

28 November 2012

BELARUS: One week left for charismatic church?

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Members of Minsk's New Life Pentecostal Church – who have been campaigning for a decade to hold on to their building - have been ordered to hand over the keys of their church to officials next Wednesday (5 December). The eviction order – seen by Forum 18 News Service - orders the local housing authority to provide "vehicles, manpower and everything necessary to evict the debtor" in case of forced eviction. Court executor Olga Shcherbovich of Minsk's Higher Economic Court, who signed the order, refused to discuss it with Forum 18. "We are treating this very seriously," church member and lawyer Sergei Lukanin told Forum 18. "There will be round-the-clock prayer in our building and special evening prayer meetings to ask the Lord to defend our building and to guide our response to the authorities."

Yesterday (27 November) New Life Pentecostal Church received notice that it must voluntarily vacate its building by 5 December or else be forcibly evicted. "We are treating this very seriously," Sergei Lukanin, New Life member and lawyer, remarked to Forum 18 News Service from the Belarusian capital Minsk on 28 November. "There will be round-the-clock prayer in our building and special evening prayer meetings to ask the Lord to defend our building and to guide our response to the authorities."

Deputy Plenipotentiary for Religious and Ethnic Affairs, Vladimir Lameko, refused absolutely to discuss the proposed eviction of New Life Church with Forum 18 on 28 November.

New Life is famous for its 10-year fight to keep control of its private church property, a renovated cow barn on the edge of Minsk. The city authorities have blocked the 1000-strong congregation's efforts to use the building in line with Belarusian law, thereby stripping its rights to the property. A hunger strike by New Life members, visits by foreign diplomats and messages of support from around the world prevented the state from seizing the building in 2006.

Seen by Forum 18, the 27 November eviction notice instructs New Life Church to prepare keys to its building for a hand-over to state representatives at 11am on 5 December. It also orders the local housing authority of Minsk's Moscow District to provide "vehicles, manpower and everything necessary to evict the debtor" in case of forced eviction. Signed by court executor Olga Shcherbovich of Minsk's Higher Economic Court, the notice implements the Court's eviction order of 23 October 2012.

Reached by telephone on 28 November, Shcherbovich declined to respond to Forum 18's questions. She explained that she only accepts public enquiries – including by telephone – on Tuesdays.

Change of course?

There has been no attempt to evict New Life since August 2009, church lawyer Lukanin confirmed to Forum 18. "The court executors haven't touched us since then - this means no political decision was taken until now."

Lukanin believes the development is connected with the 16 November appointment of Valery Vakulchik as new head of the KGB (the secret police has not changed its name since the Soviet era), and the eviction of human rights organisation Vesna ("Spring") from its Minsk premises on 26 November.

"Vesna's eviction was a test to see how the public would react, and the lack of public reaction encouraged the authorities to deal with New Life," Lukanin suggested to Forum 18. "But ours is a quite different situation because people relate differently to us as we're a religious organisation. We also believe in spiritual support from the Lord, and we have the experience of 2006, when quite extraordinarily the whole state machinery directed against us suddenly stopped, and we continue to meet in our building even though the land has not belonged to us since 2005 and the building since 2009."

New Life has indeed largely been left alone since mid-2009. Visiting the church in late December 2010, Forum 18 found members able to organise Christmas festivities with the aid of portable generators (the authorities switched off the building's electricity in 2004). The church's high-profile civil disobedience campaign in 2006 appeared to push the authorities back from confrontation. Also in late 2010, Minsk Pentecostal Pastor Antoni Bokun – whose church has also faced difficulties – remarked to Forum 18 that New Life had become "the only territory in the country where Belarusian laws don't operate".

Other faith communities have similarly experienced a relaxation in state pressure in recent years, the exception being Jehovah's Witnesses (see below).

Under President Aleksandr Lukashenko, Protestant communities have generally found it impossible to get property redesignated so that it can be legally used for worship. If a building is not a designated house of worship, advance state permission is needed for religious activity, and anti-Protestant officials refuse to grant it. Orthodox and Catholic communities are rarely affected, partly due to the state's more positive attitude towards them, but also because they are more likely to occupy historically preserved, designated worship buildings (see F18News 30 May 2007 http://www.forum18.org/Archive.php?article_id=966).

Ten-year struggle

Purchased in 2002, New Life's building – a spacious, modern barn-like structure on the edge of Minsk – is legally still a cowshed. The state authorities have repeatedly refused to allow the church to legalise its position by changing the building's designation to a house of worship, or to use it for services. The congregation's defiant worship at the building has resulted in multiple large fines in addition to its formal confiscation (see F18News 17 August 2006 http://www.forum18.org/Archive.php?article_id=832).

The congregation has nowhere else to meet, having earlier been barred from public facilities by district administrations throughout Minsk. It toyed with the idea of keeping several cows at the church so as to comply with the building's designation, but animal husbandry is now banned in Minsk (see F18News 28 July 2005 http://www.forum18.org/Archive.php?article_id=619).

A high point in New Life's battle with the Minsk authorities came in October 2006, when officials dispatched a bulldozer with the apparent intention of razing the charismatic congregation's building. The church embarked on a high-profile hunger strike in its defence.

After letters of support from all over the world began pouring in to President Lukashenko, the church's pastor, Vyacheslav Goncharenko, was invited to see a top-ranking presidential administration official, Oleg Proleskovsky, who hinted that a legal resolution was possible (see F18News 20 October 2006 http://www.forum18.org/Archive.php?article_id=858).

Despite this, the Higher Economic Court threw out New Life's subsequent appeal against state moves to seize its building on 13 January 2009, taking the church's situation back to square one (see F18News 26 January 2009 http://www.forum18.org/Archive.php?article_id=1244).

Recent harassment

The eviction notice previous to yesterday's was issued in August 2009, and similarly ordered New Life to vacate its church building within seven days. On that occasion the congregation refused to let court executors in, or to accept compensation for the building, claiming the sum to be far below the current market value (see F18News 24 August 2009 http://www.forum18.org/Archive.php?article_id=1339).

Harassment of New Life continued in 2010 through the Minsk City Natural Resources and Environmental Protection Committee. In July the church was issued fines in excess of 250 million Belarusian Roubles (500,000 Norwegian Kroner, 60,000 Euros or 85,000 US Dollars) for allegedly polluting the ground around its building with traces of oil (see F18News 29 July 2010 http://www.forum18.org/Archive.php?article_id=1471).

Rejecting these charges, New Life refused to pay the fines. In August 2010 the church's bank account was frozen, greatly complicating its financial administration, including charitable donations, staff wages and pension contributions (see F18News 6 November 2010 http://www.forum18.org/Archive.php?article_id=1509).

Fined

Although Jehovah's Witnesses say they have not faced police raids in recent months, they have failed to overturn fines on two of their members imposed earlier in 2012 after police raids on their religious meetings in November 2011 and April 2012. Both were prosecuted under Article 23.34 of the Code of Administrative Offences ("Violation of the procedure for organising or conducting a mass event or demonstration") despite November 2011 amendments which appear to have removed an "offence" of unapproved religious meetings in private homes (see F18News 27 June 2012 http://www.forum18.org/Archive.php?article_id=1714).

On 7 September, Judge Aleksandr Suzhaev of Gomel Regional Court left unchanged a fine of 2 million Belarusian Roubles (1,330 Norwegian Kroner, 180 Euros or 230 US Dollars) on Kirill Dashkovsky, according to the verdict seen by Forum 18. Jehovah's Witnesses pointed out to Forum 18 that this is nearly three times his monthly wage, while he also has a minor son to look after.

Dashkovsky had been fined by Rogachev District Court on 10 August after he was accused of being the organiser of a Jehovah's Witness meeting held in a private home in Rogachev on 1 April without state permission. He was found guilty under Article 23.34,

Part 2 of the Code of Administrative Offences, which punishes those who organise mass events.

"The Judge decided he was the organiser without any legal basis," Jehovah's Witnesses complained to Forum 18. They point out that the charges were based on an anonymous report to the police which they say should only be acted on if they relate to a crime, not as proof of a crime. Jehovah's Witnesses wrote a collective complaint to Rogachev Prosecutor's Office.

Dashkovsky was initially acquitted on 8 May, while another local Jehovah's Witness, Nina Volchkova, was acquitted on 18 May. However, a new trial for Dashkovsky was called after police chief Viktor Pekurin appealed against his acquittal (see F18News 27 June 2012 http://www.forum18.org/Archive.php?article_id=1714).

Complaint rejected

Svetlana Chueshova, Rogachev District Prosecutor, told Forum 18 on 28 November that her office had investigated the Jehovah's Witness complaint and found "no confirmation" that the police had used anonymous information as proof in the case. She insisted prosecutor's had no involvement in the case.

Yevgeni Kiryanov, who took over this week as acting head of Rogachev District Police, said he had no information as to what his now-retired predecessor Pekurin had done. "I have no information on the case so cannot comment," he told Forum 18.

Where can they meet?

Although the Rogachev community is registered, it has been refused a plot of land to build a Kingdom Hall, Jehovah's Witnesses told Forum 18. They have also received "about twenty refusals" to rent property to hold religious meetings. "Because of this, the believers were forced to meet in a private home."

Forum 18 was unable to find out why Rogachev Executive Committee is refusing to allow the Jehovah's Witness community to meet. Officials told Forum 18 on 28 November that its deputy head Vasily Korolchuk – who has previously warned the community not to meet – was out of the office. The telephone of Galina Kovalyeva, head of the Ideology Department, went unanswered each time Forum 18 called the same day.

Supreme Court challenge

Dashkovsky's fine followed a similar case in Svetlogorsk, also in Gomel Region, where Jehovah's Witness Dmitry Lebedko was fined 700,000 Belarusian Roubles for a religious meeting in his home in November 2011. He was eventually fined in March 2012, a fine upheld by Gomel Regional Court on 11 April. Also upheld was the confiscation of religious literature and video recordings (see F18News 27 June 2012 http://www.forum18.org/Archive.php?article_id=1714).

Jehovah's Witnesses complain that the 11 April decision was only sent to Lebedko on 7 May, depriving him of time to file a further appeal. In June he appealed to the Supreme Court in Minsk. However, it wrote back to him on 17 July to say it had sent the appeal back to Gomel Regional Court. After Lebedko met the chair of the Regional Court on 18 September, the Court re-examined the case three days later and upheld the earlier decision.

Lebedko filed a further challenge to the Supreme Court in early October. Jehovah's Witnesses told Forum 18 on 28 November that there has been no further reply from the Supreme Court. They add that once the Supreme Court has responded on Lebedko's case they will decide whether to lodge a similar appeal on behalf of Dashkovsky.

Registration denied

Jehovah's Witnesses remain concerned about the continued registration denial for their community in Borisov. It has been seeking registration in vain since 1998, but has been repeatedly rejected for seeking to use a private home as its legal address, according to numerous documents seen by Forum 18.

The new Housing Code has now been adopted, which will come into force on 2 March 2013. Approved by the lower house of parliament in May and the upper house in June, it was signed into law by President Lukashenko on 28 August (see F18News 27 June 2012 http://www.forum18.org/Archive.php?article_id=1714).

Article 14, Part 2 of the new Code specifically allows single-occupied homes or homes in small blocks where each flat has a direct entrance from the street to be used for religious meetings by registered religious organisations. (Such homes are more typical of villages than towns.) However, this would be allowed only with permission from the local authorities and if the house meets sanitary and technical requirements and fire safety regulations. The current 1999 Housing Code makes no specific mention of religious meetings in private homes.

Jehovah's Witnesses say they will wait until this new Code comes into force before applying for registration once more in Borisov.

They say they are waiting to see if the new Code ends such registration difficulties. (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://education.nationalgeographic.com/education/mapping/outline-map/?map=Belarus>.

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