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RUSSIA: Will church and mosque demolition threats be carried out?

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

Local authorities in widely separated parts of Russia are demanding the demolition of several Protestant churches and mosques, Forum 18 News Service has noted. This follows an apparently unusual level of interest in their buildings' fire safety and other technical factors in recent months. In one example, Glorification Pentecostal Church – which is threatened with demolition - in the central Siberian city of Abakan questions the validity of numerous claimed violations, such as a failure to keep the storage area under the staircase clear, as "the only thing present under the stairs during the fire safety inspection was a jar of gherkins," Forum 18 was told. Amongst Muslim communities facing problems is Mosque No. 34 in the southern city of Astrakhan. This has been claimed to be "unauthorised construction" and so should be demolished. The European Court of Human Rights in Strasbourg has decided to hear the case, after an unannounced hearing in Russia's Supreme Court upheld a demolition order. But in a positive development in Samara, a pre-1917 Belokrinitsa Old Believer Church has been regained by the corresponding local parish.

Local authorities in disparate parts of Russia are demanding the demolition of several Protestant churches and mosques, after displaying an apparently unprecedented level of interest in their fire safety and other technical aspects over recent months. In the only two similar cases known to Forum 18 News Service from the first half of 2006, a Protestant bishop in Krasnodar has successfully defended his rights to hold worship meetings in a private house he has built, while a mosque threatened with destruction awaits a ruling from the European Court of Human Rights in Strasbourg.

In the first of the more recent cases, Glorification Pentecostal Church must demolish its church building and vacate the plot of land beneath it by 1 April 2007 in accordance with a 7 December 2006 ruling by Khakassia Arbitration Court. Based in the central Siberian city of Abakan, the 1,000-strong congregation is best known as one of two religious organisations that made a successful appeal to Russia's Constitutional Court against the 1997 Religion Law's so-called 15-year rule. In the wake of that Law, local officials warned Glorification Church that it could neither work with war veterans and young offenders nor host international conferences and a Bible school because it had not functioned for 15 years. On 23 November 1999, however, the Constitutional Court determined that this provision did not have retroactive force.

Speaking to Forum 18 on 1 February, assistant pastor and administrator Aleksandr Prus said that Khakassia Arbitration Court is currently considering Glorification Church's appeal against the city's demolition order. Problems began in October 2005, he said, when fire safety, architectural, public procuracy and other officials began persistent check-ups of the church and its activities. Unable to comply quickly enough with subsequent fire safety demands, according to Prus, the church was repeatedly given fines of between 10,000 Roubles [2,360 Norwegian Kroner, 290 Euros, or 380 US Dollars] and 20,000 Roubles [4,720 Norwegian Kroner, 580 Euros, or 760 US Dollars]. Abakan City Court even ordered the closure of the church's building for two periods of 30 and 40 days during 2006, he added, forcing the congregation to meet outside for services.

"Such demands can be routine, but we have had nothing like this before and feel that there is something more behind it," Prus remarked to Forum 18. He was unsure about the cause of the authorities' sudden sustained attention, however, "except that they also began with us after the new [Religion] Law was passed - we are a sort of testing ground."

Asked about Glorification Church's predicament on 6 February, Khakassia Republic's senior religious affairs official maintained that its premises had been "badly built – they don't meet fire or sanitation norms." Nikolai Volkov also claimed to Forum 18 that the present situation has developed over many years. "It isn't something that's just come up – earlier we were trying to reach a compromise." While insisting that the church's current building would have to be demolished, he assured Forum 18 that the situation would not culminate "in anything outrageous" and suggested that the Pentecostals' best option would be to construct a new house of worship. "Believers should be able to pray to God," Volkov remarked, "and no one is going to forbid that."

According to Khakassia Arbitration Court materials seen by Forum 18, Glorification Church's completed worship hall and adjoining administrative building - which is 83 per cent complete - qualify as "unauthorised construction". Even though Aleksandr Prus submitted numerous documents supporting the legitimacy of the church's construction and associated land acquisition, the Court claimed that these were insufficient to prove the legality of the complex and pointed to the absence of unspecified budgetary and

expert assessments. It also disputed the validity of two key documents issued by Abakan's municipal administration – a 1993 decree granting Glorification Church the right to use the land on a rental basis during construction of a house of worship and an associated 1994 contract. Prus, in turn, insisted that the Pentecostals had followed legislation in place during the early 1990s and obtained all relevant permission for construction.

In further court materials seen by Forum 18, Glorification Church questions the validity of numerous fire safety violations noted during a 4 October 2006 check-up of its unfinished administrative building. Church representatives point out to Abakan City Court that – even though the building is not actually in use – most of the violations have already been or are in the process of being rectified. They reject others, such as a failure to keep clear the storage area under the staircase, since "the only thing present under the stairs during the fire safety inspection was a jar of gherkins."

Glorification Church similarly disputes the validity of several fire safety criticisms levelled at its adjacent private secondary school, the construction of which is not in doubt. "Even though no other school in the city has such a high level of fire safety," Aleksandr Prus insisted to Forum 18, Khakassia's Education Ministry ordered the withdrawal of the school's teaching licence on 1 December 2006.

Some 2,800 km [1,740 miles] west in Kirovo-Chepetsk (Kirov Region) west of Moscow, Grace Baptist Church has been encountering similar state intrusion. "Fire officers wanted to close down our church building, but on 29 January a local court decided to fine us 10,000 Roubles [2,360 Norwegian Kroner, 290 Euros, or 380 US Dollars] for the moment and give us until 1 June to remove all fire safety violations," Pastor Aleksandr Timofeyev told Forum 18 on 2 February. Since the church believes that most of these are groundless, however, it intends to lodge a court appeal.

While the congregation's two-storey, 400 seat, church building was finished in 1997, Timofeyev told Forum 18 that the alleged fire safety violations noted during an early January 2007 check-up all relate to regulations on new construction introduced in 1997 - after the completion of the church - and 2003. Curiously, none of these was identified during a similar check-up in 2003, he pointed out, and even though fire officers noted a maximum of 20 violations on earlier occasions "and we resolved them all in the course of their work, this time there were 63 !" Pastor Timofeyev declined to comment by telephone on what might be behind the authorities' sudden interest in Grace Baptist Church.

The telephone of Kirov regional administration's specialist on religious freedom and the law, Vladimir Badin, went unanswered on 6 and 7 February.

In Kaluga, some 200 km [125 miles] south west of Moscow, the city authorities are attempting to confiscate the land and building of a Pentecostal church, even though both are the private property of the religious organisation. Speaking to Forum 18 on 2 February, Pastor Albert Ratkin said that a 23 November 2006 decree issued by Mayor Maksim Akhimov orders Word of Life to give up its church building and land, in connection with the adjacent construction of Centrum Park Shopping Complex, but does not offer any form of compensation. "So far our situation hasn't changed – the authorities aren't forcing anything," Ratkin remarked, adding that the Moscow-based Slavic Centre for Law and Justice will defend Word of Life in a forthcoming appeal against the Mayor's decree. When the Pentecostals bought the 1,000 square metres [1,195 square yards] unfinished sports complex in 2002, the local authorities had no complaints, according to the pastor, but soon after foundations for the shopping centre were laid in early 2006 pressure began in the form of constant fire safety, tax and other inspections.

A 19 December 2006 report on the Slavic Centre for Law and Justice website points out that confiscation of private land in this way is possible under the Land Code only for exceptional state or municipal needs, "and the construction of a shopping and entertainment complex is not among them."

Two telephone numbers for Kaluga city administration's press service to which Forum 18 was directed went unanswered on 6 and 7 February.

In the west Siberian city of Tyumen, several former mosques have been demolished in recent years and two new ones look set to share the same fate. Speaking to Forum 18 on 1 February, Mosque No 2 chairman and Second World War veteran Khabibulla Yakin confirmed the destruction since 2003 of three nineteenth-century mosques confiscated for secular use during the Soviet period, despite his and others' repeated requests for their return to the local Muslim community. In an August 2003 appeal to President Vladimir Putin, following the demolition of the first former mosque, Yakin stressed that "for many of us Tyumen Muslims the destruction of this mosque is an insult, a desecration; for my generation, it is worse than that of fascist bombs and missiles." He told Forum 18 that he was subsequently informed that the President was too busy to receive him. The Lenin Street site where the former mosques stood is now occupied by new housing.

On 29 January the Islam.ru Russian Islamic affairs website reported the first hearing at Tyumen's Lenin District Court of the city administration's suit for the destruction of two unauthorised mosques in the outlying village of Matmasy. According to the report, Matmasy Muslims have unsuccessfully tried three times to legalise construction of the pair – a small but complete wooden mosque established six years ago and a two-storey stone one alongside begun two years ago. As Matmasy is a predominantly Muslim village that had a mosque before the Soviet period, its imam Suleiman Sadretdinov remarked to Islam.ru, "no one can believe that they want

to take them down."

Contacted by Forum 18 on 1 February, however, the head of the Spiritual Directorate of Muslims of Tyumen Region doubted that the Matmasy mosques would be demolished, "as there would be a huge scandal." Galimzyan Bikmulin also regretted that his community's petitions for the three now-demolished former mosques in the city centre had been unsuccessful, but pointed out that there was little space on the site they occupied and that the authorities have subsequently offered another plot for the construction of a much larger mosque.

In a similar case dating from the first half of 2006, the authorities in the southern Russian city of Astrakhan, in the north Caucasus, have taken no further steps towards the demolition of Mosque No. 34. "So far nothing has happened, although the threat remains – the situation is not resolved and they could take it down at any time," mosque council chairwoman Asya Makhmudova remarked to Forum 18 on 30 January. After losing a March 2006 regional court appeal against an earlier ruling that the mosque qualified as "unauthorised construction", the 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 hearing Russia's Supreme Court upheld the demolition order. As Makhmudova commented to Islam.ru website soon afterwards, "if I hadn't contacted the Court myself, I wouldn't know anything about its decision." On 15 November 2006 the European Court of Human Rights (ECtHR) agreed to consider the Astrakhan Muslims' case. Russian religious communities have recently won two other religious freedom cases in the ECtHR (see F18News 17 January 2007 http://www.forum18.org/Archive.php?article_id=900).

In a change of fortunes for Krasnodar's Protestants, in the western Caucasus, the southern city's Pervomaisky District Court on 15 December 2006 upheld the right of Evangelical Christian Missionary Union bishop Aleksei Yeropkin to retain and hold worship meetings in a private house he has recently built in the city. On 24 April 2006 the same court ordered the demolition of the building on the grounds that it is "a non-residential prayer house" requiring state planning permission (see F18News 16 June 2006 http://www.forum18.org/Archive.php?article_id=800). After considering Yeropkin's appeal against the demolition order on 1 August 2006, Krasnodar Regional Court ordered the retrial at Pervomaisky District Court.

Usually, as in the cases of Catholic parishes in Rostov-on-Don and Sochi on the Black Sea, refusal to recognise de facto complete houses of worship as fit for use does not result in such extreme threats as demolition. It does allow the state to exert pressure on religious organisations in the form of constant check-ups and fines, however (see F18News 18 May 2006 http://www.forum18.org/Archive.php?article_id=783).

Forum 18 has also noted a tendency for the Federal Registration Service to make petty complaints regarding some religious organisations (see F18News 18 July 2005 http://www.forum18.org/Archive.php?article_id=609). There is concern that this will increase following the implementation in April 2007 of those parts of the so-called NGO Law that affect religious organisations (see F18News 14 November 2006 http://www.forum18.org/Archive.php?article_id=869).

In a separate, positive development in September 2006, Mayor Georgi Limansky of Samara (approximately 1,000 km [620 miles] south-east of Moscow, on the River Volga) transferred ownership rights of the city's pre-1917 Old Believer Church of the Kazan Icon of the Mother of God to the corresponding local Belokrinitsa Old Believer parish. Parishioner Irina Budkina had complained to Forum 18 that latter Soviet-era documents rejected almost annual Old Believer petitions for the church as "not expedient", while "no written response whatsoever" has been made to more recent requests (see F18News 30 March 2005 http://www.forum18.org/Archive.php?article_id=533 and 26 May 2005 http://www.forum18.org/Archive.php?article_id=570). (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=509

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

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