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MOLDOVA: Why are Muslim registration applications rejected?

By Felix Corley, Forum 18

An application for state registration from the Spiritual Organisation of Muslims in Moldova has once again been rejected, Forum 18 News Service has learnt. Without registration, religious communities cannot have a bank account, publish literature, or build a prominent place of worship. The Muslim community has been trying since 2000 to gain legal status, and has appealed to the European Court of Human Rights (ECtHR). The Russian Orthodox Church Abroad – also denied state registration - has also appealed to the ECtHR. The Bessarabian Orthodox Church, which is under the jurisdiction of the Romanian Orthodox Patriarchate, was only registered after the ECtHR fined the government for arbitrarily denying registration. Talgat Masaev, who leads a Muslim community in the capital Chisinau, told Forum 18 that the latest application was lodged on 28 June and rejected on 11 July. Officials have refused to tell Forum 18 the reason for the rejection.

The Moldovan government has swiftly rejected the latest registration application from the Spiritual Organisation of Muslims in Moldova, one of the country's two Muslim communities, Forum 18 News Service has been told. The community has been trying since 2000 to gain legal status from the state agency that registers religious communities, but without success.

Without registration, religious communities cannot have a bank account, publish literature in the name of the community or build a prominent place of worship.

Talgat Masaev, who leads a Muslim community in the capital Chisinau, said the community lodged its application and all the necessary documents on 28 June and had already received a rejection from the State Service for Religious Communities on 11 July. "They gave reasons that were totally unfounded," he told Forum 18 from Chisinau on 19 July. "We've done everything in accordance with the law, but they don't want to recognise our religious rights. When will this legal arbitrariness end?" All Muslim communities in Moldova, as well as communities of the Russian Orthodox Church Abroad have been barred from registering.

Serghei Ostaf, the head of the Chisinau-based Resource Centre for Human Rights, who has been helping with the Spiritual Organisation of Muslims' application, reported that the State Service reasoned that the group's registration should be suspended as the Supreme Court of Justice is examining a challenge to denial of registration from another Muslim organisation subject to the Russian-based Muslim Central Spiritual Administration, led by Mufti Alber Babaev. "That was considered sufficient reason to refuse registration de facto," Ostaf told Forum 18 from Chisinau on 21 July. "Officials claim they have returned the registration documents to Masaev, but that did not happen in reality."

Masaev rejects the State Service's reasoning. "That is a completely different organisation and nothing to do with us or our application," he told Forum 18. "They only have the right to deny registration if there is something wrong with our application."

Despite repeated telephone calls to the State Service on 19, 20 and 21 July, Forum 18 was unable to find out why the Muslim application had been turned down. Officials said the Service's director, Sergei Yatsko, was not present (even though a member of another faith said he had visited the office on 21 July for a celebration of Yatsko's birthday). One official told Forum 18 that the State Service had not received approval from the Justice Ministry to register the Muslims, but she declined to give any further details and referred all enquiries to Yatsko.

Some 21 religious organisations are believed to have registration, including Orthodox, Old Believer, Catholic and Protestant churches, the Baha'is, Jews and Jehovah's Witnesses and a Hare Krishna organisation. However, the State Service refused to give Forum 18 a list of registered organisations.

Forum 18's written questions to the Foreign Ministry on 21 July asking why the two Muslim communities and the Russian Orthodox Church Abroad, which has also long sought registration in vain, have repeatedly been rejected have not yet received a response.

In 2004, police tried to stop the Muslim community meeting for Friday prayers, claiming that worship without state registration is illegal (see F18News 11 March 2004 http://www.forum18.org/Archive.php?article_id=273). Masaev said the police still visit the community during Friday prayers, which are held in the offices of the Path non-governmental organisation.

"The Interior Ministry's department for countering illegal migration raids our meeting place, looking for people present in the country illegally," Masaev told Forum 18, "but this is just a pretext. They start asking questions about all kinds of things." He said he was present when police arrived after Friday prayers in early July. He said they checked identity documents but on that occasion did not interfere in prayers. He complained that earlier this year the police had filmed the community at prayer and afterwards. "They didn't ask our permission, and our faith bans filming unless it is absolutely necessary."

Masaev told Forum 18 that the community's complaint over previous denials of registration is still with the European Court of Human Rights in Strasbourg, to which the Russian Orthodox Church Abroad has also appealed (see F18News 21 July 2004 http://www.forum18.org/Archive.php?article_id=367). "Both are at the stage where admissibility is being examined," Ostaf of the Resource Centre for Human Rights told Forum 18. "Unfortunately that is a long-drawn out process." He said he had sent the latest Muslim registration refusal to the court and has received formal acknowledgement that the documents have been added to the file. He said he hoped for progress in both cases and admissibility decisions early next year.

The four parishes and the diocese of the Russian Orthodox Church Abroad, led by Bishop Antoni Rudei of Beltsy and Moldova, have consistently been refused registration. The government has been reluctant to register any Orthodox jurisdictions outside the framework of the Moscow Patriarchate, although Pyotr Dontsov of the Old Believer Church of the Belokrinitsa Concord told Forum 18 on 21 July that his Church has had registration for the past decade and does not face obstructions to its work.

The Bessarabian Orthodox Church, which is under the jurisdiction of the Romanian Orthodox Patriarchate, was only allowed to register in 2002 after the European Court of Human Rights fined the government for arbitrarily denying it registration.

In the self-declared and internationally unrecognised Republic of Transdnister, in eastern Moldova, which is outside the de facto jurisdiction of the government in Chisinau, Masaev told Forum 18 that Muslims face even greater problems. He estimates some 500 Muslims live there. "The authorities there don't allow any Muslim activity and there are no collective prayers," he complained. "Muslims have to pray quietly at home – else they will face arrest and persecution. Fear reigns there." He said two years ago local Muslims tried to gain registration for a community in the regional capital Tiraspol. "They were told it was pointless." He said that "of course" local Muslims want to be able to have a mosque.

Other religious communities also face difficulties functioning in Transdnister, including communities of the Council of Churches Baptists - who refuse on principle to register with the state authorities in post-Soviet countries - and the Jehovah's Witnesses.

A printer-friendly map of Moldova is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=moldov>

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