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BELARUS: Inconsistent response to illegal religious activity

By Geraldine Fagan, Forum 18

Against international law, Belarusian law states that unregistered religious activity is illegal and so unregistered religious communities are liable to be prosecuted. But Forum 18 News Service has found that the authorities' practice is inconsistent. Baptist congregations who refuse on principle to register have their worship meetings obstructed, but a Pentecostal Pastor, previously fined for leading an unregistered church, has not experienced recent problems. Most of those unable to obtain state registration are Orthodox communities outside the Belarusian Orthodox Church (Moscow Patriarchate), and these churches have been treated in strongly contrasting ways. A small Buddhist group has obtained a "compromise status," but a Hare Krishna group was refused registration. Jewish communities received re-registration, and the small Islamic communities which did not receive re-registration were amalgamated with re-registered Muslim organisations.

Under the 2002 Belarusian religion law unregistered religious activity is illegal. Now that the law's 16 November 2004 deadline for compulsory re-registration has elapsed (see F18News 17 November 2004 http://www.forum18.org/Archive.php?article_id=454), religious communities refused re-registration join those either denied initial registration, or unregistered on principle, in being liable for prosecution. So far, however, Forum 18 News Service has found this part of the law to be inconsistently applied in practice.

Congregations of the Council of Churches Baptists, who refuse on principle to register with the state authorities in CIS countries, continue to report obstruction to their worship meetings in Belarus. Vladimir Oktysyuk was fined 120,000 Belarusian roubles (approximately 340 Norwegian kroner, 42 Euros or 55 US dollars) by a Brest court on 4 November for hosting an unregistered Baptist meeting at his home a month previously. "In this way the authorities are forcing believers in Brest to register on the basis of legislation which makes demands that contradict Biblical teaching," the Baptists argue.

Similarly, after refusing to pay fines incurred by their Easter hospital visit (see F18News 2 September 2004 http://www.forum18.org/Archive.php?article_id=404), three Baptists in Gomel [Homyl'] region reported the arrival on 8 September of a court bailiff at the home of one of their number, Vasili Bilas. While Bilas proved to be no longer in danger of losing his car, maintained their 12 September statement, the bailiff drew up a list of household items for confiscation totalling 380,000 Belarusian roubles (1,077 Norwegian kroner, 132 Euros or 174 US dollars), which the Baptists claim is less than a third of their true value. The average monthly salary in Belarus is estimated to be around 303,000 Belarusian roubles (885 Norwegian kroner, 108 Euros, or 139 US Dollars).

By contrast, Pentecostal Pastor Nikolai Rodkovich has not been approached by the authorities since being fined 50,000 Belarusian roubles (142 Norwegian kroner, 17 Euros or 23 US dollars) in 2003 for leading an unregistered church (see F18News 12 December 2003 http://www.forum18.org/Archive.php?article_id=212), his wife Tamara told Forum 18 from Kobrin (Brest region) on 18 November. Their 300-strong congregation is part of a Pentecostal union which also refuses registration on principle and is said to have 50 communities in Belarus.

For the most part, those who have been unable to obtain initial state registration in Belarus are Orthodox communities outside the Belarusian Orthodox Church (Moscow Patriarchate) (see F18News 6 November 2003 http://www.forum18.org/Archive.php?article_id=177). Speaking to their representatives in recent days, however, Forum 18 has also found variations in their treatment by the Belarusian state authorities. Fr Leonid Plyats of the US-based Russian Orthodox Church Abroad, whose three parishes in Minsk region unsuccessfully mounted court challenges against registration refusals in 2003, said that he had not encountered significant state opposition since Easter 2004. On that occasion he was interrogated by local police after Moscow Patriarchate parishioners reported that he would hold an Easter vigil, Fr Leonid maintained to Forum 18. He added that he was not charged for unregistered religious activity, however: "They have not been able to find us in the act of holding a service."

Fr Leonid Akolovich of the Belarusian Autocephalous Orthodox (People's) Church under US-based Archbishop Yuri (Ryzhy) told Forum 18 that his 40-strong parish is regularly given small fines of 20,000 Belarusian roubles (57 Norwegian kroner, 7 Euros or 9 US dollars) for holding services without official permission at a disused church just outside Minsk. He added that over the past two months visits by local officials seeking to prohibit services have risen in frequency to almost every week. The parish was earlier refused the possibility of state registration independent from the Moscow Patriarchate.

By contrast, catacomb Orthodox Metropolitan Yepifani (Kamensky) of Minsk and Svetlogorsk told Forum 18 that, although his communities in Belarus have also been refused registration under various pretexts "as we are not the official Church," he has received assurance from the state officials that they would not be prosecuted for unregistered religious activity: "They told us we could pray as much as we liked."

On 18 November a former parishioner at the unregistered independent Orthodox church in Pogranichny demolished by the Grodno [Hrodna] authorities in July 2002 told Forum 18 that the community had disbanded of its own accord after its priest, Fr Yan Spasyuk, filed for asylum in the United States.

A different religious community unable to register, Minsk's 35-strong Karma Kagyu Buddhist group in Minsk has obtained a "compromise status", according to one of its members. Irina Poleshchuk referred Forum 18 to a May 2001 document issued by the State Committee for Religious and Ethnic Affairs which certifies that, having successfully passed the expert religious analysis required of confessions new to Belarus, the beliefs and practices of the Buddhist group do not contradict republican legislation and that it may be registered by Minsk City Council on acquisition of a valid legal address. While the Minsk community has still to find such an address, Poleshchuk told Forum 18, neither it nor smaller unregistered Buddhist groups in Belarus have encountered any restrictions as a consequence.

As several religious organisations have told Forum 18 that they have yet to receive responses to their re-registration applications, the only official refusal to be received since the deadline appears to be that reported by the Minsk Society for Krishna Consciousness (see F18News 10 November 2004 http://www.forum18.org/Archive.php?article_id=450). On 22 November, Sergei Malakhovsky of the Society told Forum 18 that on receiving the re-registration refusal, Krishna devotees immediately lodged a court appeal and collected 3,400 signatures in their defence the following weekend. While a second official warning would be sufficient to close the community, he said, no further steps have been taken by the authorities so far. A court challenge would also follow the receipt of the Society's other re-registration refusal in Bobruisk [Babruysk] (Mogilev [Mahilyov] region), he added.

Regarding other outstanding failures to re-register recently detailed to Forum 18 by an official of the State Committee for Religious and Ethnic Affairs, Eduard Parizh, who chairs the Union of Jewish Religious Communities in Belarus, said that the one Hassidic community in this category had an irregularity with its legal address. Commenting to Forum 18 that he thought this was now resolved, he also stressed that it had not been the fault of the state authorities.

Also speaking to Forum 18 on 22 November, Mufti Ismail Voronovich of the Spiritual Directorate of Muslims said that the four Islamic communities which did not receive re-registration contained fewer than 10 members and so were amalgamated with the nearest re-registered Muslim organisations. (END)

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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