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UKRAINE: About 300 criminal cases against conscientious objectors

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

The number of new criminal cases against conscientious objectors has surged since summer 2024 after the General Prosecutor's Office wrote to local prosecutors. About 300 conscientious objectors now face criminal investigations which could lead – if cases reach court and end in convictions – to a 3 to 5 year jail term. Of the 89 cases related to 86 individuals that have already reached trial (listed in this article), courts handed down 9 jail terms (only one conscientious objector is currently in jail), with 11 suspended sentences. Trials in 66 of the 89 known cases that have reached trial are ongoing.

Police and prosecutors are investigating criminal cases against about 300 conscientious objectors, with a surge in cases since summer 2024. Of the 89 cases that have already reached trial, courts handed down 9 jail terms (only one conscientious objector is currently in jail), with 11 suspended sentences. Trials in 66 of the 89 known cases that have reached trial are ongoing.

A full list of the 89 known cases that have reached court is given at the foot of this article.

Several observers have attributed the surge in new criminal cases to a letter from the General Prosecutor's Office to local prosecutors in summer 2024 appearing to urge them to take action if local courts acquit conscientious objectors (see below).

After Russia's renewed invasion of Ukraine began in February 2022, Ukraine declared a state of martial law. All men between the ages of 18 and 60 were deemed eligible for call-up in a general mobilisation and were banned from leaving the country. Ukraine's Defence Ministry insists that even the limited alternative service allowed in peacetime does not exist during wartime (see below).

Conscientious objectors can be prosecuted 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 (see below).

The Office of the Parliamentary Human Rights Commissioner (Ombudsperson) Dmytro Lubinets did not respond to Forum 18's questions about what action it is taking over:

- the criminal conviction of those who cannot serve in the military during martial law;
- and the adoption in Ukraine of a new law or legal amendment to allow all conscientious objectors to conduct alternative civilian service, whether at times of war or peace (see below).

Three challenges to the denial of the right to conscientious objection during martial law are being lodged to the European Court of Human Rights (ECtHR) in Strasbourg. One is from jailed Seventh-day Adventist conscientious objector Dmytro Zelinsky. On 13 June, the Supreme Court in Kyiv rejected his final appeal against his conviction and jailing (see below).

The Constitutional Court began consideration on 23 October of Zelinsky's challenge to the constitutionality of the denial of the right to conscientious objection during martial law (see below).

Officials of the Defence Ministry, the State Service for Ethnic Policy and Freedom of Conscience (DESS) and other state bodies met in a closed meeting on 10 October to discuss the issue of alternative civilian service in wartime. "Discussion was serious and the Defence Ministry acknowledged that this is an issue that affects many people," an individual familiar with the issue told Forum 18 (see below).

Forum 18 asked Viktor Yelensky, head of the DESS, what progress there was in the 10 October meeting and elsewhere towards introducing an alternative civilian service open to all at all times. "I am extremely busy with this issue despite enormous pressure of other responsibilities," he told Forum 18. "For now, no progress I can report" (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>).

More than 500 Ukrainian criminal cases against conscientious objectors

After Russia's renewed invasion of Ukraine began in February 2022, Ukraine declared a state of martial law. All men between the ages of 18 and 60 were deemed eligible for call-up in a general mobilisation and were banned from leaving the country. Ukraine's Defence Ministry insists that even the limited alternative service allowed in peacetime does not exist during wartime (https://www.forum18.org/archive.php?article_id=2830).

Since Ukraine declared martial law in February 2022, prosecutors have launched more than 500 cases against conscientious objectors for refusing mobilisation on grounds of conscience 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").

Prosecutors handed 89 criminal cases related to 86 individuals to court. Of these:

- 9 saw jail terms (1 overturned, 1 changed to a suspended sentence);
- 11 saw suspended jail terms;
- 3 saw acquittals (1 of which has already been overturned after prosecutors appealed);
- and 66 are known to be in court (see full list below).

One case (against a Jehovah's Witness) was closed in December 2023 (https://www.forum18.org/archive.php?article_id=2906) for medical reasons.

Police and prosecutors are investigating about 300 criminal cases against conscientious objectors (281 of them Jehovah's Witnesses). Jehovah's Witnesses told Forum 18 that 180 further criminal cases were investigated but then closed.

The majority of conscientious objectors are Jehovah's Witnesses. Others are Christians of various affiliations, including Seventh-day Adventists, Baptists and Pentecostals, as well as pacifists.

Conscientious objectors have repeatedly stated that they are ready to do civilian alternative service. One of them, Andrii Vyshnevetsky, who had been forcibly mobilised and was made to work in a military kitchen (https://www.forum18.org/archive.php?article_id=2906), identified serving with the Red Cross (<https://redcross.org.ua>), which is appealing for volunteers.

Jehovah's Witnesses stress that their men are prepared to perform an alternative civilian service. They also note that Jehovah's Witnesses in neighbouring Russia (where the community has been banned as "extremist" (https://www.forum18.org/archive.php?article_id=2897)) do not participate on grounds of conscience in Russia's war against Ukraine.

Jehovah's Witnesses note that across Ukraine, "at least 500 believers, who are Jehovah's Witnesses, have voluntarily performed socially useful work for the benefit of local communities either on their own initiative or at the request of local government authorities. Such work included the delivery of humanitarian supplies, the setup of shelters in public areas, the restoration of damaged homes and other similar works."

Surge of new cases since summer 2024

Summer 2024 has seen a surge of new cases 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"). Several observers have attributed this to a letter from the General Prosecutor's Office to local prosecutors in summer 2024 appearing to urge them to take action if local courts acquit conscientious objectors (see below).

Recruitment Office officials summoned Mykhailo Savochna, Pastor of Salvation Pentecostal Church in Vasylkiv in Kyiv Region, on 7 August. He had already submitted a request to perform alternative civilian service in line with his conscientious objection to bearing arms. Officials rejected his application, and handed his case to the Police. Police instituted a case against him under Criminal Code Article 336 and handed it to Vasylkiv District Court on 25 October, according to court records. No date has yet been set for a hearing.

Police are investigating cases under Criminal Code Article 336 against two other Protestant conscientious objectors, after refusing their applications for alternative civilian service on grounds of conscience. Pastor Yuriy Harkusha of Christ the Saviour Baptist Church in Kherson sent an application for alternative civilian service on 24 October. Ivan Boychuk, a member of Bethany Pentecostal Church in Kolomyia, lodged an application for alternative civilian service on 16 October. Police are investigating both men under Criminal Code Article 336.

Police instituted proceedings against at least 4 Jehovah's Witnesses in June, rising to 5 in July, 17 in August, 13 in September and at least 2 in October. No Jehovah's Witnesses have yet been jailed, as appeals in the 5 cases which ended with convictions are continuing (see list below).

Arbitrary detention, pressure, torture

Officials in Recruitment Offices and military units are subjecting men – including conscientious objectors - to arbitrary detention, pressure and torture (https://www.forum18.org/archive.php?article_id=2937) to try to force them to accept mobilisation. Officials attempt to pressure men to join the military with verbal arguments, detention (sometimes for several months), deprivation of food, threats of imprisonment or unspecified consequences, and torture, including beatings.

In a number of cases known to Forum 18, conscientious objectors who have been forcibly taken to military units are being investigated under Criminal Code Article 402 (https://www.forum18.org/archive.php?article_id=2937) ("Disobedience"). This accusation can be used against those regarded as already being in the military. However, cases are being brought against men who have refused to join the military and are therefore civilians. A court has put one conscientious objector in pre-trial detention as they investigate his case.

No answers

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 criminal conviction of those who cannot serve in the military during martial law;
- and the adoption in Ukraine of a new law or legal amendment to allow all conscientious objectors to conduct alternative civilian service, whether at times of war or peace.

Forum 18 re-sent the questions 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 issues of conscientious objection and criminal prosecution of conscientious objectors are 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 end of the working day in Kyiv of 30 October.

The Office of the Parliamentary Human Rights Commissioner (Ombudsperson) likewise did not answer about the torture of conscientious objectors at Recruitment Offices and in military units (https://www.forum18.org/archive.php?article_id=2937).

Supreme Court rejects Zelinsky's last domestic appeal

Seventh-day Adventist conscientious objector Dmytro Bronislavovich Zelinsky (born 16 March 1978) is serving a three-year jail term (https://www.forum18.org/archive.php?article_id=2871) 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").

Zelinsky is currently held at Prison No. 41 in Kolomyia in Ivano-Frankivsk Region.

On 13 June, the Criminal Division of the Supreme Court in Kyiv rejected Zelinsky's final appeal against his conviction and jailing.

European Court of Human Rights challenges

Following the rejection of his Supreme Court appeal in June, Dmytro Zelinsky lodged a case to the European Court of Human Rights (ECtHR) in Strasbourg. The Court has not yet assigned the case an Application Number.

Two other challenges to denials of conscientious objection during mobilisation are being sent to the Court.

The Ukrainian Pacifist Movement lodged an application on 12 July on behalf of Christian conscientious objector Andrii Vyshnevetsky (Application No. 20802/24). It complains, among other issues, of "Non-recognition of human right to conscientious objection to military service, absence of access to alternative service instead of compulsory military service under martial law, and

denial of the judiciary to remedy that".

The application argues that this violates Article 9 ("Freedom of thought, conscience and religion") of the European Convention on Human Rights and "constitutes an unjustified interference with our right to manifest our pacifist beliefs".

Mykhailo Yavorsky is also lodging a case to the ECtHR. He argues that his conviction and suspended jail term punished him "for his legitimate exercise of human right to conscientious objection to military service protected by Article 9 of the Convention".

The application notes Yavorsky's attempt to challenge the constitutionality of the denial of alternative civilian service in times of war and Criminal Code Article 336 under which he was punished. This "was contested in applicant's constitutional complaint which Constitutional Court of Ukraine refused to consider on merits by a final ruling of 4 September 2024". The Court has not yet assigned the case an Application Number.

"Completely impossible to implement the constitutional right"

On 29 August, Seventh-day Adventist conscientious objector Dmytro Zelinsky lodged a request to the Constitutional Court in Kyiv to verify the compliance of Part 4 of Article 35 of the Constitution with Article 1, Part 1 of the Alternative (Non-Military) Service Law of 12 December 1991. This specifies that "Alternative service is a service that is introduced instead of the completion of regular military service and aims to fulfil a duty to society".

On 24 September, the Constitutional Court announced on its website that it had accepted Zelinsky's constitutional appeal. This is the first time the Constitutional Court has considered this issue.

"In the opinion of the applicant," the court website notes, "since the contested order determines the replacement of only fixed-term military service with alternative (non-military) service, which currently does not exist in Ukraine, it makes it completely impossible to implement the constitutional right defined in the fourth part of Article 35 of the Constitution of Ukraine, according to which 'In the event that the performance of military duty contradicts a citizen's religious beliefs, the performance of this duty must be replaced by an alternative (non-military) service'."

The Court website notes that the Second Senate began consideration of Zelinsky's request in an open session on 23 October. Consideration then continued in closed session "to make decisions", the website notes. A decision is not expected until November, one observer told Forum 18.

General Prosecutor's Office guidance

In late June or early July, Deputy General Prosecutor Ihor Mustetsa sent an information letter to the heads of all Regional Prosecutor's Offices outlining how it saw the Supreme Court's interpretation of how to deploy 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 Supreme Court had set out its views on 13 June when it rejected the final appeal of jailed Seventh-day Adventist conscientious objector Dmytro Zelinsky.

Forum 18 asked the General Prosecutor's Office when exactly it sent the letter to local prosecutors. Its Press Office told Forum 18 on 24 October that it should direct its question to the "address for departmental correspondence", which Forum 18 did the same day. Forum 18 had received no response by the end of the working day in Kyiv of 30 October.

The information letter noted that "there are high risks of unscrupulous behaviour of persons subject to the draft, aimed at evading the fulfilment of the constitutional duty to protect the Motherland. At the same time, there is the question of bringing to criminal responsibility for evading service persons who, according to their religious beliefs, cannot use weapons."

Mustetsa's information letter then referred to the 13 June Supreme Court decision rejecting Zelinsky's final appeal (see above).

"Rejecting [Zelinsky's] cassation appeal, the Supreme Court referred to the provisions of the Covenant [International Covenant on Civil and Political Rights (ICCPR)] and the Convention [European Convention on Human Rights (ECHR)], noting that they do not directly provide for the right of a person to refuse to perform military duty for reasons of conscience, including religious beliefs, and do not regulate the procedure for its implementation," the information letter claimed.

Deputy General Prosecutor Mustetsa's information letter claimed that the European Court of Human Rights in Strasbourg "has repeatedly emphasised that the state can establish procedures for assessing the seriousness of a person's convictions and prevent attempts to abuse the possibility of exemption by persons who are able to carry out military service".

Mustetsa's information letter then claims that the Supreme Court, "guided by established practice, emphasised that no religious

beliefs can be the basis for a citizen of Ukraine, recognised as fit for military service, to evade mobilisation in order to fulfil his constitutional duty to protect the territorial integrity and sovereignty of the state from military aggression by a foreign country".

Mustetsa's information letter also instructs local prosecutors "to take measures regarding the use of this legal position of the Supreme Court in practical activities". It adds: "In cases of inconsistency of the decisions of the first and appeal courts with the legal position of the Supreme Court, an appropriate response should be provided."

An observer told Forum 18 that this letter from the General Prosecutor's Office may have led to the increase in the number of criminal cases brought against conscientious objectors since June.

Legally-binding international human rights obligations

Deputy General Prosecutor Mutetsa'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) ("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."

What hope for fully-accessible alternative civilian service?

Many religious communities have long expressed concern over the absence of a civilian alternative service during wartime. Leaders of the Ukrainian Council of Churches and Religious Organisations – which includes a wide range of Christian communities as well as Muslims and Jews – raised this in a 19 October 2023 meeting with the Prime Minister, Denys Shmyhal.

"Another issue of discussion was the practical mechanism of implementing the constitutional guarantee of alternative (non-military) service for believers whose religious beliefs do not allow them to take up arms," the Council noted that day in a report of the meeting.

"Instead of criminal prosecution of such believers," the Council added, "it will be expedient to involve them in the work of strengthening the state's defence capability outside the military formations." The Council made no mention of any response from Prime Minister Shmyhal.

Some officials have stated that work is underway on preparing a new Law or legal amendments to allow for applications for alternative civilian service during times of war.

Viktor Yelensky, head of the State Service for Ethnic Policy and Freedom of Conscience (DESS), says officials of his office jointly with representatives of the Defence Ministry, Justice Ministry and the Parliamentary Human Rights Commissioner (Ombudsperson) Dmytro Lubinets, as well as parliamentary deputies, "are still working on this draft law".

"We are trying to reconcile all tensions and disagreements," Yelensky told Forum 18 on 27 September. "We would like to be sure that our draft law will find support in the Parliament. For now, we are not sure about this."

Asked when he expected any draft to be published for public discussion and when it might be presented to parliament, Yelensky responded: "It is hard to predict when the group will come to consensus."

Officials of the Defence Ministry, DESS and other state bodies met in a closed meeting on 10 October to discuss the issue of alternative civilian service in wartime. "Discussion was serious and the Defence Ministry acknowledged that this is an issue that affects many people," an individual familiar with the issue told Forum 18. "The Defence Ministry officials recognised that those unable to serve in the military on grounds of conscience could do something for the country."

Forum 18 asked Yelensky of the DESS what progress there was in the 10 October meeting and elsewhere. "I am extremely busy with this issue despite enormous pressure of other responsibilities," he told Forum 18 on 30 October. "For now, no progress I can report."

A lawyer who has been involved in conscientious objection cases expressed optimism that amendments to the alternative service law will eventually be adopted. "There is a serious desire to resolve this issue," the lawyer told Forum 18 from Kyiv on 2 October, "but I think it will be not in this year but next."

Few serve in non-combat roles in military

The military has allowed a few men, including Council of Churches Baptists, to serve in roles that do not violate their conscientious beliefs. Serhy Kulinich, a Baptist who lives in Odessa, was baptised in 2012. He undertook military service from 2015 to 2017 without swearing the military oath and without bearing weapons.

Recruitment Office officials repeatedly summoned Kulinich following Russia's full-scale invasion of Ukraine in 2022. "There he explained his Christian principles," Council of Churches Baptists noted. "He did not refuse mobilisation, but appealed for non-military service and was sent home."

After summoning him again, officials took Kulinich to a military unit in Poltava Region. They told him his situation would be sorted out there. In his unit, he is allowed to serve "in accordance with his religious convictions", Council of Churches Baptists noted on 19 September 2024. He is working in the vehicle repair battalion. "He suffers no pressures because of his Christian convictions."

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List of criminal cases against 86 conscientious objectors

The list below is of the known 86 conscientious objectors who have faced criminal cases that have reached court (https://www.forum18.org/archive.php?article_id=2836), based on court records and other information reaching Forum 18. All stated at a Recruitment Office that they are conscientious objectors to military service and whose requests to be able to perform an alternative civilian service were rejected or ignored. The cases were all lodged 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. Hundreds of others are under criminal investigation.

- Jail terms

Courts are known to have handed down 9 jail terms, of which 1 is in force, 1 is waiting to be implemented, 1 was overturned, 1 was changed to a suspended sentence, and 5 are awaiting appeal:

1) 15 September 2022, Vitaly Vasilovich Alekseenko (https://www.forum18.org/archive.php?article_id=2906) (born 2 December 1976), Christian, Ivano-Frankivsk, 1-year jail term (overturned by Supreme Court and sent for new trial – see below);

2) 6 April 2023, Mykhailo Yosypovych Yavorsky (https://www.forum18.org/archive.php?article_id=2906) (born 3 June 1983), Christian, Ivano-Frankivsk, 1-year jail term (changed to suspended sentence on appeal – see below);

3) 28 August 2023, Dmytro Bronislavovich Zelinsky (https://www.forum18.org/archive.php?article_id=2871) (born 16 March 1978), Seventh-day Adventist, Ternopil, 3-year jail term (currently imprisoned);

4) 26 March 2024, Serhy Igorovych Stadnitsky (https://www.forum18.org/archive.php?article_id=2906) (born 1990), Protestant: Chervonohrad City Court handed down a 3-year jail term. On 20 June 2024, Lviv Appeal Court rejected his appeal (not currently imprisoned);

5) 28 March 2024, Serhy I., Jehovah's Witness: On 22 February 2024 police instituted criminal proceedings. Bilopillia District Court jailed him for 3 years. Disagreeing with the decision, the defence filed an appeal. The next court hearing at the court of appeal is scheduled for 13 November 2024.

6) 8 July 2024, Vitaliy K., Jehovah's Witness: On 9 February 2024 police instituted criminal proceedings. Bilopillia District Court jailed him for 3 years. Disagreeing with the decision, the defence filed an appeal. The next court hearing at the court of appeal is

scheduled for 5 December 2024.

7) 26 July 2024, Andrii Kh., Jehovah's Witness: On 10 April 2024 police instituted criminal proceedings. Okhtyrka District Court jailed him for 3 years. Disagreeing with the decision, the defence filed an appeal. The next court hearing at the court of appeal is scheduled for 23 December 2024.

8) 2 August 2024, Oleksii B., Jehovah's Witness: On 14 February 2023 police instituted criminal proceedings. Irpin District Court jailed him for 3 years. Disagreeing with the decision, the defence filed an appeal. The next court hearing at the court of appeal is scheduled for 12 December 2024.

9) 25 September 2024, Vitalii P., Jehovah's Witness: On 5 April 2023 police initiated criminal proceedings. Kharkiv's Dzerzhynsk District Court jailed him for 3 years. The defence does not agree with the decision and intends to appeal.

- Suspended prison sentences

Courts are known to have handed 11 conscientious objectors suspended prison sentences and terms of probation:

1) 18 May 2022, Andrii Volodmyrovych Kucher, pacifist, Mukachevo, suspended 4-year jail term;

2) 21 June 2022, Dmytro Mikolaiovich Kucherov, Pentecostal, Oleksandriia (Kirovohrad Region), suspended 3-year jail term;

3) 17 August 2022, Oleksandr Olegovych Korobko, Mukachevo, suspended 3-year jail term;

4) 22 August 2022, Maryan Kapats, Mukachevo, suspended 3-year jail term;

5) 2 December 2022, Andrii Mikhailovych Martiniuk, Christian, Snyatin (Ivano-Frankivsk Region), suspended 3-year jail term;

6) 3 February 2023, Hennady Viktorovych Tomniuk (born 1984), Baptist, Ivano-Frankivsk, suspended 3-year jail term (which the prosecutor failed to turn into a prison sentence on appeal);

7) 5 September 2023, Roman Oleksandrovych Vengerov (born 1990), Christian, Tulchyn (Vinnitsa Region), suspended 3-year jail term;

8) 2 October 2023, Mykhailo Yosypovych Yavorsky (https://www.forum18.org/archive.php?article_id=2871) (born 3 June 1983), Christian, Ivano-Frankivsk, suspended 3-year jail term (changed from one-year jail term);

9) 19 October 2023, Artyom Mikolaiovich Kravtsov (https://www.forum18.org/archive.php?article_id=2871), Baptist, Pervomaisk District (Mykolaiv Region), suspended 4-year jail term;

10) 24 October 2023, Volodymyr Volodymyrovich Ukhal (https://www.forum18.org/archive.php?article_id=2906) (born 1992), Orthodox, Tyachiv, suspended 4-year jail term (prosecutor's appeal due to be heard on 12 November 2024);

11) 13 December 2023, Vitaly Vasilovich Alekseenko (https://www.forum18.org/archive.php?article_id=2906) (born 2 December 1976), Christian, Ivano-Frankivsk, suspended 3-year jail term (second trial after jail term overturned).

- Awaiting trial hearings

Courts are known to be holding trials of 66 conscientious objectors listed below in 89 cases:

1) Oleksandr T., Jehovah's Witness, Ivanivtsi: On 5 January 2024 police initiated criminal proceedings. Trial hearing held on 21 October 2024.

2) Tymur A., Jehovah's Witness, Kharkiv: On 14 August 2024 police instituted criminal proceedings. Trial hearing at Kharkiv's Frunze District Court held on 30 October 2024.

3) Illia V., Jehovah's Witness, Kharkiv: On 16 August 2024 police instituted criminal proceedings. Trial hearing at Kharkiv's Frunze District Court held on 30 October 2024.

4) Andrii L., Jehovah's Witness, Cherkasy: Trial hearing at Sosniv District Court scheduled on 31 October 2024.

5) Yurii K., Jehovah's Witness, Ivanychi: On 21 August 2024 police instituted criminal proceedings. Trial hearing at Ivanychi District Court scheduled on 5 November 2024.

- 6) Oleh H., Jehovah's Witness, Cherkasy: On 13 September 2024 police instituted criminal proceedings. Trial hearing at Sosniv District Court scheduled on 6 November 2024.
- 7) Viktor B., Jehovah's Witness, Kryvyi Rih: On 5 September 2024 police instituted criminal proceedings. Trial hearing at Dovgintseve District Court scheduled on 6 November 2024.
- 8) Oleksandr B., Jehovah's Witness, Pereyaslav-Khmelnyskyi: On 9 October 2024 police instituted criminal proceedings. Trial hearing at Pereyaslav-Khmelnyskyi District Court scheduled on 7 November 2024.
- 9) Vasyi K., Jehovah's Witness, Dubrovytsia: Trial hearing at Dubrovytsia District Court scheduled on 7 November 2024.
- 10) Roman P., Jehovah's Witness, Cherkasy: On 20 August 2024 police instituted criminal proceedings. Trial hearing at Sosniv District Court scheduled on 13 November 2024.
- 11) Roman K., Jehovah's Witness, Netishyn: On 26 August 2024 police instituted criminal proceedings. Trial hearing at Netishyn District Court scheduled on 13 November 2024.
- 12) Oleksandr T., Jehovah's Witness, Sosnivka: On 13 September 2024 police instituted criminal proceedings. Trial hearing at Cherkasy's Sosnivka District Court scheduled on 18 November 2024.
- 13) Vitalii T., Jehovah's Witness, Kharkiv: On 22 August 2024 police instituted criminal proceedings. Trial hearing at Kharkiv's Frunze District Court scheduled on 18 November 2024.
- 14) Mykola P., Jehovah's Witness, Pereyaslav-Khmelnyskyi: On 9 October 2024 police instituted criminal proceedings. Trial hearing at Pereyaslav-Khmelnyskyi District Court scheduled on 20 November 2024.
- 15) Viktor U., Jehovah's Witness, Zdolbuniv: On 1 July 2024 police instituted criminal proceedings. Trial hearing at Zdolbuniv District Court scheduled on 22 November 2024.
- 16) Dmytro D., Jehovah's Witness, Cherkasy: On 20 August 2024 police instituted criminal proceedings. Trial hearing at Sosniv District Court scheduled on 22 November 2024.
- 17) Roman V., Jehovah's Witness, Cherkasy: On 28 August 2024 police instituted criminal proceedings. Trial hearing at Sosniv District Court scheduled on 28 November 2024.
- 18) Mykhailo S., Jehovah's Witness, Korosten: Trial hearing at Korosten District Court scheduled on 28 November 2024.
- 19) Serhii S., Jehovah's Witness, Popilnia: On 9 April 2024 police instituted criminal proceedings. Trial hearing at Popilnia District Court scheduled on 28 November 2024.
- 20) Serhii M., Jehovah's Witness, Cherkasy: On 20 August 2024 police instituted criminal proceedings. Trial hearing at Sosniv District Court scheduled on 4 December 2024.
- 21) Artem N., Jehovah's Witness, Kharkiv: On 11 September 2024 police instituted criminal proceedings. Trial hearing at Frunze District Court held on 30 October 2024.
- 22) Serhii V., Jehovah's Witness, Kyiv: On 2 February 2024 police instituted criminal proceedings. Trial hearing at Kyiv's Svyatoshin District Court held on 30 October 2024.
- 23) Yurii S., Jehovah's Witness, Bar: On 2 September 2024 police instituted criminal proceedings. Trial hearing at Bar District Court held on 30 October 2024.
- 24) Oleksandr Volodymyrovych Kurochkin (born 24 November 1984), Seventh-day Adventist, Odessa: Trial hearing at Odessa's Suvorov District Court scheduled on 31 October 2024.
- 25) Volodymyr Viktorovych Kalenchuk (https://www.forum18.org/archive.php?article_id=2906) (born 29 December 1975), Council of Churches Baptist. Trial hearing at Chernoomysky District Court scheduled on 31 October 2024.
- 26) Mykola T., Jehovah's Witness, Bilopillia: On 15 July 2024 police instituted criminal proceedings. Trial hearing at Bilopillia District Court scheduled on 31 October 2024.
- 27) Andrii L., Jehovah's Witness, Boryspil: On 27 January 2024 police instituted criminal proceedings. Trial hearing at Yagotin District Court scheduled on 5 November 2024.

- 28) Yurii S., Jehovah's Witness, Zhmerynka: On 10 October 2024 police instituted criminal proceedings. Trial hearing at Zhmerynka District Court scheduled on 5 November 2024.
- 29) Dmytro Sh., Jehovah's Witness, Synelnykovo: On 9 February 2024 the court started hearing the case. Trial hearing at Synelnykovo District Court scheduled on 6 November 2024.
- 30) Serhii Ch., Jehovah's Witness, Sloviansk: On 7 June 2024 police instituted criminal proceedings. Trial hearing at Sloviansk District Court scheduled on 7 November 2024.
- 31) Viktor M., Jehovah's Witness, Chortkiv: On 13 April 2023 police initiated criminal proceedings. Trial hearing at Chortkiv District Court scheduled on 7 November 2024.
- 32) Evhen S., Jehovah's Witness, Petropavlivka: On 9 August 2024 police instituted criminal proceedings. Trial hearing at Novomoskovsky District Court scheduled on 7 November 2024.
- 33) Serhii T., Jehovah's Witness, Kamianets-Podilskyi: On 17 October 2023 police instituted criminal proceedings. Trial hearing at Kamianets-Podilskyi District Court scheduled on 8 November 2024.
- 34) Andrii D., Jehovah's Witness, Stryi: On 3 September 2024 police instituted criminal proceedings. Trial hearing at Stryi District Court scheduled on 11 November 2024.
- 35) Kostyantyn Volodymyrovych Chovgan (https://www.forum18.org/archive.php?article_id=2906) (born 23 June 1971), Council of Churches Baptist. Trial hearing at Sakhnovshchina District Court scheduled on 11 November 2024.
- 36) Mykhailo A., Jehovah's Witness, Lviv: On 19 June 2024 police instituted criminal proceedings. Trial hearing at Shevchenko District Court scheduled on 12 November 2024.
- 37) Nazar Sergiyovych Melnik (born 1996), Council of Churches Baptist. Trial hearing at Zarichne District Court scheduled on 12 November 2024.
- 38) Serhii I., Jehovah's Witness, Katerynopil: On 24 August 2024 police instituted criminal proceedings. Trial hearing at Katerynopil District Court scheduled on 14 November 2024.
- 39) Serhii K., Jehovah's Witness, Katerynopil: On 24 August 2024 police instituted criminal proceedings. Trial hearing at Katerynopil District Court scheduled on 14 November 2024.
- 40) Denys T., Jehovah's Witness, Katerynopil: On 24 August 2024 police instituted criminal proceedings. Trial hearing at Katerynopil District Court scheduled on 14 November 2024.
- 41) Andrii P., Jehovah's Witness, Stryi: On 22 June 2024 police instituted criminal proceedings. Trial hearing at Stryi District Court scheduled on 14 November 2024.
- 42) Andrii H., Jehovah's Witness, Stryi: On 26 September 2024 police instituted criminal proceedings. Trial hearing at Stryi District Court scheduled on 14 November 2024.
- 43) Artem F., Jehovah's Witness, Ovidiopol: On 3 May 2024 police instituted criminal proceedings. Trial hearing at Ovidiopol District Court scheduled on 14 November 2024.
- 44) Oleksandr P., Jehovah's Witness, Yagotin: Trial hearing at Yagotin District Court scheduled on 15 November 2024.
- 45) Vladyslav K., Jehovah's Witness, Ovidiopol: On 20 August 2024 police instituted criminal proceedings. Trial hearing at Ovidiopol District Court scheduled on 20 November 2024.
- 46) Vadym S., Jehovah's Witness, Ovidiopol: On 20 August 2024 police instituted criminal proceedings. Trial hearing at Ovidiopol District Court scheduled on 20 November 2024.
- 47) Ibrahim S., Jehovah's Witness, Boryspil: On 25 July 2023 police initiated criminal proceedings. Trial hearing at Boryspil District Court scheduled on 21 November 2024.
- 48) Bohdan K., Jehovah's Witness, Novovolynsk: On 13 August 2024 police instituted criminal proceedings. Trial hearing at Novovolynsk District Court scheduled on 25 November 2024.

- 49) Oleh Sh., Jehovah's Witness, Korosten: On 29 August 2024 police instituted criminal proceedings. Trial hearing at Korosten District Court scheduled on 27 November 2024.
- 50) Serhii N., Jehovah's Witness, Volodymerets: On 9 July 2024 police instituted criminal proceedings. Trial hearing at Volodymerets District Court scheduled on 28 November 2024.
- 51) Vitalii H., Jehovah's Witness, Stryi: On 9 September 2024 police instituted criminal proceedings. Trial hearing at Stryi District Court scheduled on 3 December 2024.
- 52) Yurii S., Jehovah's Witness, Petropavlivka: On 25 July 2024 police instituted criminal proceedings. Trial hearing at Petropavlivka District Court scheduled on 3 December 2024.
- 53) Hryhorii V., Jehovah's Witness, Nosivka: On 11 August 2024 police instituted criminal proceedings. Trial hearing at Nosivka District Court scheduled on 4 December 2024.
- 54) Oleh B., Jehovah's Witness, Sosnivka: On 13 September 2024 police instituted criminal proceedings. Trial hearing at Cherkasy's Sosnivka District Court scheduled on 10 December 2024.
- 55) Anton N., Jehovah's Witness, Poltava: On 13 December 2022 police initiated criminal proceedings. Trial hearing at Poltava's Kyiv District Court scheduled on 16 December 2024.
- 56) Andrii Sh., Jehovah's Witness, Korosten: On 5 September 2024 police instituted criminal proceedings. Trial hearing at Korosten District Court scheduled on 18 December 2024.
- 57) Andrii O., Jehovah's Witness, Nedryhailiv: On 21 June 2024 police instituted criminal proceedings. Trial hearing not yet scheduled.
- 58) Mykhailo Yuriyovych Savochka, Pentecostal, Vasylykiv: Trial hearing at Vasylykiv District Court not yet scheduled.
- 59) Viktor S., Jehovah's Witness, Tiachiv: Tiachiv District Court acquitted him in March 2023, but appeal court overturned the acquittal and sent for new trial. Trial hearing at Tiachiv District Court not yet scheduled.
- 60) Oleksandr Y., Jehovah's Witness, Sarny: On 3 September 2024 police instituted criminal proceedings. Trial hearing at Vasylykiv District Court not yet scheduled.
- 61) Henadii K., Jehovah's Witness, Shostka: On 3 July 2024 police instituted criminal proceedings. Trial hearing not yet scheduled.
- 62) Oleksandr T., Jehovah's Witness, Ivanivtsi: On 5 January 2024 police instituted criminal proceedings. Trial hearing not yet scheduled.
- 63) Viacheslav F., Jehovah's Witness, Stryi: On 5 September 2024 police instituted criminal proceedings. Trial hearing not yet scheduled.
- 64) Dmytro P., Jehovah's Witness, Dykanka: On 17 September 2024 police instituted criminal proceedings. Trial hearing not yet scheduled.
- 65) Andrii O., Jehovah's Witness, Nedryhailiv: On 21 June 2024 police instituted criminal proceedings. Trial hearing not yet scheduled.
- 66) Volodymyr T., Jehovah's Witness, Kharkiv: On 2 September 2024 police instituted criminal proceedings. Trial hearing not yet scheduled.

- Acquittals followed by prosecutors' appeals

Courts initially acquitted three Jehovah's Witness conscientious objectors, but the Prosecutor's Office appealed in each case. A court has overturned one acquittal, but courts are yet to rule on the other two:

- 1) Tiachiv, Viktor S., Jehovah's Witness: On 4 March 2022 police initiated criminal proceedings. On 20 March 2023, Tiachiv District Court acquitted him. Disagreeing with the decision, the prosecutor filed an appeal. The appeal hearing overturned the acquittal and sent the case for a new trial (see above).
- 2) Tiachiv, Pavlo R., Jehovah's Witness: On 4 March 2022 police initiated criminal proceedings. On 24 May 2023, Tiachiv District Court acquitted him. Disagreeing with the decision, the prosecutor filed an appeal. The appeal hearing is scheduled on 5 December

2024.

3) Boryspil, Serhii T., Jehovah's Witness: On 14 June 2023 police initiated criminal proceedings. On 12 January 2024, the trial court acquitted him. Disagreeing with the decision, the prosecutor filed an appeal. The next court hearing at the court of appeal not yet scheduled.

- Cases not yet handed to court

Police have instituted criminal investigations into hundreds of individuals who cannot serve in the military on grounds of conscience and whose requests for alternative civilian service have been requested or ignored. Among them are:

- 1) Yuriy Viktorovych Harkusha, Baptist, Kherson.
- 2) Ivan Ivanovich Boychuk, Pentecostal, Kolomyia.
- 3) Mykhailo Fedorovych Matviychuk, Seventh-day Adventist, Dubno.

(END)

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