

11 November 2009

BELARUS: "We have Orthodox, Catholics and Muslims – all the others are sects"

By Felix Corley, Forum 18

The Deputy Chief of Minsk's Frunze District Police, Dinas Linkus, said he sent the local police officer to question the Kagramanyan family, who are Pentecostals, about their religious faith. "We had a request from the Culture Department of Minsk City Executive Committee several weeks ago to find out whether any religious activity was going on at this address, to establish whether a church was active there or not," he told Forum 18 News Service. "We have Orthodox, Catholics and Muslims – these are the religions. All the others are sects." Meanwhile Transfiguration Baptist Church in Vitebsk Region was fined for using a private house for religious worship, despite having official permission to do so. Jehovah's Witness Dmitry Smyk has been fined for refusing compulsory military service on religious grounds, but criminal charges against one other conscientious objector have been dropped.

At the request of Minsk City Executive Committee, local police in the capital Minsk visited the Kagramanyan family, who are Pentecostals, and asked intrusive questions about whether they use their home for worship, which church they attend and why they are believers, Forum 18 News Service has learnt. The Deputy Chief of Minsk's Frunze District Police with responsibility for public security, Dinas Linkus, insisted to Forum 18 that now the family has answered the questions, no further action will be taken.

Meanwhile, a Baptist congregation has been fined in Vitebsk Region, although administrative charges against the leader of another local Baptist congregation have been dropped. And Jehovah's Witness Dmitry Smyk, facing imprisonment for refusing compulsory military service on grounds of religious faith, has instead been fined.

Who ordered the police questioning and why?

Linkus, the Deputy Police Chief, told Forum 18 that he had ordered the 26 October visit by a local police officer to the home of the Kagramanyan family. "We had a request from the Culture Department of Minsk City Executive Committee several weeks ago to find out whether any religious activity was going on at this address, to establish whether a church was active there or not," he told Forum 18 from Minsk on 11 November. "We have Orthodox, Catholics and Muslims – these are the religions. All the others are sects." He said the Culture Department maintains a record on each church.

Linkus said that no further police action is envisaged in the wake of the questioning of the family and their neighbours. "We just checked the address, that's all." He denied claims by the family that the local police officer asked intrusive questions about their faith and religious practice, and reports that neighbours were shocked by the police questions. "That's all made up. Don't believe everything you hear. No one complained to us about the visit."

Linkus insisted there was nothing special about the Culture Department's request, and said that his District Police gets "thousands" of such requests from various state agencies on many issues each year.

The Head of the Culture Department, Vladimir Karachevsky, told Forum 18 on 11 November that his Department handles ancient monuments and the like and has no connection with religious activity. Asked for clarification of who had ordered the police visit, Linkus told Forum 18 that he would answer no more questions, that he did not care what Forum 18 wrote, and would throw the Kagramanyan family out onto the street and give their flat to someone else.

Local police inspector Major Vladimir Filimonov of Minsk's Frunze District Police arrived at the family home at about 9pm on 26 October, Kristina Kagramanyan told Forum 18. "One of his first questions was "What were you doing at New Life Church?" He asked my husband Armen if he serves there as a pastor, why he was there, what he does when he is there and how often he visits."

New Life Church has faced relentless state pressure over many years to oust it from the church building it legally acquired (see most recently F18News 24 August 2009 http://www.forum18.org/Archive.php?article_id=1339).

Armen Kagramanyan assists the pastor of New Generation Church in the town of Baranovichi [Baranavichy] south-west of Minsk, which belongs to the same Full Gospel Union as New Life. New Generation has faced repeated harassment, most recently a raid in

June and a fine in July (see F18News 16 July 2009 http://www.forum18.org/Archive.php?article_id=1327).

Major Filimonov – who Kristina Kagramanyan said was polite and appeared to be uncomfortable asking such questions - then moved on to more general questions, such as "Why are you a believer?". Filimonov wrote down the family's answers and insisted that Armen Kagramanyan sign the record. When Kristina Kagramanyan asked him why he needed the information, Filimonov said a new department had been set up in Frunze District police "on this question", but refused to say what the "question" was.

Deputy Police Chief Linkus denied to Forum 18 that any such department had been established, saying that the information had been passed on to the Culture Department.

"I asked the inspector if it was a crime to be a believer," Kristina Kagramanyan told Forum 18. "I believe they wanted us to understand that if my husband continues to believe as he believes, they will try to expel him from the country." Armen Kagramanyan, an ethnic Armenian from Nagorno-Karabakh in the south Caucasus, has lived in Belarus since 1991 but has no citizenship. She said he has a valid residence permit, but his repeated applications for Belarusian citizenship have been rejected without explanation.

Major Filimonov confirmed to Forum 18 on 10 November that he visited the Kagramanyan family in their home. "I was just fulfilling my duty in accordance with the instruction from the Executive Committee." He vehemently denied that he had asked the family or the neighbours any intrusive questions or that he had been aggressive. "The conversation took place in an excellent atmosphere and we parted amicably." He denied that he had described the family to neighbours as "sectarians".

Baptist church fined, charges against another dropped

Transfiguration Baptist Church in the village of Voropaevo in Postavy District of Vitebsk [Vitsyebsk] Region has been fined for meeting for worship in its own building. The church was visited during a service on 22 September by Sergei Kiselev, the District inspector of the Department of State Control of Nature and Land Use. He drew up a record of an administrative offence, seen by Forum 18, alleging that the church was using the property for religious worship unlawfully.

The congregation was taken to Postavy District Court where, on 5 October, Judge Anna Romanovich found it guilty of violating Article 15.10 Part 3 of the Administrative Violations Code, which punishes using a plot of land not for its purpose with fines on legal entities of up to 100 times the minimum monthly wage. She fined the congregation the minimum fine of 700,000 Belarusian Roubles (1,446 Norwegian Kroner, 172 Euros or 258 US Dollars), the verdict reveals.

Pastor Aleksei Alshevsky told Forum 18 on 10 November that this represents three months' average wage locally. Unhappy with the ruling, the congregation challenged the fine at Vitebsk Regional Court, but on 28 October, Judge S. Ivanova upheld the fine.

Alshevsky complained of discrimination, pointing out that the Catholics and the Russian Orthodox both have churches locally, one of which is a former shop and the other an adapted private house. "Some Churches are privileged while the rest are fined," he told Forum 18.

In documents seen by Forum 18, Transfiguration Church – which is registered – was given permission to use their free-standing building by the local Executive Committee in 2004, 2005 and 2006. In a letter also seen by Forum 18, on 4 November Leonid Gulyako, the state Plenipotentiary for Religious and Ethnic Affairs confirmed to the congregation that it can legally use its property for worship.

However, both courts ruled that when Pastor Alshevsky sold the building (for a nominal sum) to the congregation in 2005 for continuing use as a place of worship, the sale once more made the house a residential property for which the permission for use as a place of worship had lapsed.

Alshevsky says his congregation will complain about the court decisions to the Presidential Administration.

Marina Tsvilik, who works in Gulyako's office and who drafted the 4 November response, said that personally she feels some "understanding" for Alshevsky. "Let them come to us to resolve this," she told Forum 18 from Minsk on 10 December. "There's always a legal way."

Asked why such a complex web of regulations exists over what properties can and cannot be used for religious worship and why religious believers are punished for meeting for worship when people who gather in homes to drink beer or watch football are not, Tsvilik responded: "It is a question of the Law." She insisted that the fines handed down on religious communities are for "various reasons".

Meanwhile, Postavy District Court told Forum 18 on 11 November that the administrative case against Council of Churches Baptist Sergei Dedovets for leading unregistered religious worship in a private home in Postavy was withdrawn "a month ago". "No offence had been committed," the court chancellery noted. "It was all thanks to the prayers of people around the world that the charges were

dropped," members of his family told Forum 18 the same day.

The Council of Churches congregation was raided by a local ideology official, Anna Mukhlya, and a police officer during Sunday worship on 27 September, when the charges were lodged against Dedovets (see F18News 19 October 2009 http://www.forum18.org/Archive.php?article_id=1363).

Unwilling to discuss why two churches in Postavy District were raided within days of each other in September and one punished was Alla Keizik, Deputy Head of the District Executive Committee who oversees social issues. "Dedovets wasn't fined, but he was warned he shouldn't hold religious services in a private home," she told Forum 18 from Postavy on 10 November. "Alshevsky violated the land use for the building."

Asked why these communities were being harassed merely for religious worship, Keizik put the phone down. Forum 18 was unable to ask her what had changed since 2005, when she had signed a letter approving the use of the church building for worship.

Conscientious objector sentenced

Jehovah's Witness conscientious objector Dmitry Smyk was found guilty at the Central District Court in the south-eastern town of Gomel [Homyel] on 6 November of refusing compulsory military service under Article 435 Part 1 of the Criminal Code. The verdict – seen by Forum 18 – notes that Judge Grigory Dmitrenko fined him 3,500,000 Belarusian Roubles (7,230 Norwegian Kroner, 862 Euros or 1,290 US Dollars). He was also ordered to pay 3,000 Roubles in court costs, banned from leaving the country, banned from travelling elsewhere in Belarus without prior notification and required to maintain good conduct. The maximum penalty under this Article is two years' imprisonment.

The verdict reveals that the court did not believe that Smyk's decision to "join the religiously inclined people" in October 2006 at the urging of his wife's stepfather was genuine. It pointed out that his own parents did not belong to such a group. "The reference by the accused to the absence in law of an alternative service, which allegedly prevents him from fulfilling his duty to the state, the court considers as his way of evading military service and evading criminal responsibility for this."

The court believed Smyk was merely trying to preserve "the comfort of his daily civilian life" and rejected his argument that serving – even without weapons – in a military unit would violate his conscientious beliefs. According to the verdict, the court believed that as the statute of the Jehovah's Witnesses does not specify that their members reject military service on religious grounds, such rejection cannot be a fundamental tenet of their faith.

Smyk rejects the court decision. "They said in court that I specially became a Jehovah's Witness to avoid military service, but that's not true," he told Forum 18 from Gomel on 11 November. "I didn't even know about the attitude to military service until after I joined." He said he is preparing to lodge an appeal to Gomel Regional Court.

The criminal sentence handed down to the 23-year-old Smyk is the first on a Jehovah's Witness conscientious objector since 2000, Forum 18 notes (see F18News 30 October 2009 http://www.forum18.org/Archive.php?article_id=1370).

Three other Jehovah's Witnesses – two of them also in Gomel – were also facing criminal prosecution. However, Smyk told Forum 18 that the prosecutor in Gomel has dropped charges against one of them, Aleksei Boinichev, saying no crime had been committed. "This is interesting, as he is in the same situation as me," Smyk told Forum 18. However, Boinichev will again be included in the spring 2010 call-up "and if he refuses he will again be charged".

Round-table postponed

Meanwhile, organisers have postponed a proposed roundtable in Minsk to discuss an alternative Religion Law, as they told Forum 18. The roundtable had been scheduled for 13 November, but was postponed because of the outbreak of the H1N1 virus.

Earlier plans to hold the roundtable had been obstructed by the Minsk City Executive Committee (see F18News 30 October 2009 http://www.forum18.org/Archive.php?article_id=1370). (END)

For a personal commentary by Antoni Bokun, Pastor of a Pentecostal Church in Minsk, on Belarusian citizens' struggle to reclaim their history as a land of religious freedom, see F18News 22 May 2008 http://www.forum18.org/Archive.php?article_id=1131.

For more background information see Forum 18's Belarus religious freedom survey at http://www.forum18.org/Archive.php?article_id=1311.

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 compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be

found at http://www.forum18.org/Archive.php?article_id=1351.

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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