BELARUS: Religious freedom survey, June 2009

By Geraldine Fagan, Forum 18

Belarusian President Aleksandr Lukashenko's repressive religious policies remain unchanged, Forum 18 News Service finds in its survey analysis of freedom of religion or belief. "Legal" restrictions include: requiring all religious activity by groups to have state permission, and be limited to one geographical area; barring meetings for worship or other religious activity in private homes that are either regular or large scale; requiring all places of worship to be state-approved; and routinely expelling both Catholic and Protestant foreign religious workers. As one Belarusian Protestant notes, "They have created conditions so you can't live by the law. We would need to close half our churches in order to operate technically in accordance with the law." By reducing religious communities' aspirations, they are being contained within an invisible ghetto of regulation. The authorities have crushed independent political, business and social organisations inside the country, and fear the potential of the largest remaining internal group of independent organisations – churches. This fear is reinforced by the fact that a number of key figures in the opposition are also committed Christians.

Belarusian President Aleksandr Lukashenko's repressive religious policies remain unchanged, Forum 18 News Service finds in its survey analysis of freedom of religion or belief. In this area of policy Belarus has made no discernible change, despite its attempts to seek a new relationship with the European Union (EU) as an alternative to Russia.

But for a significant number of religious believers, conditions are in many respects the same as in the late Soviet period. All group religious activity requires state permission. This is due to the 2002 Religion Law, the most repressive in Europe. It is the only such law to demand state registration of religious communities and to place geographical restrictions upon where religious activity may take place. Meetings for worship or other religious activity in private homes must not be either regular or large scale. Designated houses of worship must be approved by the state. All public religious activity outside them must be authorised by the state. For disfavoured religious communities such legal provisions combine to make nothing possible, as they find state permission unobtainable in practice.

Especially now they are sensitive to international censure for blatant human rights violations, Belarusian state representatives insist that the Religion Law is in line with standard legal practice in democratic states. But its demands on religious communities are not just simple bureaucratic procedures which some are failing to follow due to incompetence or intransigence. As one Belarusian Protestant notes, "They have created conditions so you can't live by the law. We would need to close half our churches in order to operate technically in accordance with the law."

Reducing aspirations into a ghetto of regulation

The 2002 Law reflects deliberate government policy which officials make systematic efforts to apply. But implementation is not uniform, as the state seeks to maintain control of the religious sphere without provoking a popular backlash. While sporadic, prosecution is thus sufficiently frequent and random to intimidate religious communities into seeking immunity within the web of official restrictions. Here, the state makes use of Belarusian believers' desire to be law-abiding and their experience of more severe persecution in the earlier Soviet period.

By managing down religious communities' aspirations in this way – with a minimum of confrontation and a static end result - it may appear as if little action is taken against them. In fact, they are being contained within an invisible ghetto of regulation.

The uneasy balance between a semblance of religious freedom and the reality of restriction is proving increasingly difficult for the Lukashenko regime to maintain, however. This is particularly so as international opinion becomes more influential. The most prominent example concerns one of Minsk's largest charismatic churches, New Life.

Purchased in 2002, New Life's building - a spacious, modern barn-like structure on the edge of Minsk - is legally still a cowshed. The state authorities refuse to allow the church to legalise its position by changing the building's designation to a house of worship, or to use it for services. The congregation's defiant worship at the building has resulted in multiple large fines in addition to its formal confiscation. The congregation has nowhere else to meet, having earlier been barred from public facilities by district administrations throughout Minsk. It even toyed with the idea of keeping several cows at the church in order to nominally legitimise...
Pastor Antoni Bokun of Minsk's John the Baptist Pentecostal Church – which holds state registration but met in a private house received permission. Since 2006, other Protestants have faced even more serious punishment for worship in private homes without state benefits. Local Baptists estimate the fine to be at least half the average monthly wage.

Penalties for unregistered activity

The 11 fines reported by the Council of Churches for 2007-8 are at least this high, and on several occasions significantly higher. After their home worship in Baranovichi was raided by local ideology officials in November 2007, three congregation members were fined a total of 840,000 Belarusian Roubles (2,143 Norwegian Kroner, 269 Euros or 386 US Dollars). In June 2008, Council of Churches member Vladimir Burshtyn was given the group's second highest single fine - 700,000 Belarusian Roubles (1,697 Norwegian Kroner, 211 Euros or 329 US Dollars). Police found that he had "organised choir singing and conducted conversations on religious topics" outside a public market in Ushachi (Vitebsk [Vitsyebsk] Region).

The highest ever fine – 2,100,000 Belarusian Roubles (4,750 Norwegian Kroner, 533 Euros or 745 US Dollars) - was imposed on Nikolai Poleschchuk in Osipovichi on 28 May 2009, on charges of violating the procedure for conducting outdoor events. He had earlier received three official warnings for running a Christian street library in the town. Local Baptists estimate the fine to be equivalent to nearly three months' average wages for those in the town who have work.

Council of Churches members are usually prosecuted under Article 9.9 of the Code of Administrative Violations, which punishes the creation or leadership of a religious organisation without state registration with a fine of up to 20 times the base unit for wages and state benefits. Since 2006, other Protestants have faced even more serious punishment for worship in private homes without state permission.

Pastor Antoni Bokun of Minsk's John the Baptist Pentecostal Church – which holds state registration but met in a private house
whose use had not been authorised by the state – was detained immediately after leading a Sunday service there in May 2007. According to a church member, ten state representatives carried out the raid; two - presumed to be KGB secret police - were present from the start of the service and began filming guest preacher Bishop Sergei Tsvo'r's sermon. After being held in custody overnight, Pastor Antoni was fined 620,000 Belarusian roubles (1,740 Norwegian Kroner, 215 Euros or 290 US Dollars) for holding an "unapproved mass meeting". He was charged under Article 23.34 of the Administrative Violations Code, which punishes violation of the regulations for holding demonstrations or other mass events with a warning, a fine of up to 30 times the base unit for wages and state benefits, or up to 25 days' imprisonment.

The following week, Pastor Antoni was given a three-day prison sentence for leading Sunday worship in similar circumstances.

Apparently due to heightened political tension during the presidential election period, punishment for unapproved religious events was particularly harsh during the spring of 2006. Previously given only an official warning, Reformed Baptist Pastor Georgi Vyaazovsky was imprisoned for ten days – the first case in Belarus of imprisonment for religious activity since the Soviet period. Religious freedom lawyer Sergei Shavtsov was later also handed down a ten-day sentence for organising a Christian seminar in a private cafe. Bishop Tsvo'r was spared a possibly similar fate for leading a service in an unauthorised private house only due to the expiry of the legal deadline for his prosecution.

November 2005 amendments to the Criminal Code now punish the organisation or leadership of a religious organisation found to "harm the rights, freedoms and legal interests of citizens, or prevent their fulfilment of state, social or family duties" with imprisonment for up to three years. They have yet to be enforced.

Pentecostal or charismatic communities and the few Belarusian Orthodox not affiliated with the Moscow Patriarchate may also be targeted for unapproved worship. In September 2007, Pastor Dmitri Podlobov was issued an official warning under Article 23.34 of the Administrative Violations Code after local state officials tried to prevent a Sunday service by his charismatic Living Word Church at a free-standing building – his own private property - in the south-eastern city of Gomel [Homyel'].

A youth group meeting at an address in Mozyr (Mazyr) (Gomel Region) where the charismatic Jesus Christ Church is registered but does not have state permission to gather was disrupted by ideology officials in February 2008, but no charges were brought.

In July 2008, the KGB in Pruzhany District (Brest Region) tried to prohibit Fr Ioann Grudnitsky from conducting the funeral of a parishioner at a village cemetery. Fr Ioann belongs to the Russian Orthodox Church Abroad Provisional Supreme Church Authority, a body of Russian Orthodox Church Abroad members who refused to support the May 2007 reunification of their church with the Moscow Patriarchate. He has previously been handed down large fines for home worship.

In March 2007, KGB secret police even raided a prayer meeting of approximately 15 Moscow Patriarchate parishioners at a private apartment in Gomel. One of the group was later issued an official warning for leading an unregistered religious community and "disseminating religious teachings".

Muslim and Jewish communities have told Forum 18 that their home meetings, while technically illegal, are not subject to state scrutiny.

In one recent case of prosecution for unapproved home worship, Pastor Valentin Borovik – whose Pentecostal congregation numbers fewer than the 20 legally required for state registration – was fined 315,000 Belarusian Roubles (768 Norwegian Kroner, 95 Euros or 149 Dollars) in June 2008. "At meetings they read the Gospel, discuss questions of religious faith, sing songs and conduct religious rites," Mosty District Court (Grodno Region) noted as evidence of wrongdoing. In March 2009, Belarus' Supreme Court dismissed Pastor Borovik's challenge to the state's requirement that worship must be registered to be legal. "Your reasoning that the administrative legal norm contradicts the present Constitution and the [United Nations'] International Covenant [on Civil and Political Rights (ICCPR)] (...) does not correspond with reality," it ruled.

Belarus' actions contradict Belarus' obligations

Compulsory state registration breaks the international human rights standards Belarus has agreed to abide by. "Requiring faith communities to register is almost impossible to reconcile with international and OSCE human-rights standards," Professor Malcolm Evans, a member of the OSCE's Advisory Council of Experts on Freedom of Religion or Belief has noted (see http://www.osce.org/odihr/57471). "Unless it is for the purposes of tax benefits or to obtain charitable status, there should be no need for compulsory registration."

Earlier confronted with the mismatch between the 2002 Law and Belarus' human rights obligations as a signatory to the ICCPR, the state's response was similarly one of dismissive denial. Refused registration of an umbrella association – and therefore the right to invite foreign guests under Belarusian law – because the authorities would not approve their Minsk premises, Hare Krishna devotees complained to the UN Human Rights Committee in 2003. The UN Committee upheld their complaint, pointing out that "appropriate premises [for worship] could be obtained subsequent to registration" (Communication No. 1207/2003, 23 August 2005 http://www.unhchr.ch/tbs/doc.nsf/%28Symbol%29/CCPR.C.84.D.1207.2003.En?OpenDocument). On receipt of the UN
Committee's Communication, however, the Belarusian government simply chose to ignore precedence of international over local law by insisting its decision was justified under Belarusian law.

The state continues to block some outdoor religious events by registered organisations. In August 2008 the authorities in the small town of Svisloch (Grodno Region) banned an open-air baptism planned by Grace Pentecostal Church. The local Ideology Department explained that, as "the overwhelming majority of residents of the town belong to the two confessions historically found on Slavic territory - Orthodoxy and Catholicism - the rite of baptism conducted by members of your religious organisation could arouse mixed reactions among the population." Just minutes before it was about to begin in September 2008, a local ideological official halted an ecumenical music festival in Borisov (Minsk Region), at which dozens of Belarusian Christian bands were due to perform to thousands of spectators. This was despite the fact that full state permission was obtained for the festival in accordance with the 2003 Demonstrations Law, one of the organisers, Polish Catholic priest Fr Zbigniew Grygorcewicz, insisted to Forum 18.

Following the May 2009 imposition of the largest fine known to that date for unregistered religious activity – against Baptist Nikolai Poleshchuk for distributing religious literature - Forum 18 asked whether it was right to punish peaceful religious activity. Anna Zemlyanukhina, Head of Osipovich District Ideology Department, replied: "I know my Constitution and human rights. It is all in accordance with the law."

Belarusian and international law upholds the rights of prisoners and detainees to pastoral visits, communal worship and religious literature. However, prisoners of conscience have told Forum 18 that these rights are repeatedly denied to political prisoners, as well as in some cases to ordinary prisoners who were forced to work at Easter and Christmas. Political opposition activists - particularly the young - commonly draw upon Christian ideas, so requests to exercise their freedom of religion or belief in prison have often been made. There are currently no prisoners jailed purely for their religious convictions.

Agencies of state control

Revived in 2003, state Ideology Departments are often instrumental to the close monitoring of religious communities in cases such as those described above. Typically, groups comprising ideology officials, police and sometimes KGB secret police disrupt religious meetings and initiate prosecution of believers.

A key factor in the state's relative eagerness to exert control over religious communities is its preservation of an extensive Soviet-era religious affairs bureaucracy and anti-religious stance. In addition to a Plenipotentiary for Religious and Ethnic Affairs and four staff in Minsk (until July 2006 the State Committee for Religious and Ethnic Affairs), there are one or two religious affairs officials in each of the country's six regions plus Minsk city, and further officials dealing with religious affairs in every district (approximately 20 per region).

The Belarusian KGB - which has pointedly not changed its name since Soviet times - has likewise made no attempt to distance itself from its Soviet past, instead proudly tracing its history back to the first Soviet secret police, the Cheka. In the 1920s, "Chekists stood shoulder to shoulder with the entire Belarusian people in resolving the most difficult and pressing economic and social tasks before them," its official website maintains, before claiming that the organisation was actually a victim of Stalin's purges in the 1930s: "23,000 Chekists were repressed - the very best professionals, moreover, [Felix] Dzerzhinsky's [the KGB founder's] comrades, outstanding people with rich and sensitive souls, selflessly serving the Motherland and fighting for a bright future for their country."

The KGB has sought to have icons of the New Martyrs - as Orthodox Christians killed for their faith in the Soviet Union are known in the Orthodox Church - removed from Grodno cathedral. Such influence means that Belarusian Orthodox representatives appear nervous about publicly acknowledging New Martyrs believed to be among the many victims of the Stalin-era secret police at the mass killing grounds of Kuropaty (Kurapaty) on the edge of Minsk.

While President Lukashenko has publicly stressed the role of Orthodoxy in Belarus, Forum 18 has found little evidence that state support for the Belarusian Orthodox Church (Moscow Patriarchate) is more than nominal.

New trends

While the above aspects of religious policy preceded the 2006 presidential elections, several new religious policy trends have since appeared.

- Independent civil society actions

The state is now keen to restrict Protestant activity in particular as a potential political threat. One Protestant points out that, with independent political, business and social organisations crushed in turn, churches, as the largest remaining social organisations, are now in the frontline, especially as their belief in the priesthood of all believers means that "each individual Protestant is a potential activist". Indeed, religious believers have complained to Forum 18 that the authorities attempt to stop them speaking publicly on general social issues. After exhausting other methods of negotiation with the state authorities, Protestant churches are indeed spearheading tactics of organised resistance more usually associated with secular political activism as they pursue religious freedom.
Mainstream political activists are in turn drawing on religious ideas, and a number of key opposition figures are committed Christians.

Besides New Life's October 2006 hunger strike and subsequent non-violent civil disobedience actions, in which a variety of churches from across Belarus have participated, the strongest example to date of this trend is the petition to change the 2002 Law begun in April 2007. "We are defending the rights of all Christians (Orthodox, Catholics, Protestants), all citizens of Belarus," its co-ordinators declared. "The law violates the rights of all people, even atheists."

The state attempted to thwart petition-gatherers. Permission to hold a small demonstration on Freedom Square in central Minsk in conjunction with its launch was refused. In the space of just two days in June 2007, police detained 19 petition-gatherers at a prominent Catholic pilgrimage site and in the Belarusian capital. They also confiscated some 7,000 newsletters introducing the campaign and 500 copies of a Belarusian publication detailing religious freedom violations as reported by a number of independent media sources within Belarus, as well as Forum 18. Pavel Nozdrya, a member of a charismatic church in Mozyr (Mazyr) (Gomel Region) who personally gathered 2,500 signatures, had problems at work as a result. When the campaign was in full swing in 2007, he reports, an Education Ministry official asked the rector of Mozyr State Pedagogical University, his employer, "Why do you have this oppositionist working in your university?" Nozdrya's contract as an electrician was not renewed in mid-March 2008.

Having nevertheless succeeded in gathering over 50,000 signatures – the minimum required for a law to be reviewed by Belarus' Constitutional Court – the co-ordinators submitted the petition to various state organs in February 2008. All refused to consider the petition; a typical response echoed earlier dismissive denials by claiming that the petitioners' allegations of religious freedom violations "do not correspond with reality".

At an unprecedented, four-hour round table of religious leaders in Minsk on 19 September 2007, Vice-premier Aleksandr Kosinets also rejected the possibility of amending the 2002 Law.

In May 2008, a copy of the petition was presented to the European Parliament, which passed a resolution the same month calling for the 2002 Law to be revised.

- Expulsions of foreign religious workers

Another recent trend is for the Belarusian authorities to deny visas to a growing number of foreign Protestant workers and Roman Catholic priests and nuns. Between the end of 2006 and the end of 2008, 12 Polish Catholic priests and eight nuns were forced to leave Belarus. In the same period, at least five foreign Protestants were deported in connection with their religious activity. A handful of cases were reported in previous years.

During his September 2007 meeting, Vice-premier Kosinets complained about the presence in Belarus of foreign Catholic priests and nuns in particular. According to an Interfax report of the meeting, Kosinets said: "We are in favour of religious personnel in our republic being natives of Belarus (...) people may not conduct religious activity if they do not know either Belarusian or Russian, or the mindset and customs of Belarus (...) it is pleasing that we have the understanding of the Roman Catholic Church on this issue (...) there should be a substitution of foreign religious personnel by natives of Belarus in the course of the next seven years." According to Archbishop Tadeusz Kondrusiewicz, who heads the Catholic Church in Belarus, 430 or so Catholic priests in Belarus, about 160 are foreign citizens. Most are Polish.

While a petition of 12,000 signatures called for the expulsion of five Polish priests from Grodno Diocese at the end of 2006 to be overturned, none has been able to return. It appears that public social activism – such as the organisation of anti-alcoholism programmes for non-Catholic youth – has led to the targeting of particular priests. For example, Fr Zbigniew Grygorciewicz was explicitly forced to leave Belarus in connection with his involvement in the obstructed ecumenical music festival in Borisov, which the state authorities claim did not have their permission.

The Vatican has not criticised these developments, apparently trusting in the possibility of a concordat with and even papal visit to Belarus. On the contrary, the Holy See's Secretary of State, Cardinal Tarcisio Bertone, conveyed the thanks of Pope Benedict XVI "for the religious liberty that Belarus enjoys" during a June 2008 visit to Minsk, also telling a press conference that the 2002 Law was "a good law reflecting the necessary protection and respect for the rights of the five main confessions traditional to Belarus." On 27 April 2009 Pope Benedict received President Lukashenko, whose EU travel ban is currently suspended.

The first foreign Protestant to be forced to leave since the 2006 presidential elections, Travis Decker, a US citizen active in the Minsk Baptist community, received a deportation order in March 2007 for "bringing harm to the national security of the Republic of Belarus". Jaroslav Lukasik, a Polish citizen active in the Belarusian Pentecostal community, was similarly deported for "activity aimed at bringing harm to the national security of the Republic of Belarus in the sphere of interconfessional relations" in June 2007. Veniamin Brukh, the Ukrainian founder of Jesus Christ Church, one of Minsk's largest charismatic congregations, believes his October 2008 deportation was probably due to his KGB secret police monitors considering him a danger to the state.

In February 2009 two Danish citizens, Erling Laursen and Rolf Bergen, were deported for taking part in worship services in Gomel's
charismatic Living Faith Church. "We were reading and speaking from the Bible, greeting the people, and praying together. Then the police came and took us to the police station," Laursen told Forum 18. "They said we broke the law because we were spreading religious ideas." The congregation's pastor noted that an unfamiliar visitor to the church had filmed the pair with a mobile phone; he suspected this was part of KGB monitoring.

Religious communities understand that the KGB keeps a close eye on their activity. KGB officers clearly had inside knowledge when they apprehended two US citizens for religious activity in a Baptist church in Ratomka (Minsk Region) in 2004. Similarly, a parishioner noted that the two people in plain clothes who informed a Polish priest that he was breaking the law by leading Mass without state permission in Minsk in 2006 "are always sitting in our church".

Belarus' National Security Concept, signed by President Lukashenko on 17 July 2001, includes "the activisation of the activity of foreign religious organisations and missionaries to monopolise the spiritual life of society" among fundamental factors posing a threat to national security in the humanitarian sphere. It also calls for the counteraction of their "negative influence".

Even if permitted to conduct religious activity officially in Belarus, foreign citizens are subject to strict controls. A February 1999 Council of Ministers decree ruled that they may work only within houses of worship belonging to or premises continually rented by the religious organisation which invited them. This must be a registered religious association consisting of ten or more communities, at least one of which must have functioned in Belarus for 20 years. The transfer of a foreign religious worker from one religious organisation to another - such as between parishes - requires permission from the relevant state official dealing with religious affairs, even for a single service.

In addition, under a January 2008 successor decree, Belarus' top religious affairs official now has sole discretion in deciding whether religious work by a foreign citizen is necessary. The Plenipotentiary for Religious and Ethnic Affairs, currently Leonid Gulyako, also has the right not to give reasons for refusing a foreign religious worker's visit. He can shorten the visit "if the period of time required for realisation of the aims for which the foreign citizen is invited does not correspond to that requested." Foreign citizens must also now attest knowledge of Belarus' state languages (Belarusian and Russian) in order to perform religious work.

- Restrictions on non-worship activities

Finally, the state has also moved to restrict non-worship activity by religious communities since the 2006 presidential elections. This is in addition to the expulsion of some Catholic priests for their public social activity. In July 2007, Oleg Bobrik, a local ideology official, tried to break up the annual family holiday camp run by the Minsk-based charismatic Jesus Christ Church. Producing a handwritten order in ballpoint pen on plain paper, he claimed that the camp needed the official permission of religious affairs officials. In August 2007 a member of the Baptist Council of Churches in Brest Region was fined for organising a similar church summer holiday without state approval; a fine was later annulled on a technicality.

Most recently, a rehabilitation programme for alcoholics and drug addicts run by a Belarusian Christian social organisation, Cliff House, has been targeted by an ideology official in the eastern city of Mogilev [Mahilyow]. In the wake of a raid on one of its sessions, its co-ordinator was fined 140,000 Belarusian Roubles (315 Norwegian Kroner, 35 Euros, or 50 US Dollars) on 11 May 2009 for conducting unregistered religious activity. (END)

For a personal commentary by Antoni Bokun, Pastor of a Pentecostal Church in Minsk, on Belarusian citizens' struggle to reclaim their history as a land of religious freedom, see F18News 22 May 2008 http://www.forum18.org/Archive.php?article_id=1131.


Full reports on freedom of thought, conscience and belief in Belarus can be found at http://www.forum18.org/Archive.php?query=&religion=all&country=16.


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