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BELARUS: Church fined for activity "not according to its statute"

By Felix Corley, Forum 18 (<https://www.forum18.org>)

A registered Protestant congregation in western Belarus has been fined for activity which officials claim was "not according to its statute," local Protestants told Forum 18 News Service. The church held a special prayer service in its registered building, which church members insist was within its statute. Trouble for the New Generation Church began when Baranovichi local Ideology Department officials saw posters in the town advertising the service. One official and two "witnesses" arrived at the church 30 minutes before the service, but left 10 minutes before it began without witnessing it. The official, Sergei Puzikov of the Ideology Department, refused to explain to Forum 18 what activity was outside the church's statute, as did the Department's head. In defiance of international human rights standards, Belarus bans all unregistered religious activity – including both unregistered communities and unregistered activity by registered communities. Religious activity is kept under close surveillance by the KGB secret police, and officials often issue warnings for activity they claim is illegal. Two such warnings can lead to a religious organisation being closed down.

A registered Protestant congregation in the western Brest Region of Belarus was fined on 14 July, for activity which officials claim to be "not according to its statute," local Protestants have told Forum 18 News Service. Officials objected to a special Sunday morning prayer service at the New Generation Full Gospel Church in the western town of Baranovichi [Baranavichy], which church members insist fell inside the list of activities in their statute.

In defiance of the country's international human rights commitments, Belarusian law bans all unregistered religious activity – including both unregistered communities and unregistered activity by registered communities. Religious organisations are kept under close surveillance by the KGB secret police, and officials often issue warnings for activity that they deem to be illegal. For two "offences", the registration body can apply to a court to have a religious organisation liquidated, and also has the power to halt the organisation's activity in the run-up to the court's decision.

Just such a warning was issued to the New Testament Pentecostal Church in Minsk in late May, after it invited a visiting Ukrainian pastor to preach at one service without specific state approval (see F18News 15 July 2009 http://www.forum18.org/Archive.php?article_id=1326).

Officials may complain about any activity religious organisations undertake that is not specifically listed within organisations' statutes, which have to be approved at the time registration is granted. This allows officials wide scope for questioning the legality of any religious activity they do not like, especially if it takes place outside a religious organisation's registered legal address.

Marina Tsvilik of the government's Office of the Plenipotentiary for Religious and Ethnic Affairs said she was not familiar with the fine imposed on the Baranovichi church, but said she would be "surprised" if they had been fined merely for holding a prayer service in their own church building. "I don't see any violation in this," she told Forum 18 from Minsk on 15 July.

Ideology Department targets New Generation

Trouble for the New Generation Church began when Baranovichi local Ideology Department officials saw posters the church had placed around the town, to advertise a special service on 21 June to pray for protection against evil in individuals' lives.

Sergei Puzikov, the chief specialist of the Ideology Department of Baranovichi Executive Committee, arrived at the church together with two "witnesses" half an hour before the service was due to begin, church members told Forum 18. Puzikov drew up an official record of what he claimed was an administrative violation. He and the two witnesses left after 20 minutes, before the service had even begun.

The official record, of which Forum 18 has seen a copy, notes that the advertisement indicated that the service would take place and that the service was a violation of Article 9.9 Part 1 of the Code of Administrative Violations. "Such forms of activity are not the activity as in the statute of the New Generation religious community of Full Gospel Christians," it records.

Article 9.9 Part 1 punishes "creation of a religious organisation or leadership of it without registration under the established

procedure or activity of a religious organisation outside the statute".

On 14 July, Judge Oksana Sarakhman of Baranovich Town and District Court found that the New Generation Church had violated Article 9.9 Part 1 of the Code of Administrative Violations. The judge handed down the maximum fine under this Article of 10 base units or 350,000 Belarusian Roubles (786 Norwegian Kroner, 87 Euros or 122 US Dollars).

Are churches banned from holding prayer services?

Church members insisted to Forum 18 that a prayer service is within the terms of the church's statute. They told Forum 18 that the statute describes the church's basic religious activity as "religious services, prayer meetings, religious rites, rituals and ceremonies." Church members noted that many religious communities conduct activities that are not specifically identified in their statutes. These often only describe their activity as religious services and rites, without identifying the exact forms of services and rites used.

Church members also pointed out that Puzikov of the Ideology Department and the two "witnesses" had not witnessed the prayer service, as they had left ten minutes before it started and only had information about it from the advertisements.

Puzikov refused to explain to Forum 18 why he and the Court regarded the nature of the service as being "not in accordance with the statute". He claimed from Baranovich on 15 July that the country's Law on State Service banned him from speaking to the media without permission from his superiors.

Puzikov's boss, the head of the Ideology Department Tatyana Zhidko, refused absolutely to discuss the case with Forum 18 on 16 July. Asked what activity the church had conducted that was not included in its statute, she responded firmly and repeatedly: "I have no information at all about this – ask the Court." Asked how a prayer service in a church's own premises could constitute activity outside its statute, she repeated her response. When Forum 18 pointed out that Puzikov, who had determined that a "violation" had taken place, was an official of her department, she put the phone down.

No other Ideology Department official would explain to Forum 18 why holding a religious prayer service was outside the terms of the church's statute.

Church members told Forum 18 that they have not yet received the Court's written verdict, but say they intend to challenge the fine at Brest Regional Court.

New Generation's earlier problems

New Generation Church – which is led by Pastor Leonid Voronenko – has faced earlier pressure from the authorities over alleged incorrect land use (see F18News 7 February 2008 http://www.forum18.org/Archive.php?article_id=1084), and the presence of a visiting foreign pastor (see F18News 18 October 2006 http://www.forum18.org/Archive.php?article_id=856).

Activity "outside the statute" punished

The authorities have frequently used very tight definitions of what constitutes activity within the terms of a religious organisation's statute to restrict peaceful religious activity. Organisations registered as social, rather than religious, can be deemed to be acting illegally if they allow any religious activity

A rehabilitation programme for alcoholics and drug addicts in the eastern city of Mogilev [Mahilyow] run by a Belarusian Christian social organisation, Cliff House, was raided in March by a local Ideology Department official accompanied by police officers. They accused the organisation of conducting "illegal" religious activity. In May, Lyudmila Batyuk, the co-ordinator of the programme, was fined 140,000 Belarusian Roubles (315 Norwegian Kroner, 35 Euros or 50 US Dollars) under Article 9.9 Part 1 of the Administrative Violations Code for conducting unregistered religious activity.

Irina Batishcheva, the head of the District Executive Committee's Ideology Department who led the raid, refused to discuss the case with Forum 18 (see F18News 11 June 2009 http://www.forum18.org/Archive.php?article_id=1310).

Similarly, Catholic priests and nuns involved in prominent social activity have been expelled from the country (see eg. F18News 7 January 2009 http://www.forum18.org/Archive.php?article_id=1237). (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 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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