

Russia: Protestant churches have difficulties regarding their houses of worship

Slavic legal center discusses threats of confiscation of land from believers and demolition of buildings

Russia Religious News (07.04.2018) – <https://bit.ly/2qiGin9> – A round table was held in the Slavic Legal Center on 5 April 2018, devoted to accusations of misuse of parcels of land by religious associations. Lawyers of leading religious organizations participated in the discussion.

The leader of the round table, attorney Vladimir Riakhovsky, who is a member of the Council on Human Rights under the Russian president, noted that following on cases of illegal missionary activity on the basis of the Yarovaya Law in dozens of Russian regions, a new category of cases has appeared. Agencies of government have made charges against believers and religious organizations about alleged misuse of parcels of land on which is located a residential building that in the opinion of representatives of the government is a “liturgical building.” In Vladimir Riakhovsky’s opinion, this is a kind of “trick,” since there are no legal cases against owners of the residence for its use for religious needs. This would be contradictory to the law on freedom of conscience, which in article 16 says that worship services may be conducted without

hindrance in residential premises also. Each religious association itself has the right to determine what is within the bounds of its creed and other internal conditions—a ritual or a ceremony or a worship service. Inspecting authorities sometimes seek the demolition of residential buildings that are being used in the capacity of a house of worship, but the grounds for this are unregistered documents and as a result the building is viewed as an unauthorized structure (in this way, in March a house of worship of Pentecostals was demolished in Novorossiisk, and there is a similar case in Abinsk).

In the opinion of attorney Vladimir Riakhovsky, the legal position is mistaken according to which civil law agreements between the owner of a residential building and a religious organization are concluded. The attorney says that in and of itself the fact of the conclusion of such an agreement is an amendment of the intended use of the residential premises. The presence of a sign with an identification of the organization or house of worship of a particular confession also limits the unintended use of one or another residential building. There need not be any contract since the organization cannot be accommodated in a residential building without changing its designated use. In addition, a dwelling also need not be called a house of worship, since the law guarantees the possibility of conducting worship services in residential buildings. The only thing that must be is an invitation from the owner of the house for believers to conduct a worship service in his home.

Judicial practice in various regions has shown that officials often force religious organizations into a difficult position. In Rostov oblast, for example, government agencies have presented claims regarding the use of land and dwellings

against Adventists, Baptists, Pentecostals, and the Salvation Army. In Tula, cases have already been opened against three protestant religious congregations. In one region, Baptists were fined on the basis of the Yarovaya Law for the failure to indicate the identification number on a sign on a house of worship with the complete name of the organization. During inspections, agencies of justice themselves demand that religious organizations conclude a civil law agreement, and sometimes without this they do not register the organization, although this is illegal. Representatives of churches have been summoned to the Center for Combating Extremism of the M.V.D.

Back in the late 1990s and 2000s, representatives of government advised believers to meet in residences, like in the soviet time. Religious organizations sent requests to administrations for allocating parcels of land for construction of houses of worship, but they were refused. Using residences that have been registered to believers turned out to be the inescapable way out for hundreds of churches, when they were not given land specifically for a church building and it also was impossible for a residential building to be reassigned for religious purposes.

Numerous appeals from churches and believers have been received by the Council on Human Rights under the president of the Russian federation. As attorney Vladimir Riakhovsky emphasized, the council must deal with appeals on this topic that is acute for religious societies. (tr. by PDS, posted 6 April 2018) *Religiia i Pravo*, 5 April 2018

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