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DONBAS: Donetsk: Raid, fine for unregistered worship meetings

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

Security forces of the unrecognised Donetsk People's Republic raided Protestant Sunday morning worship on 19 January. They interrogated church leaders at the police station. In December 2019, a Makeyevka court fined another Protestant leader 10 days' average local wages for leading a community denied registration. "Each country has its own Religion Law," the rebels' Ombudsperson Darya Morozova claimed, wrongly.

The authorities of the self-declared Donetsk People's Republic (DPR), an unrecognised entity in eastern Ukraine, continue to punish religious communities which meet for worship without permission. Security forces raided a Protestant community during its Sunday morning worship meeting on 19 January. They took church leaders to the police station for interrogation, but released them after several hours.

After prosecutors found another Protestant community meeting for worship after being denied registration, they arranged for a court in Makeyevka to fine the leader ten days' average local wages in December 2019 (see below).

Despite October 2019 amendments to the DPR Religion Law reducing to 10 the number of adult local residents required to form a local religious organisation, almost all non-Moscow Patriarchate religious communities are still being denied registration. Jehovah's Witnesses were banned entirely in September 2018 (see below).

Sergei Gavrish, the head of the Religion and Nationalities Department at the Culture Ministry in Donetsk, refused to give Forum 18 any information about which religious communities had been granted registration, or which had been refused and why. A September 2019 Justice Ministry list included just 36 registered non-Moscow Patriarchate religious communities (see below).

In autumn 2019, Fr Aleksandr Sushko, a priest of the Orthodox Church of Ukraine, temporarily travelled out of the rebel-held area into government-controlled Ukraine. However, when he sought re-entry to rebel-held Donetsk, its officials barred him entry. They refused to put the ban in writing (see below).

The rebel authorities have seized numerous places of worship of a variety of faiths. They seized two churches in Donetsk from the Ukrainian Orthodox Kyiv Patriarchate (now the Orthodox Church of Ukraine) in 2018. In January 2019, they formally opened a Registry Office in the seized building of New Life Baptist Church in Makeyevka, attended by the first Deputy Justice Minister. The Justice Ministry refused to put Forum 18 through to ask the Deputy Minister why (see below).

Asked about all these specific violations of the right to freedom of religion or belief, the rebels' Human Rights Ombudsperson Darya Morozova told Forum 18 from Donetsk that her office had received no appeals about any such violations in 2019 or 2020. "To take any action I need a written appeal from an individual or community," she insisted (see below).

Asked why religious communities which meet for worship without registration should be punished, Morozova insisted that everyone must follow the law. "Each country has its own Religion Law," she claimed, wrongly (see below).

Pro-Russian rebels 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.

Restrictive law, de facto and actual bans

The unrecognised DPR's People's Council adopted a Religion Law on 24 June 2016. Article 3 included a ban on "the creation of sects or the spreading of sectarianism", concepts that the Law did not define. The Preamble to the Law also banned "sectarianism".

The Law did not explicitly ban exercising freedom of religion or belief without official permission. However, in outlining procedures for gaining state permission it presumed that such permission was required.

On 13 April 2018, the People's Council adopted an amendment to the Religion Law requiring all non-Moscow Patriarchate

organisations to re-register by 1 March 2019. The amendment specifically banned religious organisations from functioning if they failed to get re-registration by the deadline. (http://www.forum18.org/archive.php?article_id=2428)

Registration was supposed to be enacted by the Justice Ministry on the recommendation of the Religion and Nationalities Department of the Culture Ministry. The Justice Ministry's State Registration Department issued its first certificate to a religious organisation – a Jewish community – on 26 March 2019. Signing the certificate was acting Department Head Sergei Goptsy (now the Deputy Head).

However, most non-Moscow Patriarchate communities (including all Protestant communities) were initially rejected. Only later in 2019 did a few more get registration. The Justice Ministry listed 36 non-Moscow Patriarchate religious communities as having registration as of 1 September 2019: Baptists - 24; Seventh-day Adventists - 4; Pentecostals - 3; Muslims - 2; Jews - 1; Greek Catholics - 1; Hare Krishna devotees - 1. The Justice Ministry has issued no new information subsequently.

On 11 October 2019, the People's Council adopted a further amendment, removing "sectarianism" from the Preamble. The amendment changed in Article 3 the ban on "the creation of sects or the spreading of sectarianism" to a ban on "the creation of religious associations infringing on the rights and freedoms of citizens".

The October 2019 amendment also reduced in Article 8, Part 3 the number of adults permanently resident in one locality required to form a local religious organisation from 50 to 10. In Article 8, Part 4 and Article 9, Part 2 the amendment reduced the requirement for founding a centralised religious organisation from 10 local communities to three.

Sergei Gavrish, the head of the Religion and Nationalities Department at the Culture Ministry in Donetsk, refused to give Forum 18 any information on how many communities had gained registration. He also refused to explain why almost all non-Moscow Patriarchate communities had been denied registration. "We won't give any information," he told Forum 18 from Donetsk on 20 January 2020.

On 26 September 2018, the Supreme Court banned Jehovah's Witnesses entirely. The General Prosecutor's Office website noted the same day that "In future, the carrying out of activity by adherents of the given religious association in any form will attract criminal responsibility". (http://www.forum18.org/archive.php?article_id=2428)

The ban on Jehovah's Witnesses – which could not be challenged - followed several Supreme Court decisions declaring their literature and international website "extremist". The Supreme Court also banned several Muslim publications as "extremist". (http://www.forum18.org/archive.php?article_id=2428)

The rebels' Human Rights Ombudsperson Darya Morozova told Forum 18 on 10 February that Jehovah's Witnesses have not appealed to her office about the ban. "To take any action I need a written appeal from an individual or community."

Raid on meeting for worship

DPR security forces raided a Protestant community during its Sunday morning worship meeting on 19 January 2020, fellow Protestants told Forum 18, asking that the community not be identified. Officers took several church members to the police station, where they interrogated them. They released the church members later in the afternoon. It does not appear that any of them were subjected to court cases.

The rebels' Human Rights Ombudsperson Darya Morozova told Forum 18 on 10 February that she was unaware of raids on religious communities, including the 19 January raid.

Fine for meeting for worship

On 23 December 2019, the leader of Ark of the Covenant Pentecostal Church in the town of Makeyevka was fined, the DPR General Prosecutor's Office noted on its website the following day.

The latest trouble for the church began in late 2019, when the Prosecutor's Office in Makeyevka inspected the church and found that it was still functioning despite being refused registration by the Culture Ministry. The Ministry claimed that the church had failed to submit all the required documents with its application.

Sergei Gavrish, the head of the Religion and Nationalities Department at the Culture Ministry in Donetsk, refused to tell Forum 18 on 10 February 2020 what documents Ark of the Covenant Church had failed to submit.

The Prosecutor's Office claimed that the Church's decision to continue functioning "without state registration is a violation of Article 11, Part 1 and Article 32, Part 6" of the local Religion Law.

The Prosecutor's Office brought a case against the Church's leader under Article 186-5, Part 1 of the Administrative Code (the DPR

uses a modified 2013 version of Ukraine's Soviet-era Administrative Code).

Article 186-5, Part 1 ("Violation of the law on associations") punishes leadership of or participation in associations which have been denied registration or stripped of registration through the courts with small fines.

On 23 December 2019, a judge at Gornyatsky Inter-District Court in Makeyevka found the church leader guilty and fined him 3,400 Russian Roubles (the DPR uses the Russian Rouble), the General Prosecutor's Office noted. This represents about 10 days' average wages for those in formal work.

The Court refused to give Forum 18 any information about the fine by phone on 20 January. Forum 18 received no response from the Court to its written questions by the end of the working day in Donetsk on 10 February.

Forum 18 was unable to reach Makeyevka's Prosecutor, Aleksandr Ryabtsev, or any of his colleagues on 10 February.

The rebels' Human Rights Ombudsperson Darya Morozova read the General Prosecutor's Office announcement on its website while Forum 18 waited on the phone. "I would need to look at the documents before commenting," she told Forum 18. "I don't want to give a subjective judgment." She insisted that even though Ark of the Covenant Church does not have registration, it can still appeal to her office.

Asked why religious communities which meet for worship without registration should be punished, Morozova insisted that everyone must follow the law. "Each country has its own Religion Law," she claimed, wrongly.

Priest barred from returning

Some religious communities face obstruction in maintaining their clergy in the rebel-held areas of Donetsk Region. Clergy overseeing the communities are also denied entry, cutting such communities off from their fellow-believers and spiritual oversight.

In autumn 2019, Fr Aleksandr Sushko, a priest of the Orthodox Church of Ukraine, temporarily travelled out of the rebel-held area into government-controlled Ukraine. However, when he sought re-entry to rebel-held Donetsk, its officials barred him entry.

"They gave Fr Aleksandr nothing in writing but told him verbally that he was being deported because he served the Ukrainian Church," his bishop Archbishop Sergei (Gorobtsov) told Forum 18 from Mariupol (in Ukrainian government-controlled territory) on 31 January 2020.

The rebels' Human Rights Ombudsperson Darya Morozova told Forum 18 on 10 February that Fr Sushko has not appealed to her office for help and that she was unaware of the refusal to allow him to return.

Archbishop Sergei said that only four of his priests now remain in the rebel-held area. "Eighteen priests left during or after the fighting in 2014 – one was even held in custody before being released. Those that remain are under pressure. They fear leaving in case they are not allowed to return."

Archbishop Sergei said that the rebel authorities would not allow him to visit the region. This means he is unable to make pastoral visits to his communities there. "I'm on a list, and they would probably arrest me if I tried to enter," he told Forum 18. "I last tried to get in in 2014. I would only go if they gave me security guarantees."

The rebel authorities allowed the Vatican nuncio Archbishop Claudio Gugerotti to visit Roman and Greek Catholics in Donetsk for a Christmas Mass on the evening of 24 December 2019. The Mass was held at 6 pm because it had to be over before the curfew (currently from 11 pm to 5 am), the Apostolic Nunciature website noted.

Two Orthodox Churches seized

In summer 2018, the rebel authorities seized two churches in Donetsk from the Ukrainian Orthodox Kyiv Patriarchate (now the Orthodox Church of Ukraine). They seized Holy Spirit Church and Christ the Saviour Church, Archbishop Sergei (Gorobtsov) told Forum 18 from Mariupol (in Ukrainian government-controlled territory) on 31 January 2020.

"Officials said that they don't have registration and the gas and electricity had already been cut off, as the communities have no registration," Archbishop Sergei told Forum 18. "Holy Spirit Church has already been handed to the State Property Fund and it's unclear what will happen to it."

Archbishop Sergei said that of the 36 churches in rebel-held territory which have registration under Ukrainian law about half are still operating. "We have only four priests left there, and they travel around to keep services going."

In late 2019, the rebel authorities denied re-entry to another priest who travelled out of rebel-held territory (see above).

Seized places of worship

In the years since the rebels established the DPR, they have seized numerous places of worship, expelled the owners and used the buildings for other purposes.

On 17 January 2019, the rebel authorities formally opened Red Guard District Registry Office in the town of Makeyevka in the seized building of New Life Baptist Church. The Registry Office is run by the Justice Ministry. "I would like to thank the people who put in a lot of effort for this ceremony to take place," Yakov Khodos, first deputy Justice Minister told the gathering, according to the DPR People's Council website.

The office of Justice Minister Yuri Sirovatko refused to put Forum 18 through to Deputy Minister Khodos or give his number on 10 February 2020.

On 6 July 2018, officials seized the two-storey building of New Life Baptist Church. "About midday, seven officials – including some with weapons – arrived and told us that our building no longer belongs to us," Pastor Aleksandr Moseychuk recounted the same day. (http://www.forum18.org/archive.php?article_id=2422) "Despite all our persuasion and discussions, they sealed the building." The seal on the door was signed by a Justice Ministry official A. S. Bashkatov.

In July 2018, the authorities turned a former place of worship in Donetsk of the Church of Jesus Christ of Latter-day Saints (Mormons) into a Registry Office. All Jehovah's Witness places of worship have been seized and allocated to other uses, as have Donetsk Christian University, Protestant churches and two mosques. (http://www.forum18.org/archive.php?article_id=2422)

The rebels' Human Rights Ombudsperson Darya Morozova said that she was unaware of the seizure of places of worship, including New Life Baptist Church in Makeyevka. "They can submit an appeal," she told Forum 18 on 10 February. "If there was a violation of the law we will take action."

Baptist Church spared

In May 2019, the DPR authorities tried to seize Light of the Gospel Baptist Church in Donetsk. Church members finished building it in 2010 after ten years of work.

"They threatened to seal the church," local Baptists told Forum 18 in January 2020. "But as there was no court decision they did not seize it. Church members took everything out of the building, including even the radiators. But when it became clear that they were not about to seize it, the church restarted services."

Light of the Gospel Church lodged registration documents, but so far has not received it, local Baptists added. (END)

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(<http://www.forum18.org/archive.php?query=&religion=all&country=87>)

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