

What's Wrong with Robert Amsterdam's Analysis of Ukraine's Law #8371

Robert Amsterdam has learned well the litigator's axiom: if the facts are with you, argue the facts; if the facts aren't with you, argue the law; and if the facts and the law aren't with you, attack your opponent. He is attacking Lauren Homer, Law and Liberty Trust's President, by name on Twitter, LinkedIn, his own website, and doubtless beyond. (Note: His name was only mentioned in a footnote to Law and Liberty Trust's Memorandum on Ukraine's proposed Law #8371 of February 28, 2024.)¹

Now he's written an "Open Letter" claiming the Memorandum is "legally completely meaningless" and "deeply misleading and dangerous."² He says "I don't believe I've ever seen a more nonsensical, frightening headline than this from Lauren Homer." The post title on LinkedIn is *What's Right About Ukraine's Draft Law on Closing Hostile Religious Organizations*.³ He says the Memorandum's arguments are "hateful." So be it. Robert Amsterdam, since both the facts and the law are on our side, here's a detailed response. But first, let's talk about who Robert Amsterdam really is.

Robert Amsterdam admits to being a paid lobbyist for both the Ukrainian Orthodox Church—Moscow Patriarchate (UOC-MP)⁴ and for a Russian/Ukrainian oligarch named Vadym Novynskyi.⁵ His website says he started representing the UOC-MP in September 2023 a month after he started representing Novynskyi. The two representations are clearly connected. Indeed, they may well be part of a larger Russian psych-op funded and directed in the United States by Novynskyi. This has been reported by Archimandrite Cyril Hovorun, a brilliant theologian, academic, and former Chair of the Russian Orthodox Church-Moscow Patriarchate (ROC-MP) Department of External Relations among other high posts in that church.⁶ Hovorun also was a top aide to now Patriarch Kirill when Kirill led that department. Hovorun says Novynskyi's operation involves both the notably pro-Russia commentator Tucker Carlson and Amsterdam.⁷ This may explain how Amsterdam happened to be interviewed by Tucker Carlson and how Tucker Carlson happened to get to interview Russian President Vladimir Putin, so that Putin could repeat very similar claims to those made by Amsterdam, influencing many Americans to believe the lie that the Ukrainian government is suppressing the UOC-MP. Many commentators claim that Amsterdam's real clients are the ROC-MP and the Russian state, claims Amsterdam denies.

Amsterdam calls Novynskyi a "Ukrainian religious figure." In reality, he is a very wealthy Russian oligarch. He obtained Ukrainian citizenship in 2012 at the age of 45 on orders of its then pro-Russia President Victor Yanukovich, while keeping his Russian citizenship.⁸ Yanukovich soon installed Novynskyi as a member of the Ukrainian Parliament, where he was known as "Putin's whip" for supporting legislation

¹ http://www.lawandlibertytrust.org/images/2024_2-28_LL_T_Analysis--Draft_Ukrainian_Law_on_RO_s.pdf

² <https://amsterdamandpartners.com/open-letter-in-response-to-the-law-and-liberty-trust-on-freedom-of-religion-in-ukraine/>

³ <https://www.linkedin.com/pulse/whats-right-ukraines-draft-law-closing-hostile-religious-lauren-homer-dls5c/?trackingId=agAnNXh%2BTduSSE2BSUQitA%3D%3D>

⁴ <https://amsterdamandpartners.com/press-release-ukrainian-orthodox-church-appoints-amsterdam-partners-llp-to-defend-against-attack-on-religious-freedoms/> Note: the church is called the UOC-MP so that readers understand which of the nine Ukrainian Orthodox denominations is being referred to.

⁵ <https://amsterdamandpartners.com/amsterdam-partners-llp-retained-by-ukrainian-religious-figure-vadym-novynskyi-to-defend-against-political-persecution/>

⁶ <https://df.news/en/2024/02/09/putin-goes-wild-claiming-impossible-to-break-unity-of-roc-uoc-mp/>; <https://www.linkedin.com/in/cyril-hovorun/>

⁷ <https://df.news/en/2024/02/09/putin-goes-wild-claiming-impossible-to-break-unity-of-roc-uoc-mp/>

⁸ https://en.wikipedia.org/wiki/Vadym_Novynskyi

favorable to Russia.⁹ Novynskyi had some of his \$6.1 billion in assets confiscated by Ukraine and nominally “lost” others through restructuring,¹⁰ but Forbes says his net worth is still \$1.4 billion and that he is one of Ukraine’s “most Putin friendly billionaires.”¹¹ As Amsterdam himself stated in 2017, “There are no major Russian oligarchs now that are not in some level of collaboration with the Russian government.”¹²

Novynskyi was ordained as a “proto-deacon” in the UOC-MP in 2020 at the age of 53 reportedly due to his very generous donations. Having fled Ukraine, he now serves in a ROC-MP church in Zurich, Switzerland.¹³ At his church, they pray blessings on Patriarch Kirill—an outspoken supporter and ideological partner of Putin in Russia’s war on Ukraine. Kirill heretically tells Russian soldiers that all their sins will be washed away if they die fighting in Ukraine.¹⁴ He urges soldiers to fight for victory for “the Motherland and for God.” Pope Francis (who once strove for reconciliation between Catholics and the Russian Orthodox) has characterized Kirill as “Putin’s altar boy.” Patriarch Kirill is well known to be a long time KGB agent who advanced Soviet “soft power” while living in Geneva.

Amsterdam is not registered as a lobbyist for either the UOC-MP or Novynski as required by the Foreign Agents Registration Act (FARA), 22 USC Section 611 et seq. despite engaging in US lobbying.

Amsterdam says he’s written to President Joseph Biden about his client, the UOC-MP.¹⁵ He features his interview with Tucker Carlson in a video “Christianity Under Attack in Ukraine” on his special purpose “Save the UOC” website.¹⁶ In it he urged US listeners to contact the Congress to stop funding for Ukraine until it stops acting against his client.¹⁷ He released his so-called “White Paper” attacking the Ukrainian government in Washington, DC.¹⁸ In his recent Twitter video attacking Lauren Homer personally, he said he plans to visit US Congressional offices this week to make sure they don’t believe the Memorandum. His goal is to get US Congressmen to write to the leader of the Ukrainian parliament demanding that draft Law #8371 be submitted to the Venice Commission for review prior to its adoption.¹⁹

Yet, Amsterdam has never registered with FARA as representing either the UOC-MP or Novynskyi (based on reported online FARA filings as of the date of this memorandum). He is obviously aware of the Foreign Agents Registration Act (FARA) because he and his firm are registered as lobbyists in the US for other (notorious) clients, such as Kim Dot Com,²⁰ the Republic of Turkey (helping Erdogan attack Fethullah Gülen), Venezuela (helping lift sanctions), and Chimediiin Saikhanbileg, disgraced former Mongolia Prime Minister.²¹ His firm filed with FARA as recently as January, 2024. Violations of FARA

⁹ “Putin’s Whip” Celebrates Masses in Zurich, April 23, 2023, <https://www.tagesanzeiger.ch/putins-peitsche-zelebriert-messen-in-zuerich-806353100402>

¹⁰ <https://www.reuters.com/world/europe/ukraine-seizes-assets-billionaire-accused-aiding-russia-2023-04-13/>

¹¹ Vadim Novinsky, <https://www.forbes.com/profile/vadim-novinsky/?sh=55cd1aaa44a1>

¹² <https://amsterdamandpartners.com/newsweek-how-putin-uses-oligarchs/>

¹³ <https://www.tf1info.fr/international/russie-le-patriarche-orthodoxe-russe-kirill-a-t-il-espionne-la-suisse-pour-le-compte-du-kgb-les-services-sercrets-russes-2247237.html>.

¹⁴ The Volos Declaration signed by over 400 Orthodox clerics and academics declared the Russian World and other ROC-MP support for the war a heresy. <https://publicorthodoxy.org/2022/03/13/a-declaration-on-the-russian-world-russkii-mir-teaching/>.

¹⁵ <https://www.telegraph.co.uk/world-news/2024/01/06/zelensky-warned-over-banning-ukrainian-orthodox-church/>

¹⁶ <https://savetheuoc.com>

¹⁷ <https://youtu.be/NUMzCAWZh08?si=qWtZAevOGeQU0gh>

¹⁸ <https://amsterdamandpartners.com/amsterdam-partners-llp-releases-new-white-paper-detailing-violations-of-religious-freedoms-in-ukraine/>

¹⁹ <https://x.com/robertamsterdam/status/1763223225461313810?s=20>

²⁰ <https://robertamsterdam.com/wp-content/uploads/2018/07/whitepaper.pdf>

²¹ https://efile.fara.gov/ords/fara/f?p=1381:200:7843355495401:::RP:200:P200_REG_NUMBER:6325

registration requirements are serious offenses. Congressional offices should be reluctant to talk to Amsterdam.

Amsterdam’s written and verbal statements reveal that his goals and those of his clients are to stop US funding for Ukraine in order to disable its self-defense against Russia’s invasion: Amsterdam’s lobbying to stop the US funding of Ukraine is solely based on his false claims of “sweeping abuses of human rights and violations of religious freedom by the Ukrainian government.” He and his clients are well aware that US funding is key to Ukraine’s survival.

Amsterdam’s video quotes Vivek Ramaswamy’s debate comments that Americans should be outraged that US money is funding oppression of the UOC-MP—a point Nikki Haley derided in footage left out of Amsterdam’s montage. It features Tim Andrews, a DC lobbyist, with Russian roots and an Australian upbringing, to the same effect. He ceaselessly insults the Ukrainian government as “rapacious,” “mirroring some of the worst traits of Russian and Soviet history,” “disgusting and reprehensible.” He absurdly says “Ukraine is now one of the least tolerant places in the world for religious freedom.” But, as we show here and in the Memorandum, this is a boldfaced lie.

True, Amsterdam has made gratuitous statements that he and his client hope Ukraine will be funded by the US and win the war. But the heart of Amsterdam’s argument is that Ukraine should not be funded unless it does what he demands—not adopt Law #8371. He says funding Ukraine is “too high a price to pay” if it denies religious freedom as he alleges. He asserts: “there is now a very serious question mark over whether Ukraine can meet its commitments to human rights and the rule of law” and “this will have **dire ramifications** for Ukraine’s entry into the European Union and its place in the Western world.”²² He argues “supporting Ukraine must not mean supporting oppression of religion.” Amsterdam’s claim to Americans and their lawmakers is that by funding Ukraine, the US is enabling horrific religious freedom violations and that this is inconsistent with American values and the interests of its taxpayers.

It is particularly shocking that Amsterdam, on behalf of the UOC-PM, is working toward a Russian victory, which will lead to the end of religious freedom and all human and political rights in Ukraine—something no loyal Ukrainian religious organization or citizen would do. Instead, other Ukrainian religious organizations and religious freedom NGOs have had their leaders travel here to prove that Ukraine has wonderful religious freedom and plead for support for its self-defense.

We are taking the time to refute his claims only because of the reality—astonishing to those of us with real knowledge about Ukraine’s religious freedom success—that his arguments have been making headway among evangelical Christians and their elected representatives.²³ We were told in recent visits to Washington, DC that approval of further funding for Ukraine may indeed hinge on this issue. This shift in public opinion is intimately tied to Amsterdam’s claims, Tucker Carlson’s commentaries, and other Russian disinformation spread about in the US, possibly as part of a psych op funded by his other client, Novynskyi. This is stunning, and it means Amsterdam must be confronted head on. That’s why the original Memorandum was written. Apparently it has been well received or Amsterdam would not be so angry about it.

²² <https://www.telegraph.co.uk/world-news/2024/01/06/zelensky-warned-over-banning-ukrainian-orthodox-church/>

²³ *Washington Insider: US Poll - Evangelical Christians are Key to Unlocking Additional Aid*, <https://www.kyivpost.com/post/23532>.

Lauren Homer is a longtime expert in the field while Amsterdam is not qualified to opine on Ukraine's religious freedom. Amsterdam is not a religious freedom expert or an expert on Ukraine. As far as we can determine, this representation is his first foray into the international religious freedom space. Law and Liberty's Lauren Homer conversely has been well known as an expert on laws regulating religious and civil society organizations in Russia, Ukraine, and beyond for the last 34 years. She has written law review articles, briefed USG officials and Congressional committees, and spoken at numerous conferences in Russia and Ukraine, registered religious organizations in both countries, developed relationships with their government officials, lawyers, NGOs, and religious leaders—including leaders in the ROC-MP.²⁴ She is a leader in the US international religious freedom movement and its well-regarded IRF Roundtable. And Lauren has met on multiple occasions with survivors of Russian persecution in occupied Ukraine and with leaders from all of the Ukrainian religious organizations included in the Ukrainian Council of Churches and Religious Organizations (UCCRO),²⁵ Christian, Jewish, and Muslim (except for UOC-MP which did not participate), moderating workshops on Ukrainian religious freedom issues during the IRF Summit 2024 and the National Prayer Breakfast Gathering.²⁶ She works closely with Ukrainian and US religious freedom experts.

Amsterdam is wrong on the facts.

1. *Amsterdam claims Ukraine is engaging in egregious religious freedom violations, but no experts in the field agree.* The US Commission on International Religious Freedom and the US State Department both give Ukraine high marks for its religious freedom and religious affairs laws and policies, while noting egregious religious freedom violations in Russia occupied Ukraine.²⁷ Soviet style repression meant having eight KGB controlled religious organizations, impaling Orthodox priests on the metal fences surrounding churches, giving religious believers bad jobs, worse living conditions, Siberian exile or years of imprisonment and torture. The only risk to religious freedom in Ukraine is what is happening in occupied Ukraine.²⁸ Russia tortures and murders priests, pastors, rabbis, and imams simply for their faith, seizes their churches and the personal property of their leaders, interrogates and arrests parishioners, destroys religious structures, seminaries, burns bibles and holy artifacts, loots churches, and completely eliminates religious organizations not subordinated to Russian organizations.
2. *Amsterdam claims the UOC-MP will be completely closed down the minute Law #8371 passes.* This is simply not true as explained in detail in the Memorandum. The law sets up an administrative procedure followed by a judicial process. Ukraine's State Service for Ethnic Affairs and Freedom of Conscience (DESS) will inform the UOC-MP of exactly why they are deemed subordinated to the ROC-MP if experts confirm past findings. The UOC-MP is free to remedy its problem by changing its relationship to the ROC-MP as two other Orthodox denominations have already done. If it does not, Ukraine can go to court to try to close their legal entity. Any UOC-MP registered religious organization that is sued can raise any legal defense and go to any higher legal authority, as happens in other litigation involving the UOC-MP. Because the rule of law

²⁴ www.hil.us.com; www.lawandlibertytrust.org.

²⁵ <https://vrciro.ua/en>

²⁶ IRF Summit breakout session: <https://youtu.be/RHjGNg8xNQw>

²⁷ <https://www.state.gov/reports/2022-report-on-international-religious-freedom/ukraine/>; <https://www.uscirf.gov/news-room/releases-statements/uscirf-urges-sanctions-russian-officials-abusing-forb-prisoners>; <https://www.uscirf.gov/news-room/uscirf-spotlight/implications-russias-invasion-ukraine-part-2-religious-regulation>

²⁸ <https://providencemag.com/2023/11/the-real-threat-to-religious-freedom-in-ukraine/>

prevails in Ukraine, the UOC-MP has often won. The story is far from over on enactment of this law. One thing is certain, the process will not be fast.²⁹

3. *Amsterdam similarly claims every UOC-MP church will be closed, the historic Orthodox faith will be illegal, and that parishioners will be unable to worship the minute the law is passed.* This is not true. Each church and each of the thousands of components of the UOC-MP have their own legal registrations. Closing the central organization will not bring about closure of those independent legal organizations. DESS will likely focus on problematic entities due to its limited resources. Thousands of UOC-MP organizations have already fixed the problem themselves by severing ties with Moscow and the others have that option. Almost 400 clergy and two bishops are now urging that the central UOC-MP organization do that very thing.
4. *Registration is not a condition for church operations.* Ukraine permits unregistered religious activities. Member of UOC-MP churches and their priests don't have to have a registered religious organization in order to hold services, use Russian or Church Slavonic in liturgies, use their own prayer books, rent buildings, or hire priests. The UOC-MP can still celebrate Christmas whenever it wishes. Many UOC-MP components are unregistered and not covered by the law.
5. *UOC-MP churches in Ukraine are not already shuttered by the government as Amsterdam claims.* Any church closures are due to intra-church disputes. Thousands of congregations have voted to leave the UOC-MP and join the Orthodox Church of Ukraine (OCU) or other Orthodox denominations, leading to fights within congregations over who has the right to use their buildings. UCCRO representatives have stated: "Despite the war, a high level of religious freedom is preserved in Ukraine, and not a single church has been banned."³⁰ Physical altercations in Ukrainian churches over competing claims of ownership sadly have gone on since the early 1990's.³¹ The OCU has actually accused the Ukrainian government of hampering transfer of affiliation from the UOC-MP to the OCU.³² Yes, there are claims local officials have done the opposite. Ukraine's legal system provides remedies.
6. *Amsterdam says the OCU was newly created "five years ago" and that Ukraine's government made it independent (autocephalous) and uses it to supplant the dominant historic church, the UOC-MP.* That is a vast oversimplification of Ukraine's tumultuous religious history and its current moment.³³ The UOC-MP was the only registered Orthodox Church until 1990 because the Soviets did not allow registration of any other Orthodox churches. The UOC-KP was registered in 1990 and later the Ukrainian Autonomous Orthodox Church (UAOC). They merged to create the OCU. That's 34 years of existence, not 5. All Orthodox churches and even Uniate churches trace their roots to the 988 AD baptism of the Kievan Rus'. What Amsterdam calls "the rogue support of the Ecumenical Patriarchate of Constantinople" (echoing the Moscow Patriarchate) granting autocephaly to the OCU righted wrongs dating back to the 17th century giving Russia religious dominance in Ukraine. And yes, the OCU is the only canonical church in

²⁹ https://risu.ua/en/procedure-for-prohibiting-the-uoc-mp-explained-by-the-state-service-for-ethnopolitics-and-conscience-freedom_n141818

³⁰ *Not a single church is banned in Ukraine—unlike the Russian-occupied territories—UCCRO delegation says*, November 1, 2023, <https://vrciro.ua/en/news/2023-uccro-visit-to-washington>

³¹ https://en.wikipedia.org/wiki/St_Volodymyr%27s_Cathedral

³² <https://publicorthodoxy.org/2022/11/09/ukraine-largest-church/>

³³ https://en.wikipedia.org/wiki/History_of_Christianity_in_Ukraine

Ukraine under the Ecumenical Patriarchate.³⁴ Ukrainians have rejected the UOC-MP en masse in favor of the OCU—only 4% of Ukrainians consider themselves UOC-MP members and 51% think it should be banned. Why? Because of its failure to sever its close ties to Moscow. Ukraine's government has been quite restrained given public sentiment. Certainly, these inter-religious battles are not a job for the US government or its lawmakers to solve by withholding funding for Ukraine's self-defense.

7. *Amsterdam claims Ukraine is relentlessly harassing UOC-MP clergy.* UOC-MP clergy have been implicated in very serious crimes against Ukrainians and the government. Stockpiling weapons, distributing anti-government literature, calling for capitulation to Russia, disrupting military enlistment, boycotting memorials to Ukraine's fallen, and worse—spotting targets for Russian aircraft resulting in hundreds dead and injured, including foreign journalists. Their mother church, the ROC-MP, relentlessly propagandizes in favor of the war, blesses missiles and war planes intended to kill Ukrainians, and claims the war is holy. Ukraine's police and military forces have every right to investigate these crimes and to talk to those responsible. The highest number we have seen for criminal charges is a little over 100—out of around 4,500 priests. And every one of them has a right to a normal trial, where some have been acquitted. Ukraine has an independent Ombudsman whose office is ready and willing to hear their complaints.³⁵ Any government in wartime would investigate its own citizens for undermining its defense, regardless of their profession.

8. *Amsterdam claims the UOC-MP has already broken ties with Moscow.* An expert panel decided just about one year ago that it had not. The reasons are given here: https://risu.ua/en/conclusion-of-the-religious-expert-examination-of-the-statute-on-governance-of-the-ukrainian-orthodox-church-for-the-presence-of-ecclesiastical-and-canonical-ties-with-the-moscow-patriarchate_n136436. They found that the UOC-MP meeting held in May 2022 was not convened following the requirements of the UOC-MP governance documents. Therefore, any changes made were a legal nullity. The UOC-MP is still considered part of the ROC-MP in its own organizational documents. Metropolitan Onufriy, who heads the UOC-MP, is still a Russian citizen and a "permanent member of the Holy Synod" - the governing body of the Russian Orthodox Church.³⁶ He's one of only eight members, including Patriarch Kirill. He has not resigned his post. President Putin in his famous Tucker Carlson interview insisted that the Russian and Ukrainian Orthodox Churches are one and that his war will ensure that they stay that way, which is a fairly powerful indicator that they haven't separated at all.³⁷ The relationship doubtless will be litigated if Law #8371 is adopted, but it shouldn't be an issue resulting in withholding US funding.

9. *Amsterdam claims that his recent trip to Ukraine totally refutes facts in the Memorandum.* But he admits that while there he met only with people who are part of the UOC-MP. Naturally they told him their side of the story, what they want him to believe. In contrast, UCCRO members representing the vast majority of religious organizations and religious believers in Ukraine uniformly state that there are great church-state relations in Ukraine. Also, they uniformly

³⁴ <https://hilarion.ru/en/social/metropolitan-hilarion-the-canonical-church-in-ukraine-is-actually-declared-an-outlaw.html>

³⁵ <https://www.ombudsman.gov.ua/en/>

³⁶ https://risu.ua/en/ocu-metropolitan-urged-the-uoc-mp-bishops-to-leave-the-church-of-the-country-that-kills-ukrainians_n144913#:~:text=Metropolitan%20Onufriy%2C%20who%20heads%20the,of%20the%20Russian%20Orthodox%20Church.

³⁷ <https://df.news/en/2024/02/09/putin-goes-wild-claiming-impossible-to-break-unity-of-roc-uoc-mp/>

support Law #8371. A Ukrainian religious freedom expert informed Law and Liberty Trust that the UOC-MP actually didn't have any problems with the new law when it was first proposed but changed position on orders from Moscow. Ukraine's legal system is one of the best when it comes to religious affairs, and that view is shared by many in the religious affairs space and by US government officials. Every country's laws can be criticized on various points, but Amsterdam's claims that Ukraine is one of the worse places in the world for religious freedom is absurd. He needs to visit Nigeria, Afghanistan, Sudan, other CPC countries—or occupied Ukraine.

10. *Amsterdam denies that religious freedom has been eliminated by Russia in occupied Ukraine.* Why he disputes the latter point is mystifying. There are innumerable articles documenting Russian atrocities of killing, torturing, and abusing religious leaders and members of their congregations since 2014 as well as seizing their buildings.³⁸ Comments made by Senator Chuck Grassley sum up the situation very well.³⁹ The majority of victims of Russian terror in occupied Ukraine are Protestant Christians, although they are a small percentage of the population.⁴⁰ Pastors who have been tortured tell us that Russian intelligence operatives say their goal is to eliminate all faiths other than the ROC-MP and that they plan to do the same in Russia in the near future. Even Amsterdam's own clients acknowledges mistreatment at the hands of Russian secret police and the ROC-MP in occupied territories.

Amsterdam is wrong on applicable law.

1. Amsterdam claims that the law contains "hate speech" about the UOC-MP. The text is annexed to our Memorandum. There is nothing hateful in it.
2. Amsterdam claims that the law violates the International Covenant on Civil and Political Rights (ICCPR) and that no derogation from Article 18 can be made in his "Open Letter." He ignores that Article 18 itself states in section 3: "Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others." Indeed, in another memorandum he goes on at length trying to claim that the proposed law doesn't meet the tests of Section 3.⁴¹ We are not going to waste our time pointing out the innumerable flaws in his arguments.
3. One critic of the law suggests that Ukraine should follow the less restrictive alternative of arresting UOC-MP leaders when they commit crimes rather than shutting down religious organizations.⁴² That is at least a reasonable position, although the author notes a better alternative is to encourage merger of the UOC-MP into the OCU to eliminate its subordination to the ROC-MP. It is a tedious and risky alternative during wartime to rely on individual prosecutions. The US has taken drastic steps, including incarcerating citizens of

³⁸ <https://www.kyivpost.com/post/15646>; *Special Institute for the Study of War Report on Russia's Religious Oppression in Ukraine, April 9, 2023*, <https://www.understandingwar.org/backgrounder/russian-offensive-campaign-assessment-april-9-2023>; https://www.forum18.org/archive.php?article_id=2808 (describing many cases).

³⁹ <https://www.grassley.senate.gov/news/remarks/grassley-discusses-religious-persecution-by-occupying-forces-in-ukraine>

⁴⁰ *Washington Insider: US Poll - Evangelical Christians are Key to Unlocking Additional Aid*, <https://www.kyivpost.com/post/23532>, citing Razom survey.

⁴¹ <https://savetheuoc.com/amsterdam-partners-llp-publishes-legal-analysis-of-draft-law-8371-as-supplement-to-white-paper/>

⁴² <https://talkabout.iclrs.org/2023/02/24/not-my-church-ukraines/>

Japanese and German origin during World War II, to protect its national security. The US regularly investigates religious groups that appear to create risks to the lives of their members or risks to national security. The US closed the entire “Moonies” organization due to tax fraud. Ukraine is in the middle of an existential war in which the survival of the nation and its people is at stake. It is reasonable to assert that Article 18 and related international, European, and Ukrainian legal standards allow it to restrict the activities of the Ukrainian branch of a Russian religious organization that supports its defeat, the killing of its citizens, and the elimination of their fundamental rights and freedoms. Again, the UOC-MP has multiple legal remedies to pursue to try to show that the government is wrong on this legal point. And it could resolve the dispute immediately by really cutting its ties to the ROC-MP. The US government should not stop funding Ukraine’s defense in the middle of a vicious war to help the UOC-MP’s win its legal claims.

4. Amsterdam completely overlooks that the origin of Law #8371 was a decree of the President of Ukraine in which he specifically states that any restrictions imposed must be consistent with Ukrainian law and international standards.⁴³ Ukraine has done its best to ensure this, and its Rada deputies have worked tirelessly on the extremely short and simple law that Amsterdam complains about. They don’t need him or the Venice Commission to be involved. This law is not complicated nor obscure. His clients have a host of Ukrainian lawyers who have filed lawsuits and filed legal briefs challenging other Ukrainian laws in the past that they didn’t like.

Now let’s talk about the real bottom line. If Amsterdam and his clients prevail in their lobbying efforts, it will stop the flow of US funds and arms to Ukraine. A Russian victory means his clients won’t have to deal with the government of Ukraine any longer. But it will mean the abolition of religious freedom in Ukraine and going back to the days of Russian domination of the religious space in Ukraine in which a 1984 style brainwashing will be the order of the day. Russia built “reeducation” camps inside its territory before the 2022 invasion for Ukrainians that failed to accept its *Ruskiye Mir* world view and had a program to liquidate ideological opponents and all government leaders, as well as recalcitrant civil society organizations, including religious ones. We know that’s their plan because it’s exactly what they’ve done in occupied Ukraine since 2014. And they will be more than happy to extend their program to all of Western Europe and even to the United States. And the extremely shocking thing about all this is that the UOC-MP is paying Amsterdam to try to achieve this result.

The US government, the Congress, and the people of the United States should support Ukraine and rest confident that it’s legal system will fairly adjudicate the issues Amsterdam raises. Ukraine is maintaining the rule of law in the midst of an existential war and religious freedom flourishes in free Ukraine. We should not condemn Ukraine to a worse terror than the Soviet period. That’s the bottom line.

⁴³ <https://www.state.gov/wp-content/uploads/2023/05/441219-UKRAINE-2022-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf> (“