

(Press Release) Ukraine: Drop all charges against Ruslan Kotsaba

by International Fellowship of Reconciliation (IFOR), War Resisters' International (WRI), the European Bureau for Conscientious Objection (EBCO) and Connection (Germany)

In Ukraine, a trial against Ukrainian journalist, pacifist and conscientious objector Ruslan Kostaba will be held on Tuesday 19 July 2022, simply because he publicly expressed his pacifist views. EBCO, IFOR, WRI and Connection consider his case a clear politically motivated persecution, in violation of his rights to freedom of expression and freedom of thought, conscience and religion, guaranteed under Articles 18 and 19 of the International Covenant on Civil and Political Rights and Articles 9 and 10 of the European Convention on Human Rights.

The organisations express their solidarity with Ruslan Kotsaba and urge the Ukrainian authorities to safeguard that all pacifists in Ukraine, including the activists of the Ukrainian Pacifist Movement, are able to freely express their opinions and continue their nonviolent activities. The organisations also recall their strong condemnation of the Russian invasion of the Ukraine, and call on the soldiers not to participate in hostilities and on all recruits to refuse military service. T

he Ukrainian government should safeguard the right to conscientious objection to military service, fully complying with the European and international standards, amongst others the standards set by the European Court of Human Rights. Ukraine is member of the Council of Europe and needs to continue to respect the European Convention of Human Rights. As now Ukraine becomes candidate to join the EU, it will need to respect the Human Rights as defined in the EU Treaty, and the jurisprudence of the EU Court of Justice, which include the right of conscientious objection.

Protection of Conscientious Objectors in Ukraine

(epd, 22.07.2022): The peace activist Rudi Friedrich has appealed to the German government to provide Ukrainian conscientious objectors in Germany with better protection under refugee law. "Ukrainians are still granted 'residence for humanitarian reasons' in the EU. After that, conscientious objectors are threatened with deportation and thus many years of imprisonment in their home country," the managing director of the association "Connection", based in Offenbach, (...). The association has been counselling and supporting conscientious objectors of many nations for decades. "Conscientious objection is a human right," Friedrich explained. In contrast to Germany,

Ukraine has so far failed to enshrine this right in law. Only members of religious minorities such as Adventists or Jehovah's Witnesses are granted exemptions from conscription under the 1996 Ukrainian constitution. All others would have to expect criminal prosecution - such as the 3,300 Ukrainians who were caught at the border between February and May trying to evade military service by leaving the country. In addition, around 3,000 Ukrainian conscientious objectors had applied for asylum in Moldova alone.

In Germany, conscientious objection is usually not a recognised reason for flight. In their asylum decisions, foreigners authorities regularly point out that every country has the right to conscription, Friedrich said. For German authorities and courts, a reason to flee is only given if political persecution is added to the criminal prosecution of conscientious objection. Those who do not fulfil this criterion are not protected by Germany, he criticised.

Many Ukrainians refused to participate in the defensive war against Russia because of their personal situation. In 2015, (...) the fact that relatives were on the other side of the front line was often cited as a motive. "Ultimately, however, their decision is always a decision of conscience against the war. This is not respected by Ukraine, as current court rulings show."

The Bundestag's decision at the end of April to grant Russian deserters protection in Germany was to be welcomed in principle, he said. "However, it must be extended to Ukrainians as well as to conscientious objectors in general," Friedrich demanded. "Currently, you have to have been a Russian soldier first to be able to apply for asylum in Germany. That's insane." Even for this, authorities and courts set far too high proof requirements. In practice, even Russian deserters often cannot be granted the promised protection.