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RUSSIA: Sakhalin region restrictions on using premises for worship

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

Jehovah's Witnesses in Sakhalin region are facing an ongoing campaign by the authorities against their right to gather for worship in the region. Following the recent ban on Jehovah's Witness activity in Moscow, one Russian Orthodox priest, Fr Oleg Stenyayev, has suggested a similar ban in Sakhalin region, and that a new Jehovah's Witness Kingdom Hall be confiscated and given to local Muslims. Sakhalin's vice-governor, Georgi Karlov, responded that "we will probably make use of this splendid advice." Roman Catholics, Baptists and Pentecostals have, in their use of premises for worship, encountered few or no problems from the authorities, but Pentecostals and Jehovah's Witnesses have both had mission events barred from buildings.

At the close of a 23 April conference at Sakhalin regional administration on "The Role of Orthodoxy and the Revival of the Spiritual Identity of the Population in Russia's Far East Region" attended by Forum 18 News Service, Moscow-based Orthodox anti-cult campaigner Fr Oleg Stenyayev proposed that Sakhalin's authorities pursue a ban on Jehovah's Witness activity in their region analogous to that recently introduced in the Russian capital (see F18News 25 May http://www.forum18.org/Archive.php?article_id=328). Then, he continued, the relevant state organs could confiscate the community's new Kingdom Hall in central Yuzhno-Sakhalinsk [the region's main city] and transfer it to local Muslims. "As far as I know they don't have a building," he explained. "Radical Islam grew in Chechnya only because there was no legal mosque there in the Soviet period, so that strategy would avert a similar situation here, while curtailing the activity of a totalitarian sect."

After two short bursts of laughter and enthusiastic applause, Sakhalin's vice-governor and conference chairman Georgi Karlov responded to Fr Oleg that, although insufficient time remained to examine the issue of how the Jehovah's Witnesses had obtained their particular plot of land, "we will probably make use of this splendid advice." (For a further report from this conference, see F18News 1 June http://www.forum18.org/Archive.php?article_id=332 .)

This is just the latest episode in an ongoing campaign against the Jehovah's Witness community's right to gather for worship in Sakhalin region. The minutes of a discussion about their activity back in February 1997 record members of the regional administration's Council for Religious Affairs as stating that local Jehovah's Witnesses refuse military service, violate human rights and "work with very subtle psychological methods, which explains why they number approximately 2,000 believers." Noting that the organisation's charter stipulates the area of its activity to be Yuzhno-Sakhalinsk but that branches exist in other locations in the region, the Council proposes that rules on renting premises to religious organisations be strictly observed and that measures be taken if state departments document "illegal or anti-social activity" by Jehovah's Witnesses.

On 27 March of the same year, then Sakhalin vice-governor and Council for Religious Affairs chairwoman Magdalina Sklyarenko instructed directors of local state departments not to lease their premises to Jehovah's Witnesses "in the interests of preventing illegal activity and in view of the anti-social direction of their work." In the same month, Sakhalin regional justice department ordered the annulment of the organisation's registration.

Even though the Jehovah's Witness community mounted a successful legal challenge to the vice-governor's order several months later, few state departments were informed about the reinstatement of the organisation's registration, community elder Yevgeni Yelin told Forum 18 on 23 April. "We were evicted from premises where we had been holding meetings," he said. Told that there was no free plot on requesting allocation of building land for a new Kingdom Hall in Yuzhno-Sakhalinsk, continued Yelin, the Jehovah's Witnesses managed to acquire a site from a private property dealer in 2000, and the community completed construction in mid-2002.

On 3 December 2002 Yuzhno-Sakhalinsk municipal court annulled Mayor Fyodor Sidorenko's original instructions approving the allocation of land to the Jehovah's Witnesses and their right to build a house of worship there. The court agreed with the prosecution - local deputies Sergei Ponomarev and Svetlana Ivanova, who live next door to the new hall - that the opinion of local residents should have been taken into account. Reporting on the case, the local Orthodox diocesan website stated that Jehovah's Witness activity was "recognised as unlawful in most European countries" and quoted Bishop Daniil (Dorovskikh) of Yuzhno-Sakhalinsk and the Kuriles as saying that all possible measures should be taken to ban the organisation.

On 8 April 2003 Sakhalin regional court upheld the Jehovah's Witnesses' appeal against the municipal court verdict, arguing that local residents could not complain about the mayor's decisions post factum, especially as information about the building project had in fact been published in a local newspaper on 18 September 2001 and the deputies concerned were informed directly on 7 December of the same year.

Despite this decision, Mayor Sidorenko issued an order cancelling his original instructions on 15 April 2003, citing the opposition of 5,000 local residents. Nine days later, Yuzhno-Sakhalinsk architecture and construction department informed Yevgeni Yelin that it could not approve use of the new building due to the mayor's order.

On 8 May 2003 Deputies Ponomarev and Ivanova asked Sakhalin's local parliament for permission to hang notices on the new building and its surrounding fence informing "rank-and-file members of the sect" that "wilful use" of the structure constituted an administrative violation: "They are hardly likely to be aware of the norms of administrative legislation."

On 3 July 2003 Yuzhno-Sakhalinsk public prosecutor's office referred material provided by Deputy Ponomarev for consideration by the town's city court. This noted that, even though final approval for use of the new building had not been granted by the relevant organs, members of the Jehovah's Witness community had used the building for Bible study on eight occasions during May and June 2003.

While the Jehovah's Witnesses succeeded in overturning Mayor Sidorenko's 15 April 2003 order in July 2003, wrangling over final permission to use the new building continued. A 30 July 2003 regional arbitration court decision noted that legally permission to use the Kingdom Hall could indeed not be granted until the territory outside it had been "put in good order," or "planted with flowers and suchlike," according to Yelin.

The community is currently using the building for worship, however. On 2 September 2003 Yuzhno-Sakhalinsk municipal court accepted that the Jehovah's Witnesses had been forced to use the new building without the necessary final approval because they were unable to obtain alternative premises: No landlords were prepared to rent to them.

Speaking to Forum 18 at St James' Church on 24 April, US Catholic priest Fr Emile Dumas said that the city authorities had not yet issued his parish with documentation registering its right to the building, which was consecrated in August 2001. While Forum 18 noted that the church grounds were tidy - as were those of the nearby Kingdom Hall - Fr Emile said that he received regular requests from the city authorities to "finish" the building in the absence of the registration documentation: "Asphalting the sidewalk, pruning trees, laying kerbstones, planting bushes...." He added, however, that the parish had acquired the land for the building and state approval for its plans without particular difficulty.

On 25 April South Korean Baptist pastor Choi Sin Chur told Forum 18 that the municipal authorities had proposed various locations for the construction of his community's prayer house in the early 1990s, and similarly noted that it had not been especially difficult to obtain a site. The building is a considerable distance from the main part of Yuzhno-Sakhalinsk, however, and most pedestrians whom Forum 18 approached had not heard of the street where it is situated.

To date, Victory Chapel Pentecostal Church has not been obstructed from using a hired room in central Yuzhno-Sakhalinsk for worship meetings several times a week, the unregistered group's pastor, Roman Filippov, told Forum 18 on 21 April. On 2 June 2003, Yuzhno-Sakhalinsk's public prosecutor's office did ask Filippov for details of the community's rental agreement "in connection with a communication from [Orthodox] Bishop Daniil of Yuzhno-Sakhalinsk and the Kuriles regarding the illegality of rental contracts with religious groups." Under Russia's 1997 religion law, however, premises for the activity of a religious group are "provided for the use of the group by its participants," in accordance with which Filippov rents the room as a private individual on behalf of the independent church.

Pentecostals and Jehovah's Witnesses in Sakhalin region have both had mission events barred from buildings, and face other local state restrictions on mission activity (see F18News 1 June http://www.forum18.org/Archive.php?article_id=331).

For more background information see Forum 18's latest religious freedom survey at

http://www.forum18.org/Archive.php?article_id=116

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