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BELARUS: New Life Church appeals against liquidation

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

On 17 October, Minsk City Court ordered the liquidation of New Life Full Gospel Church, Yekaterina Kaverina of Minsk City Executive Committee stating that some of the Church's online materials are "extremist". Kaverina refused to explain why she had sought the Church's liquidation after 31 years. The Church has appealed to the Supreme Court against the liquidation decision, which does not go into force until the appeal is heard. No date has yet been set for the hearing. "We are waiting," a church member told Forum 18.

On 17 October, Minsk City Court ordered the liquidation of New Life Full Gospel Church. Yekaterina Kaverina of Minsk City Executive Committee had called in court for its liquidation because local courts had found some of the Church's online materials "extremist". She also claimed that the Church had conducted activity not set out in its statute. The Church has appealed to the Supreme Court against the liquidation decision, which does not go into force until the appeal is heard.

No date has yet been set for the appeal hearing. "We are waiting," a church member told Forum 18 from Minsk on 14 November.

Courts have banned a range of religious materials as "extremist," even though they do not call for violations of the human rights of others, including materials from New Life Church, the Christian Vision group and the Belarusian Orthodox parish in the Lithuanian capital Vilnius (see below).

New Life Church continues its meetings for worship online or in borrowed churches. The regime ousted the Church from its own place of worship in February 2021 and bulldozed the building in June 2023 (see below).

Deputy Head of Minsk City Executive Committee's Ideology, Religion, and Ethnic Affairs Coordination Department Kaverina refused to explain why she had sought in court the liquidation of New Life Church. "This decision was taken by the court, so call and ask them," she told Forum 18 (see below).

Forum 18 was unable to reach Judge Tatyana Doroshchenok of Minsk City Court to find out why she ordered New Life Church liquidated. Her secretary refused to put it through to her. "We do not direct calls to judges," she told Forum 18 (see below).

Any activity by unregistered or liquidated religious communities can lead to prosecution under Criminal Code Article 193-1. This punishes "organisation of or participation in activity by an unregistered political party, foundation, civil or religious organisation" with a fine or imprisonment for up to two years (see below).

Deputy Plenipotentiary for Religious and Ethnic Affairs Sergei Gerasimenya refused to explain how members of New Life Church will be able to exercise their freedom of religion or belief if the Supreme Court upholds the lower court's liquidation decision. "We give no comments by phone," he repeatedly told Forum 18 (see below).

In August 2021, the regime issued a large tax demand against New Life Church. It renewed the demand in July 2023, lodging a case to court in September 2023, which ruled largely in favour of the Church on 1 November (see below).

Years of state pressure

New Life Church was founded in Minsk in 1992, gaining state registration in December of that year. The Church is a member of the Full Gospel Union, headed by Bishop Leonid Voronenko, and has been led since its foundation by Pastor Vyacheslav Goncharenko.

New Life Church, bought its building - a former cowshed on the western edge of Minsk - in 2002. The Church converted the building into its place of worship, turning it into a spacious, modern structure, but the regime refused to change its legal designation as a cowshed (https://www.forum18.org/archive.php?article_id=2806). This is in contrast to a disused railway carriage 500 metres from New Life's building which was without regime obstruction used from January 2001 by a Belarusian Orthodox Church (Moscow Patriarchate) community. That community has now built a church, also without any regime obstruction.

The regime repeatedly tried to evict New Life Church from 2009 onwards, and on 17 February 2021 30 police and court bailiffs forcibly evicted New Life from its building (https://www.forum18.org/archive.php?article_id=2806), using an angle grinder to cut the door lock to gain entry. The bailiff's enforcement order was signed by Aleksey Petrukovich, and he refused to explain to Forum 18 why the eviction happened and why force was used.

One New Life Church member suspected that the reason for the sudden eviction was that New Life recorded and on 21 November 2020 posted on its YouTube channel a video by church members protesting against the regime's violence against protestors objecting to election fraud (https://www.forum18.org/archive.php?article_id=2806).

After being expelled from its own place of worship, New Life Church held its worship services in the car park outside each Sunday, whatever the weather. Minsk City Executive Committee, subsequently rejected all New Life Church's attempts to seek permission to hold meetings either in the car park, or to have their church building returned to them, and threatened to liquidate the Church (https://www.forum18.org/archive.php?article_id=2806).

New Life's Pastor Vyacheslav Goncharenko was detained and fined in September 2022 (https://www.forum18.org/archive.php?article_id=2806) under Administrative Code Article 24.23 ("Violation of the procedure for organising or conducting a mass event or demonstration"). Pastor Antoni Bokun of Minsk's John the Baptist Pentecostal Church, who regularly supported New Life Church, was similarly detained and fined.

On 25 September 2022, police banned the Church's Sunday meeting for worship held outdoors (https://www.forum18.org/archive.php?article_id=2806) in its car park, threatening to detain anyone who did not leave. This forced New Life to halt the in-person worship meetings it had held in the church car park every Sunday, whatever the weather, since the February 2021 forcible eviction. The Church continues to hold meetings online or in other churches' premises.

On 20 June 2023, New Life's church building was bulldozed (https://www.forum18.org/archive.php?article_id=2841). The bulldozing – ordered by Capital Construction Management Company, owned by Minsk City Executive Committee – within a day reduced much of the building to rubble. Neither Capital Construction, the Office of the Plenipotentiary for Religious and Ethnic Affairs, nor Minsk City Executive Committee would explain to New Life or Forum 18 why New Life's church building was destroyed.

The regime has used a variety of threats against New Life and other religious communities it dislikes, including an August 2021 tax demand (https://www.forum18.org/archive.php?article_id=2682) for 458,918.22 Belarusian Roubles. According to state figures, this is equivalent to more than 25 years' average wages for someone in work.

On 18 July 2023, New Life received an official letter (seen by Forum 18) renewing the tax demand. Housing Repair and Utilities Association Deputy Head Nataliya Kalistratova refused on 15 August 2023 to explain to Forum 18 why the 2021 tax claim was being renewed (https://www.forum18.org/archive.php?article_id=2851).

In September 2023, the Housing Repair and Utilities Association lodged a suit against the Church to Minsk Economic Court (https://www.forum18.org/archive.php?article_id=2863) demanding compensation for land tax. However, the Court ruled largely in favour of the Church on 1 November (see below)

Liquidation suit

On 15 September, Minsk City Executive Committee lodged a liquidation suit against New Life Church to Minsk City Court. The Church received the official notification signed by the Deputy Head of Minsk City Executive Committee Artyom Tsuran and a copy of the suit.

Deputy Head of Minsk City Executive Committee's Ideology, Religion, and Ethnic Affairs Coordination Department Yekaterina Kaverina cited Minsk's Central District Court decision of 23 August declaring some of the Church's information "extremist" (https://www.forum18.org/archive.php?article_id=2855). She noted that under Religion Law Article 23, Part 1, "a community can be liquidated based on a court decision in the following cases: propaganda of war or extremist activities; activities violating citizens' rights, freedom and legal interests, and preventing citizens from fulfilling their state, social, family duties or harming their health and morality."

New Life's website was blocked without warning on 25 July (https://www.forum18.org/archive.php?article_id=2851). This is a tactic which the regime has used with the excuse of alleged "extremism" against many organisations. Minsk Prosecutor Oleg Lavrukhin banned the website for 6 months, accusing the Church of publishing "extremist" information and "building up threats to national security, which includes artificially whipping up tensions in society and inciting social hostility or discord through the dissemination of false information."

Lavrukhin particularly objected to internet posts protesting against the 2020 fraudulent presidential election, regime violence against protestors, and the regime's violations of the rule of law.

"The authorities themselves chose the quotations, but the posted information reflects the real situation in our country," a Belarusian human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18 in August (https://www.forum18.org/archive.php?article_id=2851).

In the claim to the court, Deputy Head of Ideology, Religion, and Ethnic Affairs Coordination Department Kaverina also insisted that the church failed to re-register in 2004 according to the 2002 Religion Law (https://www.forum18.org/archive.php?article_id=2284) and carried out activities beyond its statute. (A more repressive Religion Law is currently going through the regime's parliament (https://www.forum18.org/archive.php?article_id=2868)).

"In the result of the investigation conducted by Molodechno Investigation Committee of the road accident on 10 July [2023] involving children going on a trip organised by the community, it is detected that besides the statutory activities the community conducted activities non-compliant to the goals and subjects indicated in the statute," the suit claimed.

New Life Church organises camps for children every summer, and on 10 July a bus carrying 50 children overturned due to a poorly-maintained road. No serious injuries were reported, and parents have not made any complaints about the accident (https://www.forum18.org/archive.php?article_id=2851), the camps, or New Life Church and its leadership.

On the same day, the state-controlled media Minsk Pravda published online a detailed report of the accident quoting the participants and the officials dealing with it. The article was written in neutral tones, without any criticism, stating that the reason for the accident was the poor quality of the road surface.

The next day, Minsk Pravda published a totally different article, and almost immediately Minsk Prosecutor's Office started summoning people connected with the summer camp for questioning.

On 3 August, Minsk's Oktyabrsky District Tax Office requested New Life's annual financial reports, as well as documents relating to the Excurs Trans Company which transported the children. A Protestant who knows the situation, who wished to remain anonymous for fear of state reprisals, commented to Forum 18 on 8 August (https://www.forum18.org/archive.php?article_id=2284) that the road accident was being used as an excuse for the authorities to put pressure on the Church. "They found an excuse to set the ball rolling," the Protestant told Forum 18

Minsk City Court held an initial hearing in the liquidation suit on 6 October.

Only "super narrow circle" allowed to attend court hearing

On the morning of 17 October, Judge Tatyana Doroshchenok of Minsk City Court began hearing the case for the liquidation of New Life Full Gospel Church.

As well as New Life Church's Pastor Vyacheslav Goncharenko, about 30 church members came to Minsk City Court for the hearing. Also present to support the Church was Sergiy Melyanets, a member of a different Protestant Church who often attends court hearings to support Christians on trial. However, despite the availability of a larger courtroom with about 20 benches for spectators, the court chose a smaller room with only 5 benches.

"Everyone, including the judges' secretaries, understands the absurdity of the situation and the idea of switching halls is in the air," Melyanets noted on Facebook the following day. "But .. in the best traditions of the 'Belarusian judicial system' they left everything as it was. And even more: 'Covid restrictions' came up again and only one person per bench was allowed into the small hall." He noted that he was among the "super narrow circle" allowed to attend the hearing.

Judge orders Church liquidated

During the 17 October hearing under Judge Tatyana Doroshchenok at Minsk City Court, which lasted two and a half hours, three petitions on behalf of New Life Church from three Protestant church Unions representing some 850 congregations were admitted.

Deputy Head of Minsk City Executive Committee's Ideology, Religion, and Ethnic Affairs Coordination Department Yekaterina Kaverina then called for the Church's liquidation because local courts had found some of the Church's online materials "extremist".

"Her logic is simple: posting information that was recently recognised as extremist on the church's information resources (a video in which parishioners in 2020 talk about the unacceptability of cruelty and several photographs in which children from the church stand with posters) means that the church is extremist," Sergiy Melyanets noted the following day. "And the fact that the video and photos were deleted immediately after the court's decision does not change anything for the Executive Committee."

Deputy Head of Minsk City Executive Committee's Ideology, Religion, and Ethnic Affairs Coordination Department Kaverina also claimed that the Church had conducted activity not set out in its statute. The court decision – seen by Forum 18 – does not specify

what that activity was.

Pastor Goncharenko and the Church's lawyer Svetlana Gorbatok both pointed to the large amount of social work the Church had undertaken, often working together with the Executive Committee.

"We do not discredit the authorities and the state," Melyanets quoted Pastor Goncharenko as telling the court. "We have worked all these years and created a good name through the good deeds that we have done for 31 years. We were engaged purely in preaching the Gospel, in what the Lord put in our hearts, to what we are called."

Church members testified to how New Life Church had helped them in their lives. Among them was Valery Fadeyev, who retired as deputy head of the Constitutional Court in 1996 and has been a member of the Church since 2008. "I want to make clear that if the Church is liquidated, it will be a mistake, because this Church gives people hope," Melyanets quoted him as telling the court. "It brings peace, love and goodness."

Fadeyev insisted that materials produced by New Life Church which courts had banned as "extremist" should not have been. "I believe that these materials can hardly be considered extremist," he told the court.

"It fell to me to write the constitution of the Republic of Belarus in 1994," Fadeyev pointed out. "When the issue of extremism arose, I specifically studied the law, looked at the definitions, and, in my opinion, this situation [with New Life Church] does not correspond to the concept of 'extremism'."

Melyanets described the Judge as "clearly confused" by Fadeyev's remarks. "The person who stood at the origins of the Constitution of our Republic and whose daughter is a judge speaks clearly about the legal illiteracy of the judicial system, of which she is a representative. There was an awkward pause." Judge Doroshchenok then pointed to the court decisions banning some of New Life's online materials as "extremist".

In his closing remarks to the court, Pastor Goncharenko appealed for the Church not to be liquidated. He handed to the Judge 42 pages of letters of thanks the Church had received. The Judge then handed the letters to Deputy Head of Minsk City Executive Committee's Ideology, Religion, and Ethnic Affairs Coordination Department Kaverina.

"She sits and thoughtfully turns over the pages," Melyanets noted. "I look at her and think: maybe even now something is stirring in her soul and heart. Doesn't she really understand what she was striving for? But it was not there. It turned out that the ideologist was studying not the contents of the letters, but the dates of these letters of gratitude. Then she stated that the dates are 'not recent' and she believes that today these thanks are not relevant to the case."

In her summing up, Judge Doroshchenok noted the Church's large amount of social work for the community. This gave church members hope that when she returned after considering the decision, she might reject the liquidation suit.

However, when Judge Doroshchenok returned at 2:30 pm to give her decision, she acceded to Kaverina's request and ordered the liquidation of New Life Church, according to the decision seen by Forum 18. She also ordered the Church to pay a state fee of 111 Belarusian Roubles. This is the equivalent of about two days' average wage.

"We do not direct calls to judges"

Deputy Head of Minsk City Executive Committee's Ideology, Religion, and Ethnic Affairs Coordination Department Yekaterina Kaverina refused to explain why she had sought in court the liquidation of New Life Church. "This decision was taken by the court, so call and ask them," she told Forum 18 on 20 October.

Forum 18 tried to find out from Judge Tatyana Doroshchenok of Minsk City Court why she ordered New Life Church liquidated. However, her secretary refused to put it through to her. "We do not direct calls to judges," she told Forum 18 on 20 October.

Church appeals against liquidation

Once it had the 17 October court decision in writing, New Life Church lodged an appeal to the Supreme Court. No date has yet been set for the hearing. "We are waiting," a church member told Forum 18 from Minsk on 14 November. The liquidation decision does not enter into force until the appeal is heard.

New Life Church continues its meetings for worship online and in borrowed churches. If the Supreme Court upholds the lower court's liquidation decision, any activity by the Church would risk punishment for its leaders and participants.

Any activity by unregistered or liquidated religious communities can lead to prosecution under Criminal Code Article 193-1 (https://www.forum18.org/archive.php?article_id=2801). This punishes "organisation of or participation in activity by an unregistered political party, foundation, civil or religious organisation" with a fine or imprisonment for up to two years.

Sergei Gerasimenya, the regime's Deputy Plenipotentiary for Religious and Ethnic Affairs, refused to explain how members of New Life Church will be able to exercise their freedom of religion or belief if the Supreme Court upholds the liquidation decision. "We give no comments by phone," he repeatedly told Forum 18 from Minsk on 14 November.

New Life: Tax demand in court largely "ended in our favour"

The regime has used a variety of threats against New Life and other religious communities it dislikes, including an August 2021 tax demand (https://www.forum18.org/archive.php?article_id=2682) for 458,918.22 Belarusian Roubles. According to state figures, this is equivalent to more than 25 years' average wages for someone in work.

On 18 July 2023, New Life received an official letter (seen by Forum 18) renewing the tax demand. It was signed by Moscow District's Housing Repairs and Utilities Association Deputy Director Nataliya Kalistratova, claiming that "until the moment of forced eviction (17.02.2021) the Housing Repairs and Utilities Association has been bearing expenses on land and property taxes and on the permanent non-residential building depreciation." In the claim the authorities threatened to apply to the economic court if the debts are not paid.

Under the Presidential Decree on Tax Exemption of Religious Organisations of 1 December 2005, New Life Church is not subject to land and property taxes. However, this privilege does not extend to the Housing Repairs and Utilities Association, to which the city administration handed the Church's land in 2005 and its building in 2009. The Housing Repairs and Utilities Association shifted the burden of taxation to the Church, sending eviction demands to the economic courts (https://www.forum18.org/archive.php?article_id=2284).

Housing Repair and Utilities Association Deputy Head Kalistratova refused on 15 August 2023 to explain to Forum 18 why the 2021 tax claim was being renewed (https://www.forum18.org/archive.php?article_id=2851).

In September 2023, the Housing Repair and Utilities Association lodged a suit against the Church to Minsk Economic Court (https://www.forum18.org/archive.php?article_id=2863) demanding compensation for land tax.

At the initial hearing on 11 September, Judge Katrin Drozdovskaya suspended consideration of the suit, asking the parties to provide more information and documents.

"The Housing Repair and Utilities Association was asked to present the documents confirming its payment of the rent, and we were asked to show the documents proving ownership of the property," Pastor Goncharenko told Forum 18 on 2 October.

On 1 November, Judge Drozdovskaya issued her decision, church members told Forum 18. "We can say that it ended in our favour. But not 100 per cent. Of the approximately 460,000 Roubles they originally demanded from us, we were ordered to pay only about 9,000 Roubles [equivalent to about 5 months' average wages]. So this is a big victory. And given the context of everything that is happening, it is a miracle."

More "extremist" designations

The Republican List of Extremist Materials (https://www.forum18.org/archive.php?article_id=2801) includes many xenophobic and racist works (such as Adolf Hitler's "Mein Kampf"), as well as material produced by the political opposition and foreign-based news websites. It also includes some religious works that do not call for the violation of anyone's human rights. All had been banned as "extremist" by a local court.

On 26 December 2022 the list was 480 pages long, and the List has been expanding rapidly as ever more publications, websites and internet postings are declared "extremist". On 13 November 2023 the List was 773 pages long.

Deputy Information Minister Igor Buzovsky, who is also Deputy Chair of the "Republican Expert Commission for the Evaluation of Symbols, Attributes, and Information Products for the presence (or absence) in them of signs of Extremism", defended the banning of specific publications and websites as "extremist". "This is done exclusively on the basis of the law," he insisted to Forum 18 in January 2023 (https://www.forum18.org/archive.php?article_id=2801).

Among the "extremist" materials are online publications by the Christian Vision (<https://belarus2020.churchby.info>) group. Human rights defenders from various Christian Churches across Belarus formed the group in September 2020, amid protests against the falsified presidential elections, to document violations of freedom of religion or belief and other human rights.

On 16 August 2023, Miory District Court in Vitebsk Region (https://www.forum18.org/archive.php?article_id=2855) declared Christian Vision's Telegram channel (<https://t.me/s/christianvision>) "extremist". On 7 September, Lida District Court again declared Christian Vision's Telegram channel "extremist", as well as the group's logo. Also on 7 September, Vitebsk's October District Court declared Christian Vision's Instagram, Facebook, Twitter and VKontakte pages "extremist".

On 20 October, Baranovichi District and City Court declared the Telegram channel of the Belarusian Orthodox parish in the Lithuanian capital Vilnius (<https://t.me/ortovilnya>) "extremist". Parish priests Fr Georgi Roi and Fr Aleksandr Kukhta left Belarus in April 2023. The two then left the jurisdiction of the Moscow Patriarchate and the Ecumenical Patriarchate accepted them. They established the parish in Vilnius, holding their first service (for Easter Sunday) in a Lutheran church on 16 April. The parish then found its own premises in the city centre.

"The parish itself has not yet been recognised as an extremist organisation, only the Telegram channel," Fr Georgi and Fr Aleksandr wrote on the Telegram channel on 24 October. "This means that if you live in Belarus, be veeery careful when reading our news. After all, for this you could get a criminal case. But if you are passing through Vilnius, please visit!"

The authorities have also declared "extremist" several online resources that include material on religion in their output.

On 7 September, Minsk's Lenin District Court declared the Telegram channel Sluchac hadko! (<https://t.me/rerumnovarum>) (formerly Rerum Novarum) "extremist". The channel, run by an emigre Catholic and Christian Democrat supporter and originally named after an 1891 encyclical by Pope Leo XIII, covers religious and other news.

On 23 October, Lida District Court declared the Telegram channel of the Francis Skaryna Belarusian Library and Museum (<https://t.me/skarynalibrary>) in London "extremist", as well as its logo. The library was originally founded by Catholic priests. It is an academic library containing a wide range of material on history and culture, including on religion.

Among the other banned "extremist materials" on the List (https://www.forum18.org/archive.php?article_id=2801) are a Greek Catholic news website, a YouTube interview with a Catholic priest who fled to neighbouring Poland in 2021 to escape prosecution, an introduction to Orthodoxy published in Russia's capital Moscow, and several Muslim books. Anyone who distributes any of these works risks criminal prosecution. (END)

More reports on freedom of thought, conscience and belief in Belarus (<https://www.forum18.org/archive.php?country=16>)

For background information, see Forum 18's Belarus religious freedom survey (https://www.forum18.org/archive.php?article_id=2806)

Forum 18's compilation of for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/archive.php?article_id=1351)

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