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RUSSIA: Still no mosque for Sochi, Protestants struggle to keep church

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

Acquiring and retaining places of worship in Russia's Black Sea resort of Sochi is difficult for some local residents, Forum 18 News Service notes. Sochi's Muslims are still without a mosque, despite repeated attempts to obtain land and permission to build since 1996. Despite repeated official promises of action, no concrete steps have yet been taken to enable a mosque to be built. In contrast, Krasnodar Region allocated more than 525 million Roubles for the construction of the vast Russian Orthodox Church of the Holy Image of Christ at the Olympic Park, which was consecrated on 2 February 2014. Meanwhile, House of the Gospel Church is struggling to retain its Church building against city attempts to sell it off. In 2011 the Church asked for full ownership of the building it has used since 1993 (having had lesser ownership since 2007), as Russian law allows, but Sochi administration repeatedly failed to respond or give reasons for its lack of response. Two court hearings have failed to secure the Church's rights to the property, and it is now preparing a third appeal. The hearing date will be set on 25 March.

Acquiring and retaining places of worship in Russia's Black Sea resort of Sochi is difficult for some local residents, Forum 18 News Service notes. During the 2014 Winter Olympics and Paralympics, athletes have been able to use dedicated worship space at the inter-confessional centre, with separate prayer rooms for the Orthodox, other Christian, Islamic, Jewish, Buddhist and Hindu faiths, as well as chaplains of these beliefs.

Sochi's Muslims, however, are still without a mosque, and a long-established Protestant community is embroiled in a legal battle to retain their Church.

Still no mosque in Sochi

Sochi's 20,000 strong Muslim population continues to worship in basement prayer rooms while awaiting the provision of a mosque. The town's Yasin Musim community – which now has over 130 worshippers – has since 1996 asked repeatedly for land and permission to build, and has been repeatedly denied or ignored. "Whenever I find somewhere, the [city] Architectural Department says that it's already sold, obstructed by pipes, or something else", then Chair Ravza Ramazanova told Forum 18 in May 2006 (see F18News 18 May 2006 http://www.forum18.org/archive.php?article_id=782).

Not only in Sochi, but also in the capital Moscow and in parts of Russia considered ethnically Russian such as St Petersburg, Muslims face persistent difficulties building mosques. In 2009, then President Dmitri Medvedev publicly backed the idea of building a mosque for Sochi (see F18News 3 October 2012 http://www.forum18.org/archive.php?article_id=1750). But as yet the authorities have taken no concrete action to enable a mosque to be built.

Yasin community Chair Valery Ilyasov was keen to stress to Forum 18 on 25 February that his community encounters no day to day problems, and that dedicated prayer rooms had been provided in the Olympic villages. But these facilities are located in zones reserved solely for athletes, the Olympic press office in Sochi told Forum 18 on 4 March. Ilyasov stated though that a promised Islamic Cultural Centre, agreed by the Yasin community and Sochi mayor Anatoly Pakhomov in February 2012, has not yet been built. Local Muslims' only access to a mosque is in the village of Tkhangapsh, more than two hours' drive away.

Despite plans for a mosque being discussed several times in the years of preparation for the Winter Olympics (ranging from a permanent structure in an Olympic village to construction as part of a complex of religious buildings on an artificial island shaped like the outline of Russia), no site has been allocated and no financial assistance forthcoming from the city or regional authorities. A spokesperson for Sochi's Department of Information and Analytical Work refused to comment on the possibility of mosque construction after the Olympics, when reached by Forum 18 on 3 March 2014.

Financial support

Immediately after the Winter Olympics "measures will be taken to construct the mosque", Mufti Askarbii Kardanov of the Spiritual Administration of Muslims of Adygea and the Krasnodar Region told the Kavkazskaya Politika website on 22 January. Contacted by

Forum 18 on 4 March Mufti Kardanov said that "there will be no problem building a mosque in Sochi if we had money .. that is, if we find sponsors", and remarked that similar problems of funding exist "not only in Sochi .. but in other places, in Tuapse, in Adler, in Novorossiisk, in Anapa".

Asked if the authorities would provide funds, Mufti Kardanov pointed out that religion is separate from the state in Russia. Forum 18 notes, however, that Krasnodar Region allotted more than 525 million Roubles (about 87,123,000 Norwegian Kroner, 10,552,000 Euros, or 14,520,000 US Dollars) from its budget for the construction of the vast Russian Orthodox Church of the Holy Image of Christ at the Olympic Park in Sochi's Adler district. The Church was consecrated on 2 February.

The House of the Gospel

In January 2013 Sochi administration decided to sell off much of its municipal property. This meant that the congregation of the House of the Gospel Protestant Church is faced with losing the site it has occupied rent-free since 1993. Two court hearings so far have failed to secure the Church's rights to the property, and the community is now preparing to appeal a third time.

The Church complex houses two prayer halls, a Sunday school, a publishing outlet, offices, and departments for missionary work and philanthropy, and includes the original building granted by the city administration to the congregation "for charitable and liturgical purposes" in 1993, as well as new structures erected at the community's own expense.

In 2007 the House of the Gospel and Sochi's property department signed a contract transferring the title of the property to the Church, and allowing it free use of the building.

Property boom sparked fears

In February 2011, the Church applied to Sochi administration to have the property transferred to its full ownership under the 2010 Federal Law 'On the transfer of state or municipal owned property of religious purpose to religious organizations', but this request was ignored by the authorities.

(Transfer of the ownership of places of worship under the Federal Law continues to be problematic for all religious confessions – see Forum 18's general Russia religious freedom survey http://www.forum18.org/archive.php?article_id=1722.)

In March 2013, Sochi administration told the House of the Gospel Church that its land and buildings were to be auctioned off under the city's privatisation programme, and that the 2010 property law did not apply.

Sochi is now the third most expensive city in Russia after Moscow and St Petersburg, with average property prices for February 2014 reaching 77,000 Roubles (about 12,790 Norwegian Kroner, 1,550 Euros, or 2,130 US Dollars) per square metre. A spokesperson for the House of the Gospel told Forum 18 on 20 February that he thought the Church's prime location on a major central street, close to the local offices of the FSB security service, was the principal reason behind the proposed sale. The Church community's 2011 attempt to gain full ownership was motivated by fears that the site would prove attractive to investors drawn by Sochi's Olympic boom.

Legal dispute

The House of the Gospel submitted a complaint to the Krasnodar Regional Arbitration Court on 7 May 2013, arguing that the Sochi administration's two years of inaction over their lawful request for ownership were "unlawful and in breach of their rights", according to court documents seen by Forum 18. The Church also asked that the administration should be obliged to respond to their application and hand over the property as originally requested. Sochi administration in its turn argued that the 2010 religious property transfer law did not apply, and there was no reason for them to give the land and buildings to the Church.

At a hearing on 9 October 2013, Krasnodar Regional Arbitration Court partially upheld the Church's complaint. It ruled that Sochi administration's long delay had indeed been unlawful, and that it must consider the House of the Gospel's request for full ownership of the property and provide a "reasoned response" to it. The Court also ruled, however, that the property could not be transferred to the ownership of the Church because its boundaries had not been established in accordance with Russian land law, and it could therefore not be subject to legal transactions (such as under the 2010 religious property transfer law).

Appeal

Sochi administration contested the first part of this ruling in the 15th Arbitration Appeals Court in Rostov on 17 January 2014, in which the Krasnodar court's decision in favour of the Church was overturned on a legal technicality. Under Russia's Arbitration Code, the plaintiff must register their complaint with an arbitration court within three months of the perceived infringement of their legal rights. According to the 15th Court, in documents seen by Forum 18, the House of the Gospel should have applied to the Krasnodar Regional Arbitration Court by 18 July 2011, i.e. three months after the 30 day period within which the Sochi Administration was legally obliged to respond to their request for transfer of ownership.

Because the Church did not approach the court until May 2013 – which delay was due to Sochi administrations' failure to respond to the Church – the Church's case was overturned by the Appeal Court, and Sochi administration relieved of the obligation to respond to the transfer request.

The House of the Gospel is now preparing both to challenge this ruling and to demonstrate their rights to the property at the Federal Arbitration Court of the North Caucasus. The date of the hearing will be set on 25 March.

Sochi's Department for Property Relations would not discuss the case when Forum 18 telephoned on 3 March.

Other sold property, Church building not yet sold

While the case is pending, the Church's land and buildings have not been put up for auction and its activities continue, including the operation of a hospitality centre for visitors during the Olympics and Paralympics.

Many of the other properties on the list prepared by Sochi administration, seen by Forum 18, have already been sold at auctions held throughout 2013. They have all been commercial or mixed commercial/residential properties, or municipal facilities. The House of the Gospel is the only self-contained entity and the only non-governmental, non-commercial organisation likely to be affected by the sale. The spokesperson for the Church could not say whether any alternative accommodation would be provided, if Sochi administration succeeds in auctioning off the Church building. (END)

For more background, see Forum 18's surveys of the general state of freedom of religion or belief in Russia at http://www.forum18.org/Archive.php?article_id=1722, and of the dramatic decline in religious freedom related to Russia's Extremism Law at http://www.forum18.org/Archive.php?article_id=1724.

A personal commentary by Alexander Verkhovsky, Director of the SOVA Center for Information and Analysis <http://www.sova-center.ru>, about the systemic problems of Russian anti-extremism legislation, is at F18News 19 July 2010 http://www.forum18.org/Archive.php?article_id=1468.

A personal commentary by Irina Budkina, Editor of the <http://www.samstar.ucoz.ru> Old Believer website, about continuing denial of equality to Russia's religious minorities, is at F18News 26 May 2005 http://www.forum18.org/Archive.php?article_id=570.

More reports on freedom of thought, conscience and belief in Russia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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