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BELARUS: "I don't write the laws, I just implement them"

By Geraldine Fagan, Forum 18

A regional religious affairs official in Belarus has defended the legality of a fine, imposed on Baptist pastor Yuri Kravchuk in mid-December for unregistered religious activity. "Just like in any other country," the official in the western city of Grodno, who declined to be named, insisted to Forum 18 News Service, "all religious organisations must be registered in order to have the right to function." In defiance of international human rights standards, Belarus is the only country in Europe making state registration compulsory before religious activity can take place. Asked why registration was needed, the official remarked that this was not a question for him. "I don't write the laws, I just implement them," he explained to Forum 18. "Here in the Republic of Belarus we have our own laws, whether good or bad. We think they're good, other people might think they're bad." Meanwhile, on 10 January the charismatic New Generation Church in Baranovichi won in court as officials tried yet again to seize their church building from them.

A regional religious affairs official in the western city of Grodno [Hrodna] has repeatedly defended the legality of a fine handed down to local Baptist pastor Yuri Kravchuk on 21 December 2007, for holding a Harvest Festival service. "Just like in any other country," the official, who declined to be named, insisted to Forum 18 News Service on 10 January 2008, "all religious organisations must be registered in order to have the right to function."

Unregistered religious activity is prohibited by the restrictive 2002 Religion Law, while leadership of an unregistered religious organisation is an offence under Article 9.9 Part 1 of the Administrative Violations Code. In defiance of international human rights standards, Belarus is the only country in Europe requiring religious organisations to gain state registration before they engage in religious activity.

Asked why registration was needed, the regional religious affairs official remarked that this was not a question for him. "I don't write the laws, I just implement them," he explained to Forum 18. "Here in the Republic of Belarus we have our own laws, whether good or bad. We think they're good, other people might think they're bad. But I don't write them."

Pointing out that Yuri Kravchuk is an educated person who works at a medical institute, the regional religious affairs official claimed to Forum 18 that the Baptist pastor should know about the law's registration requirement. Pastor Kravchuk did not give any explanation for conducting unregistered worship, the official added. "There is a registered Baptist church in Grodno, why don't they go and join them?" he quipped. He did not know the size of Pastor Kravchuk's congregation or how long it has existed: "They have been meeting on the quiet."

On 10 January the chancellery at Grodno Regional Court told Forum 18 that Pastor Kravchuk's 29 December appeal against his fine is due to be heard on 15 January. Forum 18 is not aware of any instance of such an appeal being successful.

Pastor Kravchuk's Grodno congregation belongs to the Baptist Council of Churches, which broke away from the government-recognised Baptist Union in 1961 in protest at Soviet regulations preventing missionary activity and religious instruction to children. Unlike the Baptist Union, it refuses on principle to register with the authorities in post-Soviet countries, believing that this leads to state interference.

Church members complained to Forum 18 on 3 January about what they regard as an "illegally imposed fine" of 140,000 Belarusian Roubles (357 Norwegian Kroner, 45 Euros or 64 US Dollars) handed down to Pastor Kravchuk by Grodno's October District Court on 21 December 2007.

On 28 October his Grodno congregation was holding its Harvest Festival service in the city when they were visited by a local police officer, the Baptists stated. After the service, the police officer requested registration documents from Pastor Kravchuk and left on finding that there were none.

On 11 December, according to the Baptists, Pastor Kravchuk was summoned to a meeting with Grodno Region's senior religious affairs official, Igor Popov. On the basis of the police officer's report, Popov drew up a document confirming the administrative violation and referred both materials to October District Court.

Forum 18 notes that fines and harassment for unregistered religious activity appear to go in waves, with what appears to be a new upturn in the number of such fines currently taking place.

Recent examples include fines totalling 840,000 Belarusian Roubles (2,143 Norwegian Kroner, 169 Euros or 386 US Dollars) handed down to three Baptist Council of Churches members, in the western town of Baranovichi [Baranavichy], on 14 December (see F18News 17 December 2007 http://www.forum18.org/Archive.php?article_id=1063).

Up until 2004, fines for unregistered religious activity were usually relatively low - equivalent to several days' average wages - and for the most part encountered by congregations of the Baptist Council of Churches. They and other unregistered independent Protestant churches reported 17 such fines in 2003 to 2004. While the analogous figure for 2005 to 2006 is 12, those fines were on several occasions significantly higher – ranging from the then equivalent of two weeks' to two months' average wages.

A government spokesman stated that the average monthly wage in November 2007 was 736,400 Belarusian Roubles (1,828 Norwegian Kroner, 233 Euros or 342 US Dollars).

Also in Baranovichi, the authorities have again made an unsuccessful challenge to the property rights of the charismatic New Generation Church, which does have state registration. On 10 January local judge Oksana Kusheva threw out the charge that the church is not using its building according to its designation, the Full Gospel Union reported the same day. The judge told the city's local land and construction department to take the case materials away for more thorough examination.

While New Generation Church managed to re-register under the 2002 Law, it has encountered difficulties securing a place of worship. In 2005 Pastor Leonid Voronenko told Forum 18 that, although his 150-strong congregation bought a 443-square-metre [4,770-square-foot] warehouse in 1997 with the intention of converting it into a church, the town authorities have refused to allow the designated purpose of the building to be changed or to give the church full rights over the land beneath it.

In long-running correspondence on the issue between the church and Baranovichi Municipal Executive Committee, seen by Forum 18, the latter's chairman Mikhail Pavlov explains in July 1997 that conversion of the warehouse is "inexpedient". His successor Viktor Dichkovsky wrote to Pastor Voronenko in August 2004 that there was "no basis" to alter the building. He warned that if the designated usage of the plot of land was not complied with - in this case, storage of goods and products - then the church's right to use it would be terminated in accordance with the Land Code.

With the help of public pressure, New Generation Church managed to resist state threats to seal and demolish the building (see F18News 28 July 2005 http://www.forum18.org/Archive.php?article_id=619).

In early 2006, the Baranovichi municipal authorities unsuccessfully tried to fine New Generation for organising a Bible study group (see F18News 18 April 2006 http://www.forum18.org/Archive.php?article_id=762).

Later the same year, the State Committee for Religious and Ethnic Affairs denied the Full Gospel Union permission to invite Anselm Madubuko to preach at the Baranovichi church. It argued that a visit by the Nigerian pastor was "inexpedient" due to violations of Belarusian law – never specified - by the local New Generation leadership (see F18News 18 October 2006 http://www.forum18.org/Archive.php?article_id=856). (END)

For more background information see Forum 18's Belarus religious freedom survey at http://www.forum18.org/Archive.php?article_id=888.

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 survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806.

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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