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DONBAS: Luhansk: Worship bans, clergy bans, punishments

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

Worship is banned in all Protestant churches and Jehovah's Witness Kingdom Halls, as the unrecognised Luhansk People's Republic bans exercising freedom of religion or belief without permission. Courts punish those leading unapproved worship. Prosecutors are investigating an Orthodox priest on "extremism" criminal charges. With no permanent resident priest, Catholics hold Mass by Skype. With bans on clergy visiting, many communities suffer isolation.

The unrecognised Luhansk People's Republic in eastern Ukraine has banned many religious communities – including all Protestants, as well as Jehovah's Witnesses – from exercising freedom of religion or belief, including bans on meeting for worship. "Our churches lie empty," one Protestant lamented to Forum 18.

The rebel authorities have also banned many religious leaders from outside their territory from visiting their fellow believers. Officials have barred access by the Greek Catholic bishop and a Greek Catholic priest, the bishop of the Orthodox Church of Ukraine, and many Protestant leaders. This has left their local communities feeling isolated (see below).

The one Catholic priest still allowed access can stay for a maximum of three months, with the next three months out of the territory. This means that in the months when he is denied access, Mass has to be relayed to the congregation over the internet, depriving churchgoers of the opportunity to receive Communion. Receiving Communion is for Catholics an integral part of participating in Mass (see below).

"This is a clear violation of freedom of belief," the Catholic bishop Jan Sobilo told Forum 18. He likened it to conditions for church members in the Soviet Union (see below).

Prosecutors are pursuing an "extremism" investigation against a priest in Luhansk of the Orthodox Church of Ukraine, who is in his seventies. For five months he was banned from leaving the territory (see below).

Courts continue to punish individuals who lead worship meetings in defiance of official bans. Of the seven known cases in 2019 – all of them from various Baptist denominations - two have been fined about one month's average wages each, one was given a 20-hour community work order and the other four were left with no punishment. The most recent known fine was of Pastor Pyotr Tatarenko on 7 October (see below).

Pro-Russian rebels seized parts of Ukraine's Luhansk Region in March 2014 and the following month proclaimed what they called the Luhansk People's Republic (LPR). Heavy fighting ensued. The rebel administration, which currently controls about a third of Ukraine's Luhansk Region, has declared a state of martial law.

Pro-Russian rebels similarly seized parts of Ukraine's Donetsk Region in April 2014 and proclaimed what they called the Donetsk People's Republic (DPR). Heavy fighting ensued. The rebel administration currently controls nearly half of Ukraine's Donetsk Region. The rebel-held area adjoins the rebel-held area of Luhansk Region.

The rebel Luhansk authorities insist that religious communities that have not undergone local registration are illegal. They point to a May 2015 Decree by Igor Plotnitsky, the then Head of the unrecognised entity, banning mass events while the area was under martial law, and the February 2018 local Religion Law approved by the LPR People's Council.

"We don't have closed communities"?

The rebel LPR authorities banned all exercise of freedom of religion or belief by communities that did not gain registration with their Justice Ministry by the extended deadline of 15 October 2018. (http://www.forum18.org/archive.php?article_id=2425) Those rejected include all Protestant communities.

"Those refused registration were not given any documents – it was all done verbally," one Protestant told Forum 18.

Baptist Union congregations, which applied for registration before the deadline, were all rejected (http://www.forum18.org/archive.php?article_id=2462), Pastor Igor Bandura of the Ukrainian Baptist Union told Forum 18. He said they have continued to ask the Justice Ministry to process their applications.

An official of the Registration Department of the Justice Ministry – which is supposed to register religious communities – refused absolutely to say which communities had been allowed to register and which had been refused, or give any overall statistics. "We don't give out information by telephone," she told Forum 18 on 22 October without any explanation.

Inna Sheryayeva, who took over from Andrei Litsoev as head of the Religious Organisations and Spirituality Department of the Culture, Sport and Youth Ministry in Luhansk, similarly refused to give any information by telephone. "I have only been in this job for two days," she told Forum 18 on 18 October.

Asked why police raid religious communities, courts punish individuals for exercising freedom of religion or belief, why Protestant churches are all closed, and why clergy cannot live permanently or visit the region, Sheryayeva responded: "We don't have closed communities. Everything here is good. We have received no complaints."

Communities which did not apply, such as Jehovah's Witnesses (who knew they would not be accepted) and Council of Churches Baptists (who choose not to seek registration on principle), are likewise regarded as "illegal".

"Our churches lie empty"

With the authorities' insistence that religious communities are not allowed to function unless they have registration, many have had to halt public meetings for worship. Officials do not allow communities to use places of worship of any faith apart from Orthodox, Catholic, Jewish and Muslim places of worship. The rest lie unused.

The Moscow Patriarchate Russian Orthodox Church has many parishes and churches. The Orthodox Church of Ukraine (which used to be part of the Kyiv Patriarchate) can still use its cathedral in the city of Luhansk, though they have faced harassment (see below). Catholics can still use two churches, though their clergy have only limited access (see below).

One mosque of the Salam organisation is registered and open in Luhansk, as well as one Orthodox Jewish community. Hare Krishna devotees outside the region told Forum 18 in October 2018 that their community had been registered.

Congregations of the Pentecostal Union cannot meet for worship as a community. "They have no registration and their churches are closed," a Pentecostal Union representative told Forum 18 from the Ukrainian capital Kyiv on 18 October. "They still own the premises, but none have the freedom to hold church meetings in their own buildings."

Congregations of the Baptist Union similarly have not been able to meet for worship as a community since March (http://www.forum18.org/archive.php?article_id=2462). "Our communities cannot meet in their places of worship," Pastor Igor Bandura of the Ukrainian Baptist Union told Forum 18 on 18 October. "Their churches haven't been confiscated, but they can't use them." The congregations are still seeking approval for their registration applications (see above).

"Our churches lie empty," a Protestant with close ties to communities of another denomination in the region which previously had registration told Forum 18 on 15 October. "Church members meet in homes, but with no more than four people."

Skype Masses, no Communion

The two Catholic parishes – Christ the King Greek Catholic parish in Luhansk and Nativity of the Blessed Virgin Mary Roman Catholic parish in Luhansk, with a chapel in Stakhanov [official Ukrainian name Kadiyevka] – are still allowed to function. The two parishes applied for re-registration under the new Law by the deadline. "They've given us temporary registration while they continue to consider the application," Jan Sobilo, auxiliary bishop of Kharkiv-Zaporozhia, told Forum 18 on 14 October.

However, the authorities have obstructed the two priests (one Roman Catholic and one Greek Catholic) from living in the area to minister to their parishes. "Fr Mykhailo, the Greek Catholic priest, used to visit regularly to serve local believers but has not been able to go since the spring of this year," Bishop Sobilo lamented to Forum 18.

Fr Grzegorz Rapa – a Polish priest who has served Nativity of the Blessed Virgin Mary parish since 1993 – is no longer allowed to live there permanently. "He can stay there for three months, then has to be out for three months," Bishop Sobilo told Forum 18.

As Fr Rapa is not currently able to live in or visit Luhansk, Mass has to be broadcast over the internet via Skype to the congregation in the church. "They have to set up a screen on the altar and a projector," Bishop Sobilo told Forum 18. "It is like in Soviet times." He recalled that during Soviet years, a radio was often put on the altar of a church with no priest to broadcast Mass to the congregation.

However, this means that in the three months when Fr Rapa is unable to visit Luhansk, Catholics are deprived of the opportunity to receive Communion. Receiving Communion is for Catholics an integral part of participating in Mass.

Bishop Sobilo, who last visited Luhansk in spring 2019 together with the Nuncio Archbishop Claudio Gugerotti, told Forum 18 he hopes to be able to visit in the run-up to Christmas 2019.

However, Bishop Sobilo complained that the Greek Catholic Bishop, Stepan Meniuk, is not allowed to visit Greek Catholics in the rebel-held region. This means that when Fr Rapa is there, he is the only Catholic priest, ministering to both Roman and Greek Catholics.

"Extremism" charges?

Following the police anti-"extremism" raid on and search of Holy Trinity Cathedral and diocesan offices of the Orthodox Church of Ukraine in the city of Luhansk on 4 April (http://www.forum18.org/archive.php?article_id=2467), officers began investigating charges that the community was holding narcotics, then weapons, then "extremist" literature.

Officials forced the two priests - Fr Anatoli Nazarenko and Fr Gennady Kurganov – to sign statements that they would not leave rebel-held territory. This restriction was not continued for Fr Kurganov. Police later returned the priests' passports and other personal documents seized during the raid.

Police prepared an "extremism" criminal investigation against Fr Nazarenko which they then handed on to prosecutors. Banned from leaving rebel-held territory, this ban was lifted in September after five months, Orthodox Christians told Forum 18 from Luhansk.

"A criminal case has not been opened, but the investigation has not been closed," one Orthodox Christian noted about the investigation into Fr Nazarenko. "A commission is apparently still studying the case. Of course, the literature they claim to have seized had nothing to do with us."

"The earlier restrictions and the ongoing case are particularly difficult for Fr Anatoli at his age," Bishop Afanasi (Yavorsky) of Luhansk and Starobilsk told Forum 18 on 14 October. Fr Nazarenko is in his seventies.

Bishop Afanasi said a deacon also faced questioning. "Sunday school teachers were also summoned for questioning and put under pressure," he complained. "They were asked why they go to church."

The Orthodox Church of Ukraine applied for registration for Holy Trinity Cathedral, but has not received it so far.

Isolation

Many communities complain about the isolation they are now under. Contacts with fellow believers elsewhere in Ukraine are difficult and most communities cannot invite those they would like to invite for religious purposes, such as to lead worship meetings or conduct education. Individuals can bring in only small quantities of religious literature.

This enforced isolation affects many other communities in addition to the Catholics, whose Bishop, Stepan Meniuk, Greek Catholic priest Fr Mykhailo and Roman Catholic priest Fr Rapa are denied entry or denied permission to live there permanently to minister to their communities (see above).

The local hierarch of the Orthodox Church of Ukraine, Bishop Afanasi (Yavorsky) of Luhansk and Starobilsk (who is based in the Ukrainian government controlled part of Luhansk Region), is not allowed to enter rebel-held territory in Luhansk. "I tried in June 2019, but they didn't let me in," he told Forum 18. "Other priests of ours can't go in either." At the same time, the two priests of that Church based in Luhansk were not allowed to leave rebel-held territory, though the ban for both has now been lifted (see above).

The lack of priests meant that the Orthodox Church of Ukraine had to close its second church in rebel-held Luhansk. Lack of contact with the rest of the Church in government controlled Ukraine means that the Church in Luhansk has to survive on the meagre donations from impoverished parishioners.

As all Protestant communities are regarded as illegal, they are unable to invite leaders or teachers from outside. "Our pastors are hungry for fellowship," a Protestant from elsewhere in Ukraine who maintains contacts with local Protestant leaders told Forum 18. "They feel very isolated."

Punishments for worship meetings

Those who conduct worship meetings without official permission risk punishment. Courts generally punish religious leaders under Administrative Code Article 20.2. The LPR Administrative Code, which draws heavily on Russia's Administrative Code, was adopted in July 2016.

Administrative Code Article 20.2 punishes "Violation of the established procedure for organising or conducting gatherings, meetings, demonstrations, processions or pickets".

Part 1 punishes "Violation by organisers of public events of the established procedure for organising or conducting gatherings, meetings, demonstrations, processions or pickets" with for individuals fines of 3,000 to 5,000 Russian Roubles or community work of up to 30 hours.

Part 2 punishes holding public meetings without informing the authorities, with for individuals fines of 5,000 to 10,000 Russian Roubles, community work of up to 50 hours, or up to 10 days' imprisonment.

A fine of 5,000 Russian Roubles (the LPR uses the Russian Rouble) is equivalent to 1,930 Ukrainian Hryvnia, 715 Norwegian Kroner, 70 Euros or 80 US Dollars. It represents more than three weeks' local average wage for those in formal work.

Fines, community work order for leading worship meetings

Officials have brought prosecutions against at least seven local religious leaders under Administrative Code Article 20.2, Part 2 in 2019 for leading meetings for worship without permission from officials. Of the known cases, two religious leaders were fined and one was given a community work order, while the other four avoided punishment. All the cases known to Forum 18 involve Protestants.

About ten masked and armed fighters raided a worship meeting in February of Path of Salvation independent Baptist church in the city of Luhansk. They claim to have found religious literature which church members insist they planted. At a final hearing on 21 March, a Luhansk court acquitted 82-year-old Pastor Anatoly Tolstenko on charges of "illegal worship" and storing religious literature which the authorities regarded as "extremist". The judge ruled that he had committed no wrongdoing. (http://www.forum18.org/archive.php?article_id=2467)

Following a police raid on 24 March on the Sunday meeting for worship of a Protestant community in the town of Sverdlovsk [official Ukrainian name Dovzhansk], officials brought charges against Pastor Nikolai Muratov, who is in his seventies. On 27 March, Sverdlovsk City and District Court decided not to punish Pastor Muratov. (http://www.forum18.org/archive.php?article_id=2467)

An administrative case was launched against Pastor Sergei Chumakov, who led a Baptist Union congregation in the city of Luhansk (until his death in the autumn). However, the court acquitted him in April, his friends told Forum 18.

Following a police raid on 21 April on the Sunday meeting for worship of the Council of Churches Baptist congregation in the town of Krasnodon [official Ukrainian name Sorokyne], officials brought charges against Pastor Vladimir Rytikov. On 20 June, Krasnodon Town and District Court found him guilty under Administrative Code Article 20.2, Part 2 and sentenced him to 20 hours of community work. (http://www.forum18.org/archive.php?article_id=2514)

Pastor Rytikov appealed against his conviction and punishment, but on 21 October Luhansk Supreme Court rejected his appeal, Supreme Court officials told Forum 18 the same day. Church members accompanied Pastor Rytikov to the court to give their support, praying with him before and after the hearing, and during the break in proceedings.

"I explained to the court that I consider myself not guilty," Pastor Rytikov noted after the hearing, "and that we have been meeting at the same place since 1961, that entry to our services is free to anyone who wishes, and that the authorities know this."

After Pastor Rytikov told the Supreme Court that he was being punished for his faith, Judge Tatyana Minskaya responded: "We are trying you not for your faith but for breaking the law."

Officials brought charges in summer 2019 against Pyotr Nagorny, leader of a Baptist Union congregation in the village of Slavyanoserbsk. They sought to punish him for visiting a sick member of his congregation with several other church members. Neighbours reported them to the police. Slavyanoserbsk District Court found him guilty under Administrative Code Article 20.2, Part 2 and fined him 5,000 Russian Roubles. This represents more than three weeks' average local wage for those in formal work.

Pastor Nagorny appealed against his conviction and fine. On 24 July, Luhansk Supreme Court overturned his punishment and sent the case back to the lower court, Supreme Court officials told Forum 18 on 16 October.

Slavyanoserbsk District Court cancelled the case against Pastor Nagorny on 11 September, court officials told Forum 18 on 18 October.

Officials brought charges in summer 2019 against Vladimir Devyanin, leader of a Baptist Union congregation in the town of Kirovsk [official Ukrainian name Holubivka]. Kirovsk Town Court found him guilty under Administrative Code Article 20.2, Part 2

and fined him 7,000 Russian Roubles. This represents more than a month's average local wage for those in formal work.

Pastor Devyanin appealed against his conviction and fine, but on 26 August Luhansk Supreme Court rejected his appeal, Supreme Court officials told Forum 18 on 21 October.

Following a police raid on 4 August on the Sunday meeting for worship of Krasnodon Council of Churches Baptist congregation, officials brought charges against Pastor Pyotr Tatarenko. On 7 October, Krasnodon Town and District Court found Tatarenko guilty under Administrative Code Article 20.2, Part 2 and fined him 7,000 Russian Roubles (http://www.forum18.org/archive.php?article_id=2514). This represents more than a month's average local wage for those in formal work.

Pastor Tatarenko has appealed against his conviction and fine to Luhansk Supreme Court. No date has yet been set for a hearing. (END)

Full reports on freedom of thought, conscience and belief in Donbas
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