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BELARUS: Religious freedom survey, November 2003

By Geraldine Fagan, Forum 18 (<https://www.forum18.org/>)

In its survey analysis of the religious freedom situation in Belarus, Forum 18 News Service notes the various ways in which the Belarusian state limits religious freedom. These include denial of state registration, breaking up home worship meetings, restrictions on religious events held in public, refusal of permission to build, purchase or reclaim premises, and restrictions on the right to invite foreigners for religious work. Although there is a strong Soviet-era tradition of state hostility towards religion in Belarus, government officials currently seem willing to give at least symbolic support for the Belarusian Orthodox Church if this is thought to serve the government's geopolitical interests.

The Belarusian state restricts religious freedom in various ways. Under the republic's 2002 law on religion, religious communities must register with the state in order to worship legally. Since at least 20 participants are required for registration, the activity of groups with fewer is automatically rendered illegal. Systematic meetings at a residential address – whatever the number of participants – are also illegal under the same law. This year Forum 18 has documented nine cases in which unregistered home meetings by Pentecostals (seven times) and Hindus (twice) have been broken up by the security organs and/or fined under the Administrative Offences Code. Two such fines have been successfully appealed.

The state denies some groups registration. Although there is no corresponding provision in the 2002 law, there is a de facto ban on Orthodox groups not affiliated to the Moscow Patriarchate. For religious communities whose human and material resources are already barely sufficient to operate, such as the Old Believers, compulsory state registration constitutes a serious burden. Some Old Believer communities, in addition to approximately 30 Baptist congregations belonging to the Council of Churches, also consider the law's registration procedure to be unduly intrusive into their private affairs, particularly as it requires a list of the full names, addresses, dates of birth, citizenship and signatures of the 20 minimum participants.

State officials have reportedly given assurances that all organisations registered under the previous religion law will be re-registered under the new one, regardless of whether they have the minimum number of participants and a non-residential legal address. The current figures for registered religious organisations do not appear to correspond with reality, however, since some confessions - including the Greek Catholic, Pentecostal and Full Gospel Churches - claim that they have been unable to register new communities for the past two or three years. This allows the Belarusian authorities to declare, as in a recent statement to a Russian state news agency, that "the tendency towards numerical growth and increased influence over the population by Protestant religions has ceased."

The state reportedly maintains an internal list of 16 banned religious organisations, including the Ahmadiyya Muslims, of whom there are a small number of foreign and Belarusian nationals in the republic. Two communities belonging to the Full Gospel Church and Hare Krishnas are likewise officially categorised as destructive sects, even though both are legally registered.

Religious organisations do not enjoy equal rights. Under the 2002 law, only those with at least ten communities in a majority of the republic's six regions and Minsk City (at least one of which must have functioned for 20 years, thus retroactively legitimising Soviet-era controls) may found monasteries and monastic communities, brotherhoods and sisterhoods, educational institutions for training clergy or religious personnel, and missions. These institutions must have a minimum of ten participants. The geographical sparseness of the Catholic Church's monastic communities means that they are rarely of this size – only six of its convents and none of its monasteries thus qualify for legal existence. The Greek Catholic Church's one monastic community similarly fails to qualify, and, since the administrative authority for its 14 registered parishes is not located in Belarus, it in any case has no body capable of founding a monastery in accordance with the 2002 law.

Some Protestant churches report attempts by rural officials to pressurise those listed in a registration application into withdrawing their names, such as by warning that they will not obtain collective farm work or claiming that the church concerned is a "sect."

It should be stressed that the 2002 law is currently not being applied systematically. While no less frequent in the capital city of Minsk than in other areas, blatant violations of religious freedom of the type outlined so far are not commonplace. However, the extensive infrastructure of religious affairs officialdom inherited from the Soviet period lends itself to intrusive activity. This year several Baptist churches in Minsk region were asked to submit the names of their Sunday school pupils and teachers as part of a

check-up on compliance with the law on religion. Currently, however, the most keenly felt consequence of both the 2002 law and the evident intent by the state to pursue a restrictive policy is that almost all religious organisations are obliged to conduct their activity discreetly, which inevitably affects their development. Even members of the established Catholic Church report freedom to minister only within the confines of their worship buildings and associated institutions.

The full extent of the new religion law's regulations will remain unclear until after its deadline for re-registration on 16 November 2004. A complex of restrictions on the freedom of a religious organisation to assemble can render registration meaningless, however. While there is a ban on systematic home meetings (and thus the use of a residential address as a legal address), even registered religious organisations may be denied state permission to rent premises. Such permission is required under the Belarusian law on demonstrations, so that any religious organisation meeting in a public space (even by private arrangement) without it is acting illegally. A religious organisation may be denied permission for a number of apparently spurious reasons, such as for not specifying precise dates and times of meetings over a given period or because the intended venue is a cultural establishment. State permission is also required for outdoor religious worship and may be denied for similar reasons – in one case Pentecostals were refused permission to hold a river baptism because it would ostensibly disturb nearby fishermen. Even if religious organisations decide to hold such events without permission because they anticipate that they will be denied it, they are forced to do so clandestinely and are therefore unable to publicise their activities. The annual Roman Catholic Corpus Christi procession through the streets of Minsk is reportedly permitted only after three months of negotiations and is no longer able to follow a prominent route. Under the latest version of the demonstrations law, religious organisations have to reimburse the state for the security and sanitary arrangements incurred by such events, and the sum is specified by the state.

A religious organisation's final option for legal assembly is to build or purchase premises, or, if applicable, to obtain from the state buildings which historically belonged to its confession. While frequently materially better off than in provincial Russia, few religious organisations in Belarus are able to afford this. In some areas, Catholic and Protestant congregations report that permission to build new churches is either very difficult or impossible to obtain. The charismatic Full Gospel Church detects a new tendency by the state to utilise local Orthodox opposition as grounds for disallowing the purchase of private buildings for worship purposes. While the Lutheran Church is given special recognition in the preamble to the 2002 law, only one of its historical church buildings has been returned to it. The same law states that religious organisations do not have priority in restitution cases where historical worship buildings are currently being used for sport or cultural purposes. The Lutheran community in Polotsk (Polatsk) thus appears unlikely to win back its historical church building in the town, as it currently houses a museum.

Another key restriction in the 2002 religion law is on freedom to witness. A religious organisation is confined to the geographical location where it is registered. Thus, Minsk Reformed Church may operate only in the city of Minsk, while Brest's Fortechnaya Street Baptist Church is limited to the city of Brest. Even if a confession has an organisation spanning a region or the whole nation, its members can operate only in places where it has registered communities. The registered Grodno (Hrodna) regional Pentecostal union, for instance, cannot conduct religious activity at any geographical location within Grodno region where it does not have a registered community.

According to a 1999 government decree, non-Belarusian religious workers require state permission in order to work in the republic. Forum 18 has observed that this is generally not of major concern to evangelical Protestant communities, since they appear to have fewer western contacts than their counterparts in Russia. The decree's restrictions mean that the Catholic Church, however, must make an official request in order to transfer a foreign Catholic priest legitimately working in Belarus from one parish to another, even within the same diocese. Such a priest is permitted to conduct religious activity only on premises belonging to or rented by his assigned parish. Forum 18 has been told that a state quota of 150 foreign Catholic priests permitted to operate in Belarus in any given year has not been raised in recent years. This also retroactively legitimises the restrictive policies of the Soviet period, when the Catholic Church was unable to train priests within Belarus and the Greek Catholic Church was banned outright.

While there is no legal procedure for alternative military service, Forum 18 has been told that in practice believers encounter few difficulties in this regard.

Under the 2002 law, imported religious literature and audio/video material is subject to state approval. Forum 18 has been told that in practice such material is either permitted or prohibited (and not censored). No registered confession reported difficulties in this regard. Publishing within the republic appears to be unrestricted.

While the Belarusian Orthodox Church (Moscow Patriarchate) has concluded a concordat-style agreement with the government this year, it appears that restrictions on other confessions and material support for church construction are the only significant state benefits which it receives. Forum 18 notes that some several-year-old Orthodox building projects apparently assisted by the state are unfinished or barely begun. Privileged access for Moscow Patriarchate Orthodox to state institutions, such as schools and the armed forces, does not appear to be as widespread or as popular as in Russia. While Belarus has a strong Soviet-era tradition of state hostility towards all religion, government officials currently appear willing to give a show of at least symbolic support for the Belarusian Orthodox Church if that is deemed to serve the government's geopolitical interests.

A printer-friendly map of Belarus is available at

<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=belaru>

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