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BELARUS: Fines on religious activity continue as pastors complain to president of restrictions

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

The official in the western town of Baranovichy who arranged for two local Baptists to be fined about one month's average wages each for using their home for religious worship defends his action. "They violated the Religion Law," ideology official Sergei Puzikov insisted to Forum 18 News Service. Told that the two point to Belarus' Constitution, which guarantees religious freedom, he responded: "In any country there is not only the Constitution, but individual laws." Puzikov was also involved in a fine handed down to another Baranovichy church in July. Police in nearby Malorita tried to have Baptists punished for singing hymns on the street, but the judge threw out the case. Fifty Protestant pastors – many of whom have been punished for religious activity - wrote to President Aleksandr Lukashenko on 20 August complaining of long-standing restrictions. The office of Belarus' senior religious affairs official refused to discuss their complaints with Forum 18.

Authorities in the western Brest Region have continued their harassment of religious communities, local believers have told Forum 18 News Service. Two Protestant congregations in the town of Baranovichy [Baranavichy] were given large fines in July, while in early August police in the town of Malorita tried to have six Baptists punished under the Administrative Violations Code for singing hymns and giving out Christian literature on the street without state permission. However, in that case the judge threw out the accusation, insisting that singing hymns does not fall under the auspices of the Law on Demonstrations.

On 20 August, fifty Protestant pastors from across Belarus signed a letter to President Aleksandr Lukashenko defending the embattled New Life Full Gospel Church in the capital Minsk and complaining about long-standing restrictions on religious activity.

However, Forum 18 has been unable to discuss these complaints or the harassment in Brest Region with Leonid Gulyako, the government's Plenipotentiary for Religious and Ethnic Affairs. His assistant, who had told Forum 18 on 24 August that he was in an urgent meeting, told Forum 18 on 25 August that she would not put the call through and would not discuss the concerns raised by the pastors or the harassment in Brest Region with Forum 18. She then put the phone down.

Members of a variety of religious communities have been fined this year for religious activity the authorities regard as illegal. The highest fine so far was of 2,100,000 Belarusian Roubles (4,750 Norwegian Kroner, 533 Euros or 745 US Dollars), three months' average wages, handed down on Council of Churches Baptist Nikolai Poleshchuk in the town of Osipovichy in the eastern Mogilev [Mahilyow] Region in May (see F18News 11 June 2009 http://www.forum18.org/Archive.php?article_id=1310).

Council of Churches Baptists refuse on principle to register their congregations with the state, insisting that registration should not be needed for religious worship. However, Belarus' highly restrictive Religion Law – in defiance of the country's international human rights commitments – makes registration compulsory before religious activity is legal. The law also restricts legal religious worship to state-approved premises and bans regular religious worship – whether by registered or unregistered congregations - in private homes.

The latest moves to punish peaceful religious activity come as the authorities prepare once again to try to confiscate from the New Life Full Gospel Church its place of worship in Minsk (see F18News 24 August 2009 http://www.forum18.org/Archive.php?article_id=1339).

In their letter defending the New Life congregation, of which Forum 18 has seen the text, the fifty Protestant pastors also complained to President Lukashenko of tight restrictions on religious activity. "We don't understand why officials at various levels obstruct our activity, which we carry out on the basis of the Constitution of the Republic of Belarus and current law," they wrote. They also expressed concern that many laws themselves unfairly restrict religious activity.

In particular, the pastors complain that "for various reasons", Protestant congregations are refused permission to build places of worship and are then denied permission to rent premises for worship. They say this has been going on for many years. The pastors complain of "humiliating surveillance" by the KGB secret police, and repeated punishments under the Administrative Violations Code. They claim that judges interpret the Code arbitrarily and often act under direct orders from the KGB and other state agencies.

Among the signatories to the letter are many pastors who have been punished or whose churches have been punished in recent years. Pastor Leonid Voronenko leads one of the two Protestant churches in Baranovichi fined in July and his church has faced harassment before. Pastor Boris Chernoglaz leads a Minsk Full Gospel congregation which has faced obstruction finding premises for worship.

Pastor Andrei Sidor has been fined for leading worship in his own home near Minsk. Pastor Dmitry Podlobko was given an official warning for holding services in a building he owns in Gomel [Homyel]. Pastor Antoni Bokun's church in Minsk has been raided by police and he has been fined and imprisoned for three days for leading worship. Minsk-based Pastor Ernst Sabilo – who spent 13 years in Soviet labour camps for his faith – has had his congregation liquidated in court.

Baranovichi Baptists fined

On 7 July, Judge Vasily Petriv of Baranovichi Town and District Court handed down massive fines on two members of a local Council of Churches Baptist congregation because it meets for worship in a private home, local Baptists and court officials told Forum 18. Stepan Paripa and Nikolai Pestak were found guilty of violating Article 21.16 Part 1 of the Administrative Violations Code, which punishes "using living premises not for their purpose" with a fine on individuals of between ten and thirty base units. Each was fined twenty base units, 700,000 Belarusian Roubles (1,483 Norwegian Kroner, 173 Euros or 248 US Dollars).

Local Baptists say that Paripa and Pestak did not appeal against the fines, but they refused to pay them. "We believe they are not guilty of anything and so they have not paid," one church member told Forum 18 on 24 August from Baranovichi. The church member added that so far officials have taken no further action against Paripa and Pestak or the church. "All is quiet at the moment."

Court officials told Forum 18 on 24 August that Judge Petriv was away on leave, but insisted the fines had been handed down on the basis of documentary evidence. They said the two had forty days to pay the fines voluntarily. Failure to do so would lead to attempts by court executors to recover the money. Court officials confirmed that the fine on each amounted to about a month's average wages locally.

Church members say officials are trying to pressure the congregation to apply for registration, which they fear will bring with it state interference in the internal life of the congregation and restrictions on its activity. They point to Article 31 of Belarus' Constitution, which guarantees religious freedom to all without mentioning registration. "Registering a church and gaining legal status is the right of believers, not an obligation," church members maintain.

The latest trouble for the congregation began on 19 June, when local Ideology Department official Sergei Puzikov ordered an administrative case to be launched against the two. Paripa and Pestak were both fined on the same charge in December 2007 (see F18News 17 December 2007 http://www.forum18.org/Archive.php?article_id=1063).

Puzikov defends the decision to fine Paripa and Pestak. "They violated the Religion Law," he insisted to Forum 18 on 24 August. Told that the Baptists point to Article 31 of the Constitution, which makes no reference to state registration before religious activity can be undertaken, Puzikov responded: "In any country there is not only the Constitution, but individual laws." He refused to answer any further questions and put the phone down.

Another Baranovichi church loses appeal against fine

The fines on the two Baptists came one week before another Protestant church in the town was fined by the same court. The New Generation Full Gospel Church led by Pastor Voronenko was fined 350,000 Belarusian Roubles on 14 July for holding a Sunday morning prayer service on 21 June which the same Puzikov of the town's Executive Committee claimed was activity "not according to the statute" of the church (see F18News 16 July 2009 http://www.forum18.org/Archive.php?article_id=1327).

The church appealed against the fine to Brest Regional Court. However, in a 20 August decision seen by Forum 18, Judge Anatoly Pastukhov rejected the appeal. The judge upheld the decision that the prayer service represented "activity outside the statute" but failed to explain why holding a Sunday morning prayer service was not in accordance with the church's statute.

Protestants told Forum 18 that the church has not paid the fine so far because the appeal has been underway and now intends to lodge a supervisory appeal against the decision. The church also complains that it was never given the written text of the 14 July court decision.

Baptists escape fine

Meanwhile, Council of Churches Baptists told Forum 18 that elsewhere in Brest Region, police attempts to have church members fined for singing hymns and offering Christian literature on the streets have been thrown out. They say that on 1 August, six church members were detained in the town of Malorita and taken to the police station. There police drew up an official record, declaring that the six had "sung Christian songs and distributed Christian literature without having the permission for this from the organs of state power".

The Baptists noted that a large group of fellow church members attended the court hearing of the six on 7 August. Judge Pyotr Borichevsky told the six that the court would not hear the case as singing Christian songs does not fall under the purview of the 2003 Law on Demonstrations. He sent the official records back to the police and ended the case against the six.

The Baptists told Forum 18 that this is not the first time police in Malorita have moved against their members who have been singing and offering literature on the street. (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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