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RUSSIA: Religious opposition to war in Ukraine - prosecutions and detentions

By Victoria Arnold, Forum 18 (<https://www.forum18.org>)

Despite the official support for Russia's invasion shown by many religious leaders, most notably those in the Moscow Patriarchate, small numbers of clergy and laypeople in Russia continue to protest for explicitly religious reasons against the renewed war in Ukraine. They often face detention, prosecution, and the loss of their jobs in consequence. One, Fr Ioann Burdin, told Forum 18 he is appealing against being fined "so that life is not a bed of roses for the authorities and judges".

Despite the official support for Russia's invasion shown by many religious leaders, most notably those in the Moscow Patriarchate, small numbers of clergy and laypeople in Russia continue to protest for explicitly religious reasons against the renewed war in Ukraine. They often face detention, prosecution, and the loss of their jobs in consequence.

Two Russian Orthodox priests are known to have received administrative fines of about one month's average local wages each for "discrediting the armed forces" as a result of their opposition to the war. Fr Ioann Burdin, of the Moscow Patriarchate's Kostroma Diocese, described the fine to Forum 18 as "a ban not only on expressing one's opinion but also even on professing one's religious beliefs". He lost his initial appeal against the fine, but has lodged a cassational appeal and will also appeal to the European Court of Human Rights in Strasbourg. Fr Burdin said that it was important to appeal "so that life is not a bed of roses for the authorities and judges" (see below).

Metropolitan Ferapont of Kostroma and Galich criticised the actions of Fr Ioann and his colleague Fr Georgy Edelshteyn, arguing that a priest should give "not his own opinion, but the opinion of the Church". He added that discussing "all-Russian or international politics is the prerogative of the Patriarch and the institutions of the Patriarchate which are intended for this, and not the prerogative of the village priest" (see below).

Deacon Sergey Shcherbyuk in Samara was fined for "discrediting the Russian armed forces" in conversations with parishioners and colleagues, one of whom reported him to the Interior Ministry. Forum 18 wrote to Samara Regional Prosecutor's Office before the start of the working day of 4 May, asking why these conversations were considered to have "discredited" the Russian armed forces. No reply has been received (see below).

Other Russian Orthodox priests have resigned from their posts (https://www.forum18.org/archive.php?article_id=2741) after their views brought them into conflict with their dioceses.

In late April, a Baptist Union preacher was fined for making anti-war posts on his VKontakte page, including a link to an open letter condemning the war, hosted by a Protestant publishing house. The letter asserts that "No political interests or goals can justify the deaths of innocent people", and that "In addition to bloodshed, the invasion of sovereign Ukraine encroaches on the freedom of self-determination of its citizens. Hatred is being sown between our peoples, which will create an abyss of alienation and enmity for generations to come. The war is destroying not only Ukraine, but also Russia - its people, its economy, its morality, its future" (see below).

Police have detained several people in Moscow and Nizhny Novgorod for publicly protesting against the war using Biblical quotations and religious imagery. One of them, Anastasiya Parshkova, stood for 5 minutes outside Moscow's Cathedral of Christ the Saviour with a placard saying "6th Commandment. Thou shalt not kill", while wearing a headscarf. In an interview she said that "despite my fear, I decided that this must be done". She was detained and taken to Khamovniki police station but not charged (see below).

New punishments for criticising Russia's actions in its war against Ukraine

New punishments for criticising Russia's actions in its war against Ukraine entered legal force as soon as President Vladimir Putin signed them into law on 4 March. These were contained in the new Administrative Code Article 20.3.3 (https://www.forum18.org/archive.php?article_id=2737) ("Public actions aimed at discrediting the use of the Armed Forces of the

Russian Federation") for making anti-war statements either in public spaces or online, and the new Criminal Code Article 207.3 (https://www.forum18.org/archive.php?article_id=2737) ("Public dissemination, under the guise of credible statements, of knowingly false information on the use of the Armed Forces of the Russian Federation").

Other new legal amendments punish calling for sanctions against Russia (<https://www.hrw.org/news/2022/03/07/russia-criminalizes-independent-war-reporting-anti-war-protests>).

According to human rights news agency OVD-Info (<https://ovdinfo.org>), from 24 February (when Russia restarted its invasion of Ukraine) to 5 May more than 15,000 people had been detained (usually for a few hours or overnight) for participating in anti-war protests. These include large-scale demonstrations or individual actions such as wearing Ukrainian colours or displaying anti-war posters and placards (including those which have directly quoted from the Russian constitution or even President Putin's own speeches).

Thirty-nine people had been charged or placed under investigation under various parts of Criminal Code Article 207.3 by 28 April, according to OVD-Info. As of 5 May, also according to OVD-Info, from 24 February police had initiated at least 1,731 cases across Russia (https://www.forum18.org/archive.php?article_id=2725) and in illegally Russian-occupied (<https://www.nhc.no/en/qa-breaches-of-international-law-and-human-rights-issues-2>) Crimea (<https://www.forum18.org/archive.php?country=86>) under Administrative Code Article 20.3.3 for making anti-war statements either in public spaces or online.

So far, Criminal Code Article 207.3 is known to have been used against only one person for explicitly religious opposition to the war - Nina Belyayeva, a Protestant and Communist municipal deputy in Voronezh Region. During a meeting of Semiluk District Council in Voronezh Region, she called Russia's invasion a war crime (https://www.forum18.org/archive.php?article_id=2737). She later wrote: "I realised that if I kept silent, I would not be able to respect myself. I wouldn't be a true Christian and human being." She fled Russia in early April.

Court decision "a ban .. even on professing one's religious beliefs"

Fr Ioann Burdin of the Moscow Patriarchate's Kostroma Diocese, whom a court found guilty under Administrative Code Article 20.3.3 (https://www.forum18.org/archive.php?article_id=2725) ("Public actions aimed at discrediting the use of the Armed Forces of the Russian Federation") on 10 March, unsuccessfully challenged his 35,000 Rouble fine at Kostroma Regional Court on 26 April. The fine represents about one month's average local wages.

Fr Burdin was fined for posting an anti-war statement on the website of his parish (https://www.forum18.org/archive.php?article_id=2725) in Karabanovo and for giving a Sunday sermon in church condemning Russia's invasion of Ukraine. In the sermon, he stressed the importance of the 6th commandment, "Thou shalt not kill". The court decision is "a ban not only on expressing one's opinion but also even on professing one's religious beliefs", Fr Ioann told Forum 18.

On 26 April, Fr Burdin announced on his Telegram channel that he had paid the fine but would be appealing further. He confirmed to Forum 18 on 6 May that he had lodged a cassational appeal and would also be appealing to the European Court of Human Rights in Strasbourg. Fr Burdin said that it was important to appeal "so that life is not a bed of roses for the authorities and judges".

"Politics is the prerogative of the Patriarch and the institutions of the Patriarchate"

On 8 April, Fr Ioann requested to be made supernumerary (pochislit za shtat, meaning that he remains a priest but is not formally employed in a parish, cathedral, or other institution) with the right of transfer to another diocese. On his Telegram channel on 11 April, he stated that stepping down from the Karabanovo parish was his choice, and he had not come under pressure from either parishioners or Metropolitan Ferapont of Kostroma and Galich.

In a video on the Diocesan YouTube channel on 6 April, the Metropolitan criticised the actions of Fr Ioann and his colleague Fr Georgy Edelshteyn, who also signed the statement on the parish website. Metropolitan Ferapont argued that a priest should give "not his own opinion, but the opinion of the Church". He added that discussing "all-Russian or international politics is the prerogative of the Patriarch and the institutions of the Patriarchate which are intended for this, and not the prerogative of the village priest".

"Discrediting the Russian armed forces"?

A court in Samara convicted another Russian Orthodox clergyman under Administrative Code Article 20.3.3 in early April. Deacon Sergey Shcherbyuk received a fine of 30,000 Roubles (nearly one month's average local wages) for "discrediting the Russian armed forces" in conversations with parishioners and colleagues. One of them apparently reported him to the Interior Ministry's Centre for Countering Extremism) the Baza Telegram channel (which is believed to have links to the security services) reported on 8 April.

Shcherbyuk allegedly talked with one parishioner about Ukrainian civilian deaths and expressed the opinion that everything could have been resolved without military hostilities. He also allegedly requested that a church worker edit a post she had made in the

parish VKontakte group, which asked people to "pray for the soldiers fighting the Nazis and Bandera".

Forum 18 wrote to Samara Regional Prosecutor's Office before the start of the working day of 4 May, asking why these conversations were considered to have "discredited" the Russian armed forces. Forum 18 received no reply by the end of the working day in Samara of 6 May.

Other clergy prosecutions

On 22 April, October District Court in Tambov fined Baptist preacher and local journalist Sergey Stepanov 40,000 Roubles under Administrative Code Article 20.3.3 ("Public actions aimed at discrediting the use of the Armed Forces of the Russian Federation") for anti-war posts he had made on his VKontakte page.

According to the court verdict, seen by Forum 18, Stepanov's posts included the text of an open letter condemning the invasion of Ukraine, originally posted on 2 March on the website of St Petersburg Protestant publisher Mirt.

"Our army is conducting full-scale military operations in another country, dropping bombs and rockets on the cities of our neighbour Ukraine", it begins. "As believers, we consider what is happening the grave sin of fratricide."

The letter goes on to assert that "No political interests or goals can justify the deaths of innocent people", and that "In addition to bloodshed, the invasion of sovereign Ukraine encroaches on the freedom of self-determination of its citizens. Hatred is being sown between our peoples, which will create an abyss of alienation and enmity for generations to come. The war is destroying not only Ukraine, but also Russia - its people, its economy, its morality, its future."

"We still have a chance to avoid punishment from above and prevent the collapse of our country," the letter concludes. "We need to repent for what we have done, first of all before God and then before the people of Ukraine. We must give up lies and hatred. We call on the authorities of our country to stop this senseless bloodshed!" The number of signatures from Baptists and Pentecostals reached 400 within two days, before the letter was taken down.

"Immediately after the 'law' persecuting people for anti-war statements came into force, I deleted my VKontakte page, because I have a firm anti-war position, which I do not hesitate to express openly," Stepanov commented to the Tverdy Znak local news website on 30 April. "However, for a repressive system, this no longer matters. This is not a law in the classical sense, so it has full retroactive force." He added that he intended to appeal.

Investigators have also opened a case under Criminal Code Article 207.3 ("Public dissemination, under the guise of credible statements, of knowingly false information on the use of the Armed Forces of the Russian Federation") against Dmitry Bayev, who served as a deacon in a Russian Orthodox (Moscow Patriarchate) church in Kirov.

The case appears to have been opened not because of any protests made on religious grounds, but because of Bayev's vociferous general condemnation on social media of the Russian government's and army's actions in Ukraine. Bayev's Diocese has barred him, however, from serving in church (https://www.forum18.org/archive.php?article_id=2741) and summoned him to an ecclesiastical tribunal. The outcome of the tribunal is unknown.

Detentions, prosecutions of laypeople for religious opposition to war

Among hundreds of Russians who have been voicing their opposition to the war in Ukraine by means of public protests, several have done so using Biblical quotations and religious imagery. Like others making anti-war statements, they have invariably been quickly detained by police, and in some cases charged under Administrative Code Article 20.3.3 (https://www.forum18.org/archive.php?article_id=2737) ("Public actions aimed at discrediting the use of the Armed Forces of the Russian Federation").

The following cases were reported by the OVD-Info human rights news agency, but some of their outcomes remain as yet unknown:

– 11 March, Pushkin Square, Moscow: two people held a placard with the quotation from the Gospel of Matthew, "Blessed are the merciful, for they shall obtain mercy", and the slogan "No to war"; they were detained but do not appear to have been charged.

– 15 March, outside the Cathedral of Christ the Saviour, Moscow: Anastasiya Parshkova stood with a placard saying "6th Commandment. Thou shalt not kill", while wearing a headscarf; she was detained and taken to Khamovniki police station but not charged.

– 17 April, outside the Cathedral of Christ the Saviour, Moscow: Yevgeny Biryukov held up a piece of A4 paper with the words "6. Thou shalt not kill"; he was taken to Khamovniki police station and charged under Administrative Code Article 20.3.3.

– 24 April (Orthodox Easter Sunday), Nizhny Novgorod: Aleksandr Malenkov was detained for holding up a placard reading "6th

Commandment – Thou shalt not kill", but not charged.

– 24 April (Orthodox Easter Sunday) Red Square, Moscow: Andrey Kryukov held up a placard with the words "Christ is for peace"; he was detained at Kitay Gorod police station and charged under Administrative Code Article 20.2 ("Violation of the established procedure for organising or holding a meeting, rally, demonstration, procession or picket" – Part unknown);

– 24 April (Orthodox Easter Sunday), outside church in Mitino, Moscow: Sergey Melnikov held up a placard reading "Enough war" ["Khvatit voyny"] beneath a picture of a church with the letters KhV (representing the Easter proclamation "Christ is risen"); he was detained but released without charge; police later went to his home, detained him again, and this time charged him under Administrative Code Article 20.3.3.

Forum 18 wrote to Moscow City Prosecutor's Office and Nizhny Novgorod Regional Prosecutor's Office to ask why people were being detained for quoting the Bible or otherwise peacefully expressing their beliefs, and why these actions were considered to be grounds for prosecution under Administrative Code Article 20.3.3. No reply has been received. All emails to the Interior Ministry branches in Moscow and Nizhny Novgorod appear to have been blocked.

"This symbol of corruption in religion in our country"

In an interview on 21 March, Anastasiya Parshkova told independent news outlet Vot Tak TV that "No one has ever come out with such an important phrase ['6th Commandment. Thou shalt not kill'], and despite my fear, I decided that this must be done".

"In my opinion, the Cathedral of Christ the Saviour (<https://www.ucis.pitt.edu/nceer/1997-811-04-2-Smith.pdf>) is now the most non-religious place in Moscow and Russia. It reflects the strength of the [Russian Orthodox Church] as an organisation more than the Christian faith itself. It seemed to me that in my case the phrase 'Thou shalt not kill' would look best in combination with this symbol of corruption in religion in our country."

"Perhaps the Church as an institution is silent because it is forbidden to speak out, and this, of course, is sad and wrong, but I hope that parishioners, ordinary people, are praying for peace."

Parshkova, an Orthodox believer and artist, managed to stand with her placard for five minutes before being taken away by the police. At the police station, officers eventually concluded that she had not committed an offence, and let her go. She did, however, lose her job "because of recent events".

Other religious opposition to renewed invasion of Ukraine

Some religious believers in Russia have opposed the renewed invasion of Ukraine without being arrested or prosecuted. Two Pentecostal bishops, Viktor Sudakov and Pavel Abashin, left the Pentecostal Union in protest at the Union's leader Bishop Sergey Ryakhovsky's support for the war (see below), another Pentecostal bishop, Albert Ratkin, stated on his YouTube channel on 29 April.

Bishop Ratkin has himself openly opposed the war in several videos on his channel. On 6 May, his car was covered in red paint and vandalised with pro-war "V" and "Z" symbols. According to OVD-Info, his address had been published on social media in March with the call to "Please love and reward one more Nazi".

Since 1 March, nearly 300 Russian Orthodox priests (<https://www.rferl.org/a/russia-orthodox-clerics-stop-war-ukraine/31730667.html>) have signed an open letter calling for "reconciliation and an immediate ceasefire" (https://docs.google.com/forms/d/1yOGuXjdFQ1A3BQaEEQr744cwDzmSQ1qePaaBi4z6q3w/viewform?edit_requested=true). The open letter criticised the suppression of protests against the war, and stated that "we believe that the people of Ukraine should make their choice on their own, not at gunpoint, without pressure from West or East".

Archbishop Dietrich Brauer of the Evangelical Lutheran Church of Russia left the country in early March (https://www.forum18.org/archive.php?article_id=2741). "I clearly and publicly distance myself from this war, which is not just a war against Ukraine, but a war against humanity," he said. He stated that the Russian government put pressure on religious leaders to speak out in favour of the war.

Russian religious organisations largely supportive of invasion

Patriarch Kirill of the Russian Orthodox Church (Moscow Patriarchate) has supported the war in Ukraine from the beginning, despite initially stating that he "deeply [empathises] with everyone affected by this tragedy". On 27 February, three days after the invasion, he blessed Russian troops and asked God to "preserve the Russian land.. A land which now includes Russia and Ukraine and Belarus and other tribes and peoples".

In his Sunday sermon on 6 March, Patriarch Kirill claimed that Russia was protecting the Donbas from outside pressure to abide by liberal values, especially as expressed in gay pride parades, arguing that this "indicates that we have entered into a struggle that has not a physical, but a metaphysical significance". Pope Francis stated on 3 May that the Patriarch had spent much of a video call on 16 March reading out "all the reasons that justify the Russian invasion".

In a sermon for Radonitsa (the ninth day after Orthodox Easter) on 3 May, Kirill said that "We do not want to fight with anyone. Russia has never attacked anyone. It is amazing that a great and powerful country has never attacked anyone – it has only defended its borders."

The European Union is considering whether to include the Patriarch in its next round of sanctions (<https://www.politico.eu/article/eu-target-russia-church-patriarch-kirill-new-sanctions/>), multiple news outlets reported on 5 May.

Other religious leaders, while calling for prayers for peace, have also spoken out in support of the war.

Mufti Talgat Tadzhuddin of the Central Spiritual Administration of Muslims of Russia told the Gazeta.ru news website on 2 March that "We consider the special military operation to be justified because the Ukrainian government did not want to listen to our government." He added that Russian troops, alongside the soldiers of the Russian-backed separatist regions in eastern Ukraine of Luhansk and Donetsk, "are saving the Ukrainian people from Nazis, who on the orders of their Western masters want to turn Ukraine into a bridgehead for an attack on Russia".

Old Believer Metropolitan Kornily commented to the Lenta.ru news service on 6 March that "The main goal of our army is to protect our brotherly people of the same faith, to prevent their becoming victims, as far as possible, of a humanitarian catastrophe.. For a long time, eight years, Donbas, and indeed all of Ukraine, has endured rampant nationalism.. This is our common test of firmness of spirit and strength of faith. With God's help, we will win!"

Bishop Sergey Ryakhovsky of the Pentecostal Union said on 25 February that "Regardless of the reasons, war is a terrible evil". On 29 March, however, at a State Duma round table on the topic "World Religions against the Ideology of Nazism and Fascism in the 21st Century", he said: "This is a very important event that shapes our religious opinion, of all religions, all denominations of Russia, how we can today serve those who go through pain, through suffering, and give them hope.. Today we have a clear, understandable, Christian mission for our peoples in Russia and Ukraine."

The Duma reported on its website that "The participants of the round table spoke in support of the ongoing special operation to denazify Ukraine and took the initiative to address Russian President Vladimir Putin with a proposal to hold an anti-fascist conference in Russia". Metropolitan Kornily and Mufti Tadzhuddin also attended this event, along with representatives of several other religious communities. (END)

More reports on freedom of thought, conscience and belief in Russia (<https://www.forum18.org/archive.php?country=10>)

For background information, see Forum 18's survey of the general state of freedom of religion and belief in Russia (https://www.forum18.org/archive.php?article_id=2246), as well as Forum 18's survey of the dramatic decline in this freedom related to Russia's Extremism Law (https://www.forum18.org/archive.php?article_id=2215)

A personal commentary by the Director of the SOVA Center for Information and Analysis (<https://www.sova-center.ru>), Alexander Verkhovsky, about the systemic problems of Russian "anti-extremism" laws (https://www.forum18.org/archive.php?article_id=1468)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/archive.php?article_id=1351)

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