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RUSSIA: Will southern Catholics win full rights to their churches?

By Geraldine Fagan, Forum 18 News Service <<http://www.forum18.org>>

Two southern Catholic parishes are unable to obtain official permission to use their new church buildings, Forum 18 News Service has learnt. Priests in both parishes stressed, however, that worship has so far been unaffected, and that they do not believe Catholic ownership of the churches to be at stake. Religious organisations very often find it difficult to obtain official confirmation that their de facto complete houses of worship are fit for use, Natalya Gavrishova, a lawyer at the Moscow-based Slavic Centre for Law and Justice told Forum 18. Another problem for both Catholic parishes - in Rostov-on-Don and Sochi - is that changes to the Land Code have resulted in huge financial demands, which are a considerable burden for the parishes. Vitali Brezhnev, state Chief Specialist for Relations with Religious Organisations in Rostov-on-Don region, emphasised to Forum 18 that the authorities "bear no evil intent" towards Catholics and that bureaucracy has become more complicated: "Building my own house was an eight-month nightmare - and I'm a bureaucrat myself!"

Priests of two southern Catholic parishes have told Forum 18 News Service that they are unable to obtain official permission to use their new church buildings, and that recent changes to the land code have resulted in huge financial demands. Both stressed, however, that worship has so far been unaffected, and that they do not believe Catholic ownership of the churches to be at stake. Such situations are common for religious organisations throughout Russia, a Moscow-based lawyer told Forum 18 on 16 May.

Having completed its large church near the town centre of Sochi, on the Black Sea close to the border with Georgia, in 1997 (see F18News 18 May 2006 <http://www.forum18.org/Archive.php?article_id=782>), Fr Dariusz Jagodzinski told Forum 18 that his parish of SS Apostles Thaddeus and Simon has been seeking official confirmation from the local authorities that it is fit for use ever since. The parish has recently had to hire a local lawyer, just to deal with the bureaucracy involved with this. In particular, Fr Dariusz said, local fire officers continually ask for alterations to be made to the church, having unsuccessfully argued during its construction that it could not be built at all due to a disused oil storage depot nearby: "There was nothing there, but they even asked for Pope John Paul II's address so that they could warn him that his parishioners were in danger!"

The telephone of Sochi administration's press secretary Oksana Velichkina went unanswered on 17 and 18 May, as did that of the city's department dealing with law enforcement agencies, religious and social organisations, Cossacks and international affairs.

Forum 18 discovered from Fr Mikhail Nuckowski on 9 April that the Catholic parish of the Last Supper in the southern city of Rostov-on-Don [Rostov na Donu], close to the Sea of Azov on the Black Sea, faces similar difficulties. Built from 1996-2000, he explained, its large church building on the edge of parkland to the north of the city centre has also yet to receive official confirmation that it is fit for use.

Religious organisations very often find it difficult to obtain official confirmation that their de facto complete houses of worship are fit for use, Natalya Gavrishova, a lawyer at the Moscow-based Slavic Centre for Law and Justice, told Forum 18. "Rather than give a straight rejection, two officials might each promise to sign the necessary document if the other one does first, for instance. It can go on for months, years."

Both southern Catholic priests also reported difficulties connected with the use of the land beneath their church buildings. Under the 1997 religion law, religious organisations are entitled to free use of land, but changes made to the Land Code in 2001 provided for only two types of land use, rental or purchase. Following complaints by the Russian Orthodox Church, however, further amendments signed into law by President Putin on 3 October 2004 reinstated religious organisations' right to use land free of charge for either a limited or unlimited period.

Land users were at first given until 1 January 2004, then 1 January 2006 and now have until 1 January 2008 to re-register their land rights in line with the 2001 Land Code amendments, Gavrishova of the Slavic Centre for Law and Justice explained to Forum 18. She confirmed that, while religious organisations have legally been able to re-register their right to free land use since the 3 October 2004 amendments, those applying after the adoption of the 2001 land code amendments but before those of 3 October 2004 would have been offered only the option of rental or purchase.

Forum 18 discovered that this situation has resulted in a considerable financial burden for the Catholic parishes in Rostov-on-Don

and Sochi. Due to high demand for land in Sochi - Russia's most popular holiday destination - Fr Dariusz told Forum 18 that the tax alone on the 3,300-square-metre plot beneath his technically unfinished church was equivalent to more than 8,000 US Dollars [216,300 Russian Roubles, 49,000 Norwegian Kroner, or 6,260 Euros] in 2004.

For many local households, the monthly wage they receive is about 1,500 Roubles [340 Norwegian Kroner, 43 Euros, or 55 US Dollars].

In Rostov-on-Don, Fr Mikhail said that his Last Supper parish was obliged to rent the 5,206-square-metre plot occupied by its church complex throughout 2004. Even though an 8 December 2004 letter from the municipal land and property department informs the parish about the then recently reinstated possibility of free land use, Fr Mikhail told Forum 18 that he has yet to receive a response to a request he made to the local authorities some seven months ago to use the plot on that basis, and joked to Forum 18 that the church's rent was "the highest in the city." On 3 August 2005, the municipal land and property department issued the parish with a demand for 493,149 Roubles [111,947 Norwegian Kroner, 14,285 Euros, or 18,238 US Dollars] in unpaid rent.

Vitali Brezhnev, state Chief Specialist for Relations with Religious Organisations in Rostov-on-Don region, explained to Forum 18 on 18 May that there was much less state regulation when the Last Supper parish church was built. Although he praised the building, he said that it had been erected without all the necessary documentation or full approval by architectural, fire safety and sanitation inspectors: "You could do that in the 1990s." Stressing that Fr Mikhail Nuckowski was not responsible for the resulting planning violations, Brezhnev maintained that the authorities are trying to legalise the parish's situation. "But our bureaucratic system means that this is a very long process - especially working retrospectively - Christian patience is required." Also emphasising that the authorities "bear no evil intent" towards the Catholics, he pointed out that Russian bureaucracy has become more complicated for everyone: "Building my own house was an eight-month nightmare - and I'm a bureaucrat myself!"

Notably, Brezhnev also maintained to Forum 18 that a religious organisation obtains the right to free use of the plot of land beneath its newly built house of worship only once the building has passed the various inspections required for a declaration that it is fit for use: "They must first be in possession of full property rights." He added, however, that he was uncertain of the status of the Last Supper parish in this respect.

Gavrishova of the Slavic Centre for Law and Justice told Forum 18 that, if a religious organisation is unable to obtain official confirmation that its house of worship built on rented land is fit for use, the most the state authorities can legally do is to demand that the organisation not use the building, "they can't confiscate it." A district court in Balashikha (Moscow region) did in June 2004 order the demolition of a local Baptist church in just this situation, she said, but the Slavic Centre for Law and Justice successfully appealed against the court's decision, "and it's very rare that things go that far."

Also in Rostov-on-Don, Pastor Viktor Shvedov of Christ the Saviour Pentecostal Church - the largest in the city - told Forum 18 on 10 April that its approximately 600 members pay a total of 9,000 Roubles [2,043 Norwegian Kroner, 261 Euros, or 333 US Dollars] rent for each Sunday service held at a central house of culture. Envisaging increased church membership, Shvedov said that his church hopes to build its own prayer house in the next few years, but expects obtaining permission to prove difficult.

For more on the problems experienced by religious organisations in securing worship premises, see F18News 7 December 2004 <http://www.forum18.org/Archive.php?article_id=470>, 19 August 2005 <http://www.forum18.org/Archive.php?article_id=633>, 24 August 2005 <http://www.forum18.org/Archive.php?article_id=637>, 30 August 2005 <http://www.forum18.org/Archive.php?article_id=639> and 18 May 2006 <http://www.forum18.org/Archive.php?article_id=782>. (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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