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The right to believe, to worship and witness
The right to change one's belief or religion
The right to join together and express one's belief

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BELARUS: Was Baptist fine an "exception"?

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

Although unregistered religious communities still face intermittent fines for religious activities, Protestants in Belarus have told Forum 18 News Service that a fine imposed in January on Baptist Union member Yuri Denishchik for holding a religious meeting in a private home was an "exception". They say that ahead of October's parliamentary elections, the authorities are not currently interfering in services, open-air evangelistic meetings and youth camps held by registered Protestant communities. "There are a lot of active Protestants in Belarus and President Lukashenko can't afford to alienate them right now," one source told Forum 18. He assumed there to be "some kind of instruction not to touch Protestants at the moment". But senior Baptist pastor Gennadi Brutsky told Forum 18 that problems persist, though so far they have been solved through compromises.

In the run-up to parliamentary elections on 17 October and a probable referendum on whether the current president Aleksandr Lukashenko can run for office for a third time, Protestants in Belarus have told Forum 18 News Service that there has been relatively little state interference in their activities in recent months. Over the summer, for example, churches have held open-air evangelistic meetings and youth camps reportedly without impediment from the authorities.

"There are a lot of active Protestants in Belarus and President Lukashenko can't afford to alienate them right now," one source told Forum 18, adding that he assumed there to be "some kind of instruction not to touch Protestants at the moment". The source emphasised, however, that while "we may not be persecuted, a legal base can be created which makes almost nothing possible".

In an example of this, more usually experienced by the unregistered congregations of the International Union of Baptist Churches (see F18News 2 September 2004 http://www.forum18.org/Archive.php?article_id=404), the website of the main Belarusian Baptist Union earlier this year reported a fine handed down to one of its members, Yuri Denishchik, in western Belarus. He was fined 33,000 Belarusian roubles (105 Norwegian kroner, 13 Euros or 15 US dollars), representing twice the minimum monthly wage, for violating Article 193 of the Code of Administrative Offences.

This article punishes "the creation and leadership of a religious organisation without registering its charter (statutes) in accordance with established procedure, or the organisation and direction by the leaders and members of this organisation of special children's and youth meetings, as well as work, literary and other circles bearing no relation to the performance of the religion" with a fine of up to five times the minimum monthly wage.

In its rejection of Denishchik's appeal against the fine, Novogrudok (Navahrudak) District Court noted that on 23 November 2003 a local policeman "visited a religious group of Baptists at No. 20 Pioneer Street during a check-up of implementation of legislation on freedom of conscience". Finding "eight people studying religious literature there," noted the court verdict, the police officer drew up a statement accusing Denishchik of founding a religious organisation without registering its charter and conducting special gatherings not related to the performance of religious rites.

Only the previous month the vice-chairman of the State Committee for Religious and Ethnic Affairs, Vladimir Lameko, had ordered local commissions monitoring compliance with laws and regulations on religion to be more active (see F18News 9 February 2004 http://www.forum18.org/Archive.php?article_id=248).

In his defence, Denishchik argued that he and the seven visitors to his home "had been talking about God, but no service was held". He also argued that the group was in any case too small to comply with the requirements of the 2002 law on religion, which stipulates a minimum of 20 members for compulsory state registration. Novogrudok District Court, however, ruled on 22 January 2004 that a violation of Article 193 had taken place.

In a 17 February commentary on this verdict also published on the Baptist Union's website, the senior pastor for Minsk region, Gennadi Brutsky, described Article 193 as "a post-Soviet archaism" which violates both the 1994 Constitution and international legal norms. "Why do local policemen turn a blind eye when a group sits singing and swearing outside an entrance to a block of flats?" he asked. "Why are citizens punished for reading the Bible and praying within an individual free-standing house? Surely the law-enforcement agencies haven't solved all the crimes in the country?"

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Brutsky also cited a 28 January letter from the chairman of the State Committee for Religious and Ethnic Affairs, Stanislav Buko, to the Baptist Union in response to its query over the Novogrudok case. Buko stated that "citizens of republic of Belarus, in realising their constitutional right to practise a religion, may exercise this right in the form of prayers, Bible readings and private discussion with fellow believers... Denishchik's meeting with his fellow believers was not a violation of the law, which is why he has appealed to Grodno (Hrodna) Regional Court. I would like to hope that this case will be viewed objectively and that the rule of law will triumph over the subjective opinions and notions of individual officials."

However, Baptist Union press secretary German Rodov told Forum 18 on 26 July that Grodno Regional Court had rejected Denishchik's further appeal and he had paid the fine. Rodov confirmed that the Novogrudok case was "an exception", as did Gennadi Brutsky when contacted by Forum 18 on 1 September. Brutsky pointed out, however, that this was not because such situations did not occur in Belarus, but because they rarely reach court. "They are normally only verbal and a compromise is found," he explained.

For more background information see Forum 18's Belarus religious freedom

survey at http://www.forum18.org/Archive.php?article_id=195

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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