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BELARUS: Seven fined for talking about Easter in street

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Seven Protestants were fined about 2 months' average wages each for talking to others on a Minsk street about Easter. Police arrested and handcuffed the seven, took them to a police station, and held them for about eight hours. No official would explain why they did this. Similarly, regime officials refuse to explain why they denied the Catholic Red Church parish – forcibly closed by the regime in 2022 – permission to hold Easter mass in the church grounds. The regime also refuses to publish planned 2023 Religion Law changes.

A court in Belarus' capital Minsk has fined seven young Protestants about two months' average wage each. They were punished for talking to others on a city centre street about the meaning of Easter on Saturday 15 April, the day before Orthodox Christians celebrated the festival. Police arrested and handcuffed the seven, took them to Central District Police Station, and held them for about eight hours.

Officials refused to explain to Forum 18 why it is a violation of the law for individuals to talk in a street to others about their faith, and why police needed to arrest, handcuff, and detain the seven Protestants for eight hours at a police station. The duty officer at Minsk's Central District Police Station – where the seven were held - refused to give any comments. "I have no information to give you," he told Forum 18 (see below).

"Unfortunately, the court did not take into account the arguments of the young people that they sincerely wanted to share the meaning of Easter with others, that public order was not violated, and that they shared their message with those who were interested," Minsk's New Life Church noted on 28 April, the day the court handed down the fines. Five of the seven fined are members of that Church (see below).

Officials closed Minsk's Church of Saints Simon and Helena (known locally due to its brickwork as the Red Church) after a suspicious September 2022 fire. Nearly eight months later, officials refuse to say when they will allow the Church to reopen for worship. "There is no information," parish administrator Fr Yuri Sanko told Forum 18 (see below).

The parish expressed its gratitude on 19 March to an Orthodox Christian from Russia, Mikhail, who had passed on "a word of support from your Orthodox brothers and sisters from Russia". Mikhail had also written to Belarus' Embassy in Moscow about the enforced closure of the Church (see below).

As its access to the Red Church remained blocked, the parish wrote to Minsk Executive Committee for permission to hold an Easter service on the Church's land. (Catholics celebrated Easter this year on 9 April.)

Less than a week before the proposed service, the Deputy Head of Minsk Executive Committee Artyom Tsuran denied permission for this, insisting that the Red Church cannot be used until repair works are finished. He said the application for an outdoor service – a "mass event" – did not meet the requirements of the Mass Events Law, which was harshened after widespread popular protests against the regime began in 2020 (see below).

"Unfortunately, our shrine is still closed," the Red Church website noted. "The Red Church, which used to be filled with thousands of Catholics praying on Easter day, is empty now. We asked officials to allow us to hold the Easter Mass but received NO as an answer" (see below).

The Deputy Head of Minsk Executive Committee's Ideology, Religion, and Ethnic Affairs Coordination Department, Yekaterina Kaverina (who drafted Tsuran's reply), refused to explain to Forum 18 why the Red Church was denied permission to celebrate Mass on its own grounds (see below).

Meanwhile, the regime is preparing more changes to the harsh Religion Law. Aleksandr Lukashenko specified that the Council of Ministers should prepare the draft amendments by June for them to be presented to the lower chamber of Parliament, the House of Representatives, in September. The Plenipotentiary for Religious and Ethnic Affairs and the Justice Ministry were instructed to prepare the amendments, supervised by the Education and Social/Cultural Department of the Council of Ministers (see below).

As of 11 May, no text of the Religion Law amendments has been published. Officials persistently refuse to give any information or comments on the regime's planned changes to religious leaders and human right defenders. Forum 18 could not reach the head of the Education and Social/Cultural Department at the Council of Ministers (see below).

An official – who did not identify herself - of the Religious Affairs Department of the Plenipotentiary for Religious and Ethnic Affairs put the phone down as soon as Forum 18 asked for comment on the planned amendments (see below).

The regime has stripped individuals from Belarus of the possibility to complain to the United Nations (UN) Human Rights Committee about violations of their rights under the International Covenant on Civil and Political Rights (ICCPR). The move took effect from 8 February, three months after the UN received the notification of Belarus' renunciation (see below).

The Human Rights Committee has found that Belarus violated the rights to freedom of religion or belief of a number of complainants. Three complaints from Jehovah's Witnesses are still pending with the Committee, which will continue to consider them (see below).

Seven fined for talking about Easter

On Saturday 15 April, the day before Orthodox Christians celebrated Easter, a group of young Protestants from several churches shared their faith with passers-by in central Minsk. They stood with a two-metre high wooden cross on Nemiha Street by a park below the Orthodox Holy Spirit Cathedral close to the metro station. They explained the meaning of Easter and offered passers-by to write their sins on a piece of paper and, as a symbol, attach it to the cross.

Police arrested seven Protestants, five of them members of Minsk's New Life Pentecostal Church. Officers handcuffed them and took them to Minsk's Central District Police Station, holding them for eight hours, Protestants told Forum 18. Police released them not long before midnight.

Officers drew up records of an offence against the seven under Administrative Code Article 24.23 (https://www.forum18.org/archive.php?article_id=2806) ("Violation of the procedure for organising or conducting a mass event or demonstration"). Punishments are a fine of up to 100 base units (about two months' average wage), or community service, or 15 days' imprisonment.

One of those detained wrote a verse (chapter 3, verse 16) from John's Gospel on the police record: "For this is how God loved the world: he gave his only Son, so that everyone who believes in him may not perish but may have eternal life."

On 28 April, Minsk's Central District Court found all seven Protestants guilty in separate hearings under different judges. The judges fined each of them between 90 and 100 base units, between 3,330 and 3,700 Belarusian Roubles, a Protestant close to the case told Forum 18. (3,700 Belarusian Roubles is 100 base units, the maximum fine under this Article.)

"Unfortunately, the court did not take into account the arguments of the young people that they sincerely wanted to share the meaning of Easter with others, that public order was not violated, and that they shared their message with those who were interested," New Life Church noted on Telegram on 28 April. It pointed out that the court sentenced each of them to a fine that was the maximum or close to the maximum possible.

The seven Protestants appear to have decided not to appeal against the fines.

Officials refused to explain to Forum 18 why it is a violation of the law for individuals to talk in a street to others about their faith, and why police needed to arrest, handcuff, and detain the seven Protestants for eight hours at a police station.

The duty officer at Minsk's Central District Police Station refused to give any comments. "I have no information to give you," he told Forum 18 on 3 May.

An official of the Religious Affairs Department of the Plenipotentiary for Religious and Ethnic Affairs (https://www.forum18.org/archive.php?article_id=2806) - who did not identify herself - put the phone down on 3 May before Forum 18 could ask about the detentions and fines. The Deputy Head of the Ideology, Religion, and Ethnic Affairs Coordination Department of Minsk City Executive Committee, Yekaterina Kaverina, similarly put the phone down on 10 May before Forum 18 could ask about the detentions and fines.

2022 fines

In 2022, courts used Administrative Code Article 24.23 (https://www.forum18.org/archive.php?article_id=2806) ("Violation of the procedure for organising or conducting a mass event or demonstration") to punish the exercise of freedom of religion or belief without state permission.

On 27 December 2022, a Pentecostal leader in Smorgon in the western Grodno Region was fined for leading meetings of an unregistered Full Gospel Church community in his home "without appropriate permission from Smorgon District Executive Committee". Judge Lyudmila Petrova of Smorgon District Court found the leader guilty of violating Administrative Code Article 24.23, Part 1. She fined him 10 base units, 320 Belarusian Roubles, according to the court decision seen by Forum 18. The fine represents about one week's average wage.

Earlier in 2022, courts used the same Article to fine four Protestant pastors in Gomel for holding outdoor baptisms (https://www.forum18.org/archive.php?article_id=2777), and two Protestant pastors in Minsk for leading worship in the car park of the confiscated New Life Church (https://www.forum18.org/archive.php?article_id=2777).

On 17 February 2021, New Life Pentecostal Church was forcibly evicted from its place of worship (https://www.forum18.org/archive.php?article_id=2806), which the regime had never allowed to be redesignated for religious use. On 25 September 2022, the regime banned the Church from meeting for worship in the church car park (https://www.forum18.org/archive.php?article_id=2806), fining church leaders.

Kaverina of Minsk City Executive Committee's Ideology, Religion, and Ethnic Affairs Coordination Department refused to reply, when Forum 18 asked whether the authorities will compensate the Church for its building (https://www.forum18.org/archive.php?article_id=2815) from which they evicted it

Minsk's Red Church still closed, nearly 8 months after suspicious fire

Minsk's Catholic Church of Saints Simon and Helena (known locally due to its brickwork as the Red Church) remains closed. The church has been closed since a fire in September 2022 (https://www.forum18.org/archive.php?article_id=2781) which took place with multiple regime agencies close by, which parishioners described as "strange and ambiguous."

Officials have refused to say when they will allow the Church to reopen for worship. "There is no information," Fr Yuri Sanko, Red Church parish administrator and spokesperson for the Catholic Bishops' Conference told Forum 18 from Minsk on 10 May 2023.

The regime has also repeatedly rejected appeals over many years to hand the Church of Saints Simon and Helena back to the Catholic community (https://www.forum18.org/archive.php?article_id=2591). Minsk Heritage, an agency owned by the city administration, has also for some years been in dispute with the parish over large financial demands from the state for building work it did not agree to and which it cannot afford. "Why should we pay the state 13,000 Belarusian Roubles a month to pray in our own church?" the then-parish priest Fr Stanislav Stanevsky asked independent news agency Naviny.by in July 2020 (https://www.forum18.org/archive.php?article_id=2591). City officials refused to explain to Forum 18 the large sums they have demanded, or why they repeatedly refuse to hand the Church back to its parishioners (https://www.forum18.org/archive.php?article_id=2815).

Some other Catholic parishes face similar problems. The regime terminated unlimited, free of charge rental agreements with at least four Catholic churches (https://www.forum18.org/archive.php?article_id=2815) still in state hands. It claimed that, in exchange for signing a new agreement to pay rent, the churches would eventually be allowed to resume using their historical buildings rent-free. "We were told that if we don't sign the new agreement, the church will be given to the museum .. while we'll be allowed to worship there only once a week," a Catholic close to Corpus Christi Church in Nesvizh told Forum 18 in February 2023.

Minsk's Red Church parish expressed its gratitude on 19 March 2023 to an Orthodox Christian from Russia, named only as Mikhail, who had passed on "a word of support from your Orthodox brothers and sisters from Russia".

Mikhail had written to the Embassy of Belarus in Russia about the enforced closure of the Church. He received a reply dated 24 January (seen by Forum 18) from the regime's senior religious affairs official, Plenipotentiary for Religious and Ethnic Affairs (https://www.forum18.org/archive.php?article_id=2806) Aleksandr Rumak, claiming that the Church of Saints Simon and Helena would be reopened "for believers and tourists" once repair works are completed. He gave no timetable.

Mikhail also asked the Committee on Commonwealth of Independent States Affairs of Russia's State Duma (lower house of parliament) to support attempts to have the Red Church reopen for worship. In a 7 March reply (seen by Forum 18), Committee Chair Leonid Kalashnikov said the issue would be discussed in the Culture, Science and Education Commission of the Parliamentary Assembly of the Union of Belarus and Russia.

Officials of the Union's Parliamentary Assembly in both Minsk and Moscow told Forum 18 on 11 May that they had no information about the work of the Culture, Science and Education Commission.

Officials of the State Duma's Committee on Commonwealth of Independent States Affairs in Moscow did not answer the phone on 11 May. Forum 18 sent written questions for Kalashnikov in the middle of the working day in Moscow of 11 May on whether and, if so, when the Parliamentary Assembly's Culture, Science and Education Commission had discussed the enforced closure of the Red

Church, and what the result of any discussion might have been. Forum 18 received no response by the end of the working day in Moscow of 11 May.

"We asked officials to allow us to hold the Easter Mass but received NO as an answer"

The parish of Saints Simon and Helena tried to get permission to hold an Easter service on its own grounds by the closed Red Church, but the authorities refused. Catholics celebrated Easter this year on 9 April 2023.

The parish had applied for permission to Minsk Executive Committee on 23 March. In a 3 April reply (seen by Forum 18), the Deputy Head of Minsk Executive Committee Artyom Tsuran denied permission for the Church to celebrate Mass on its own grounds, insisting that the Red Church cannot be used until repair works are finished.

Minsk Executive Committee regarded the Red Church parish's request to hold an outdoor Mass on their own land as coming under the Mass Events Law (https://www.forum18.org/archive.php?article_id=2806). This Law was harshened in June 2021 after large-scale protests began against regime violence after the August 2020 falsified presidential election (https://www.forum18.org/archive.php?article_id=2674).

After Russia's February 2022 renewed invasion of Ukraine, with Belarusian regime support, the regime's main focus for its freedom of religion and belief and related human rights violations switched to monitoring, threatening, and punishing religious leaders and people opposing Russia's renewed war against Ukraine (https://www.forum18.org/archive.php?article_id=2734) and the Belarusian regime's role in this. The regime tries to stop any public event held independently of the regime, such as the seven Protestant's sharing their faith, and the Red Church parish's Easter Mass.

The Executive Committee's 3 April 2023 reply to the Red Church parish also referred to the January 2019 Council of Ministers Decree No. 49 ("On the procedure of payment for public security provided by police, for healthcare services, for cleaning a venue after a public event"). The Decree imposes further conditions related to the Mass Events Law (https://www.forum18.org/archive.php?article_id=2806) by setting varying event fees to be paid to state agencies depending on the number of participants. It requires that all permitted public event organisers - including of religious events – must both agree event fees with the police, state healthcare, and cleaning services, and also pay these fees in advance.

"For your information, your application does not meet the requirements of Articles 5, 6 and 9 of the [Mass Events] Law (https://www.forum18.org/archive.php?article_id=2806), and also the requirements of the above-mentioned Council of Ministers' Decree and the decisions of Minsk Executive Committee," Tsuran told the parish. "Minsk Executive Committee does not approve the declared mass event and warns against legal violations by the community."

Minsk Heritage officials also denied permission for Easter Mass either inside or anywhere around the Red Church. In his 7 April letter (seen by Forum 18), the General Manager of Minsk Heritage Aleksandr Kokhan informed the religious community of "the impossibility to carry out worshipping and other events in the Red Church building, priest's house and the church grounds". He insisted that all the parish's religious activities have been transferred to the Cathedral of the Blessed Virgin Mary.

"Unfortunately, our shrine is still closed," the Red Church website noted on 7 April. "The Red Church, which used to be filled with thousands of Catholics praying on Easter day, is empty now. We asked officials to allow us to hold the Easter Mass but received NO as an answer."

The Deputy Head of Minsk City Executive Committee's Ideology, Religion, and Ethnic Affairs Coordination Department, Yekaterina Kaverina (who drafted Tsuran's reply), refused to explain to Forum 18 why the Red Church parish was denied permission to celebrate Mass on its own grounds. "Call Minsk-Mohilev Archdiocese, let them give you comments," she told Forum 18 on 10 May before putting the phone down.

It is unclear why Kaverina thought the Archdiocese (which wants the Red Church to be reopened) could comment on behalf of the regime's Minsk City Executive Committee which closed the Church.

Forum 18 could not reach Minsk Heritage to find out why the Easter celebration was not allowed on the church grounds. Kokhan's phone was not answered when Forum 18 repeatedly called on 10 May to get comments on its refusal and to inquire about the progress on any repair works.

Some religious communities have told Forum 18 that, after the Decree came into force in January 2019 (https://www.forum18.org/archive.php?article_id=2806), they had to cancel or change their plans for annual pilgrimages and religious meetings (https://www.forum18.org/archive.php?article_id=2503) because they cannot afford the fees.

Religion Law changes planned in 2023

The regime plans to this year again change the country's harsh Religion Law (https://www.forum18.org/archive.php?article_id=2806). The intention to amend the law was included in a 30 December 2022 Decree signed by Aleksandr Lukashenko setting out the legislative plan for 2023.

Lukashenko tasked the Council of Ministers to prepare draft Religion Law amendments "to perfect the law taking into account its practical implementation and bring it into line with the Constitution". The regime amended the Constitution in early 2022 to increase Lukashenko's powers. None of the amendments appeared to affect the way religious communities function.

Lukashenko specified that the Council of Ministers should prepare the draft Religion Law amendments by June 2023 for them to be presented to the lower chamber of Parliament, the House of Representatives, in September.

A Council of Ministers Decree of 24 January handed the task of preparing the Religion Law amendments to the Plenipotentiary for Religious and Ethnic Affairs (https://www.forum18.org/archive.php?article_id=2806) and the Justice Ministry. Supervision of the amendments was placed under the Education and Social/Cultural Department of the Council of Ministers.

As of 11 May, no text of the Religion Law amendments has been published. Officials persistently refuse to give any comments or information on the amendments to religious leaders and human right defenders.

Forum 18 has been unable to find out the details of the amendments from the Council of Ministers. It was unable to reach the Head of the Education and Social/Cultural Department, Yosif Petkevich.

Human rights defenders and religious leaders do not know what will be in the Religion Law amendments. "We have not seen the amendments to the Religion Law (https://www.forum18.org/archive.php?article_id=2806). I hope they [the officials] will inform us and would like to hear our opinion," one religious leader who wished to remain anonymous told Forum 18 on 3 May. Another feared that the regime might require all registered religious communities to seek re-registration under the amended Religion Law.

An official – who did not identify herself - of the Religious Affairs Department of the Plenipotentiary for Religious and Ethnic Affairs (https://www.forum18.org/archive.php?article_id=2806) put the phone down on 3 May as soon as Forum 18 asked for comment on the planned amendments.

The Head of the Ideology, Religion, and Ethnic Affairs Coordination Department of Minsk City Executive Committee Tatyana Shevchik refused to discuss this issue with Forum 18 on 10 May. "Why should I give you any answers?" she told Forum 18. "Come personally with an official inquiry, we do not give such comments on the phone."

Regime strips individuals of possibility to complain to United Nations

The regime has stripped individuals from Belarus of the possibility to complain to the United Nations (UN) Human Rights Committee about violations of their rights under the International Covenant on Civil and Political Rights (ICCPR). The move took effect from 8 February 2023.

In 1992, Belarus acceded to the ICCPR Optional Protocol (<https://www.ohchr.org/en/treaty-bodies/ccpr/individual-communications>). This allows individuals to complain directly to the UN Human Rights Committee after domestic remedies have been exhausted. Since 2000 the Committee has considered more than 175 complaints from Belarus, many of them involving more than one complainant, and is still considering other complaints from Belarus. Some of these relate to violations of individuals' right to freedom of religion or belief.

In a decision adopted on 1 July 2022 and made public on 7 September 2022 (CCPR/C/135/D/2616/2015 (<https://digitallibrary.un.org/record/3994736>)), the Human Rights Committee found that Belarus had violated the rights of Kirill Dashkovsky, who chaired the registered Jehovah's Witness community in Rogachev.

Dashkovsky had complained of being fined in August 2012 after police raided a meeting for worship in a home (https://www.forum18.org/archive.php?article_id=1714). The Committee concluded that the punishment "amounted to a limitation of his right to manifest his religion" and that "by convicting and fining [Dashkovsky] for organizing and holding religious services, the State party violated his rights" under Article 18 ("Freedom of Thought, Conscience or Religion") of the ICCPR. In its decision, the Committee said it "regrets the failure of the State party to provide any information" on the case.

Two other complaints from Jehovah's Witnesses are among those pending with the Human Rights Committee (https://www.forum18.org/archive.php?article_id=2770). Dmitry Mozol lodged a complaint in November 2021 after being fined four months' average wages for refusing on grounds of conscience to undergo nearly four weeks of reservist military training. Earlier, Andrei Kuzin lodged a complaint after a court fined him more than a month's average wage for leading a Jehovah's Witness meeting on his property.

In earlier decisions (https://www.forum18.org/archive.php?article_id=2770), the Human Rights Committee found that the rights of an executed prisoner's family had been violated when the regime refused to release the body for burial. In another case, the UN Committee found that the rights of two Hare Krishna devotees had been violated when the regime refused to register a nationwide Hare Krishna organisation as well as a local community in Minsk.

Parliament approved the draft Law on the denunciation by the Republic of Belarus of the Optional Protocol to the International Covenant on Civil and Political Rights in October 2022 and Lukashenko signed it into law on 27 October 2022.

On 22 August 2022, seven local human rights groups – including Viasna (Spring), the Belarusian Helsinki Committee and Human Constanta – had condemned the proposed withdrawal from the Optional Protocol (https://www.forum18.org/archive.php?article_id=2770) and called for it to be abandoned. They noted that "although the authorities consistently ignored the [Human Rights] Committee's decisions, the state was under an obligation to respond to the Committee, explaining the relevant issue and providing information on measures taken".

Belarus notified the UN Secretary General in early November 2022 of its denunciation of the ICCPR Optional Protocol. The move took effect on 8 February 2023, three months after the UN received the notification.

The UN Human Rights Committee expressed "profound regret" at the move. It said this "will deprive victims of human rights violations in Belarus, who have been denied justice domestically, of bringing their complaints before the Committee".

"The Committee noted that Belarus adopted its decision without providing a particular explanation and without holding any consultation with civil society and non-governmental entities at any stage of the national process of denunciation," the Human Rights Committee stated on 25 November 2022 (<https://www.ohchr.org/en/press-releases/2022/11/belarus-withdrawal-individual-complaints-procedure-serious-setback-human>).

"With this regrettable step, the Republic of Belarus becomes the fourth and only country in the twenty-first century to withdraw from the Optional Protocol, which has been ratified by 117 countries," the Committee added.

The Human Rights Committee said it would continue to accept and examine petitions about human rights violations lodged with it before 8 February 2023. It stressed that it would continue after then to follow up on implementation of earlier "cases found to be in violation of rights". (END)

More reports on freedom of thought, conscience and belief in Belarus (<https://www.forum18.org/archive.php?country=16>)

For background information, see Forum 18's Belarus religious freedom survey (https://www.forum18.org/archive.php?article_id=2806)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/archive.php?article_id=1351)

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