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RUSSIA: Visa changes leave religious communities in uncertainty

By Geraldine Fagan, Forum 18

Visa rules introduced in October 2007 allow foreigners with a business or humanitarian visa – which includes religious work – to spend only 90 out of any 180 days in Russia. While not targeted at religious communities, they are having a harsh impact on many that depend upon foreigners. "Our priests are really, really suffering from this," one Russian Catholic told Forum 18 News Service. Many of the over 90 per cent of Catholic priests who are foreign citizens are now forced to spend long periods abroad or even commute into Russia for Sunday Mass. One foreign Protestant told Forum 18 that he and others are in three-month "exile" in Georgia as they have used up their time in Russia. Religious communities now need to get work permits for their foreign workers, but complain that these are subject to general regional quotas for all foreigners. "These criteria aren't acceptable for religious work," religious rights lawyer Vladimir Ryakhovsky told Forum 18. "The state shouldn't say who the leaders of a religious community should be; it's their internal decision." Government religious affairs official Andrei Sebentsov agrees. But, he told Forum 18, "There would need to be a change in the law for anything to happen."

Recent changes to the visa regime governing foreign religious workers are hampering the operations of some religious communities, Forum 18 News Service has found. Under a 4 October 2007 government decree, a foreign citizen holding either a business or humanitarian visa – which includes religious work – may now spend only half the period it covers within Russia.

"Our priests are really, really suffering from this," one Russian Catholic told Forum 18 on 16 April. Limited to 180 days a year with his parish in Moscow Region, one priest is making the gruelling 24-hour commute from his native Poland to lead weekend Masses, he said. Others are spending extended periods outside Russia as their 180 days are already up. With fewer priests to go round, there are no weekday services in some towns, said the Catholic.

The visa changes themselves are not to blame, believes Fr Igor Kovalevsky, secretary of the Catholic Bishops' Conference in Russia. "The problem is the bureaucracy involved in getting temporary residency or a work permit instead," he told Forum 18 on 21 April. The Catholic Church in Russia is currently trying to obtain temporary residency for the 90 per cent of its clergy – over 200 priests – who are foreign citizens, Fr Igor told Forum 18. While the state authorities' response has been helpful so far, he said, the labour-intensive and complex procedure still takes six months.

Protestants are also being stung by the regulations. "Currently in Georgia serving my three-month sentence" – the 90 days of a six-month visa to be spent abroad – is a US citizen who assists the Lutheran Church in Russia. He is now considering moving to Tbilisi due to the stringent new visa regime. "I may still come to Russia on occasion to teach," he told Forum 18 on 12 April. "But living there is proving to be too complicated."

The US Lutheran finds that he is not the only "exile" in Georgia. Two western Protestants spending three months there after a maximum three months in the Russian Far East intend to move to Georgia permanently due to the visa difficulties, he told Forum 18.

"Other religious workers in Moscow are either closing up shop and going home or finding a place to work while they are out of Russia. Many who have been there 10-15 years are seeing the proverbial 'handwriting on the wall' and leaving. Others are trying to bide their time and go to neighbouring CIS countries." Some – including the US Lutheran – are trying to obtain work visas through the local churches that invite them to Russia. While such a visa "will allow us to stay in Russia without the three-month intervals of entering/exiting the country," he told Forum 18, "it appears that the authorities are limiting how many they [the local churches] can get."

Under the 1997 Religion Law, foreign religious workers must be invited to Russia by a local religious organisation.

The new regulations correspond with those in the European Union (EU), Andrei Sebentsov, vice-chairman of the government's Commission for Issues Concerning Religious Associations, stressed to Forum 18 on 22 April. As humanitarian visas are now no longer suitable for prolonged religious work, he explained, work visas are the main alternative, for which work permits are required. The permits are issued according to foreign labour quotas fixed by each of Russia's 83 regions. While Sebentsov personally finds the quota system inappropriate for religious work, "there would need to be a change in the law for anything to happen," he told Forum 18.

Moscow-based religious rights lawyer Vladimir Ryakhovsky agrees that the new procedure is in line with EU norms, "so there's no point trying to challenge it." Problematic is the dependence of both permission to work and temporary residency upon the regional foreign labour quotas, he told Forum 18 on 18 April. "These are based upon demography, the local need for foreign labour, and so on," Ryakhovsky explained. "But these criteria aren't acceptable for religious work – the state shouldn't say who the leaders of a religious community should be; it's their internal decision."

Despite the current difficulties, Ryakhovsky is advising foreign religious personnel to apply for work permits. If they receive refusals on the basis of the regional quotas, he told Forum 18, "We will fight them in the courts."

Fr Igor Kovalevsky agrees that religious work should not be treated as ordinary labour: "A priest's work is not for profit, but a service." So far the regional labour quotas have not led to work permit refusals for the Catholic Church in Russia, he told Forum 18.

According to the US Lutheran, however, a Moscow Protestant church this year applied for 15 work visas for its own staff and friends from several non-denominational churches, but "ended up receiving only three, even less than they usually get for their own church."

The foreign labour quota for Moscow is approximately 300,000, according to government official Sebentsov. He told Forum 18 he could not comment on implementation of the new regulations.

In early 2008 the Union of Christians of the Evangelical Faith in Russia - the Pentecostal union led by Bishop Pavel Okara - received permission to employ 230 foreign citizens across Russia as requested, its vice-chairman Pavel Bak told Forum 18 on 21 April. As each individual work permit still has to be processed, however, foreigners assisting the Union – Bak did not know how many – are currently having to leave Russia for 90 days at a time. "This disrupts the projects they are involved in," he complained. Much time and energy is also taken up obtaining work permits for foreign personnel, added Bak. "We try and work fast, but applications still take four months to process – and they [the foreign personnel] have only three."

"The situation is up in the air right now," William Yoder of the Baptist Union's Department for External Church Relations told Forum 18 on 18 April. The Union is also going through the complex procedure of becoming an official employer so that some 150 foreign personnel across Russia can switch to work visas, he said. While Yoder is aware of several currently outside the country due to the new visa regulations, he pointed out that many received new visas just before the changes.

As the Salvation Army started preparing for the new visa procedure before it came into effect, none of its approximately 20 foreign personnel have been forced to leave Russia, Moscow spokesperson Aleksandr Kharkov told Forum 18 on 21 April. Those whose humanitarian visas expired after the changes switched immediately to work visas as Army employees, he said.

The 40-50 foreign rabbis in Russia are similarly able to be employed by Jewish community organisations, according to Moscow Chief Rabbi Pinchas Goldschmidt. "People are in the process of changing to a work visa," he told Forum 18 on 18 April. "It's a hassle, but there is a positive side. A work visa opens up the possibility of getting the Russian equivalent of a Green Card, and you don't need to leave the country to get a new visa, unlike before."

Rabbi Goldschmidt is not aware of any Jewish religious workers forced to leave Russia due to the changes.

Led by the Russian Orthodox Church, lobbying by religious leaders in 2006-7 resulted in a simplification for religious organisations of new annual accounting procedures under the so-called NGO Law (see F18News 17 April 2007 http://www.forum18.org/Archive.php?article_id=943).

In this case too, the Russian Catholic source told Forum 18, "there was hope within the Catholic Church for Russian Orthodox support – just one word from the patriarch to [President Vladimir] Putin or [United Russia leader and parliamentary Speaker Boris] Gryzlov – for the exemption of religious work from these regulations. But now the issue is outside Orthodox-Catholic dialogue." In particular, said the source, it was not raised at a 14 April meeting between Metropolitan Archbishop Paolo Pezzi of the Catholic Church's Moscow-based archdiocese and Metropolitan Kirill (Gundyayev) of Smolensk and Kaliningrad, who heads the Russian Orthodox Church's Department for External Church Relations (DECR). The source suggested, however, that this was partly due to "a phobia about addressing the issue" on the Catholic side.

Fr Kovalevsky, the Catholic spokesman, mentioned to Forum 18 that there was "nothing particularly bad or unusual" about the switch to a work permit regime, which he pointed out was in line with EU practice. He did not believe that lobbying by the Catholic Church could have effected any exemption for religious workers.

Fr Georgi Ryabykh, who assists Metropolitan Kirill, was unaware of the issue when contacted on 22 April. He directed Forum 18 to Fr Georgi Kirindas, who deals with visa invitations for foreign citizens at the DECR, but his telephone went unanswered on 22 and 23 April.

Sebentsov, the religious affairs official, told Forum 18 that there are no moves to seek an exemption from the new regulations for foreign religious workers, and that he is unaware of any appeal from religious communities for this to happen.

Dozens of foreign religious workers have been barred from Russia over the past decade, including eight Catholic priests (see F18News 19 December 2005 http://www.forum18.org/Archive.php?article_id=706). Rabbi Goldschmidt and a German Lutheran Bishop were temporarily barred (see F18News 7 September 2005 http://www.forum18.org/Archive.php?article_id=644). Two British and Danish Salvation Army officers were denied entry "in the interests of state security" (see F18News 4 May 2005 http://www.forum18.org/Archive.php?article_id=555).

While not deported, Fr Wladyslaw Wojdat, a Catholic priest based in the north-western city of Tver until late 2007, is currently outside Russia and unable to obtain a return visa, according to the Russian Catholic source. Fr Kovalevsky told Forum 18 that he was not in a position to comment on the case.

Thirteen foreign students at a Jewish yeshiva in the southern city of Rostov-on-Don, detained and deported for registration irregularities in November 2007, have not attempted to return to Russia to Forum 18's knowledge.

On 9 April 2008 Jeff Thompson, who heads the California-based Christian relief organisation Eastern European Outreach, was turned back from a Moscow airport despite holding a valid visa, the organisation's website reported. Thompson was barred from travelling to the Soviet Union from 1984-9. (END)

For a personal commentary by Irina Budkina, editor of the <http://www.samstar.ru> Old Believer website, about continuing denial of equality to Russia's religious minorities, see F18News 26 May 2005 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=947.

Reports on freedom of thought, conscience and belief in Russia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>.

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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