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SERBIA: Romanian priest to pay for official destruction of his church

By Drasko Djenovic, Forum 18

Radmila Gerov, mayor of Negotin in eastern Serbia, has told Forum 18 News Service that a Romanian Orthodox church whose destruction has been ordered should have been approved by the Serbian Orthodox Church. She cited the 2003 planning law, although no such requirement exists in the law. The Negotin building inspectorate told the community's priest Fr Bojan Aleksandrovic on 24 August that as he has failed to destroy the church himself the authorities will do so at his expense. "As happens in such a situation, everyone tries to wash their hands, claiming that someone else is responsible, yet the decision exists," Fr Aleksandrovic complained to Forum 18. He fears that any day the building inspector could notify him that demolition will take place the same day. Serbia's authorities also obstruct the functioning of Old Calendarist, Macedonian and Montenegrin Orthodox communities.

Romanian Orthodox priest Fr Bojan Aleksandrovic, whose church in his home village of Malajnica (Malainita in Romanian) in eastern Serbia has annoyed the authorities and the local Serbian Orthodox bishop, has been told that as he refused to demolish it himself it will now be demolished at his own cost by the authorities. Radmila Gerov, the mayor of Negotin council (to whose jurisdiction the village belongs), insisted to Forum 18 News Service that her authority has nothing against the Romanian Orthodox congregation, but claimed (wrongly) that Serbia's 2003 planning and construction law requires all churches to be approved by the Serbian Orthodox Church before planning permission can be given.

"I have read the law and this is what it says," she told Forum 18 from Negotin on 19 September, though she was unable to specify which article of the law she believes includes this provision. Asked whether she did not think it bizarre that the Romanian Orthodox were being asked to gain approval from a separate religious community she responded: "We have to apply the law whether we like it or not."

Forum 18 can find no reference in the planning law to a requirement for permission from the Serbian Orthodox Church before any religious building can be approved and Aleksandra Rackov of the Ministry of Capital Investments confirmed the absence of such a requirement to Forum 18 in March (see F18News 15 March 2005 http://www.forum18.org/Archive.php?article_id=523).

Gerov also insisted that all buildings, even in rural areas (such as Malajnica) require planning permission (though others point out that without an urban plan such permission cannot be given). She admitted that "many" buildings are put up locally without planning permission, but insisted that instructions have come from the government in the past two years to end this practice. She claims that the owners of "maybe 500" local buildings put up without permission have received similar warnings to the one sent to Fr Aleksandrovic and denies he is being singled out for his religious affiliation.

Asked about Fr Aleksandrovic's fruitless attempts since 2003 to gain planning permission, she insisted that only with the Serbian Orthodox Church's approval can such permission be given. But she claimed that talks underway between the Romanian and Serbian Orthodox Churches will resolve any dispute. "We don't want to knock down this church," she maintained.

"As happens in such a situation, everyone tries to wash their hands, claiming that someone else is responsible, yet the decision exists," Fr Aleksandrovic told Forum 18 on 9 September. "Everyone tells me not to worry, that no one will demolish the church, bell tower and my house, but no one is willing to give me any document confirming this." He fears that any day the building inspector could notify him that demolition will take place the same day.

Fr Aleksandrovic (Aleksandrovici in Romanian) built the small church, parish house and bell-tower in 2004 on his own land. The local authorities ordered their destruction in January 2005 because of the absence of planning permission and permission from the Serbian Orthodox Church. Police also questioned Fr Aleksandrovic about his religious activities (see F18News 15 March 2005 http://www.forum18.org/Archive.php?article_id=523).

The Negotin building inspectorate wrote to Fr Aleksandrovic on 24 August to inform him of the decision to go ahead with the demolition in the light of his failure to demolish the church, its bell-tower and his home himself. "The same inspector signed the

letter who signed the resolution last winter," the priest told Forum 18.

On receiving the notification on 26 August, Fr Aleksandrovic immediately contacted the secretary of the Serbian council for national minorities Petar Ladjevic and religion minister Milan Radulovic. He reported that Ladjevic then contacted the Negotin municipality, which denied it had sent anything to Fr Aleksandrovic. Radulovic contacted mayor Gerov, who said she was not informed that anything had been sent to Aleksandrovic. The priest said he then faxed the document he had received to Ladjevic and Radulovic.

Fr Aleksandrovic told Forum 18 that in several conversations with Radulovic the minister assured him verbally that the church will not be demolished, as the congregation's appeal over the original denial of building permission is still in the Supreme Court. "But the demolition decision declares that the appeal does not hold off carrying out the demolition," he reported. "I told Ladjevic and Radulovic that I feel the local authorities often work without contacting Belgrade." The priest believes that behind this "new storm" after several months of quiet stands the local Serbian Orthodox bishop, Justin (Stefanovic) of Timok.

In addition to reaffirming his earlier verbal promises to Fr Aleksandrovic that the Romanian Orthodox church will not be demolished, Radulovic repeated the pledge – for now - to Forum 18 (see F18News 20 June 2005 http://www.forum18.org/Archive.php?article_id=589). "Until the Serbian Orthodox Church and the Romanian Orthodox Church regulate their general relationship, the Romanian Orthodox church in Malajnica with the bell-tower and Aleksandrovic home will not be demolished," he told Forum 18 from Belgrade on 12 September. "Malajnica will be part of the global solution in the relationship between the two canonical churches."

The minister also maintained that even though the buildings had been put up without planning permission the fact that the case is now in the supreme court means there is "no reason" for the church to be demolished.

Yet Radulovic continues to deny the legitimacy of the Romanian Orthodox parish, insisting that the Romanian Orthodox Church is active in the Timok area "only through the activities of the uncompleted student of theology Bojan Aleksandrovic". He says if the Romanian Orthodox Church wants to function in Timok, it needs to seek permission from the Serbian Orthodox Church. Radulovic did not say why the state insists that one religious community needs to seek permission from another before it can conduct religious activity.

Complicating the situation is the continuing refusal of the Serbian government to recognise the Romanian Orthodox Church's diocese in Serbia – which now has 39 parishes. The state recognises it only as a vicariate, the status it had until 1997 when the Romanian Orthodox Holy Synod raised it to a diocese, and regards it as being confined to ethnic Romanians in the Banat region in the northern province of Vojvodina, some distance from Malajnica.

The Serbian government has backed the claims of the dominant Serbian Orthodox Church to monopoly rights within the country, trying to exclude or restrict not only the Romanian Orthodox, but all other Orthodox communities, including the Old Calendarist Orthodox, the Macedonian Orthodox and the Montenegrin Orthodox (see F18News 12 September 2005 http://www.forum18.org/Archive.php?article_id=648 and 14 September 2005 http://www.forum18.org/Archive.php?article_id=650).

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For a personal commentary by a religious freedom lawyer arguing that Serbia should not follow Austria's system of dividing religious communities into different categories with differing legal rights, see F18News http://www.forum18.org/Archive.php?article_id=403

For more background, see Forum 18's Serbia religious freedom survey at http://www.forum18.org/Archive.php?article_id=387 and survey of attacks on religious minorities in 2004 and early 2005 at http://www.forum18.org/Archive.php?article_id=581 and survey of attacks later in 2005 at http://www.forum18.org/Archive.php?article_id=647

A printer-friendly map of Serbia and Montenegro is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=yugosl>

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

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY