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LATVIA: Registration "refuseniks" to challenge "discriminatory" law

By Felix Corley, Forum 18 (<https://www.forum18.org>)

The two churches refused registration as an association under Latvia's religion law – the Confessional Lutheran Church and the Autonomous True Orthodox Church – are preparing protests against the article of the religion law that does not allow more than one association of any one denomination to register. "We have asked for this discriminatory article to be abolished," Archbishop Viktor Kontuzorov, leader of the Autonomous Orthodox Church, told Forum 18 News Service from Daugavpils. "No European state apart from Latvia has such a discriminatory article. It's absurd that an Orthodox Church still has to live in the catacombs." Asked whether he believed this article of the religion law was just, Janis Filipsons of the Justice Ministry's Religious Affairs Board told Forum 18: "It's the law. We work with the law as it is."

The two churches refused registration as an association under Latvia's religion law – the Confessional Lutheran Church and the Autonomous True Orthodox Church in Latvia – are both preparing protests against the article of the religion law that does not allow more than one association of any one denomination to register. "We have asked for this discriminatory article to be abolished," Archbishop Viktor Kontuzorov, leader of the Autonomous Orthodox Church, told Forum 18 News Service from the south eastern city of Daugavpils on 29 April. "No European state apart from Latvia has such a discriminatory article. It's absurd that an Orthodox Church still has to live in the catacombs."

Without registration as a religious association, religious communities find it difficult to own property, face public suspicion, do not enjoy tax-exempt status and cannot set up training establishments in the name of the religious community. The Autocephalous Orthodox Church – which has 14 parishes - has been denied not only registration as an association, but all forms of registration. However, the Confessional Lutheran Church has been able to register as a "new religious movement", a lesser status requiring registration to be renewed every year for the first ten years.

Janis Filipsons, deputy head of the Justice Ministry's Religious Affairs Board in charge of registration, told Forum 18 from the capital Riga on 29 April that the two communities had been refused registration as associations under Article 7, part 3 of the 1995 religion law, which declares: "Congregations of the same denomination may establish only one religious association (Church) in the country." Asked whether he believed this was just, he declared: "It's the law. We work with the law as it is."

Gundars Bakulis, head of the Confessional Lutheran Church, which has 11 congregations in Latvia and is affiliated with the US-based Wisconsin Evangelical Lutheran Synod, says his Church is still considering its next step in its bid to obtain association status. "There has been no movement for six months," he told Forum 18 from Riga on 29 April. "One course we are considering is to take our case to the Constitutional Court."

Both Bakulis and Archbishop Viktor regret that when parliament, the Saeima, passed amendments to the religion law in September 2002 it failed to remove Article 7, part 3. "We sent our suggestions about this to the old parliament, and had some support from the human rights committee and some deputies," Archbishop Viktor told Forum 18. "But when it came to the vote, deputies who had lobbied on behalf of the Moscow Patriarchate voted against and the article was not removed." Since then a new parliament has been elected.

"It's difficult to say why parliament did not abolish Article 7, part 3 last September," Filipsons told Forum 18. "I didn't work on the amendments."

Archbishop Viktor reported that in February his Church had sent a 360-page report detailing their grievances to Ina Druviete, who chairs the parliamentary human rights committee. "Since then we have had no response," he told Forum 18 sadly. He said his Church would be sending the report again after 4 May, when parliament returns from the Easter holiday, and stepping up its campaign.

However, Druviete denies ever having received the Autocephalous Orthodox report. "I know they and the Confessional Lutherans contacted the Religious Affairs Board, but we didn't receive anything," she told Forum 18 on 29 April. "But the human rights committee will tackle this issue seriously. We already know about it." She said that she has arranged to meet Ringolds Balodis, the head of the Religious Affairs Board, and the whole concept of registration of religious organisations will be looked at thoroughly.

"Maybe some serious changes will follow." She pointed out that not only did the Confessional Lutherans and Autocephalous Orthodox Church face problems under this article, other new religious movements had failed to gain registration.

Asked whether she believed it was right that the religion law banned the registration of more than one association from any one denomination, she declared: "I will not say if I believe it is right or wrong to have this article in the religion law. But this issue is on the agenda." She said the new parliament had been in office only five months and there had been many other important issues to deal with.

Asked about possible registration of the Confessional Lutherans and the Autocephalous Orthodox, she declared: "I personally have nothing against their registration." She encouraged members of these two Churches to contact her.

Filipsons acknowledged that the larger Evangelical Lutheran Church and the Russian Orthodox Church under the Moscow Patriarchate might protest if Article 7, part 3 of the religion law were to be abolished. However, he said that the Religious Affairs Board has no reason to oppose such a move if parliamentarians approve it.

With no legal status at all, Autocephalous Orthodox parishes have many difficulties, Archbishop Viktor reported. "We can't teach religion in schools, although we have a lot of qualified teachers," he told Forum 18. "We can't visit parishioners in old people's homes or in hospitals. We can visit as individuals, but if doctors catch us performing religious rites they would phone the Religious Affairs Bureau and they would fine us."

He said that without registration he cannot renovate his Daugavpils church and added that in 2001 the city administration had given him 24 hours to take down the crosses from the roof of the church because it was not registered.

However, he added that some problems had eased in the last few years. For example, Daugavpils city administration had granted permission for his parish to hold the traditional Easter procession around the church on 27 April without any problem. In previous years such permission had been difficult to obtain. He said all the other parishes had been forced to hold their Easter processions – which traditionally take place around the outside of churches – inside. "The Moscow Patriarchate doesn't need such permission," he noted.

Bakulis stressed that the Confessional Lutherans mainly face problems over church buildings. "There are no real problems to function," he told Forum 18, "but there are problems over building. We have to consider in whose name we can build. This is a problem for smaller mission churches." He said that the annual police investigations required of "new religious movements", which had often been intrusive in recent years, have now been scaled back.

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