



A JOURNAL OF ORTHODOX FAITH AND CULTURE

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RIGHTS AND FREEDOMS: SAFEGUARDING ORTHODOX CHRISTIANS IN EUROPE

Orthodox Latvian lawyer and theologian Kyrill Bystov on his internship at All Saints Church in Strasbourg monitoring violations of the rights and freedoms of Orthodox Christians in Europe. A protective initiative that can be copied worldwide.

RTE: Kyrill, how did you end up in Strasbourg, and now here at All Saints Church?

KYRILL: I am from Latvia and after finishing my mathematics degree in London in 2013, I received a scholarship to do a year-long specialization in diplomacy in Strasbourg. I was baptized when I was young, but only rediscovered Orthodoxy in London. When I arrived in Strasbourg, I found the parish of All Saints worshipping in a renovated garage, and the rector, Fr. Philip Ryabykh, asked if I would like to try to help out in the altar. I have to say that I was more inspired by this than by any university course. This experience and our talks changed my life.

When I finished the course and went home, I entered the Orthodox seminary in Latvia and after a year I was accepted into the Riga Graduate School

Opposite: Kyrill Bystov.

of Law, where I studied international law and diplomacy while still attending seminary.

At the end of the four-year seminary in Latvia, we do a year-long internship in a parish or monastery, and at the same time, my law school told me that they had money through the Erasmus Program to send me anywhere in Europe for further studies. I thought that perhaps I could combine the two and wrote to Fr. Philip about serving at All Saints. He wrote back offering me a position monitoring human rights violations against Orthodox Christians in Europe. My law thesis had been on protecting the human rights of refugees, so Fr. Philip's suggestion was a nice combination of both of my interests.

RTE: Can you describe the project for us?

KYRILL: It began in 2014 and is officially called, "Monitoring Violations of the Rights and Freedoms of Orthodox Christians in Europe." It is under the representation of the Russian Orthodox Church to the Council of Europe and other European Union organizations. We are the only group officially monitoring the rights of Orthodox believers in Europe.

RTE: What do you do?

KYRILL: I gather material, check facts, and write reports about these violations. Father Philip then uses this material for presentations to the Council of Europe, to the European Court of Human Rights, and to various European Union institutions. To be more precise, when I say "Europe" I mean that we monitor Orthodox belief in each of the forty-seven countries in the Council of Europe, including post-Soviet countries.

My daily job is to read both secular and Orthodox newspapers, websites, and other publications to search for such violations. When I find them, I investigate the complaints to verify that they are legitimate and not some kind of fake news or exaggeration. We are not so much a news agency as a social research group, and objectivity is a first priority.

Once I have identified what type of freedom has been violated, I describe the context of the situation, the sources, and then I classify it for publication on our website. We have also begun publishing these incidents and trends on social networks to make them more visible. At the end of the year, we publish a printed and online yearbook describing the violations, which is sent to institutions in the Council of Europe including the European Court

of Human Rights, European Union institutions, national governments, and to other church leaders.

RTE: What kinds of things do you report?

KYRILL: The most important, of course, are incidents of assault and murder that have been proven to be religiously-motivated.

RTE: Perpetrated because the person is an Orthodox Christian?

KYRILL: Yes. We also report on the desecration of holy places, the defamation of individuals, and all kinds of discrimination. Discrimination can take the form of violating freedom of expression, interfering with or blocking the functioning of a church, or if the state decides to favor one religion to the detriment of others. An example of this is the Ukrainian state's attempt to create a new church.

RTE: Which has been a disaster.

KYRILL: Yes. We also have situations like this brewing in Montenegro, Croatia, Macedonia, and a few other places. These regions have always been under the Serbian Patriarchate, of course, and now are facing the same scenario as Ukraine, when, for political reasons, these small states "decide" to create their own church, even if they have a constitutional separation of church and state.

RTE: Which is tragic for everyone concerned.

KYRILL: Yes, and then the state begins to discriminate and speaks against the traditional canonical church through the media.

RTE: This sounds so much like the so-called "Living Church" after the Russian Revolution, when the Soviet government set up its own Orthodox church and persecuted those who would not join it.

KYRILL: And as in Ukraine, in these situations they often enroll disaffected schismatics as clergy.

RTE: Yes, we western journalists saw for ourselves in Ukraine that the new state church was made up of people who frequently admitted that their parish or community had been part of an uncanonical fringe group mostly led

by hierarchs previously suspended or defrocked by the Russian Orthodox Church on moral and ecclesiastical grounds.

KYRILL: I cannot say that this is happening in every Balkan state, but I know that several of them do discriminate against the Serbian Orthodox Church. For instance, in Kosovo, it is not that they have developed a separate state church, but that they have a general anti-Serbian policy.

The main languages we are able to monitor right now are English, Ukrainian, and Russian. We hope to add French and German. For now, many of the Orthodox patriarchates have publications and internet sites in English that we can access for this kind of news. We also have Serbians, Greeks, and Georgians here in the parish who can sometimes help by translating from those languages. Information also comes from Orthodox parish websites. If something serious happens they often post it there.

RTE: So, you monitor newspapers, social media, and websites, as well as official communications between Orthodox patriarchates, between Orthodox churches and local and national governments, and between Orthodox churches, their dioceses, and their patriarchates?

KYRILL: Yes.

RTE: Do other Orthodox in Europe call you when there are problems?

KYRILL: Not yet, although direct contact is a good future step, especially if we can increase our staff. Few people know that we exist yet.

RTE: Once you've gathered this information and identify concerning trends, does Fr. Philip make specific recommendations to the European Union, the Council of Europe, or the European Court of Human Rights?

KYRILL: Yes, this is the second part of my responsibility – to prepare materials for Fr. Philip to use in his meetings with European authorities, such as the yearly periodical I mentioned that lists the cases by subject with a summary of each one, followed by an analysis as to whether these incidents are increasing or declining in frequency and/or in location. This material provides substance for his concerns and suggestions.

Larger Issues and Group Rights

RTE: What about larger issues? For instance, I recently discovered that if you die in France without having made a statement that you do not want your body used for replacement body parts or scientific research, that can and probably will happen automatically. According to a 1976 law, a person is presumed to have consented to organ donation if he or she has never explicitly said otherwise to close relatives. In contrast, other countries such as Britain, Ireland and Holland, require that a person give explicit permission for their organs to be used. This is a problem for many Christians, Jews and Muslims, who believe that the body should not be violated.

KYRILL: Yes, this is important and there are other issues that impact believers as well, but we don't yet have the resources to monitor them. We did organize a conference in December of 2018 on religious freedom that was held in one of the auditoriums of the Council of Europe. The talks focused on cases that were being heard in the European Court of Human Rights, so that included all religions. There were important cases for Catholics and Muslims, and for the Orthodox, the incident of the "Pussy Riot" feminist punk rock group in Moscow, which engaged in a provocative, unscheduled performance inside Christ the Savior Cathedral as a protest against the government.

RTE: It was an outrageous desecration of a consecrated church during a service.

KYRILL: Yes, in our case the decision of the European Court was quite ambiguous, but there are a number of other countries complaining that the court is becoming politicized and warning that it could lose its authority and credibility. This is why Fr. Philip invited all of the religious groups who had cases before the court to come together to speak of these problems.

RTE: What was the outcome?

KYRILL: There was great interest and the large auditorium was full. Along with the invited speakers, many people came from the Council of Europe to listen.

RTE: Was any action taken?

KYRILL: You cannot always expect immediate results; sometimes it is important just to witness. A result may appear months or years after such intensive labor.

RTE: Unfortunately, if people were to hear about this conference, they might say, “Well, of course Russia organized this because the decision of the court wasn’t clearly in their favor. How would you answer that?”

KYRILL: Father Philip does not have diplomatic status or diplomatic immunity, which is a clear signal to everyone involved that his position is not sponsored by the government. In countries where there are still state churches, such as in Greece, Denmark, Norway, Finland, and parts of Switzerland, or in England where the queen is the head of the church, church representatives to the EU and Council of Europe do have diplomatic status, but Russia has a constitutional separation of church and state.

RTE: Beside the ambiguity of the ruling on the desecration of Christ the Saviour Cathedral, what other cases were highlighted?

KYRILL: We have had interesting cases from Germany and Belgium, where Christians were protesting symbolic attacks, such as the practice of using Orthodox or other churches in commercials but removing the crosses. This happens quite often with photos of St. Basil’s in Moscow, as well as in photos of famous Greek churches in the Mediterranean.

RTE: What response have you had from European officials?

KYRILL: We’ve received letters of thanks for the publication and for the work we’ve done from various church organizations such as the Orthodox Metropolitan of Poland and the Vatican’s Council of Europe representatives. Usually you do not receive a detailed response to such documents. The aim is to first inform, and then to find solutions. It is not a quick process.

RTE: Another need would be protecting the rights of existing communities. For instance, after the fall of communism, American and other protestant groups came into small communities and tried to lure people away from their centuries-old Orthodoxy with offers of education abroad, or even food and clothes. They were acting legally by the state standards of freedom of religion, but this was an assault on the life, beliefs, and cultures of these communities.

On the other hand, there has been pushback from residents on a small island off the coast of Scotland, where some local people do not want to see an Orthodox monastery established with “people in long robes” teaching things that they, as hereditary Scot Presbyterians, don’t believe in. Some of these people feel that an Orthodox presence would detract from the identity of their small island. Another example is the questionable French ban on wearing religious symbols in schools, such as openly wearing oversize crosses, or Muslim-style head scarves.

KYRILL: You have touched on one of the main issues of religious freedom: group rights. However, international law doesn’t legislate on group rights, only on individual rights.

RTE: That is interesting. How do you see this work evolving in the future?

KYRILL: Apart from monitoring, we hope to be able to develop a larger team with financial resources to protect European Orthodox Christians from legal and physical persecution, violent hatred, defamation, and other things. I would also like to extend our monitoring to the treatment of handicapped people, but issues like this involve too wide of a spectrum for one organization. There would have to be many such groups. ✚