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BELARUS: KGB releases priest, but house arrest and treason investigation continue

By Olga Glace, Forum 18 (<https://www.forum18.org>)

The 3 December transfer to house arrest of Fr Vladislav Lazar after six months in Minsk's KGB detention centre was "a complete surprise", Fr Yury Sanko of the Catholic Bishops' Conference told Forum 18 News Service from the Belarusian capital Minsk. But the criminal investigation on treason charges – which Fr Lazar rejects – continues. His bishop, Archbishop Tadeusz Kondrusiewicz of the Minsk-Mogilev diocese, has been interrogated by the KGB as a witness in the case "because when a priest is arrested on the basis of such charges, the archbishop is responsible for the priest", fellow priest Fr Yury Barok told Forum 18. The archbishop "is having very unpleasant moments", he added. The KGB refused to put Forum 18 through to Konstantin Bychek, the KGB investigator leading the criminal investigation, and KGB spokesperson Artur Strehk refused to tell Forum 18 how far the investigation has reached and if any trial is imminent. The charges carry a punishment of 7 to 15 years' imprisonment.

After six months' imprisonment – and six days after his 46th birthday - Catholic priest Fr Vladislav Lazar was suddenly released on 3 December from the KGB secret police detention centre in the Belarusian capital Minsk. The KGB has ordered that he live under house arrest and report daily to the police while the criminal investigation on treason charges continues. Official information in this case continues to be sparse and even Fr Lazar's whereabouts are unknown, Forum 18 News Service notes.

Fr Lazar's diocesan bishop, Archbishop Tadeusz Kondrusiewicz of the Minsk-Mogilev diocese, has been interrogated by the KGB as a witness in the case "because when a priest is arrested on the basis of such charges, the archbishop is responsible for the priest", fellow-Catholic priest Fr Yury Barok told Forum 18 on 28 November. He has known Fr Lazar since they trained together at seminary in the 1990s.

"The Archbishop is under pressure - I don't know what he is expected to do, but believe me he is having very unpleasant moments," Fr Barok added.

Is trial imminent?

Forum 18 was unable to find out why Fr Lazar was unexpectedly released from the KGB detention centre to be transferred to house arrest. Nor was it able to find out how far the investigation has reached and if any trial is likely soon. The duty officer at the KGB headquarters in Minsk refused to put Forum 18 through on 5 December to Konstantin Bychek, the KGB investigator who is leading the criminal investigation against Fr Lazar.

The head of the KGB press service, Artur Strehk, confirmed to Forum 18 from Minsk on 5 December that the criminal investigation into Fr Lazar is continuing, but refused to give any details.

The lawyer the family first engaged to defend Fr Lazar, Pyotr Vendlinsky, was placed under a gagging order (see F18News 9 September 2013 http://www.forum18.org/archive.php?article_id=1873).

The family has since dismissed Vendlinsky as they believed he had been ineffective, and appointed another lawyer, family friend and journalist Lyubov Lunyova told Forum 18 on 5 December. Acting spokesperson for the Belarusian Catholic Bishops' Conference Fr Yury Sanko told Forum 18 on 5 December that he was unaware that the family had dispensed with Vendlinsky.

Treason charges

According to a 12 September statement published on the Belarus Catholic Church's website, the only source for the specific allegations, Fr Lazar is being investigated on allegations of violating Criminal Code Article 356, Part 1 (treason), which carries a punishment of 7 to 15 years' imprisonment.

The case also cites Criminal Code Article 16, Part 6 which defines a "person who has assisted in the commission of the crime with advice, guidance, provision of information or tools and means of committing the crime" as "participation in a crime".

Fr Lazar is accused of treasonably giving money and valuables to a person accused of spying – but no details are given of these allegations. The authorities have also not made public any evidence they may have to back their allegations (see F18News 15 October 2013 http://www.forum18.org/archive.php?article_id=1886).

Fr Lazar "insists on his innocence", Fr Barok told Forum 18. "We all [Catholic priests] see it and understand. We are praying and are astonished by the absurdity of the situation and the insanity." He said the criminal case is "difficult to explain logically".

Lunyova expressed hopes that the case would not reach court at all as it is "falling apart".

Transfer to house arrest

Late on 3 December, the evening of Fr Lazar's release, the Catholic Church officially confirmed this information in a brief, carefully-worded statement on its website. It announced that the "competent organs" had declared that "there was no longer a basis" for holding Fr Lazar in custody and had asked the Apostolic Nuncio to Belarus, Archbishop Claudio Gugerotti, to collect him from the KGB detention centre.

The Apostolic Nunciature in Minsk declined to speak on the situation when Forum 18 called on 4 December.

Also able to see her brother briefly on the evening of 3 December at the exit to the detention centre was Fr Lazar's sister, Yanina Lazar. "He's OK, he's alive and kicking," she told Radio Free Europe's Belarusian Service the following day. "I saw him briefly and greeted him – this was all at the KGB as he was leaving." Yanina Lazar's telephone went unanswered when Forum 18 called between 5 and 9 December.

On 4 December the KGB announced that Fr Lazar was no longer in custody. Strekh, the head of the KGB press service, told the media that "the KGB confirms that on 3 December on agreement with the General Prosecutor's Office, the pre-trial restriction of detention in custody of the accused, Vladimir Mikhailovich Lazar [Fr Vladislav Lazar], was replaced by restrictions on movement under Article 119 of the Belarus Criminal Procedure Code". No confirmation of Strekh's statement appeared on the KGB website.

Speaking to Forum 18, Strekh declined to add anything to what he had told the local media earlier. "All we can say can be found in the official KGB announcement on the internet. Study Article 119 of the Belarus Criminal Procedure Code," he recommended.

"A complete surprise"

Fr Sanko of the Bishops' Conference admitted to Forum 18 that Fr Lazar's release had been "a complete surprise". However, he refused to give any information concerning the details of his release and transfer to house arrest. "You can get all the official information on our website," he told Forum 18.

Lunyova, a journalist of "Narodnaya Volya" (People's Will) newspaper, said that he had been released from prison "very unexpectedly". "Neither his lawyer, nor his family were informed about it," she told Forum 18. "I can't understand why they called the Nuncio."

She added that despite his release, neither Fr Lazar nor his family are allowed to communicate with the press. Asked where he is currently located, the journalist replied that she could not give this information on the phone. "All I can say is that he is not in Minsk now."

Former Prosecutor's Office investigator Oleg Volchek, now a human rights defender, told the Charter 97 news website on 4 December that according to his informal sources, Fr Lazar was released from the KGB detention centre because he denied all the charges.

Restrictions

According to the KGB and General Prosecutor's Office resolution, Fr Lazar has now been placed under restrictions on his movement. Article 120 of the Criminal Procedure Code governs "restrictions on movement and appropriate conduct". It notes that the accused or the suspect is confined to his place of residence "unless he gets the appropriate permission to leave from the investigation institution or the court, he is obliged not to impede the investigation process and legal proceedings, and to come when summoned to the investigating body. In case of violations by the accused or the suspect, a stricter measure can be applied of which he must be informed when his signature is being taken".

Lunyova told Forum 18 that it was not decided yet where the priest would reside. "Maybe he'll stay at his parents', maybe he'll rent an apartment," she commented.

No return to parish?

It remains unclear whether Fr Lazar will be able to return to serve as a parish priest. At the time of his arrest in May, he was priest of the Descent of the Holy Spirit parish in Borisov [Barysaw] in Minsk Region. Fr Sanko of the Bishops' Conference confirmed to Forum 18 that Fr Lazar had been replaced in the parish by another priest, Fr Aleksei Romanchuk. "This is a developing parish and it cannot be without a priest," he told Forum 18.

The director of the Belarus Catholic Church's website, Fr Yury Martinovich, similarly expressed doubts to Belapan news agency on 4 December that Fr Lazar would return to Borisov.

Six months' detention

Fr Lazar was arrested on 31 May on treason charges. Only two weeks after his arrest was his family informed of it. Two months later, the family was allowed to pass him some basic things like hygienic items and some clothes. The Bible and other religious literature were not allowed. No family visits were allowed and nor were clergy visits – except one (see F18News 15 October 2013 http://www.forum18.org/archive.php?article_id=1886).

"From the beginning this detention appeared very weird, considering the fact that neither family, nor friends, nor parishioners could find out where he was," human rights defender Volchek commented to Charter 97. "Vladislav Lazar's whereabouts was kept secret as if he were the head of an extremely dangerous criminal syndicate, whose arrest should be hushed up. I suspected some trick since the KGB didn't give explanations straight away." He insisted that for him Fr Lazar would remain a prisoner of conscience and a victim of politics.

The journalist Lunyova was worried during his detention that Fr Lazar would not survive until any trial. "They tried to break his spirit by depriving him of clergy visits, religious literature and correspondence," she complained to Forum 18. She said that in the KGB detention centre the prisoners are not allowed to wash their clothes. "Can you imagine staying in the same pair of socks and the same clothes for two months?" she exclaimed.

Fr Sanko lamented to Forum 18 on 2 December – before Fr Lazar's transfer to house arrest - that people often accused the Church of inaction and indifference. "People forget one very important thing: Fr Vladislav is not only a priest, not only a fellow Catholic but he is our brother, and we are not going to give up on him." He insisted that the Church was doing its best to take care of Fr Lazar, passing him warm clothes and other basic items.

One clergy visit in six months

Fr Lazar's diocesan bishop, Archbishop Kondrusiewicz, had not been able to visit the priest during his detention, Fr Sanko confirmed. "Not everyone is allowed there [KGB detention centre]," he complained to Forum 18. Fr Sanko remarked that the archbishop often met the family of the detained priest in the diocese and came to visit them at their home.

The only clergyman who succeeded in visiting Fr Lazar during his six months in the KGB detention centre was the Papal Nuncio, Archbishop Gugerotti, who saw him in the detention facility on 25 October. The Catholic Church website reported that the meeting lasted about an hour and took place in the presence of a Foreign Ministry official acting as an interpreter. The detained priest looked exhausted but strong in spirit. Archbishop Gugerotti told the prisoner that the Pope was praying for him.

Pope Francis expressed his concern about Fr Lazar during a 30 September meeting with Archbishop Gugerotti in the Vatican. He asked to be kept regularly informed about the "delicate situation". Three days later, in a meeting with Archbishop Kondrusiewicz, Pope Francis again discussed the case, expressing his "serious concern" (see F18News 15 October 2013 http://www.forum18.org/archive.php?article_id=1886). (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.

For more background information see Forum 18's Belarus religious freedom survey at http://www.forum18.org/Archive.php?article_id=1796.

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>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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