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RUSSIA: Southern authorities side with Patriarchate against alternative Orthodox?

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

Despite the constitutional guarantee of equality before the law for all religious associations, state authorities in Stavropol appear to assist the local Moscow Patriarchate diocese against alternative Orthodox communities, Forum 18 News Service has found. Incidents known to Forum 18 have included an alternative Orthodox bishop, Andrei (Davidyan), who belongs to the recently formed Orthodox Russian (Rossiiskaya) Church, being held for questioning by police. This followed entry being forcibly made into a church by representatives of the local district administration, police officers, Moscow Patriarchate clergy and Cossacks, and the church's destruction reportedly being threatening whilst its contents were listed. The Moscow Patriarchal clergy present insisted that Bishop Andrei should submit to the authority of the local Moscow Patriarchate metropolitan. Neither state authorities nor Moscow Patriarchate representatives were willing to talk to Forum 18 about the incidents. Alternative Orthodox communities elsewhere in Russia, who are opposed to the Moscow Patriarchate, have also had problems with state authorities.

Despite Russia's constitutional guarantee of equality before the law for all religious associations, the state authorities in the southern region of Stavropol appear to assist the local Moscow Patriarchate diocese in its battles against alternative Orthodox communities, Forum 18 News Service has found.

While no charges were ultimately brought against their bishop, Andrei (Davidyan) of Krasnodar and Kuban, a recent open letter from the parish council of St John the Forerunner Orthodox Church in the village of Yutsa (Stavropol region) reports his three-hour detention at a police station in the nearby spa town of Yessentuki on 16 December 2004. According to the statement, this followed the arrival in Yutsa of a group comprising a representative of Predgorny local district administration, three police officers, four local Moscow Patriarchate clergy and more than 15 Cossacks. After forcing their way into the church - a converted private house - the Cossacks reportedly threatened its destruction, the police officers made an inventory of its contents and the Moscow Patriarchate priests insisted that Bishop Andrei submit to the authority of the local Moscow Patriarchate metropolitan, Feofan (Ashurkov) of Stavropol and Vladikavkaz.

St John the Forerunner parish currently belongs to the recently formed Orthodox Russian (Rossiiskaya) Church, which claims to be the authentic historical successor to the pre-1917 Orthodox Church in Russia and is led by Moscow-based Metropolitan Rafail (Prokopyev).

Forum 18 has been unable to obtain a response from Predgorny district administration.

Also in December 2004, Vertograd news agency cited continued state opposition in Stavropol region to another Orthodox community not affiliated to the Moscow Patriarchate. Given a house by Kursavka local administration when parish priest of St Michael's Orthodox Church (Moscow Patriarchate), Fr Andrei (Fedyunin) reportedly discovered that the village assembly had voted to rescind his ownership of the premises after he and a portion of the parish joined the Russian Orthodox Autonomous Church in 1999. Vertograd reported that the village assembly transferred Fr Andrei's property to the Moscow Patriarchate parish at its remaining parishioners' request, but no further action was taken by Andropov local district administration until 2003, when Moscow Patriarchate Metropolitan Feofan asked a senior regional official who hails from Kursavka to assist in evicting the Autonomous Orthodox priest "by any means". The issue is now being decided by Andropov district court.

The Suzdal-based Russian Orthodox Autonomous Church formed after its leading hierarch, Metropolitan Valentin (Rusantsov), broke away from the Moscow Patriarchate in 1990.

The head of Kursavka village administration Aleksandr Berbenets told Forum 18 on 2 February that he did not wish to comment on Fr Andrei (Fedyunin)'s position since Andropov district court was still hearing the case, in which, he added, representatives of the local Moscow Patriarchate diocese and the state authorities were standing against the Autonomous Orthodox priest. Berbenets insisted that "no one has taken away" the disputed house in Kursavka and that, in the state's view, it had originally been given for use by the parish and not Fr Andrei personally. "Priests come and go," he remarked to Forum 18, "but he [Fr Andrei (Fedyunin)] insists that it is his personal property."

While admitting no obstruction to the worship of his 50-strong parish since its church building is a private house, Fr Andrei (Fedyunin) told Forum 18 in late September that it had been refused state registration on three occasions. While this was purportedly due to a lack of documentation, he said, a local official had remarked to him that while Metropolitan Gedeon (Metropolitan Feofan's predecessor) was alive, "the Baptists would be registered, but not us".

The largest Russian Orthodox Autonomous Church parish in Stavropol region - St Olga's Church in the spa town of Zheleznovodsk - has so far managed to keep possession of its church building, "although they could call it anything they like and throw us out tomorrow," Fr Georgi Novakovsky of the parish told Forum 18 in late September. The Russian Orthodox Autonomous Church website claims that Moscow Patriarchate Metropolitan Feofan vowed to use "all measures necessary" to obtain the church at a deanery meeting on 27 June 2003. On 3 October 2003 the mayor of Zheleznovodsk, Anatoli Zubtsov, issued a decree annulling the parish's right to the plot of land beneath the church, which was allocated explicitly to the Suzdal-affiliated parish by an earlier mayor in 1993.

The parish's legal predicament worsened on 20 December 2003, when Stavropol regional department of justice issued an official warning after the parish's most recent annual confirmation of its continuing activity failed to mention Mayor Zubtsov's decree. According to Fr Georgi, Stavropol department of justice subsequently stopped recognising the parish's legal address, and the region's registration office refused to confirm the Orthodox community's right to the church building, for which no ownership documents exist (see F18News 29 March 2004)

A lengthy legal dispute finally appeared to be resolved on 29 September 2004, however, when St Olga's parish received a written verdict from Stavropol regional arbitration court. This established "the legal fact of ownership" of the church building by the Autonomous Orthodox parish, taking into account its use and upkeep by the community since its construction in 1989.

A Moscow Patriarchate Stavropol and Vladikavkaz diocesan representative declined to comment on the situation to Forum 18.

St Olga's parish also sought state permission to build a chapel in Zheleznovodsk public cemetery in 1995. In response, however, a representative of the town's administration stated that "in our opinion - which, incidentally, coincides with the opinion of Metropolitan Gedeon - the construction of a chapel on the town cemetery concerns the religious sensitivities of believers adhering to other Christian confessions the municipal administration considers it possible to review this question after the regulation of legal, property and religious relations between your parish and Stavropol diocese."

Alternative Orthodox communities in other parts of Russia have been denied legal status (see F18News 25 March 2004 http://www.forum18.org/Archive.php?article_id=287) and church property (see F18News 9 March 2004 http://www.forum18.org/Archive.php?article_id=290). Also, state officials in north-east Russia have been claimed to be assisting the local Moscow Patriarchate diocese in its dispute with the local Russian Orthodox Church Abroad community (see F18News 28 July 2003 http://www.forum18.org/Archive.php?article_id=115).

For background information see Forum 18's Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=116

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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