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RUSSIA: Threats to demolish churches and mosques continue

By Geraldine Fagan, Forum 18 (https://www.forum18.org)

In Astrakhan, a mosque community fears its unfinished building could be demolished despite a pending case at the European Court of Human Rights in Strasbourg. Mosque chairwoman Asya Makhmudova told Forum 18 News Service that "a bailiff at the Regional Court told me recently that it was quite possible they could receive an order to demolish the mosque any day, and that they wouldn't hesitate to follow it". The Glorification Pentecostal Church in the Siberian city of Abakan was forced to demolish its worship building after a court ruled that it did not conform to building regulations. Threats to take away the land have now been overcome, but the regional religious affairs official told Forum 18 that he has stopped the distribution of a leaflet from city officials among local residents opposing the building of a replacement church on the site. Yet Nikolai Volkov was unable to explain why the church has been unable to regain its licence to run a secondary school after the church brought the school building into line with fire safety standards. A Pentecostal church in Kaluga has faced repeated criminal investigations into its school after it narrowly avoided having its church building confiscated. The church's electricity supply is about to be cut off.

While state demolition orders against several Protestant churches and mosques in disparate parts of Russia appear to have stalled, others are at various stages of execution, Forum 18 News Service has found. Some of these places of worship - such as an unfinished mosque in the southern city of Astrakhan - face destruction after officials claimed they had been built without due authorisation. Others - such as the Glorification Pentecostal Church in the central Siberian city of Abakan - have faced demolition after officials questioned whether they have been built to safety standards. Yet many of these threatened places of worship have faced repeated challenges by a variety of state agencies often unrelated to questions of whether they had been built with proper approval or to safety standards. Glorification Church and another Protestant church faced challenges to their schools.

Demolition postponed

Demolition of the unfinished mosque in Astrakhan has been postponed due to a case pending at the European Court of Human Rights (ECtHR), a representative of Astrakhan Regional Court assured Forum 18. "This case has social significance, and we understand that it won't be to our benefit if we take down the mosque and the original court order is then overturned [by the ECtHR]," Yuliya Verkalets of the Regional Court's bailiff department told Forum 18 on 19 October. "We won't do anything until there is a European Court decision." The Regional Court has also told the court which issued the original demolition order to terminate proceedings, she said. "They have agreed at Soviet District Court, as far as I know."

The council chairwoman of Astrakhan's Mosque No. 34 was still unsure of its fate when contacted by Forum 18 on 17 October, however. "They said on the regional television news that nothing will be done to the mosque before the European Court decision, as our case has attracted international attention," Asya Makhmudova remarked. "But a bailiff at the Regional Court told me recently that it was quite possible they could receive an order to demolish the mosque any day, and that they wouldn't hesitate to follow it."

So far the state authorities have not taken any physical action against Mosque No. 34. Makhmudova learnt that the ECtHR has decided to treat the case as priority in July 2007, "but we haven't heard anything yet". The ECtHR declared the case admissible on 15 November 2006 (Application no. 40482/06).

After losing a March 2006 appeal against Soviet District Court's earlier ruling that Mosque No. 34 qualified as "unauthorised construction", Astrakhan Muslims had until 1 May 2006 to demolish the building themselves or face its destruction by the state authorities (see F18News 20 March 2006 http://www.forum18.org/Archive.php?article_id=746).

On 10 June 2006 the Astrakhan Muslims further appealed against the regional ruling, but in an unannounced 14 August 2006 hearing Russia's Supreme Court upheld the demolition order. According to Makhmudova, the Supreme Court again examined and rejected the Muslims' appeal on its own initiative in July 2007.

Demolition threat lifted for mosques..

A threat to demolish two mosques in Matmasy, a village on the outskirts of the Urals city of Tyumen, has been lifted, the head of the Spiritual Directorate of Muslims of Tyumen Region informed Forum 18 on 17 October. Galimzyan Bikmulin confirmed that the city

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authorities lost their suit for the demolition of the mosques during the first half of 2007 (see F18News 8 February 2007 http://www.forum18.org/Archive.php?article_id=908).

..but not for church

Also in Astrakhan, Jesus Christ Pentecostal Church looks set to have its prayer house demolished to make way for a music theatre planned for the 450th anniversary of the city's foundation next year, according to the church's pastor. Aleksandr Kalinin's 350-strong congregation has been worshipping at the prayer house - a former cinema in a central city park - since 1997, he told Forum 18 on 17 October. The building is the property of the church, while 15 years remains on the associated land lease.

Although the city authorities announced in April 2007 that the church's building would be claimed and construction of the musical theatre has already begun, "the situation is calm and amicable so far," Pastor Kalinin told Forum 18. No deadline has been set for the congregation to vacate the building. While an independent property assessor has valued the prayer house at one million US Dollars, he said, the alternative premises offered by the city authorities as compensation are all "very much worse". "The authorities say they won't throw us out," Pastor Kalinin remarked, "and we'll try and resolve it peacefully, without going to court."

A spokesperson for Astrakhan's mayor, Sergei Bozhenov, denied to Forum 18 that the city authorities were responsible for anything being built at the prayer house site. No associated decree or construction order has been issued, she insisted when contacted on 18 October. She was also at a loss to suggest which state department might be responsible.

Church demolished

In the southern Siberian republic of Khakassia, the authorities have finally succeeded in forcing the 1000-strong Glorification Pentecostal Church in Abakan to demolish its worship building, Aleksandr Prus, the church's assistant pastor and administrator, told Forum 18 on 22 October. A 7 December 2006 ruling by Khakassia Arbitration Court initially ordered Glorification Church to dismantle its worship building and vacate the associated plot of land by 1 April 2007.

According to Khakassia Arbitration Court materials seen by Forum 18, the church's worship building and incomplete adjoining administrative building qualify as "unauthorised construction". Although Assistant Pastor Prus submitted numerous documents supporting the legitimacy of the church's construction and associated land acquisition, these were rejected by the Court (see F18News 8 February 2007 http://www.forum18.org/Archive.php?article_id=908).

In appeal hearings held during spring 2007, an expert analysis which the church was satisfied was objective found that the worship building did not conform to building regulations and should be torn down. Khakassia Arbitration Court upheld the demolition order, Prus told Forum 18, and church members finally dismantled their building in June.

Prus feared earlier that Glorification Church might have to vacate the plot previously occupied by its worship building, but the city authorities in Abakan, the Khakassian capital, have now formally allocated the land to the church, he told Forum 18. Construction of a new worship building is nevertheless being delayed, he added, because nearby residents are opposed. "They're being put up to it, dropped leaflets signed from the city administration, but it isn't clear who's behind it." Glorification Church currently meets for services in rented premises, he told Forum 18.

Glorification Church's private secondary school, housed in an adjacent third building, lost its state educational licence in December 2006 due to fire safety criticisms which the church categorically rejects. The school has since failed to secure a new licence, Prus told Forum 18, so that pupils have been placed in a number of city state schools. The assistant pastor is particularly concerned about the impact of this on the school's internationally successful hockey team, Reformation. "It's very important that the kids study together in one class."

City authorities distribute hostile leaflets

Nikolai Volkov, Khakassia regional religious affairs official, admitted to Forum 18 that the Glorification Church is the only one of 75 registered religious organisations in the region to face problems over its place of worship. But he insisted that the church was to blame for them, adding that these problems are being resolved. "This year they will build a wonderful modern new building, God willing," he told Forum 18 from Abakan on 30 October. He confirmed that the church has full legal rights to the site where the old church stood. "This is where they will build the new church. Their full legal rights have now been secured through the courts."

Volkov admitted that the city administration had issued hostile leaflets about the church to local residents, but refused to tell Forum 18 which city department or official had been behind them. "It's not the subject of a telephone conversation. But I told them: 'Why are you doing this?' It was simply a misunderstanding. It's over."

Volkov reported that after the fire service had complained about the state of the school building, the church had done everything the fire service had demanded to bring the building into line with safety standards. But he declined to say why Khakassia's Education Ministry has not yet returned the school's licence. "We'll resolve this problem," he insisted to Forum 18. "It is not state policy to

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close the school. Indeed, we are proud of what it has achieved."

Volkov claimed to Forum 18 that the problems over the church and the school were "completely unrelated". "People keep throwing these two issues together, but they are separate."

Asked about Glorification Church's predicament in February 2007, Volkov insisted to Forum 18 that the church's worship building would have to be demolished. He also maintained that the situation would not culminate "in anything outrageous", however, and suggested that the construction of a new house of worship was the best solution (see F18News 8 February 2007 http://www.forum18.org/Archive.php?article_id=908).

No evidence of criminal activity - then cases reopened

In the city of Kaluga, some 200km (125 miles) south-west of Moscow, Word of Life Pentecostal Church is still under threat even though it has just received a written court decision confirming that Mayor Maksim Akhimov's 23 November 2006 decree confiscating its land and building was illegal. The church's prayer house, an unfinished sports complex on the city outskirts when the Pentecostals bought it and associated land in 2002, now stands in the middle of a shopping mall construction site. Soon after foundations for the shopping complex were laid in early 2006, pressure on the church began in the form of constant fire safety, tax and other inspections (see F18News 8 February 2007 http://www.forum18.org/Archive.php?article_id=908).

Kaluga Regional Arbitration Court first declared Mayor Akhimov's decree to be unlawful on 6 June 2007. On 4 July, however, economic crimes police seized documents and a computer during a raid on the church, church administrator Yelena Kondraseva told Forum 18 on 17 October. "They wanted to check the bank details of our church secondary school. I told them that it only has its legal address at the church, but they started searching anyway." While the police have since returned the computer, they retain the documents, said Kondraseva, including lists of church members' names and addresses. "They began to call them up, summon them to Kaluga City Public Prosecutor's Office and ask them questions about the school," she said. It remains unclear why the authorities are interested in the school, however, as no charges have yet been made.

According to Kondraseva, the City Public Prosecutor's Office has opened a criminal investigation into the church school four or five times since the raid. "The authorities charged with conducting the investigation - the fire, hygiene and construction departments - can't find anything, say there is no evidence of criminal activity and close the case. But then the public prosecutor's office opens it up again."

Kaluga Regional Arbitration Court rejected the city authorities' appeal against the June 2007 decision in Word of Life's favour on 18 September. The church received the court's written verdict on 16 October. In the latest development, the church has been informed that its electricity supply will be shut off in late October, Kondraseva told Forum 18. "We are supposedly causing an overload on the electricity network. But this is all because they want to push us out."

"So what?"

"And so what?" Kaluga City Public Prosecutor Tatyana Penkrat remarked after Forum 18 introduced itself on 18 October. As soon as she heard that Forum 18 wished to know about the Word of Life case, she declined to give information by telephone.

In Russia, threats to demolish places of worship are most usually encountered by Muslims and Protestants. However, the state authorities may also stop other confessions - including the Russian Orthodox Church (Moscow Patriarchate) - from retaining or acquiring worship premises (see F18News 23 October 2007 http://www.forum18.org/Archive.php?article_id=1038). (END)

For a personal commentary by an Old Believer about continuing denial of equality to Russia's religious minorities see F18News http://www.forum18.org/Archive.php?article_id=570

For more background see Forum 18's Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=947

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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka

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N-0502 Oslo
NORWAY

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