Police of it. Several times the ambulance had to be called.

Berestovoi insists his treatment merits a prosecution under Criminal Code Article 127.

Soon after Berestovoi recorded the video, officials confiscated his phone, Pastor Patz noted on 21 September.

Berestovoi's wife Oksana and the Council of Churches Baptists also attest to the beating. "They beat him on the head and the heart," Baptists noted in a statement. "They constantly threaten him."

"His documents asking for him to be given alternative service are not being considered," Oksana Berestovaya, Berestovoi's wife, told German pastor Andreas Patz in mid-September. "We were forced to turn to the court. They promised to provide the results by the end of October."

Oksana Berestovaya said officials are now preparing to bring a case under Criminal Code Article 402 (Disobedience).

"They recorded a video alleging that he refused to wear the uniform," Berestovaya told Forum 18 on 15 October. "But he repeated to them verbally that he was refusing the military uniform, the oath, food from the canteen and military pay, but he agreed to work in the kitchen. They are trying to make him a criminal."

Berestovoi has tried to challenge his arbitrary detention through the courts, so far with no result.

Colonel Serhy Kuzmenko, head of the Military Police in Kyiv, said that in response to about six appeals from fellow Baptists it had conducted three investigations into Berestovoi's case and had "responded fully" in writing.

"The investigation found that Berestovoi is a soldier and has refused to carry out orders," Colonel Kuzmenko insisted to Forum 18 on 17 October. Told that Berestovoi had refused mobilisation and was not a soldier, Kuzmenko repeated his insistence.

Asked about the investigation into the torture allegations, Colonel Kuzmenko said investigators had spoken to commanders at the unit and fellow soldiers (who he described as "disinterested people") who said there had been "no moral or physical action" against Berestovoi. "The allegations have therefore not been proven."

No investigation into humiliation and torture

Oleksy Mykolayovych Kamienni (born 28 March 1997), a Pentecostal, opposes military service on grounds of conscience. "I was taught from childhood that killing people is a sin," he told Forum 18 on 17 October. "I rely on the word of God."

On 12 June, officials of the Kamianets-Podilsky District Recruitment Office in Khmelnytsky Region abducted Kamiiennoi, he noted. Officials forcibly took him to a military unit despite his requests for alternative civilian service on grounds of conscience.

Officials then held Kamiiennoi in various military units for 24 days. "These transportations were constantly accompanied by humiliation and harassment regarding my belief in the Lord Jesus Christ. Due to the fact that my religion forbids me to take up arms, I, Oleksy Mykolayovych Kamiiennoi, was constantly subjected to moral and emotional abuse."

Back in the Kamianets-Podilsky District Recruitment Office, on the afternoon of 5 July two officials – whom he identified as Vadim and Marian - tortured Kamiiennoi. "They beat me with their hands and feet on the back, body, and head," Kamiiennoi wrote in a statement. "The beating was accompanied by bullying and abuse of me, the people who beat me insisted that I renounce my belief in God, they constantly said that belief in God is delusional." The officials released Kamiiennoi after the beating.

Kamiiennoi told Forum 18 that he passed out during the beating. The officials then poured cold water on him before carrying on the beating. Afterwards, officials took him to the head of the Recruitment Office, Andry Shukhanov (who has since been transferred). "He knew about my application for alternative service and the beating, but he did nothing," Kamiiennoi said.

Kamiiennoi then wrote a statement to the police and the State Bureau of Investigation. "But my statements were rejected due to a lack of evidence (although there are photos and video materials confirming my beating)."

Kamiiennoi's wife also wrote a complaint to the Office of the Parliamentary Human Rights Commissioner (Ombudsperson) Dmytro Lubinets. "They wrote back to say there was nothing for them to investigate,"

The telephone at Kamianets-Podilsky District Recruitment Office went unanswered each time Forum 18 called between 16 and 18 October.

Kamiiennoi complains that "the people who beat me went unpunished". He also thinks his life is in danger. "I appealed for help to the prosecutor's office, but after they accepted my statement, no one did anything, and again people remained unpunished."

Police are also considering bringing a case against Kamiiennoi under Criminal Code Article 336 ("Refusing call-up for military service during mobilisation or in a special period, and for military service during call-up of reservists in a special period"). "Officers have been to my church to ask about me," he told Forum 18. "I don't know if a criminal case has already been launched."

Kamiiennoi said he knows at least four other local conscientious objectors – Baptists and Pentecostals – who have been threatened and tortured with beatings in 2024 for refusing mobilisation on grounds of conscience. One was beaten twice in September, he added.

#### Deprived of food

A Recruitment Office in the south-western Ivano-Frankivsk Region summoned a member of a Baptist Union congregation for mobilisation in summer 2024. Despite repeated insistence that on grounds of conscience he was unable to swear the military oath or serve with weapons, officials took the man to a military training camp. There they subjected him to strong pressure, including by withholding food, a fellow Baptist told Forum 18 on 1 October.

"They were unable to crush him," the Baptist added. After about ten days in the training camp, officials transferred the man back to the Recruitment Office. They held him there for a further two days before releasing him. The man does not appear to be facing any criminal case for refusing mobilisation.

#### Threatened, pressured to sign up despite conscientious objections

Many Council of Churches Baptist men are being taken to or summoned to Recruitment Offices across Ukraine. Those who object to serving in the military ask for alternative civilian service, citing Article 35 of the Constitution, according to Council of Churches Baptists. Some are prepared to serve in the military in non-combat roles, without weapons, without swearing the military oath and sometimes without wearing a military uniform.

Recruitment Office officials often pressure men to sign documents to be drafted into the military.

On 24 September, the Svyatoshinsky Recruitment Office's Military Medical Commission found Vitaly Humenyuk fit for medical service. "They tried to hand him the military summons and he refused, asking that Article 35 be applied to him," Council of Churches Baptists noted the same day. "They didn't want to listen to anything, drew up a document of refusal on grounds of religious convictions and are preparing documents to send to court." They then released Humenyuk.

Born in 1972, Humenyuk was baptised in 2013 and is a member of the Borshchahivka Council of Churches Baptist church in Kyiv.



A member of the same church, Ruslan Korkach (born 1996), was summoned the same day to the Recruitment Office in the town of Bucha in Kyiv Region. "He testified about his religious beliefs," Council of Churches Baptists noted the same day. "They pressured him to sign documents and various statements, but he refused." After threatening to send him for military training to Uman, officials released him.

On 25 September, after Korkach again demanded that Article 35 of the Constitution be applied to him, Recruitment Office officials drew up a document of refusal. They told him to return the following day with his things.

Trying to challenge forcible transfers to military units

A number of conscientious objectors have tried to challenge forcible transfers to military units in court.

On 26 March, the Recruitment Office in Varash in the western Rivne Region forcibly sent a Jehovah's Witness (born 1999) to a military unit despite his request for alternative civilian service on grounds of conscience.

The Jehovah's Witness tried to seek a legal ruling that the mobilisation decision was illegal. He lodged a suit to Rivne District Administrative Court on 26 March. However, on 23 July, Judge Svitlana Dulyanytska rejected the suit, according to the decision seen by Forum 18.

The Jehovah's Witness lodged an appeal to the Eighth Administrative Appeal Court in Lviv on 28 August. No date has been set for the panel of three judges to hear the appeal. (END)

More reports on freedom of thought, conscience and belief in all Ukraine (<https://www.forum18.org/archive.php?country=88>)

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